



5 August 2022

PLANNING COMMITTEE - 17 AUGUST 2022

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 17 August 2022 in the Council Chamber at the Town Hall, Rugby.

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

Mannie Ketley
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes
To confirm the minutes of the meeting held on 20 July 2022.
2. Apologies
To receive apologies for absence from the meeting.
3. Declarations of Interest
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Planning Appeals Update.
7. Delegated Decisions – 30 June 2022 to 27 July 2022.
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 item on the grounds that it involves the likely disclosure of information defined in paragraph 2 of Schedule 12A of the Act.”

PART 2 – EXEMPT INFORMATION

1. Planning Enforcement Update - January to June 2022.

Membership of the Committee:

Councillors Gillias (Chairman), Mrs Brown, Daly, Eccleson, Mrs Hassell, Lawrence, Lewis, Mrs Maoudis, Sandison, Slinger, Srivastava and Willis

If you have any general queries with regard to this agenda please contact Veronika Beckova, Democratic Services Officer (01788 533591 or e-mail veronika.beckova@rugby.gov.uk). Any specific queries concerning reports should be directed to the listed contact officer.

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

Planning Committee – 17 August 2022

Report of the Chief Officer for Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

Item	Application Ref Number	Location site and description	Page number
1	R22/0012	The Sarah Mansfield, Main Street, Willey, Rugby CV23 0SH Use of first floor of public house as letting bedrooms and erection of two dwellings in rear car park.	3
2	R22/0469	3-7 Bank Street, Rugby CV21 2QB 8 replacement windows to first floor with UPVC framed sliding sash windows.	14
3	R22/0470	3-7 Bank Street, Rugby CV21 2QB Replacement of bay window to first floor with UPVC framed bay window.	20

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
4	R22/0485	Plot 3, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry CV7 9JR Erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping.	26
5	R22/0491	Plots 6 and 7, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry CV7 9JR Erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping.	66
6	R22/0500	Land South of Baileys Lane, Baileys Lane, Long Lawford CV23 9FS Construction of 2 bedroomed bungalow.	108

Reference: R22/0012

Site Address: THE SARAH MANSFIELD, MAIN STREET, WILLEY, RUGBY, CV23 0SH

Description: Use of first floor of public house as letting bedrooms and erection of two dwellings in rear car park

Recommendation

Refusal

1.0 Introduction

1.1 This application is being reported to Planning Committee in accordance with the Scheme of Delegation, 5.2.3 (e) which requires applications which have received 15 or more letters of objection to be referred to the Planning Committee for determination.

2.0 Proposal

2.1 This is a full planning application for use of the first floor of a public house (PH) as letting bedrooms and erection of two dwellings in the rear car park.

2.2 The original submission for three dwellings would have them sited at the rear of the car park with the development formed in an L shape footprint. In accordance with the plans the dwellings shall be referred to as Plot 1,2 & 3.

2.3 The original submitted dwellings measured 14.24 metres in length and would have had a width of 16.55 metres. There would have been two differing ridge heights the smaller at 6.83 with an associated eave height of 4.84 metres and sloping further to the rear at 4.41 metres. The larger ridge height at 7.54 would meet the eaves at 4.84 metres.

2.4 The ground floor for the dwellings consisted of 3 internal parking spaces and would have the bedrooms for Plot 1 and Plot 2 on the ground floor with associated bathrooms. Plot 3 exists entirely on the upper floor above the garage space accessed via a staircase in between the garage and Plot 2, with the kitchen/lounge on the 1st floor for Plot 1 & 2.

2.5 Windows for Plots 1 and 2 would feature both on the front and rear elevations and Plot 3 would feature on the Southwest elevation only.

2.6 This scheme was reduced to a 2-dwelling scheme which removed the internal garages and Plot 3 entirely which greatly reduced the scale, resulting in a proposal 5.75 metres in width and retaining the total length of 14.24 metres. This design would use one window to each upper floor on the front elevation which would be obscure glazed with all other fenestration to the rear.

2.7 The materials to be used will be facing brick.

- 2.8 The rest of the site in between the dwellings and the existing PH will be occupied by 13 parking spaces. There is a small amount of amenity space to the Southwest of the proposed new dwellings.
- 2.9 The access for the site will remain the same and will be shared with the car park.
- 2.10 The proposed internal changes to the PH would convert the ground floor to remain in use as a Public House but would integrate the kitchen facilities which as existing are located on the 1st floor. Therefore, the ground floor will include a dining area, a lounge and a snug 3 WCs, a cellar, servery, kitchen and store.
- 2.11 The upper floor would be occupied by 6 rooms with associated ensuite bathrooms and could be accessed via the external staircase.
- 2.12 The external changes to be carried out will be a roof alteration to make space for a 1st-floor window and a new window and a door to the ground floor.

3.0 Site Description

- 3.1 The application site is the PH the Sarah Mansfield located in Willey. The PH has a prominent positioning sited abut the highway, on a curve on Main Street. The pub itself is made of brickwork with timber windows and uses a white colour scheme. The site itself is entirely hard surfaced and the rear of the property is used for the associated parking for the PH. The character of the area is that of a small rural village mostly residential with examples of farmhouses, terraces, bungalows and a thatched cottage all contributing to an aesthetic typical to a small village. There are also two Listed Buildings in the Locality The Church of St Leonard Grade II* listed (Entry No 1116337) and the Grade II Cottage Nurseries (Entry No 1034859). 1

Planning History

Application No	Description	Decision	Date
R78/1279/10276/pb	Erection of two storey side extension and use of ground floor as bar and first floor as bedroom and use of part of existing ground floor as restaurant	Approval	15-Nov-1978
R/95/0745/10276/P	Provision of new roof to existing first floor building and single storey outbuilding, erection of single storey side extension, covered way and erection of chimney.	Approval	6-Dec-1995
R/96/0608/10276/P	Retention of external staircase and flue	Approval	31-Oct-1996

Site Listed as an asset of Community Value 11-March-2021 and then appealed and removed as of 9-July -2021

Relevant Planning Policies

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

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

Rugby Borough Local Plan 2011-2031, June 2019

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy GP3: Previously Developed Land and Conversions

Policy SDC2: Landscaping

Policy SDC1: Sustainable Design and Construction

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets.

Policy NE3: Landscape protection and enhancement

Policy HS5: Traffic Generation and Air Quality, Noise and Vibration

Policy HS3: Protection and Provision of Local Shops, Community Facilities and Services

Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD – 2012

Material Considerations

National Planning Policy Framework (NPPF or “the Framework”) 2021

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Technical consultation responses

WCC Highways:	No objection, subject to conditions
RBC Environmental Health:	No objection, subject to conditions
WCC Ecology:	No objection, subject to conditions
Warwickshire Fire & Rescue	No response received
Warwickshire Planning Archaeology	No response received

Third party comments

20 written objections received

Objections received with issues raised Concerning

- Insufficient Parking
- Sewage facilities
- Space standards
- Lack of amenity space
- Loss of Light

- Unsustainable Location due to lack of services.
- Possibility of HMO
- Noise, Nuisance and anti-social behaviour
- Concerns about the pub being left in disrepair
- Communal importance of the pub
- Siting of the new dwelling (off the building line)
- Question surrounding the Gas tank or oil tank.

3.0 Assessment of proposals

3.1 The main considerations in respect of this application are:

Section 4	Principle of Development
Section 5	Highway Safety
Section 6	Character and Design
Section 7	Impact on Residential Amenity
Section 8	Air Quality and Noise
Section 9	Biodiversity
Section 10	Planning Balance and Sustainability of Development
Section 11	Recommendation

4.0 Principle of Development

- 4.1 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the Settlement Hierarchy.
- 4.2 The application site is located in Willey which is a rural village and therefore Development will be permitted within existing boundaries only, including the conversion of existing buildings where national policy permits.
- 4.3 In relation to a number of objections raised, the application is within the village boundary of Willey and therefore although sequentially is not considered to be the most desirable location for new dwellings the proposal would not be considered an unsustainable location in accordance with the Settlement Hierarchy.
- 4.4 Section 2, paragraph 7 of the NPPF states that the planning system should contribute to the achievement of sustainable development. There are three dimensions of sustainable development, those being the economic; social and environmental roles. The planning balance will be carried out by assessing each of these strands:
- 4.5 Economic Objective: If this proposal were to be approved it would result in the creation of a number of short-term construction jobs in relation to the erection of the dwellings. On a long-term basis, the dwellings would also make Council-tax contributions.
- 4.6 Environmental Objective: The development has been assessed by Warwickshire County Council Planning Ecology and has not been deemed significantly detrimental. If members were minded to approve the application, a condition is also required for one integrated bat

and bird box to be erected on each new building proposed which generates a biodiversity gain.

- 4.7 Social Objective: The dwellings will contribute towards providing a sufficient range of homes for future generations.
- 4.8 The rationale for the development is to create the dwellings first, to finance the PH as referenced in the planning statement. This phased development was objected to and referenced in several objections from a stance of protection of the PH. In terms of the deliverability of this proposal, this would not be considered a reason to warrant a refusal.
- 4.9 Policy HS3 states that proposals that would result in a significant or total loss of a site and/or premises currently or last used for a ... public house, community or cultural facility or other service that contributes towards the sustainability of a local settlement or the urban area will not be permitted. The policy indicates that this is unless alternative provision of equivalent or better quality ... is made available prior to redevelopment or there is no reasonable prospect of retention of the existing use as it is unviable as demonstrated by a viability assessment and a reasonable effort to secure alternative business for a minimum of 12 months.
- 4.10 In assessment of Policy HS3 and the objections which are purposed to protect the PH as a building of community value (although not currently designated; see section planning history), as a core function of the proposal is that the PH remains as a PH and in fact would be renovated from its existing state, the principal of this aspect of the proposal is considered acceptable.
- 4.11 It is determined that on balance this proposal can be considered to comply with Policy GP2 and HS3 of the Local Plan and Section 2 of the NPPF.

5.0 Highway Considerations

- 5.1 Section 9 of the NPPF states that development should achieve a safe and suitable access to a site for all users. Policy D2 of the local plan states that permission will only be granted for development incorporating adequate and satisfactory parking facilities including the provision for motorcycles, cycles and for people with disabilities.
- 5.2 Warwickshire County Council Highways were consulted to assess the proposal. The leading highway authority originally took a stance of objection to the proposal. This was due to the inadequate dimensions of the parking spaces provided and the potential to lead to on street parking which due to the locality would likely be inconsiderate or dangerous. This type of unsafe parking in combination with the access and visibility splays was therefore determined to decrease safe and efficient operation of the highway.
- 5.3 The applicant then submitted a technical note which was subsequently assessed by WCC highways who retained a stance of objection due to substandard dimensions of the proposed parking spaces.

- 5.4 The applicant submitted a further plan addressing this resulting in the highway authority taking a stance of no objection subject to a condition which requires the development is not occupied until the space for parking of cars is provided and a construction management plan be provided.
- 5.5 It is noted that a main theme of objection was the highways issues and parking. However, as WCC Highways, the leading highway authority has no objection subject to conditions, the proposal is considered to be in accordance with Section 9 of the NPPF and Policy D2 of the Local Plan.
- 6.0 **Character and Design**
- 6.1 Policy SDC1 of the local plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.
- 6.2 The only proposed changes to the PH are the minor roof alteration to make space for a 1st-floor window and a new window and a new door to the ground floor. These changes do not significantly impact the aesthetic of the PH and do not feature in a prominent location and therefore are considered acceptable.
- 6.3 It is noted that the front elevation of the PH is not shown to be developed to include signage as part of this application which at the time of the site visit was a blank elevation.
- 6.4 The materials for the new dwellings would also be required to be submitted and agreed to under condition as part of any approval, in order to ensure satisfactory appearance.
- 6.5 The proposed dwellings are largely screened from the street scene by existing dwellings that sit closer to the highway or by vegetation. The proposed dwellings positioning behind the building line has received objections. As the development is on developed land, within the village boundary and the pattern of development within Willey is not of a consistent building line with a number of existing backland developments, the siting of the development would be deemed acceptable if all other planning matters are addressed.
- 6.6 In assessment of the original three dwelling submission, there would be a large blank elevation which faces both the street and the residential amenity of Star Cottage. This would be considered a significantly detrimental design contributing to an incongruous development by means of introducing a large prominent elevation due to corner positioning and land levels, with no significant architectural merit. It is also considered that an attempt to break up this impact using fenestration would significantly impact the privacy of the neighbouring dwelling.
- 6.7 The amended two-dwelling design does reduce the above impacts. Policy GP3 of the Local Plan states The Council will support the redevelopment of previously developed land

where proposals are compliant with the policies within this Local Plan. In particular consideration will be given to... The visual impact on the surrounding landscape and properties.

- 6.8 The introduction of this development in relation to the rear amenity space of Star Cottage would still be considered as a significantly detrimental impact. This is due to the introduction of an incongruous development (which is of further prominence due to land levels) having a detrimental visual and overbearing impact on the neighbouring rear amenity space of Star Cottage. The application would therefore be seen contrary to Policy GP3.
- 6.9 In terms of the size of the dwellings, the floor space provided would not meet the national space standards (See Appendix for calculations) and although this is not adopted by Local Plan Policy, this can be used as an indicator that by national standards, the scale of living space would be substandard for its occupiers. Further from this point, the amenity space proposed for the occupier of the dwellings is of a small scale and sited at the foot of a PH car park.
- 6.10 Para 120 of the National Design Guide 2021 states that Well-designed homes and buildings... provide internal and associated external spaces that support the health and wellbeing of their users and all who experience them. In assessment of the size, scale and siting of the amenity space, this would be considered to be against para 120 of the National Design Guide 2021. The lack of appropriate and well-designed amenity space, in combination with substandard provision of floorspace for the occupiers of the dwellings would be considered detrimental to the overall function of the design and detrimental to its occupiers.
- 6.11 Any attempts to address this issue of increasing the floor space for development and making the amenity space larger would likely significantly impact the finely balanced highways issue of parking and further impact the character of the design. This in turn becomes a constraint on the scale of the site itself and its ability to serve and balance the proposed uses appropriately.
- 6.12 Policy SDC1 states that proposals for housing will not be permitted near to or adjacent site where there is potential for conflict between the uses. In the case of this, such proposals must be accompanied by supporting information demonstrating that the existing and proposed uses would be compatible and that the proposal has addressed any potential effects of the existing use on the amenity of the occupiers of the proposed development. Due to the nature of this proposal this conflict between uses and the potential effects are assessed below.
- 6.13 The proposed site aims to serve as both a PH, letting rooms, residential dwellings with accompanied amenity space and a car park at a suitable standard for all users and occupiers. It is not determined that residential dwellings and a PH are not compatible in principle. However, the impact that the existing (and restored) use of the PH and the need for adequate parking would have on the future occupiers of the proposed dwellings is that

of substandard living space and outdoor amenity space which is constrained within the submitted proposal by the size of the site. This is considered to be significantly detrimental and against Policy SDC1 and accompanied by an undesirable elevation featuring in proximity to the residential amenity space of a neighbouring dwelling contrary to Policy GP3.

- 6.14 It is therefore considered that the proposed use of the site would cause conflict between the uses as it cannot provide a level of design which serves both the proposed use and the existing without being of detriment to one and other either from a parking or design standpoint.
- 6.15 The application is therefore considered contrary to Policy SDC1 and Policy GP3 and should be refused.

7.0 **Impact on Residential Amenity**

- 7.1 Section 12 of the NPPF states that planning should always seek a high standard of amenity for existing and future users of developments.
- 7.2 Policy SDC1 also states that proposals for new development will ensure that living conditions of existing and future neighbouring occupiers are safeguarded.
- 7.3 There are windows on the first-floor side elevation of the PH which are altered to serve an ensuite, and a bedroom. Two of these windows would serve a bedroom as part of the proposal which would be seen to create a significantly detrimental loss of privacy to the windows on the rear of Star Cottage which both serve as bedrooms as confirmed by the occupant (27-June-2022, Telephone discussion). Therefore, If members are minded to approve the application then it is of the officers recommendation that a condition requiring obscure glazed windows should be included.
- 7.4 The windows situated to the rear of the property face the greenbelt and would have no impact in terms of overlooking or privacy issues.
- 7.5 The original 3 dwelling submission would be considered significantly detrimental to the neighbouring amenity due to the large elevation running along the site boundary and directly impacting loss of light and being of an overbearing appearance from the amenity space for Star Cottage.
- 7.6 It is accepted that this is largely reduced by the 2-dwelling design and in terms of impacts of loss of light or privacy to residential amenity, on balance these would not be considered significantly detrimental to amenity.
- 7.7 On balance, the amended scheme would not cause any significant harm to the surrounding residential amenity in terms of loss of light or privacy but would be considered to have a harmful visual and overbearing impact as highlighted in point 6.8.

7.8 The application is therefore considered contrary to Policy SDC1, GP3 and Section 12 of the NPPF and should be refused.

8.0 **Air Quality and Noise**

8.1 Policy HS5 of the Local Plan states proposals should take full account of the cumulative impact of all development including that proposed in this Local Plan on traffic generation, air quality, noise and vibration.

8.2 Environmental Health were consulted on the application in order to assess the impacts of the proposal. Environmental Health had no objection to the proposal subject to Conditions requiring the submission and agreeance with the Local Planning Authority of;

- A scheme of works detailing the on-site measures to meet air quality standards
- A noise assessment agreed upon in writing prior to the commencement of the above ground works.
- An investigation into potential contamination of the Land and remediation scheme
- A Construction management plan.

8.3 As the leading technical consultee has no objection, the proposal, therefore, is considered to be in accordance with Policy HS5.

9.0 **Biodiversity**

9.1 Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. Policy NE1 seeks to safeguard priority habitats/species of conservation concern and requires developers to take mitigating measures for their protection.

9.2 Warwickshire County Ecologists highlighted that the site has no specific nature conservation designation and therefore had no objection to the proposal subject to a condition requiring bird and bat boxes being included in the fabric of the buildings to ensure a gain for biodiversity as part of the development.

9.3 As Warwickshire County Ecologists have no objection to the proposal subject to conditions and informatives the proposal is considered to be in accordance of Chapter 15 of the NPPF and Policy NE1 of the Local Plan

10.0 **Planning Balance and Conclusion**

- 10.1 The proposal is considered suitable in principle and all valid objections raised by respondents have been assessed and considered in the decision. No technical consultees take a final stance of objection to the proposal subject to conditions and informatives. It is also considered that the works to the PH are acceptable subject to a safeguarding of the neighbouring privacy through obscuring of the side facing windows.
- 10.2 However, the application proposes that the existing car park provides parking spaces in accordance with Policy D2 for the existing public house, the proposed letting rooms in addition to the proposed residential dwellings with accompanied outdoor amenity space. It is considered that in assessment of the application the residential dwellings and the public house are not incompatible in use in principle however, the potential effect of the requirements of the PH and necessary parking, on the amenity of the proposed occupiers of the dwelling is considered significantly detrimental. This determination has been made due to the provision of substandard living space within the proposal and outdoor amenity space which is considered contrary to the National Design Guide. Additionally the design results in an undesirable elevation when viewed from the residential amenity space of the neighbouring dwelling with an incongruous and overbearing impact.
- 10.3 In conclusion, it is therefore considered that the use of the site does cause conflict between the uses and cannot provide a suitable level of design which serves both proposed use for the dwellings without significant impact to parking and the PH.
- 10.4 Due to the reasons above, the application is considered to be contrary with Policy SDC1 and Policy GP3 of the Local Plan and in turn Section 12 of the NPPF. It is therefore recommended that that this application should be refused.

11.0 **Recommendation**

12.0 Refusal

DRAFT DECISION

REFERENCE NO:
R22/0012

DATE APPLICATION VALID:
04-Jan-2022

APPLICANT:

Adam Taylor, A T Contracting and Plant Hire A T Contracting and Plant Hire, care of agent, Loughborough, LE128ED

AGENT:

Lance Wiggins, Lion Planning Lion Planning, 14 Woodhouse Road, Quorn, Loughborough, LE12 8ED

ADDRESS OF DEVELOPMENT:

THE SARAH MANSFIELD, MAIN STREET, WILLEY, RUGBY, CV23 0SH

APPLICATION DESCRIPTION:

Use of first floor of public house as letting bedrooms and erection of two dwellings in rear car park

CONDITIONS, REASONS AND INFORMATIVES:

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. Policy SDC1 also states that proposals for housing will not be permitted near to or adjacent sites where there is potential for conflict between the uses. It is considered that in order for this proposal to provide adequate parking for use as a Public House (with letting rooms) and the two new dwellings, the proposed dwellings would have to be of scale which creates substandard living space and outdoor amenity space, which would be considered significantly detrimental for future occupiers and detrimental to design. As the proposal has not addressed the potential effects of the existing use on the amenity of the proposed occupiers as required by Policy SDC1 the application is considered contrary with Policy SDC1 the Rugby Local Plan, 2011-2031, June 2019 and is considered of a significantly detrimental design and therefore contrary with Section 12 of the National Planning Policy Framework 2021.

Policy GP3 states the Council will support the redevelopment of previously developed land where proposals are compliant with the policies within this Local Plan. In particular consideration will be given to , the visual impact on the surrounding landscape and properties. The proposed development would create an overbearing and incongruous design which would have a significant harmful visual impact to the rear amenity space of the neighbouring dwelling Star Cottage. The application is therefore also considered contrary to Policy GP3 of the Rugby Local Plan, 2011-2031, June 2019 and therefore contrary with Section 12 of the National Planning Policy Framework 2021.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Policy SDC1: Sustainable Design
Policy GP3: Previously Developed Land

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

Reference: R22/0469

Site Address: 3-7, BANK STREET, RUGBY, CV21 2QB

Description: 8 replacement windows to first floor with UPVC framed sliding sash windows

Recommendation

REFUSAL

1. Introduction

1.1 This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as Councillor Picker has requested the application be determined by the Planning Committee on the following grounds:

- Impact upon Conservation Area

2. Description of site

2.1 The application site is located within the Rugby Urban Area and within the Town Centre. The property also lies within Area 1 of the Rugby Town Centre Conservation Area (CA). No.3-7 Bank Street is a three-storey building with commercial premises at ground floor.

2.2 The ground floor shop fronts of 3-7 are as original, retaining the original historic character and materials. At Nos.3-5 the first-floor windows are the original timber sashes in deep reveals with stone cills. The top sash has a 3 over 3 arrangement with a single pane below. At third floor are small embrasure-style lights in each gable.

2.3 No.7 at the end of the row is of a different style to 3-5. It retains its original shop front at ground floor. At first floor is a large timber bay window with 7 top lights and curved headed windows below. Above this is an iron balustrade and at first floor in the fleur-de-lis style Dutch gable with 4 windows with what appear to be leaded lights. (An application is running concurrently in relation to the replacement of this first floor bay window (R22/0470)).

2.4 At the time of the site visit, there was no evidence of any of the properties in Bank Street with uPVC windows, although some properties appear to have had their timber windows re-furbished. The street contributes positively to the character and appearance of the historic CA. The building is not listed however, No.3-7 Bank Street are marked as 'Important Non-listed Buildings' at map 6 of the Rugby Town Centre Conservation Area Appraisal (RTCCAA) and are non-designated heritage assets in their own right.

3. Description of proposals

3.1 The application seeks planning permission to remove the existing eight windows at first floor and replace with uPVC windows.

4. Relevant Planning History

4.1 No relevant planning history.

5. Relevant Planning Policies

Section 72 of the Planning and Listed Building Act 1990

National Planning Policy Framework, 2021 (NPPF)

Section 12: Achieving well-designed places

Rugby Borough Local Plan 2011-2031, June 2019

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

SDC1: Sustainable Design

SDC3: Preservation of the Historic Environment

Supplementary Planning Documents and other reports

Sustainable Design and Construction – 2012; including Residential Design Guide

National Design Guide 2019.

6. Technical consultation responses

6.1 None received.

7. Third party comments

7.1. Ward Councillor Picker – No representations in support or objecting to the application.

7.2. No neighbour representations have been received to date.

8. Determining Considerations:

8.1 The key issues for consideration in this application are the impact of the development on the appearance and character of the Rugby Town Centre Conservation Area.

9. Principle of Development

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.

9.2. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy with Rugby town being the main priority of development within the borough.

9.3. The application site is located within the Rugby Town as defined in Policy GP2 of the Local Plan as such there is a principle in favour of development within existing boundaries and as part of allocated sustainable urban extensions.

9.4. Subject to detailed consideration being given to the impact of the proposed scheme, having an acceptable impact on the character and appearance of the area, the principle of development is considered acceptable and complies with Policy GP2 of the Local Plan.

10. Impact upon the Appearance and Character of the Conservation Area

10.1 Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design. New development will only be supported where the proposals

are of scale, density and design that responds to the character of the area in which they are situated, and developments should aim to add to the overall quality of the areas in which they are situated. Policy SDC3 of the Local Plan deals with Protecting and Enhancing the Historic Environment. It states that development will be supported that sustains and enhances the significance of the Borough's heritage assets including conservation areas. Development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance.

10.2 Section 12 of the National Planning Policy Framework states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 127 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 127 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

10.3 In section 72, The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

10.4 The Rugby Town Centre Conservation Area is a designated heritage asset that covers the commercial and historic centre of the market town. The aim in a Conservation Area is to preserve or enhance not merely individual buildings but all those elements, which may include minor buildings, trees, open spaces, walls, paving, and materials etc., which together make up a familiar and attractive local scene. The relationship between buildings and spaces within Conservation Areas creates a unique environment, which provides a sense of identity and amenity for residents and an irreplaceable part of our local, regional and national heritage. The Local Planning Authority will exercise particular care to ensure that change, where it occurs, will preserve or enhance the character of an area. The designation of a Conservation Area ensures that consideration is given to the quality of design and context and that new development respects its surroundings.

10.5 The Conservation Area falls broadly into three main areas. Bank Street falls within Area 1; "Edwardian commercial terracing combining individual buildings designed on a variation of a theme" (RTCCAA). Many unlisted buildings make a positive contribution to the character and appearance of the Conservation Area by complimenting the listed structures and providing historic and architectural interest, and a distinctive varied townscape. As No.3-7 are of architectural importance in their own right by virtue of being included on map 6 "Listed Buildings and Important Non-Listed Buildings" in the RTCCAA, the NPPF and policy SDC3 require a balanced judgement to be made having regard to the scale of any harm and the significance of the asset.

10.6 The loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings made with great skill and with materials of a higher quality than are generally available today. The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing.

10.7 It is proposed that the windows at first floor are replaced with uPVC windows for better energy efficiency as they are in a bad state of repair. However, no actual assessment of their condition and performance has been carried out.

10.8 The replacement of windows would normally be considered 'permitted development' provided they are like for like. The fact that a planning application has been submitted demonstrates that the windows which would replace the existing sashes would not be like for like. The windows would be instantly recognisable as uPVC because uPVC windows cannot match the sections and proportions of historic joinery. This would profoundly affect the appearance of the building and would appear incongruous both in relation to the other historic windows and shop fronts, but also incongruous within the street scene, particularly as no other properties have such windows. Their impact would cause "less than substantial" harm to the appearance and character of the street scene and the significance of the Conservation Area in general.

10.9 The applicant has cited examples elsewhere in the Conservation Area where windows have been changed to uPVC. However, each application is assessed on its merits and just because other buildings may have changed their windows, it does not set a precedent.

10.10 During consideration of the application, Officers recommended the windows be re-furbished rather than removed but to no avail.

10.11 At paragraph 202, the NPPF states that "where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". In demonstrating public benefits, the applicant has stated that the new windows would significantly improve the energy efficiency of the building and thus reduce CO2 emissions.

10.12 Whilst it is accepted that contribution to reversing climate change is a public benefit, it is also recognised that simple thermal upgrading options such as draft proofing or secondary glazing would also assist the agenda. It is therefore considered that the minimal public benefit uPVC windows would have does not outweigh the harm to the appearance or character of the Conservation Area.

10.13 It is therefore considered that as the proposed development does not respond to the character of the area in which it is situated and does not preserve or enhance the Conservation Area or the building as an 'Important Non-Listed Building', the scheme does not comply with Policy SDC1 or SDC3 of the Rugby Local Plan or Sections 12 or 16 of the National Planning Policy Framework.

12. Ecological considerations

12.1. Section 15 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and, promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

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

12.3. Warwickshire County Council Ecological Services department have requested the inclusion of Bat, Nesting Bird and Biodiversity Enhancement notes to be attached to any permission granted.

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

16. Planning Balance and Conclusion

16.1. The proposal removal of historic timber windows and their replacement with uPVC windows would not preserve or enhance the character or appearance of the Conservation Area or the architectural detail of the historic building. They would cause “less than substantial” harm to designated and non-designated heritage assets which requires weighing against the public benefits of the proposal. The public benefit of improved energy efficiency is not considered to outweigh the harm to the heritage assets.

16.2 On balance, it is concluded that the proposal does not comply with the Development Plan and there are no material considerations which indicate that the proposal should be approved. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that planning permission should be refused.

17. Recommendation

REFUSAL

DRAFT DECISION

REFERENCE NO:
R22/0469

DATE APPLICATION VALID:
16-May-2022

APPLICANT:

J Carvell 3-7 Bank Street, Warwickshire, Rugby, CV21 2QB

AGENT:

Ian Gidley, Land & Planning Consultants Limited Land & Planning Consultants Limited,
Northgate House, 42 Main Road, Crick, NN6 7TX

ADDRESS OF DEVELOPMENT:

3-7, BANK STREET, RUGBY, CV21 2QB

APPLICATION DESCRIPTION:

8 replacement windows to first floor with UPVC framed sliding sash windows

CONDITIONS, REASONS AND INFORMATIVES:

The proposed replacement uPVC windows would fail to preserve or enhance the character or appearance of the Rugby Town Centre Conservation Area or the historic and architectural interest of 3-7 Bank Street as a non-designated heritage asset. Therefore the proposals do not comply with policy SDC1 or SDC3 of the Rugby Borough Council Local Plan 2019 or Section 16 of the National Planning Policy Framework.

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.

Reference: R22/0470

Site Address: 3-7, BANK STREET, RUGBY, CV21 2QB

Description: Replacement of bay window to first floor with UPVC framed bay window

Recommendation

REFUSAL

1. Introduction

1.1 This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as Councillor Picker has requested the application be determined by the Planning Committee on the following grounds:

- Impact upon Conservation Area

2. Description of site

2.1 The application site is located within the Rugby Urban Area and within the Town Centre. The property also lies within Area 1 of the Rugby Town Centre Conservation Area (CA). No.3-7 Bank Street is a three-storey building with commercial premises at ground floor.

2.2 The ground floor shop fronts of 3-7 are as original, retaining the original historic character and materials. At Nos.3-5 the first-floor windows are the original timber sashes in deep reveals with stone cills. The top sash has a 3 over 3 arrangement with a single pane below. At third floor are small embrasure-style lights in each gable.

2.3 No.7 at the end of the row is of a different style to 3-5. It retains its original shop front at ground floor. At first floor is a large timber bay window with 7 top lights and curved headed windows below. Above this is an iron balustrade and at first floor in the fleur-de-lis style Dutch gable with 4 windows with what appear to be leaded lights. (An application is running concurrently in relation to the replacement of 8 first floor windows (R22/469)).

2.4 At the time of the site visit, there was no evidence of any of the properties in Bank Street with uPVC windows, although some properties appear to have had their timber windows re-furbished. The street contributes positively to the character and appearance of the historic CA. The building is not listed however, No.3-7 Bank Street are marked as 'Important Non-listed Buildings' at map 6 of the Rugby Town Centre Conservation Area Appraisal (RTCCAA) and are non-designated heritage assets in their own right.

3. Description of proposals

3.1 The application seeks planning permission to remove the existing eight windows at first floor and replace with uPVC windows.

4. Relevant Planning History

4.1 No relevant planning history.

5. Relevant Planning Policies

Section 72 of the Planning and Listed Building Act 1990

National Planning Policy Framework, 2021 (NPPF)

Section 12: Achieving well-designed places

Rugby Borough Local Plan 2011-2031, June 2019

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

SDC1: Sustainable Design

SDC3: Preservation of the Historic Environment

Supplementary Planning Documents and other reports

Sustainable Design and Construction – 2012; including Residential Design Guide

National Design Guide 2019.

6. Technical consultation responses

6.1 None received.

7. Third party comments

7.1. Ward Councillor Picker – No representations in support or objecting to the application.

7.2. No neighbour representations have been received to date.

8. Determining Considerations:

8.1 The key issues for consideration in this application are the impact of the development on the appearance and character of the Rugby Town Centre Conservation Area.

9. Principle of Development

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise.

9.2. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy with Rugby town being the main priority of development within the borough.

9.3. The application site is located within the Rugby Town as defined in Policy GP2 of the Local Plan as such there is a principle in favour of development within existing boundaries and as part of allocated sustainable urban extensions.

9.4. Subject to detailed consideration being given to the impact of the proposed scheme, having an acceptable impact on the character and appearance of the area, the principle of development is considered acceptable and complies with Policy GP2 of the Local Plan.

10. Impact upon the Appearance and Character of the Conservation Area

10.1 Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design. New development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are

situated, and developments should aim to add to the overall quality of the areas in which they are situated. Policy SDC3 of the Local Plan deals with Protecting and Enhancing the Historic Environment. It states that development will be supported that sustains and enhances the significance of the Borough's heritage assets including conservation areas. Development affecting the significance of a designated or non-designated heritage asset and its setting will be expected to preserve or enhance its significance.

10.2 Section 12 of the National Planning Policy Framework states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 127 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 127 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

10.3 In section 72, The Planning (Listed Buildings and Conservation Areas) Act 1990 states that in the exercise of planning functions, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

10.4 The Rugby Town Centre Conservation Area is a designated heritage asset that covers the commercial and historic centre of the market town. The aim in a Conservation Area is to preserve or enhance not merely individual buildings but all those elements, which may include minor buildings, trees, open spaces, walls, paving, and materials etc., which together make up a familiar and attractive local scene. The relationship between buildings and spaces within Conservation Areas creates a unique environment, which provides a sense of identity and amenity for residents and an irreplaceable part of our local, regional and national heritage. The Local Planning Authority will exercise particular care to ensure that change, where it occurs, will preserve or enhance the character of an area. The designation of a Conservation Area ensures that consideration is given to the quality of design and context and that new development respects its surroundings.

10.5 The Conservation Area falls broadly into three main areas. Bank Street falls within Area 1; "Edwardian commercial terracing combining individual buildings designed on a variation of a theme" (RTCCAA). Many unlisted buildings make a positive contribution to the character and appearance of the Conservation Area by complimenting the listed structures and providing historic and architectural interest, and a distinctive varied townscape. As No.3-7 are of architectural importance in their own right by virtue of being included on map 6 "Listed Buildings and Important Non-Listed Buildings" in the RTCCAA, the NPPF and policy SDC3 require a balanced judgement to be made having regard to the scale of any harm and the significance of the asset.

10.6 The loss of traditional windows from our older buildings poses one of the major threats to our heritage. Traditional windows and their glazing make an important contribution to the significance of historic areas. They are an integral part of the design of older buildings made with great skill and with materials of a higher quality than are generally available today. The distinctive appearance of historic hand-made glass is not easily imitated in modern glazing.

10.7 It is proposed that the bay window at first floor is replaced with uPVC windows for improved energy efficiency as it is in a bad state of repair. However, no actual assessment of the window's condition and performance has been carried out.

10.8 The replacement of windows would normally be considered 'permitted development' provided they are like for like. The fact that a planning application has been submitted demonstrates that the windows which would replace the existing window would not be like for like. The window would be instantly recognisable as uPVC because uPVC windows cannot match the sections and proportions of historic joinery. In this case the attractive curved heads of each window are not replicated in the uPVC window. This would profoundly affect the appearance of the building itself and would appear incongruous both in relation to the other historic windows and shop fronts, but also incongruous within the street scene, particularly as no other properties have such replacement windows. The impact would cause "less than substantial" harm to the appearance and character of the street scene and the significance of the Conservation Area in general as well as the building itself as a non-designated heritage asset.

10.9 The applicant has cited examples elsewhere in the Conservation Area where windows have been changed to uPVC. However, each application is assessed on its merits and just because other buildings may have changed their windows, it does not set a precedent.

10.10 During consideration of the application, Officers recommended the windows be re-furbished rather than removed but to no avail.

10.11 At paragraph 202, the NPPF states that "where a development proposal will lead to 'less than substantial' harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal". In demonstrating public benefits, the applicant has stated that the new windows would significantly improve the energy efficiency of the building and thus reduce CO2 emissions.

10.12 Whilst it is accepted that contribution to reversing climate change is a public benefit, it is also recognised that simple thermal upgrading options such as draft proofing or secondary glazing would also assist the agenda. It is therefore considered that the minimal public benefit uPVC windows would have does not outweigh the harm to the appearance or character of the Conservation Area.

10.13 It is therefore considered that as the proposed development does not respond to the character of the area in which it is situated and does not preserve or enhance the Conservation Area or the building as an 'Important Non-Listed Building', the scheme does not comply with Policy SDC1 or SDC3 of the Rugby Local Plan or Sections 12 or 16 of the National Planning Policy Framework.

12. Ecological considerations

12.1. Section 15 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and, promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

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

12.3. Warwickshire County Council Ecological Services department have requested the inclusion of Bat, Nesting Bird and Biodiversity Enhancement notes to be attached to any permission granted.

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

16. Planning Balance and Conclusion

16.1. The proposal removal of historic timber bay window and its replacement with a uPVC window would not preserve or enhance the character or appearance of the Conservation Area or the architectural detail of the historic building. They would cause “less than substantial” harm to designated and non-designated heritage assets which requires weighing against the public benefits of the proposal. The public benefit of improved energy efficiency is not considered to outweigh the harm to the heritage assets.

16.2 On balance, it is concluded that the proposal does not comply with the Development Plan and there are no material considerations which indicate that the proposal should be approved. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that planning permission should be refused.

17. Recommendation

REFUSAL

DRAFT DECISION

REFERENCE NO:
R22/0470

DATE APPLICATION VALID:
16-May-2022

APPLICANT:

J Carvell 3-7 Bank Street, Warwickshire, Rugby, CV21 2QB

AGENT:

Ian Gidley, Land & Planning Consultants Limited Land & Planning Consultants Limited,
Northgate House, 42 Main Road, Crick, NN6 7TX

ADDRESS OF DEVELOPMENT:

3-7, BANK STREET, RUGBY, CV21 2QB

APPLICATION DESCRIPTION:

Replacement of bay window to first floor with UPVC framed bay window

CONDITIONS, REASONS AND INFORMATIVES:

The proposed replacement uPVC windows would fail to preserve or enhance the character or appearance of the Rugby Town Centre Conservation Area or the historic and architectural interest of 3-7 Bank Street as a non-designated heritage asset. Therefore the proposals do not comply with policy SDC1 or SDC3 of the Rugby Borough Council Local Plan 2019 or Section 16 of the National Planning Policy Framework.

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.

Reference: R22/0485

Site Address: Plot 3, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry, CV7 9JR

Description: Erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping

Recommendation

Approval subject to conditions, informatives and referral to the Government's Department for Levelling Up, Housing and Communities Planning Casework Unit.

1. Background:

- 1.1 This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development which is required to be referred to the Government's Department for Levelling Up, Housing and Communities Planning Casework Unit.
- 1.2 The application site is on land for which outline permission has been granted for a new employment development (known as Prospero Ansty) in 2021 (ref: R19/1540). Employment uses permitted by the outline permission were restricted to B1 (Offices, Light Industrial and Research and Development of Products or Processes) and B2 (General Industrial) Uses. The principle of built development being provided on the application site has therefore already been established within specified parameters.
- 1.3 This application is for the erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution). The outline permission was not for B8 Uses meaning that it is not possible to bring this proposed development forward as a Reserved Matters Application pursuant to the outline permission. A full planning application has therefore been submitted for Planning Committee to consider.

2. Proposal:

- 2.1. This is a full planning application for the redevelopment of part of the Rolls-Royce site in Ansty. The application site totals 14.67 hectares and includes existing private highways and land required for essential infrastructure. The main elements of new built development would be provided on 3.4 hectares of this land.
- 2.2. In economic terms the proposal represents a major investment which would provide a base for up to 410 employees and would have a positive impact on the region and the local economy and prosperity of the Borough.
- 2.3. The unit on plot 3 would have a total employment floorspace of 16,418m² (GEA) which would be comprised of 15,015m² (GEA) of B2/B8 floorspace, 1,355m² (GEA) of ancillary office floorspace (Use Class E(g)) and 48m² (GEA) of plant floorspace. It would be 14.60m high above a finished floor level of 84.00m AOD giving a ridge height of 98.60m AOD. A total of 190 car parking spaces would be provided of which 20 would have access to electric vehicle charging points. There would be 60 covered cycle spaces. A total of 15 HGV parking spaces would be located to the rear of the servicing yard.

- 2.4. The unit would be accessed and serviced directly from the Pilot Way central spine road via two new stub road access points that will separately serve the surface level car parking areas located on the eastern side of the plot and the HGV servicing yard located on the western side of the plot. These new access points will form new three-armed priority junctions directly off the central spine road.
- 2.5. Access to the wider road network would be secured via existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.
- 2.6. The application site has been subject to repeated on-going works and disturbance associated with the adjacent consented development plots since 2018. For the majority, this includes use of the site as temporary storage for several spoil bunds gained as a result of the adjacent Meggitt development (planning ref: R17/1829). To create a large single level platform for the proposed building it is proposed that earthworks would be carried out across the site. The existing site slopes down gently from the north-west corner to its lowest point in the south-east corner. At the northwestern corner of the site the existing level is round 87.50m AOD, this falls to around 82.30m AOD on the south-eastern corner. Along the southern boundary, on the opposite side of the estate road from Plot 3 levels fall further to 79.5m AOD at the lowest point on the boundary adjacent to the bridleway that runs outside the site. The proposed earthworks would result in a finished floor level of 84.00m AOD with a ridge height of 98.60m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building, 105m AOD for the MTC buildings, 106.10m AOD for the approved building on Plot 5 and 105.70m AOD for the Rolls-Royce building.
- 2.7. Surface water runoff from the site that cannot be infiltrated to the ground would be drained, via the strategic surface water sewer, to balancing ponds located to the east and southeast of the application site. Water would then be discharged from these ponds at a controlled rate.
- 2.8. Significant woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Strategic landscape planting has already been planted around the southern and eastern site boundaries in association with the Meggitt development. This planting included the provision of woodland and thicket planting together with standard trees. Further landscape planting would be provided on the land immediately around the unit.

3. Site Description:

- 3.1. The application site comprises of 14.67 hectares of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 3.4 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty (now known as Prospero Ansty). The site itself and wider 75 hectare site falls within land which was granted outline planning permission for redevelopment as a new employment area in 2021 (ref: R19/1540).
- 3.2. The site has been subject to repeated on-going works and disturbance associated with the adjacent consented development plots since 2018. For the majority, this includes the use of the site as temporary storage for several spoil bunds gained as a result of the adjacent Meggitt development (ref: R17/1829). As such, the Plot 3 development site is generally comprised of areas of operational development including bareground, hardstanding and some vegetative growth over older bunds and in boundary areas.

- 3.3. The topography of the site is such that it slopes down gently from the northwest corner to its lowest point in the southeast corner. At the northwestern corner of the site the existing level is round 87.50m AOD. This falls to around 82.30m AOD on the southeastern corner. Along the southern boundary, on the opposite side of the estate road from Plot 3, levels fall further to 79.5m AOD at the lowest point on the boundary adjacent to the bridleway that runs outside the site.
- 3.4. The application site has historically formed part of Rolls-Royce Ansty's site and manufacturing operations. Many of the buildings associated with this use have been demolished ahead of the proposed redevelopment of the site. Three buildings used by Rolls-Royce for manufacturing and document storage remain and are located to the north and northwest. A further building is located to the west of the site and is used by RWG as an engine test facility.
- 3.5. To the north of the site is a large manufacturing facility and headquarters operated by Meggitt. This facility was the first building to come forward as part of the redevelopment plans. It provides 45,844sq.m of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. Significant strategic landscape planting has been provided on land to the east and south of Meggitt's building. Two attenuation ponds have also been provided to the southeast of the Meggitt building to contain surface water runoff arising from this.
- 3.6. A large office facility occupied by Cadent is also located to the north of the site beyond Meggitt. This is the second building to come forward as part of the redevelopment plans. This building has a gross external floor area of 11,124 sq.m and is 19 metres high. A separate multi-storey car park associated with these offices has also been constructed. This building has a total gross external floor area of 9,113 sq.m and is 14 metres high. Further strategic landscape planting and an attenuation pond will be provided on land to the north and east of this building.
- 3.7. The construction of three commercial units for flexible use under use classes B2 and B8 is underway on land to the north of the site adjacent to Combe Fields Road. These will be the third phase of buildings to come forward as part of the redevelopment plans. These units will have a combined gross external floor area of 23,239 sq.m and will have a maximum height of 16.5 metres. Strategic landscape planting and an attenuation pond will be provided on land to the north and east of this building.
- 3.8. Planning permission has been granted for the erection of a building to be used under use class B8 on land to the northwest. This land is known as plot 5 and if delivered would provide a gross external floor area of 28,361 sq.m in a building that would be 17.10m high. Strategic landscape planting would be provided on land to the south of this building.
- 3.9. At a broader level the site is seen within the context of Ansty Business Park to the north which benefited from outline planning permission for 124,484 square metres of B1 floorspace for use as a High Technology Park. A substantial part of this land has now been developed and occupied with a limited number of plots remaining. Buildings present on the site include the Manufacturing Technology Centre (19m high), London Taxi Corporation (17.60m high), FANUC (14.35m high), Sainsbury's (13m high), AVL (9.10m high), Ericsson (6.10m high), High Temperature Research Centre (14.50m high) and Aerospace Research Centre (15.20m high). The primary access to this area is afforded off the A46 and M6 J2 with a secondary access off Combe Fields Road. A dual lane spine road called Central Boulevard runs through the centre of the Park providing direct access to each building. Areas of strategic landscaping have been incorporated around the perimeter of the site with further ornamental landscaping throughout the Park.
- 3.10. The Rolls-Royce site and Ansty Business Park are surrounded by open countryside which is used for agriculture. The closest residential property to the proposed built development is approximately 300 metres away to the east at Fair View on Peter Hall Lane. The property of

Peter Hall Farm is also located just beyond this at a distance of approximately 400 metres at the closest point. Public bridleways R75b and R75x and public footpath R75y are located to the south and public footpath R73c and R74 are located to the east. Coombe Abbey Conservation Area, incorporating the Grade II* registered park of Coombe Country Park, is located approximately 230 metres to the south of the proposed built development. A number of listed buildings are located in this area with the most notable being the Grade I listed Coombe Abbey. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 1.38km to the west. The M6 motorway is also located approximately 1.46km to the north.

4. Relevant Planning History

- 4.1 R22/0491: Erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping. Undetermined.
- 4.2 R21/1165: Erection of three commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) with ancillary uses, and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1. Approved 05/04/2022.
- 4.3 R21/0784: Erection of three commercial units (Use Class B2) and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1 (application for approval of reserved matters relating to access, appearance, landscaping, layout and scale against outline planning permission R19/1540 dated 15th June 2021). Approved 29/10/2021.
- 4.4 R21/0525: Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, access road, car parking, cycle parking, lorry parking, service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings. Approved 31/08/2021.
- 4.5 R21/0501: Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works. Approved 18/08/2021
- 4.6 R19/1540: Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car & cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision & replacement of utilities & service infrastructure and other associated works. Approved 15/06/2021.
- 4.7 R19/1512: Erection of building and use for purposes within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with ancillary research and development facilities (Use Class B1(b)), staff gym and studio, associated surface and multi-storey car park, cycle parking, access road, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling and associated works. Approved 03/07/2020.

- 4.8 R20/0094: A new commercial headquarters building providing B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space, associated car parking, lorry parking, cycle parking, service areas, external plant and machinery, structural landscaping, drainage, SUDs, and other supporting infrastructure including new access roads, together with any necessary demolition and ground remodelling. Approved 14/08/2020.
- 4.9 R17/1829: Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works. Approved 20/04/2018.
- 4.10 R18/0008: Prior notification of proposed demolition. Prior approval not required 02/02/2018.
- 4.11 R16/1923: Demolition of existing gatehouse to southern entrance and erection of replacement gatehouse to northern entrance and associated works to include alterations to access. Approved 09/01/2017.
- 4.12 R16/1250: Prior notification of proposed demolition. Prior approval not required 27/06/2016.
- 4.13 R14/1900: Prior notification of proposed demolition. Prior approval not required 28/10/2014.
- 4.14 R14/1114: Prior notification of proposed demolition. Prior approval not required 12/08/2014.
- 4.15 R12/0739: Prior notification of proposed demolition. Prior approval not required 10/05/2012.

5. Technical Consultation Responses:

Cadent Gas	No objection subject to informative
Coventry Airport	No response
Coventry City Council	No objection
Environment Agency	No response
Forestry Commission	No objection
Health and Safety Executive	No objection
Historic England	Concern
National Air Traffic Services	No objection
National Grid (Cadent Gas)	No response
National Highways	No objection subject to conditions
Natural England	No objection
RBC Development Strategy	No response
RBC Environmental Health	No objection subject to conditions and informatives
RBC Trees and Landscaping	No objection subject to condition
RBC Works Services Unit	No response
Severn Trent Water	No response
Stagecoach	No objection
The Gardens Trust	Objection
The Ramblers (Warwickshire Area)	No response
The Woodland Trust	No response
Warwickshire Fire and Rescue	No objection subject to condition and informative
Warwickshire Police	No objection
Warwickshire Wildlife Trust	No response
WCC Archaeology	No objection subject to condition
WCC Ecology	No objection subject to conditions

WCC Flood Risk Management	No objection subject to conditions
WCC Highways	No objection subject to conditions and informatives
WCC Strategic Growth and Infrastructure	No objection
WCC Rights of Way	No response
Western Power	No response

6. Third Party Consultation Responses:

Combe Fields Parish Council	Comment
-	No particular objection.
-	Welcome proposed 40 mph speed limit to be imposed on Combe Fields Road (D2045) adjacent to the new traffic lights for Combe Fields Road / Peter Hall Lane / Pilot Way.
-	Inevitable increased traffic volume on Combe Fields Road, despite claims that the main entry / exit will be via the M6 / A46 still a major concern.
-	Bend alongside Meggitt building very narrow and increased traffic, even at 40 mph, would increase the accident risk at that point.
-	Combe Fields Road carriageway going towards Coombe Abbey has large potholes starting to appear and areas of subsidence near edges of carriageways. Requires urgent preventative maintenance by WCC before traffic volume ramps up.
-	Proposed Pilot Way / Combe Fields Road / Peter Hall Lane signalised / traffic light junction must be constructed such that large agricultural machines (e.g. combine harvesters) can continue to travel along and through this junction unimpeded.
-	Concern whether proposed drainage systems will be able to cope with increasing winter rainfall with increasing size of built-up area on wider site.
-	Should be some restrictions on emitted noise - especially where 24hr logistics are concerned.
-	External lighting should be kept to an absolute minimum and shall not intrude into Combe Fields Parish.
-	Construction traffic should be prohibited from accessing Peter Hall Lane (D2046) and Smeaton Lane (C171). Should only use Come Fields Road (D2045) in an emergency.

Chairman of Brinklow Parish Council	- Potential issues with traffic routing through Brinklow.
	- Contributions would help villages with increase in traffic.

7. Assessment of Proposal:

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

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

7.3 Rugby Borough Council Local Plan 2019

GP1	Securing Sustainable Development	Complies
GP2	Settlement Hierarchy	Complies
GP3	Previously Developed Land and Conversions	Complies
GP4	Safeguarding Development Potential	Complies
DS1	Overall Development Needs	Complies
ED1	Protection of Rugby's Employment Land	Complies
ED2	Employment Development Within Rugby Urban Area	Complies
ED3	Employment Development Outside Rugby Urban Area	Complies
HS1	Healthy, Safe and Inclusive Communities	Complies

HS2	Health Impact Assessments	Complies
HS5	Traffic Generation, Air Quality, Noise and Vibration	Complies
NE1	Protecting Designated Biodiversity and Geodiversity Assets	Complies
NE2	Strategic Green and Blue Infrastructure	Complies
NE3	Landscape Protection and Enhancement	Complies
SDC1	Sustainable Design	Complies
SDC2	Landscaping	Complies
SDC3	Protecting and Enhancing the Historic Environment	Complies
SDC4	Sustainable Buildings	Complies
SDC5	Flood Risk Management	Complies
SDC6	Sustainable Drainage	Complies
SDC7	Protection of the Water Environment and Water Supply	Complies
SDC9	Broadband and Mobile Internet	Complies
D1	Transport	Complies
D2	Parking Facilities	Complies
D3	Infrastructure and Implementation	Complies
D5	Airport Flightpath Safeguarding	Complies

7.4 Supplementary Planning Documents (SPDs)

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

7.5 Material Considerations

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

7.6 Key Issues

Section 8 Settlement Hierarchy and Green Belt
Section 9 General Principle of Development
Section 10 Principle of Employment Development
Section 11 Economic Growth
Section 12 Landscape and Visual Impact
Section 13 Trees and Hedgerows
Section 14 Ecology
Section 15 Traffic Flows and Highway Safety
Section 16 Flood Risk and Drainage
Section 17 Heritage and Archaeology
Section 18 Air Quality
Section 19 Noise
Section 20 Contamination
Section 21 Light
Section 22 Residential Amenity (Light, Aspect and Privacy)
Section 23 Carbon Emissions, Sustainable Design and Construction
Section 24 Health
Section 25 Broadband
Section 26 Other Matters
Section 27 Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

Settlement Hierarchy

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

National Policy on Green Belts

- 8.2 National policy on Green Belts is set out within the Framework at section 13. Paragraph 147 is particularly relevant and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Inappropriate development includes the construction of new buildings other than those listed as exceptions in paragraph 149 of the Framework.

- 8.3 The exception listed at paragraph 149g of the Framework allows for the “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”

- 8.4 In order for the scheme to benefit from this exemption, it must first be demonstrated that it is previously developed land. This is defined in Annex 2 of the Framework as being: “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.” The exclusions to this definition are then listed with one of these being “land that was previously developed but where the remains of the permanent structure have blended into the landscape”.

- 8.5 ‘Curtilage’ is not a term defined in legislation or the Framework. The Courts have consistently held that the extent of a curtilage will be a matter of fact and degree and will depend on the particular circumstances of a case.

- 8.6 Regarding this application, it is noted that the application site can broadly be broken down into three distinct areas which are comprised of the following:

- Area 1: Existing highway infrastructure including Pilot Way and Central Boulevard.
- Area 2: Former Rolls-Royce car park. Land which was previously hard surfaced and laid out as a car park. Included gate building located near the entrance point off Combe Fields Road. Also includes an area of open and undeveloped land around the former car park within the fenced perimeter boundary and forming part of the curtilage.
- Area 3: Landscape buffer and attenuation pond.

- 8.7 It is considered that areas 1-2 should be classified as previously developed land. They comprise of land which is or was occupied by a permanent structure, including the curtilage of

the developed land. Area 3 should not be classified as previously developed land. This area comprises of land which has been designated and planted as a landscape buffer. An attenuation pond to manage surface water run-off is also located in this area.

- 8.8 The proposed development would be constructed across areas 1-2 only. To determine whether development in these areas would be inappropriate development in the Green Belt, it is necessary to ascertain whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. This is considered below.

Impact on Openness

- 8.9 In regard to openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness in terms of the Green Belt has a spatial aspect as well as a visual aspect and is not therefore limited to volumetric comparisons.
- 8.10 In this case the application site is currently free from any permanent structures. The proposed construction of buildings and associated infrastructure on this land would clearly result in a permanent loss of that openness. Furthermore, the cumulative impact arising from the size and scale of this development, and the approved Prospero Ansty outline development (R19/1540), Meggitt development (R17/1829), Cadent development (R19/1512), Plot 5 development (R21/0525), Plot 1B development (R21/0784 and R21/1165) and Rolls-Royce consolidation development (R18/2218), is such that the spatial impact would be significantly greater than the combined floorspace, height and volume of the now demolished buildings which were located on the wider Rolls-Royce site.
- 8.11 From a visual perspective the presence of the proposed building and development in this part of the site would readily be observed from public vantage points including Combe Fields Road, public footpaths R73c, R75b, R75x and R75y, and nearby residential properties. The visual impact of this would be reduced as the significant landscape planting which has already been planted along the southern and eastern edges of the application site matures. When fully established this would help to screen and soften views of the buildings. Furthermore, the presence of these buildings would not be seen in isolation within open countryside. Instead, it would be seen within the context of existing buildings at Prospero Ansty (including the Meggitt, Cadent, Plot 1B units and retained Rolls-Royce buildings) and Ansty Business Park. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.
- 8.12 Having regard to the spatial and visual aspects of development, it is considered that the proposal would clearly cause significant and permanent harm to the Green Belt by reducing its openness. This harm must be given substantial weight in accordance with paragraph 148 of the Framework.

Other Harm

- 8.13 Aside from the impact on openness, paragraph 138 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.14 In this regard, Ansty Park and the majority of the Rolls-Royce site are designated as being an Employment Site (Within Green Belt) on the Rural Policies Map. This designation creates a

clearly defined area for employment development which is physically disconnected from Coventry and other urban areas.

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

Other Considerations

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

Extant Outline Planning Permission

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

- 8.21 The application site for this full application falls within the boundary of this outline application. The proposed building would be within the development and landscape parameters approved for the outline application. Specifically, it falls within an area identified for development, would not exceed maximum floorspace allowances and has a maximum height no greater than of 98.60m AOD (the outline permission allows for buildings with a maximum height up to 98.60m AOD on plot 3).
- 8.22 The outline permission provides a fallback position for the size of buildings which could be constructed in this location. It is therefore reasonable to conclude that the proposal would not have a greater impact on the openness of the Green Belt than what has already been permitted and could be constructed in this location. This is a material consideration which must be considered in the planning balance.

9. General Principle of Development

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

10. Principle of Employment Development

- 10.1 Notwithstanding the location of the site in the Green Belt, policy ED1 of the Local Plan and accompanying Rural Policies Map sets out that the whole Rolls-Royce site is an Existing Strategically Significant Employment Site. Such sites are to be retained for B1, B2 and B8 use classes. The policy outlines that "the infilling or the partial or complete redevelopment of existing employment sites will be supported subject to the consideration of potential impacts to their surroundings against the relevant policies in the Local Plan and national policy, in particular those sites located in the Green Belt".
- 10.2 In this case the proposal is for the partial redevelopment of the existing Rolls-Royce site as defined on the Rural Policies Map. It therefore complies with policy ED1 which indicates support in principle for B2 and B8 use class employment development in this location. In turn, the proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but within a site allocated for employment purposes.

- 10.3 The proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but on a site historically and currently used for B use class employment purposes. Equally, the proposal complies with policy ED2 of the Local Plan because the proposed office (E(g) use class) floorspace within the unit would be ancillary to the proposed main B2 and B8 uses. Indeed, the proposed office space would amount to no more than 9% of the total floorspace for each of the buildings.
- 10.4 Furthermore, the proposal complies with policy DS1 of the Local Plan which sets out the need for 208ha of employment land, including 98ha to contribute to Coventry's unmet needs between 2011 and 2031. Paragraph 4.16 of the supporting text to this policy makes clear that the employment land target would be delivered partly through intensification opportunities at existing sites. The redevelopment and intensification of the Rolls-Royce site would therefore help to ensure this target is met.

11. Economic Growth

- 11.1 Policy GP1 of the Local Plan sets out a goal to secure development that improves the economic conditions of this area. This is consistent with paragraph 81 of the Framework which outlines that "decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development".
- 11.2 The proposed development seeks to accommodate flexible B2 and B8 class uses and represents a unique opportunity to provide additional business opportunities at a well-established and well-connected employment location. The units would provide a base for up to 410 employees.
- 11.3 The proposed development would also represent a significant investment in the Borough arising from the construction of the units. Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 11.4 Overall, the proposal represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. As a consequence, it would have a significant and positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.

12. Landscape and Visual Impact

- 12.1 Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on the landscape.
- 12.2 The application site comprises of 14.67 hectares of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 3.4 hectares of land which falls within the 75 hectare Rolls-Royce site at Ansty. The development site itself is comprised of operational areas, bare ground, hardstanding and some vegetative growth over older bunds and in boundary areas. An attenuation pond and landscape buffer containing significant woodland and thicket planting together with standard trees is also located within the application site boundary. These areas would remain unchanged by the proposed built development.

- 12.3 The majority of original buildings at the Rolls-Royce site have been demolished. Prior to the demolition works there was a wide variety of buildings on the site with the layout, appearance, sizes, heights and materials having clearly evolved over the years. There was consequently no clear and uniform character with the development rather appearing more disjointed. However, in general terms the buildings closest to Combe Fields Road were two storeys in height with incidental green space positioned between the buildings and the road. The larger more industrial looking buildings were located further into the site on higher ground levels thereby being readily visible in the surrounding landscape. A chimney stack just under 30m high also dominated the skyline and was visible from many public vantage points.
- 12.4 Parts of the Rolls-Royce site has already been redeveloped. This started with the construction of a large purpose-built manufacturing facility and headquarters operated by Meggitt. It provides 45,844 square metres of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. The building is supported by a large surface car park, attenuation ponds and structural landscaping. Work has also recently been completed on the construction of a new office and research development facility for use by Cadent together with associated multi-storey car park. This has resulted in the provision of 20,237 square metres of new floorspace split between two buildings which are between 14 and 19 metres high. Advanced construction work is currently underway for the speculative development of three units on land between the Cadent and Meggitt buildings (known as Plot 1B). Once completed, this will result in the provision of 23,239 square metres of new floorspace with a maximum height of 16.5 metres. Extant permission for a further building (known as Plot 5) opposite (west) of Meggitt also allows for 28,361 square metres of floorspace with a maximum height of 17.10 metres.
- 12.5 The proposal subject of this application would continue the redevelopment of the Rolls-Royce site. It would result in the construction of one commercial unit. It would have a gross external floor area of 16,418 square metres. It would be 14.60m high above a finished floor level of 84.00m AOD giving a ridge height of 98.60m AOD. In respect of appearance, the proposed elevations of the office element would contain a high level of glazing which would be broken up with cladded panels in a palette of dark grey, white and black. The main elevations of the unit would be clad in horizontally laid profiled metal cladding, in two tones of grey, with a darker shade at parapet level. The roof to the office and main unit would not be visible as there would be a parapet which conceals this. A total of 190 car parking spaces, 60 covered cycle spaces and 15 HGV parking spaces would be provided on land to the east and south of the proposed building.
- 12.6 The application site has been subject to repeated on-going works and disturbance associated with the adjacent consented development plots since 2018. For the majority, this includes use of the site as temporary storage for several spoil bunds gained as a result of the adjacent Meggitt development (planning ref: R17/1829). To create a large single level platform for the proposed building it is proposed that earthworks would be carried out across the site. The existing site slopes down gently from the north-west corner to its lowest point in the south-east corner. At the northwestern corner of the site the existing level is round 87.50m AOD, this falls to around 82.30m AOD on the south-eastern corner. Along the southern boundary, on the opposite side of the estate road from Plot 3 levels fall further to 79.5m AOD at the lowest point on the boundary adjacent to the bridleway that runs outside the site. The proposed earthworks would result in a finished floor level of 84.00m AOD with a ridge height of 98.60m AOD. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building, 105m AOD for the MTC buildings, 106.10m AOD for the approved building on Plot 5 and 105.70m AOD for the Rolls-Royce building.
- 12.7 In terms of landscape and visual impact, the proposal would result in development in a part of the site where there has previously been no physical built development. The proposed buildings would be 14.60m high. This compares to the: 13.70m height of the Meggitt building

to the north; 19m height of the MTC and Cadent buildings to the north; 16.5m height of the three units on plot 1B to the north; and 17.10m height of the approved plot 5 building to the northwest. The position and size of the proposed buildings are consequently such that they would be highly visible when viewed from public vantage points including Coombe Country Park, Combe Fields Road, public rights of way R73c, R75b, R75x and R75y, and nearby residential properties.

- 12.8 In order to mitigate against the visual impact, the proposal includes provisions for additional woodland and structural landscape planting around the eastern, southern and western perimeters of the development site. Larger stature trees would also be planted to make a more immediate contribution to the screening of the development site. Full details of the planting, together with a timetable for implementation, would be required by condition 14. This landscaping would supplement the recently planted landscape buffer along part of the eastern and southern edge of the wider Prospero Ansty site alongside Meggitt and the east-west arm of the estate spine road.
- 12.9 A Landscape and Visual Appraisal has been submitted with the application. It concludes that the development “is within the approved [outline planning permission(R19/1540)] parameters for the site and whilst the implementation will result in some loss of openness on the edge of the Green Belt the development will be seen in the context of its location adjacent to the existing buildings and Ansty Business Park. The extensive landscape buffer around the southern boundary will ultimately help to screen and assimilate the development into the surrounding rural land.”
- 12.10 The Council’s Landscape and Arboricultural Officer has considered all the submitted plans and Landscape and Visual Appraisal. They are ultimately satisfied that there would not be any significant detrimental impact from a landscape character point of view subject to the proposed additional woodland and structural landscape planting being implemented.
- 12.11 It is acknowledged that the proposed development would be readily visible within the wider landscape from Coombe Country Park, Combe Fields Road, public rights of way and nearby residential properties. However, the proposed development would not be seen in isolation and would rather be seen alongside existing buildings on the Rolls-Royce site and Ansty Business Park. The proposed height of the units conforms to the limitations set within the outline permission (R19/1540). The proposed additional landscape planting would further soften and screen views of the proposed development. It is therefore accepted that the development would not have a greater impact than that which has been previously permitted under the outline permission.
- 12.12 On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The scale and layout of the proposed development is such that this would invariably have a greater impact than was previously the case. However, in mitigation, the development would be seen within the immediate context of well-established buildings rather than intruding into open countryside. The height of the building would conform to the limitations set within the outline permission (ref. R19/1540). Over time the impact would be lessened as the existing and proposed strategic landscape planting matures and thereby softens and filters views of the development. As a result, the proposal complies with the Framework and policies NE3, SDC1 and SDC2 of the Local Plan.

13. Trees and Hedgerows

- 13.1 Paragraphs 131 and 174 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees and hedgerows into the proposed development.

- 13.2 There are no trees located within the proposed built development area of the application site. The existing landscape buffer included within the application site boundary contains significant woodland and thicket planting together with standard trees.
- 13.3 The proposal seeks to retain the planting and trees within the landscape buffer and so there would be no impact upon this. The Landscape Concept Plan submitted with the application shows that further woodland and thicket planting would be provided together with an indigenous hedge to the eastern, southern and western boundaries of the development plot. This would be supplemented by standard tree planting.
- 13.4 The Council's Arboricultural Officer has considered the proposed tree and landscape planting and confirmed that this would be acceptable. The proposed development would also not result in significant and detrimental harm to existing retained trees.
- 13.5 Overall, it is considered that the impact on trees would be acceptable. The proposal therefore complies with the Framework and policies NE3 and SDC2.

14. Ecology

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

Habitats

- 14.2. Coombe Pool Site of Special Scientific Interest (SSSI) is located approximately 0.9km away to the south of the site. The pool is fed by the Smite Brook watercourse. The proximity of this brook to the site is such that it may be hydrologically linked to the SSSI. This gives rise to the potential for contaminants in surface water from the site being discharged into the watercourse and reaching the SSSI. The Flood Risk Assessment and Drainage Strategy submitted with the application contains details of measures which would ensure pollutant levels expected in the surface water run-off would be controlled. The implementation of these measures would ensure that there is no adverse impact on the downstream SSSI. It is not envisaged that there would be any potential adverse effects on other statutory and non-statutory sites in the area.
- 14.3. The development site itself supports a number of habitats of intrinsically low ecological value including operational areas, bare ground, hardstanding and some vegetative growth over older bunds and in boundary areas. An attenuation pond and landscape buffer containing significant woodland and thicket planting together with standard trees is also located within the application site boundary. These areas are of a higher ecological value but would remain unchanged by the proposed built development.
- 14.4. In order to facilitate the proposals, the entirety of the development site is expected to be lost. By way of mitigation, new areas of landscape planting would be provided within in-plot areas. This would include areas of scrub thicket, tree planting, grassland habitats, hedgerows and ornamental shrub planting.
- 14.5. The site falls within the wider Prospero Ansty outline site which has received permission to incorporate extensive areas of strategic mitigation, including: extensive grassland enhancement and creation, wetland habitat creation, woodland / scrub planting as well as other measures. The incorporation of these measures would ensure that the impacts arising from habitat loss on plot 3 would be offset in full with a realistic gain in the longer term.
- 14.6. WCC Ecology has assessed the impact of the proposed development and has requested that condition 6 is imposed requiring the submission of a Biodiversity Impact Assessment (BIA). This would quantify the value of existing habitats and establish what impact there would be

from the loss of those habitats as a result of the proposed development. It would then compare this with the post-development habitat values which would be derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. In the event that this demonstrates that there would be a net biodiversity loss arising from the proposed development there would be a need for off-site biodiversity offsetting. This would ensure a net gain in biodiversity on other land in the area surrounding the application site and would be secured by condition 6.

Species

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

Ecology Conclusions

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

15. Highways and Transport

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

Access

- 15.2. Historically vehicular access to the Rolls-Royce site was only available from two access points (known as north and south) directly onto Combe Fields Road. This meant all traffic moving to and from the site had to use local roads, including through villages like Ansty, to access the facility. However, this situation has recently changed following the construction of the Meggitt manufacturing facility on part of the Rolls-Royce site. This development resulted in the construction of a new spine road which runs through the centre of the Rolls-Royce site and connects into Pilot Way on Ansty Business Park. This consequently allows users to access the site directly via the primary access point to the A46, A4600, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road.
- 15.3. The unit would be accessed and serviced directly from the Pilot Way central spine road via two new stub road access points that will separately serve the surface level car parking areas located on the eastern side of the plot and the HGV servicing yard located on the western side of the plot. These new access points will form new three-armed priority junctions directly off the central spine road.
- 15.4. The access onto the spine road would connect into the existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2

and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road (required by condition 18) but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.

- 15.5. WCC Highway has assessed the proposed access arrangements and raised no objection to this. They have however advised that a condition should be imposed requiring the submission of a Road Safety Audit covering the proposed accesses together with visibility splays and the location of gates at the HGV access. Condition 8 is proposed to deal with this.

Parking Provision

- 15.6. A total of 190 car parking spaces would be provided of which 20 would have access to electric vehicle charging points. There would be 60 covered cycle spaces. A total of 15 HGV parking spaces would be located to the rear of the servicing yard.
- 15.7. The Council's car parking standards are set out within Appendix 5 of the Local Plan. This indicates that if the unit was used for B2 purposes there would be a potential demand for 364 car parking spaces. However, if the unit was used for B8 purposes there would be a potential demand for 273 car parking spaces. The proposed provision is therefore significantly less than the potential demand that could arise.
- 15.8. Nonetheless, the standards within the Local Plan are intended to provide guidance and critically are not minimum standards which must be achieved. The proposed unit is a speculative build with no known occupier at this stage in the process. The applicant has therefore sought to provide car parking in line with similar developments elsewhere and anticipated customer demand based on their own research. Ultimately any potential occupier would be aware of the number of car parking spaces available for the unit. It would consequently be unlikely that a potential occupier would proceed to purchase the unit if they felt the number of spaces was insufficient for their needs.
- 15.9. Despite the above, there is a concern that insufficient parking provision could lead to parking on private non-adopted estate roads. Condition 23 consequently requires the submission of a Car Parking Management Plan and Strategy within three months of occupation. This would require details of how off-site car parking on roads across Prospero Ansty and Ansty Park and the car parking areas would be monitored, managed and reviewed. This would then give a mechanism to control and manage parking should any issues materialise.
- 15.10. The Council does not have standards for HGV parking. The amount required is rather left to each business according to their needs. WCC Highways has not objected to the level of provision proposed.

Traffic Flows

- 15.11. The submitted Transport Statement concludes that the traffic impact arising from the proposed development falls within the limits of that which has already been accepted by the outline permission granted at the site (R19/1540). Essentially, it contends that the proposal would not give rise to any additional harm to traffic flows beyond that which has already been agreed and accounted for. Specifically, the traffic analysis demonstrates that the development has the potential to generate up to 87 traffic movements in the morning peak hour and up to 67 movements during the evening peak hour. It notes this fall within the 'permitted' traffic generation previously accepted under earlier applications.

- 15.12. The proposed change from a B2 Use to a use as B2 general industrial units, B8 commercial warehousing units, or as a mixture of these uses, is likely to generate a higher proportion of HGV traffic than has been considered under previous planning consents at the site. A Freight Management Plan would therefore be required via condition 19. This would allow for a range of measures, as deemed appropriate by WCC Highways and Highways England, to offset any potential adverse impacts associated with this. Such measures could include: active management by a Travel Plan Coordinator; time access restrictions onsite site during peak commute hours; preventing HGVs using Ansty village as a route to or from the site; implementing and managing a Routing and Signing Strategy; ongoing monitoring and review; road signage; using a vehicle booking system to sequence inbound and outbound deliveries; providing on site “early arrival bays”; providing HGV driver welfare facilities; and implementing parking restrictions along the key corridor within Ansty Park.
- 15.13. Both WCC Highways and Highways England have undertaken a full assessment of the development proposals in accordance with national and local planning and transport policy. They are both satisfied that the impact on traffic flows would not be significant and detrimental. They have therefore raised no objections subject to conditions.
- 15.14. Highways England particularly note that a mitigation scheme at M6 Junction 2 would be necessary and must be delivered prior to occupation of the building owing to the projected rise in HGV traffic. The proposed mitigation scheme includes the signalisation of M6 Junction 2 with the introduction of signals at the A46 approach and opposing section of circulatory. This proposed scheme would result in a significant betterment to the overall operation of the junction and A46 approaches. This would be secured by condition 17.
- 15.15. To encourage the use of sustainable transport options and reduce reliance on single occupancy private cars it is proposed that a Travel Plan would be adopted. This would be implemented by a Travel Plan Coordinator who would encourage the adoption of measures such as cycling and car sharing. A Travel Plan would be secured via condition 23. The proposed development would therefore comply with policy D1 of the Local Plan which supports the provision of sustainable modes of transport to mitigate against transport impacts.
- 15.16. In conclusion, it is considered that the proposal would have an acceptable impact on highway safety. The residual cumulative impacts on the road network would also not be severe. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

16. Flood Risk and Drainage

- 16.1 Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.
- 16.2 The Flood Risk Assessment and Drainage Strategy submitted with the application confirms that the proposed development would be carried out within flood zone 1 (very low risk) and therefore passes the requirements of the sequential and exception tests outlined within the Framework. It also outlines that there would be no increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other techniques.
- 16.3 In respect of surface water drainage, the Flood Risk Assessment considers the impact of ground conditions, topography and layout upon this. The surface water drainage strategy has been designed to cater for storm events up to 1 in 100 years plus a 20% allowance for climate change. This strategy has been designed to ensure that all surface water flows that cannot be infiltrated to the ground would be drained to balancing ponds to the east and southeast via surface water drains. WCC Flood Risk Management has carried out an independent

assessment of the Flood Risk Assessment and Drainage Strategy and raised no objection subject to condition 4.

- 16.4 The Flood Risk Assessment and Drainage Strategy confirms that foul sewage would discharge under gravity to a new pump station to the northeast of the proposed unit. From there it would pump to a receiving chamber adjacent to the Meggitt Entrance located within the Prospero Ansty spine road.
- 16.5 It has been found that the findings of the Flood Risk Assessment and Drainage Strategy are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. In the first instance it has been established that the proposed development would be located in a low risk flood zone and would therefore not be susceptible to flooding. Surface water drainage would principally be dealt with through the use of a piped system discharging into the strategic surface water sewer, which would drain to the balancing pond to the east and southeast, in addition to infiltration-based drainage. It would also ensure that the development itself would not be at risk from surface and ground water flooding. Aside from this it has been demonstrated that foul sewage could be drained from the site via a foul water pumping station. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

17. Heritage and Archaeology

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

Archaeological Potential

- 17.2 An Archaeological Evaluation Report has been submitted with the application. This sets out that no archaeological finds were recovered during trial trenching. The evaluation of the site provided an insight into the presence and absence of archaeological remains on site. The majority of features recorded, relate to agricultural practices on site in the form of furrows. Given the lack of significant archaeological remains encountered during the evaluation, the report recommends that no further archaeological mitigation is required in response to the development.
- 17.3 WCC Archaeology has considered this and advised that the the proposed development is unlikely to have a significant archaeological impact. They consequently do not object to the application and do not require any further archaeological investigations on the site.

Designated Heritage Assets

- 17.4 The application site does not contain any designated heritage assets. However, the site does lie within close proximity to a number of surrounding heritage assets. Coombe Abbey Conservation Area, incorporating the Grade II* registered park of Coombe Country Park, is located approximately 230 metres to the south of the proposed built development. A number of listed buildings are located in this area with the most notable being the Grade I listed Coombe Abbey. There is also a Grade II listed building (Peter Hall) to east of the site and another Grade II listed building (Walsgrave Hill Farm) to the west of the site.
- 17.5 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore relevant to these listed buildings and their setting. It requires the Council to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on the decision maker to give

special attention to the desirability of preserving and enhancing the character of a Conservation Area.

- 17.6 In relation to listed buildings it is noted that there is no statutory definition of setting. However, having regard to the definition of setting outlined in the Framework, it is possible for a site to be in the setting of a listed building even if there are no clear visual links between the two. In relation to conservation areas it is again important to recognise that a site can influence and make a positive contribution to its setting. In this case the proposed area of built-development would be approximately 230 metres away from the Grade II* Park to the south. It would also be approximately 400 metres away from the Grade II Peter Hall building to the east.
- 17.7 The application site is clearly visible from the northern edge of the park, and it is from this viewpoint that Historic England has expressed concerns on heritage grounds. These concerns relate to the lack of heritage assessment and the potential impact arising from the proximity of development to the park and the impact of external lighting. In addition to this, The Gardens Trust has advised that they “cannot support the encroachment of the growing industrial complex upon the irreplaceable heritage assets contained within the Grade II* Registered Park and Garden.” However, they have asked that conditions are imposed to mark the end of further encroachment upon the Registered Park and Garden if permission is approved.
- 17.8 In respect of the above, a Built Heritage Statement has been submitted with the application following the Historic England comments. It considers the impact of the proposed development on built heritage assets in the area. The Statement concludes that the “proposed development of the site will cause less than substantial harm to the significance of Combe Abbey Registered Park & Garden (Grade II*), Combe Abbey Conservation Area and Peter Hall (Grade II Listed Building) ... The harm to the heritage assets at Combe Abbey and to Peter Hall from the development of Plot 3 has been established to be low and negligible respectively by virtue of the nature of the contribution of the site to their individual significance and the mitigation measures that have been incorporated into the scheme to reduce the level of impact; these relate to the positioning of the building further away from the southern boundary than the consented extent, the elevational treatments, landscaping and the lighting strategy. The less than substantial harm to the heritage assets at Combe Abbey and to Peter Hall will therefore be balanced against the public benefits of the scheme in accordance with paragraph 202; these include the delivery of employment development on an allocated site.”
- 17.9 Although the proposed building would be clearly visible from the northern edge of the park, it is important to acknowledge that it would not be seen in isolation. It would rather be viewed as part of a historical employment area which is undergoing significant redevelopment. It would particularly be seen within the context of the RWG engine testing building and Meggitt building. The recently constructed Cadent building is also located to the north together with 3 new units (on Plot 1B) which are currently under construction along the edge of Combe Fields Road. The presence of employment buildings in this location would consequently not appear out of place or unusual when seen and read in the wider landscape in conjunction with buildings across the Rolls-Royce site and Ansty Business Park to the north.
- 17.10 Critically, the proposed height, scale and layout of the commercial unit subject of this application is within the parameters set by the outline consent (R19/1540). As such the proposed development wouldn't result in any further impact upon the designated heritage assets, to that which has already been previously assessed and considered, on balance, acceptable.
- 17.11 Notwithstanding the above, the proposed development would result in new buildings being erected in a part of the Rolls-Royce site which was previously open and only had one small building. It is therefore clear that the development would have a degree of impact upon the setting of designated heritage assets. However, over time, this impact would be softened and

reduced as the significant woodland and structural landscape planting which was provided along the eastern and southern boundary as part of the Meggitt development grows and matures. This planting included the provision of woodland and thicket planting together with standard trees. Further landscape planting would be provided on the land immediately around the unit. It is considered that this would then reduce the impact upon the setting of designated heritage assets to an acceptable level over time as the landscaping screens views of the development from the east and south.

- 17.12 In respect to external lighting, an External Lighting Report has been submitted with the application. This shows that the proposed lighting has been designed in line with national lighting guidance and industry standards. It indicates that lighting would be provided to minimise upward light spill, glare and backwards light spillage. It is therefore considered that the lighting has been sensitively designed to reduce light spill and any impact upon designated heritage assets to an acceptable level. Condition 24 has been included to ensure control over external lighting.
- 17.13 Overall, it is accepted that the proposed scheme would have some impact upon designated heritage assets within the vicinity of the site. It is considered that this level of harm should be classified as being minor. This identified harm has been further minimised through an existing landscaping buffer which has already been planted, together with an external lighting scheme. Nonetheless, as harm would arise, it is judged that the proposal would result in 'less than substantial' harm to these assets. This 'less than substantial' harm, does not result in a 'less than substantial' objection and attracts considerable importance and weight, as clarified in the Barnwell judgement of February 2014. Paragraph 202 of the Framework states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. This needs to be considered within the overall planning balance.

Non-Designated Heritage Assets

- 17.14 The application site contains no non-designated heritage assets and would not cause any harm to non-designated heritage assets within the vicinity of the site.

18. Air Quality

- 18.1 Paragraph 186 of the Framework, policy HS5 of the Local Plan and the Air Quality SPD set out the need to consider the impact of the proposed development on air quality.
- 18.2 An Air Quality Assessment (AQA) has been submitted with the application. It identifies that the site is located outside the Rugby Air Quality Management Area (AQMA) but is in close proximity to the Coventry City-Wide AQMA. Furthermore, it indicates that the site is in an area where air quality is mainly influenced by road traffic emissions along the local road network. It therefore notes that elevated pollutant concentrations may be experienced at this location. The development consequently has the potential to cause adverse impacts to existing pollution levels at nearby sensitive receptors.
- 18.3 The AQA considers the potential impact at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. It demonstrates that the proposed development would cause a negligible increase in concentrations of nitrogen dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}). Importantly, it would not result in exceedance of national air quality strategy objectives. The residual effects are consequently not deemed to be significant.
- 18.4 Potential construction phase air quality impacts from fugitive dust and fine particulate matter emissions were also assessed. The AQA identifies that these could be mitigated through a

range of good practice control measures. Condition 3 requiring the submission of a Construction Environmental Management Plan incorporating these measures would ensure this is achieved.

- 18.5 In line with policy HS5 of the Local Plan, development must achieve or exceed air quality neutral standards. The submitted AQA consequently sets out that the traffic movements associated with the proposed development would be below the permitted traffic envelope for Prospero Ansty and is therefore considered to be air quality neutral.
- 18.6 Furthermore, measures including new on-plot landscaping, electric vehicle charging points, a cycle shelter, travel plan, biodiversity mitigation, BREEAM excellent sustainability rating, solar PV panels and measures to achieve a better air tightness and thermal insulation levels than required by current Building Regulations, would contribute towards achieving air quality neutral standards.
- 18.7 Environmental Health are satisfied with the conclusions reached within the AQA, i.e. that the proposed development would not have an overall significant effect on local air quality. As a result, the proposal complies with the Framework and policy HS5.

19. Noise

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

20. Contamination

- 20.1 Paragraphs 174, 183 and 184 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 20.2 A Geo-Environmental Summary has been submitted with the application. This outlines that the site area was previously cleared as part of the demolition and remediation works completed in 2018-2019. It has subsequently been used for soil processing and stockpiling which is in the process of being cleared. Based on previous survey work undertaken, the level of contamination is not expected to be extensive or prohibitive for the proposed end use. However, a geo-environmental walkover, desk study and site investigation with associated risk assessments will be undertaken after the site has been cleared and levelled to establish the current site conditions for development purposes.
- 20.3 Environmental Health has considered this and raised no objection to the proposed development subject to condition 5. This would require the submission of an investigation and risk assessment including a remediation scheme and measures to report unexpected contamination found on the site. It is therefore considered that this would ensure that

contaminated land does not affect the health of the future occupiers of the proposed development. As a result, the proposal complies with the Framework.

21. Light

- 21.1 Paragraph 185 of the Framework sets out the need to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. National Planning Practice Guidance also expands on this. It indicates that getting the design and setting right is important as artificial lighting can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky.
- 21.2 An External Lighting Report has been submitted with the application. This shows that the proposed lighting has been designed in line with national lighting guidance and industry standards. It indicates that lighting would be provided to minimise upward light spill, glare and backwards light spillage. A key component of this would be ensuring all lighting has a zero degree tilt angle. Environmental Health are satisfied that the proposed lighting would be acceptable. As a result, the proposal complies with the Framework. Condition 24 would ensure that the external lighting is undertaken in accordance with the details submitted.

22. Residential Amenity (Light, Aspect and Privacy)

- 22.1 Policy SDC1 of the Local Plan sets out that proposals for new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded.
- 22.2 The closest residential property is located approximately 300 metres away to the east at Fair View on Peter Hall Lane. The property of Peter Hall Farm is also located just beyond this at a distance of approximately 400 metres at the closest point. The distance from these properties to the proposed buildings is such that this would not give rise to significant and detrimental impacts on light, aspect and privacy. The impact on residential amenity would therefore be acceptable. As a result, the proposal complies with policy SDC1.

23. Carbon Emissions, Sustainable Design and Construction

- 23.1 Policies SDC1 and SDC4 of the Local Plan sets out support for the enhanced energy efficiency of buildings and need to achieve a BREEAM very good sustainability rating. This is consistent with section 14 of the Framework which indicates a need for the planning system to support the transition to a low carbon future to help tackle climate change. Rugby Borough Council also declared a climate emergency in July 2019.
- 23.2 BREEAM standards represent best practice in the sustainable design of non-residential buildings. The Design and Access Statement provides an indication that a BREEAM excellent sustainability rating could be achieved. This rating is higher than that required by the Local Plan and represents a material benefit which would help to tackle climate change. Condition 22 requires measures to ensure this is achieved and implemented.
- 23.3 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the buildings and measures to achieve better air tightness and thermal insulation levels for walls and roofs than required by current Building Regulations. This provision and these measures are not required by policies in the Local Plan and therefore represents a material benefit which would help to tackle climate change. Condition 12 would be required to ensure delivery of these panels and measures.
- 23.4 Condition 9 is proposed to ensure measures are installed to reduce summer overheating within the buildings.

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

24. Health

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

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

25. Broadband

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

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

26. Other Matters

26.3 Warwickshire Fire and Rescue Service has raised no objection to this application subject to an informative drawing the applicant's attention to the need for the development to comply with building regulations.

27. Planning Balance and Conclusion

26.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) means "approving development proposals that accord with an up-to-date development plan without delay". The Local Plan was adopted in June 2019 and is considered to be an up-to-date development plan.

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

Economic

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

Social

- 26.8 From a social perspective, it is important to recognise that many of the original Rolls-Royce buildings on the site have been demolished resulting in a loss of employment opportunities. The proposed redevelopment of this site would consequently bring the land back into active economic use and in turn provide up to 410 jobs. This would therefore create opportunities for new employment. The provision of job security would further play a key role in helping improve and safeguard mental health and wellbeing.
- 26.9 It is considered that the clear social benefits outlined above should carry very substantial weight in favour of the proposed development.

Environmental

- 26.10 From an environmental perspective, the potential adverse impacts of the proposed development in relation to landscape, visual appearance, trees, hedgerows, ecology, highway safety, traffic flows, flood risk, drainage, heritage, archaeology, air quality, noise, contamination, light, residential amenity and carbon emissions have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation could be secured through conditions to ensure that this is delivered.
- 26.11 Moreover, the outline permission provides a fallback position for the size of buildings which could be constructed in this location. The proposal would be under the limits allowed by this outline permission and would consequently not have a greater impact on the landscape and

openness of the Green Belt than what is permitted to be constructed in this location. This is a material consideration which weighs in favour of the application.

- 26.12 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the building and measures to achieve better air tightness and thermal insulation levels for walls and roofs than required by current Building Regulations. This provision and these measures are not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change. This carries weight in favour of the proposed development.
- 26.13 In regard to heritage assets, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to give special regard to the desirability of preserving a listed building and its setting. Section 72 of the same Act places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area. In this case it has been found that the proposal would give rise to some unavoidable harm to Coombe Abbey Conservation Area and the Grade II* registered park of Coombe Country and listed buildings contained within it (most notably the Grade I listed Coombe Abbey). This harm would arise from the intrusion and visual impact caused by the location and scale of the proposed building. The extent of this harm would be tempered by woodland and structural planting around the southern and eastern boundaries of the site. It is therefore considered that the proposal would result in 'less than substantial' harm to these heritage assets.
- 26.14 In accordance with policy SDC3 of the Local Plan and paragraph 202 of the Framework, the identified harm above should be weighed against the public benefits of the proposal. Paragraph 199 of the Framework states that "great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". This gives rise to a strong presumption against planning permission being granted. However, on balance, it is considered that whilst having regard to Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, policy SDC3 of the Local Plan, and the Framework, the benefits of the scheme, as described above, are sufficient to clearly and demonstrably outweigh the harm to the identified heritage assets.

Conclusion

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

27. Recommendation:

27.1. Planning application R22/0485 to be granted subject to:

- a. The conditions and informatives set out in the draft decision notice appended to this report; and
- b. Referral to the Department for Levelling Up, Housing and Communities National Planning Casework Unit.

DRAFT DECISION

REFERENCE NO:
R22/0485

DATE APPLICATION VALID:
19-May-2022

APPLICANT:

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

AGENT:

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

ADDRESS OF DEVELOPMENT:

Plot 3, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry, CV7 9JR

APPLICATION DESCRIPTION:

Erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping

CONDITIONS

CONDITION 1:

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

REASON:

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 2:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Planning Boundary	PAP3-MSA-ZZ-ZZ-DR-A-200001-PL2	19-05-22
Site Layout Plan	PAP3-MSA-ZZ-ZZ-DR-A-200010-PL2	19-05-22
Plot 3 - Floor Plans - Ground Site Layout Plan	PAP3-MSA-ZZ-ZZ-DR-A-200015-PL1	19-05-22
Plot 3 - Floor Plans - Office Ground Floor	PAP3-MSA-OF-00-DR-A-200100-PL1	19-05-22
Plot 3 - Floor Plans - Office Upper Floors	PAP3-MSA-OF-ZZ-DR-A-200105-PL2	19-05-22
Plot 3 - General Elevations	PAP3-MSA-ZZ-ZZ-DR-A-200200-PL1	19-05-22
Highways - External Details	PAP3-CWA-ZZ-ZZ-DR-C-000525-P1	19-05-22
Highways - General Arrangement - Sheet 1 of 3	IPD-20-537-150A	19-05-22
Highways - General Arrangement - Sheet 2 of 3	IPD-20-537-151A	19-05-22
Highways - General Arrangement - Sheet 3 of 3	IPD-20-537-152	19-05-22
Off-Plot Highway Works	PAP3-CWA-ZZ-ZZ-DR-C-000700-P01	25-07-22
Highways - Proposed Access Tracking	PAP3-CWA-ZZ-ZZ-DR-C-000600-P1	06-06-22
Highways - Proposed Manhole Schedules	PAP3-CWA-ZZ-ZZ-DR-C-054000-P1	04-07-22
Fire Access Plan	PAP3-MSA-ZZ-ZZ-DR-A-200025-PL1	19-05-22
Proposed Drainage Details	PAP3-CWA-ZZ-ZZ-DR-C-053500-P1	04-07-22
Exceedance Flow Plan	PAP3-CWA-ZZ-ZZ-DR-C-SK005-P02	28-07-22
Proposed Levels Strategy	PAP3-CWA-ZZ-ZZ-DR-C-000510-P1	19-05-22
Landscape Concept Infrastructure Plan	1795-17-01-02-03-dwg-E	19-05-22
Landscape Concept Plan	ANS-BCA-ZZ-ZZ-DR-L-2277-22-10-S5	19-05-22
Landscape Concept Sections	PAP3-BCA-ZZ-ZZ-DR-L-2277-22-11-S5	19-05-22

Landscape Explanatory Plan	MAN016-001	19-05-22
Tree Removal and Protection Plan	PAP67-BCA-XX-XX-DR-L-2262-21-04-S5	01-06-22

<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Air Quality Assessment	22-0377-01-1	19-05-22
Arboricultural Report - Drainage Amendments in Relation to Hill Park Ancient Woodland	697-22-0	01-06-22
Archaeological Evaluation Report	33662	19-05-22
Built Heritage Statement	JCH01740-2	18-07-22
Compliance with Building Regulations Part L - Plot 3	1841-ESC-00-ZZ-RP-Z-0005-P1	24-05-22
Compliance with Building Regulations Part L - Plot 3	ESC1841	19-05-22
Design and Access Statement	PAP3-MSA-XX-XX-RP-A-022000-PL3	19-05-22
Drainage - Proposed Amendments to North West Storm Water Outfall	IPD-21-556-511A	01-06-22
Drainage Details	PAP3-CWA-ZZ-ZZ-DR-C-000535-P1	19-05-22
Drainage Network Schematic and Simulations	CWA-21-287	28-07-22
Drainage Strategy	CWA-21-287-530-P03	28-07-22
Ecological Assessment	8508-Plot3-EcoAss-vf-comp	24-05-22
External Lighting Report	210823-P01	19-05-22
Flood Risk and Drainage Technical Note – Response to WCC FRM Comments	CWA-21-287	04-07-22
Flood Risk and Drainage Technical Note – Response to WCC FRM Comments	CWA-21-287	28-07-22
Flood Risk Assessment - Catchment A	IPD-21-564-R004-A	19-05-22
Flood Risk Assessment and Drainage Strategy	PAP3-CWA-XX-XX-RP-C-FRA-B	04-07-22
Geo-Environmental Summary	22033J-01-LO001	19-05-22
Health Impact Assessment Matrix	N/A	19-05-22
Highways Technical Note - Combe Fields Road Signalised Junction	IPD-20-537	21-07-22
Highways Technical Note - Cycle and Pedestrian Infrastructure	IPD-21-556	21-07-22
Landscape and Visual Appraisal	2277-22-RP01	19-05-22
Noise Impact Assessment	22-0377-02-1	19-05-22
Planning Statement	N/A	19-05-22
RSA Review - Attachment - Appendix D – RSA Response Report		26-07-22
Transport Statement	IPD-21-564-001-A	19-05-22
Utility Infrastructure Statement	210823-A	19-05-22
Water Quality Assessment	N/A	28-07-22

REASON:

For the avoidance of doubt.

CONDITION 3:

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

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
- b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
- c. Timing of heavy goods vehicle movements during the construction phase;
- d. A named point of contact for overseeing construction works and their contact details;
- e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;
- f. Construction site access location, control and construction haul routes;
- g. The parking of vehicles of site operatives and visitors;
- h. Hours of work and deliveries;
- i. Temporary perimeter screen and protective fencing;
- j. Pre-commencement checks for wildlife;
- k. Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site including details of supervision by an Ecological Clerk of Works (ECoW);

- l. Details of measures to protect habitats, including the prevention of pollution;
- m. A strategy to manage and maintain any construction materials from entering or silting up the watercourse at the existing outfalls, to ensure that no silt or chemicals can leave the phase being constructed and to ensure any detrimental impact to the watercourse shall be repaired;
- n. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; and
- o. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

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

REASON:

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

CONDITION 4:

No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved Flood Risk Assessment - Catchment A (IPD-21-564-R004-A, received 19-05-22) and Flood Risk Assessment and Drainage Strategy (PAP3-CWA-XX-XX-RP-C-FRA-B, received 04-07-22), has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- a. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to a runoff rate of 450l/s for Catchment A in line with the approved IPaD Catchment A Flood Risk Assessment (Issue A, dated 12.05.2022).
- b. Provide evidence of the condition of the existing ditch located along the western side of the Combe Fields Road carriageway to ensure it has adequate capacity to accept and convey receiving flows from Catchment A, without causing a flood risk both within and outside of the site boundary.
- c. Demonstrate the provisions of surface water runoff attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'. This shall include full details of the volume and dimensions of any underground attenuation tanks.
- d. Provide drawings/plans illustrating the proposed sustainable surface water drainage scheme.
- e. Provide detailed drawings including cross sections, of proposed features such as attenuation features and outfall structures. These shall be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- f. Provide detailed, network level calculations demonstrating the performance of the proposed system. This shall include:
 - i. Representation of how the on-plot drainage system works within the wider Catchment A drainage scheme, including the catchment specific attenuation basins and outfall into the existing ditch;
 - ii. Suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall), and justification of such criteria where relevant;
 - iii. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus climate change allowance events;
 - iv. Results demonstrating the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results shall be provided as a summary for each return period; and

- v. Evidence supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- g. Provide plans, including external levels plans, to support exceedance and overland flow routing details. Such overland flow routing shall:
 - i. Demonstrate how runoff will be directed through the development without exposing properties to flood risk;
 - ii. Consider property finished floor levels and thresholds in relation to exceedance flows; and
 - iii. Recognise that exceedance can occur during any storm event due to a number of factors and shall thus ensure that exceedance management should not rely on calculations demonstrating no flooding.
- h. Provide a detailed site specific maintenance plan giving details on how surface water systems shall be maintained and managed in perpetuity for the lifetime of the development. The details within the plan shall include: the name of the party responsible, a contact name, address, email address and phone number; plans showing the locations of features requiring maintenance and how these should be accessed; and be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

The scheme and maintenance plan shall subsequently be implemented in accordance with the approved details before first occupation of the buildings hereby approved unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage structures.

CONDITION 5:

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

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

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

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

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

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

REASON:

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

CONDITION 6:

PART 1

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

- a. Description and evaluation of features to be managed;
- b. Details of habitat creation measures;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and objectives of management;
- e. Appropriate management options for achieving aims and objectives;
- f. Prescriptions for management actions;
- g. Preparation of a work schedule, including timetable, for the implementation and delivery of the plan;
- h. Site-wide Biodiversity Impact Assessment calculation in accordance with the current DEFRA metrics applied locally to demonstrate that no net loss to biodiversity will be achieved;
- i. Identification of land necessary to mitigate any loss of biodiversity to demonstrate net gain in relation to the approved development;
- j. A review mechanism to update the OSBMP if further development is brought forward in the area surrounding the application site necessitating further changes; and
- k. Management and Implementation Schedule (MIS) which shall include details of a long-term management plan of no less than 30 years, the body/organisation responsible for the implementation of the plan together with relevant legal and funding mechanisms, details and timings of maintenance, provisions for ongoing monitoring and remedial measures.

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

PART 2

No building shall be occupied until the details of the body/organisation(s) responsible for the ongoing implementation and management of the approved OSBMP have been submitted to and approved in

writing by the Local Planning Authority. Such details shall include details of legal and funding arrangements by which the long-term implementation of the plan will be secured for the lifetime of the approved OSBMP, including any arrangements for transferring responsibility.

REASON:

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

CONDITION 7:

No above ground development shall commence on each of the buildings and structures listed below until full details, including floor plans, elevation plans, materials, colours, level plans and cross-section plans, have first been submitted to and approved in writing for the following buildings and structures shown on the Site Layout Plan (PAP3-MSA-ZZ-ZZ-DR-A-200010-PL2, 19-05-22) and Proposed Levels Strategy (PAP3-CWA-ZZ-ZZ-DR-C-000510-P1, 19-05-22):

- a. Cycles shelters;
- b. Bin stores;
- c. Transformer;
- d. RMU;
- e. HGV Entrance Gate;
- f. Paladin Fence; and
- g. Retaining walls.

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

REASON:

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

CONDITION 8:

Notwithstanding the approved layout and highway plans, no development shall commence until a Stage 1 Road Safety Audit of the development hereby approved, and plan showing vehicle and pedestrian visibility splays at the proposed accesses onto the road, has been carried out. Any recommendations made in the Road Safety Audit, or changes required to achieve acceptable vehicle and pedestrian visibility splays, shall then be addressed within a detailed design response and detailed highway plans which, together with the Stage 1 Road Safety Audit and vehicle and pedestrian visibility splays plan, shall have first been submitted to and approved in writing by the Local Planning Authority. The unit hereby approved shall not be occupied until the layout, highway and accesses have first been provided in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 9:

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

REASON:

In the interests of health and wellbeing.

CONDITION 10:

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

approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 11:

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

REASON:

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

CONDITION 12:

The roof-mounted photovoltaic (PV) panels indicated on the Site Layout Plan (PAP3-MSA-ZZ-ZZ-DR-A-200010-PL2, 19-05-22) shall not be installed until full details of these have first been submitted to and approved in writing by the Local Planning Authority. The unit shall not be occupied until the roof-mounted photovoltaic (PV) panels has been provided and brought into use in accordance with the approved details, and measures to achieve thermal insulation levels of 0.22 W/m².K for walls and 0.15 W/m².K for roofs and air tightness of less than 3 cu m/hour/m² as set out within the Design and Access Statement (PAP3-MSA-XX-XX-RP-A-022000-PL3, 19-05-22) have been provided. The roof-mounted photovoltaic (PV) panels and measures relating to thermal insulation levels and air tightness shall thereafter be maintained and retained in perpetuity.

REASON:

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

CONDITION 13:

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

REASON:

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

CONDITION 14:

No unit shall be occupied until a Woodland and Structural Landscaping Plan (WSLP) has been submitted for land outside of the application site to the south and west of the Pilot Way Spine Road and RWG Testing Facility. The WSLP shall include planting plans with written specifications and details of: the quantity, size, species, position and source of all new planting including trees, hedgerows and shrubs; and a timetable for the implementation of all of the works and planting.

The landscaping scheme and all planting and habitat enhancements, as detailed in the WSLP, Landscape Concept Infrastructure Plan (1795-17-01-02-03-dwg-E, 19-05-22) and Landscape Concept Plan (ANS-BCA-ZZ-ZZ-DR-L-2277-22-10-S5, 19-05-22), shall be implemented and planted no later than the first planting season following first occupation of the development unless otherwise specified in the WSLP.

The landscaping scheme and all planting shall thereafter be maintained and managed in accordance with a 30 Year Landscape and Ecological Management Plan which shall first have been submitted to and approved in writing by the Local Planning Authority before first occupation of the development.

If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 15:

No part of the development hereby approved shall be occupied until full details of the habitat mitigation and enhancement measures detailed within the Ecological Assessment (8508-Plot3-EcoAss-vf-comp, 24-05-22) have been submitted to and approved in writing by the Local Planning Authority. The unit hereby approved shall not be occupied until the approved habitat mitigation and enhancement measures have first been provided in accordance with the approved details. The approved scheme shall thereafter be maintained and retained in perpetuity.

REASON:

To protect and enhance biodiversity and to ensure that protected species are not harmed by the development.

CONDITION 16:

No part of the development hereby approved shall be occupied until full details of electric vehicle charging points, including the location, make and model, have been submitted to and approved in writing by the Local Planning Authority. The unit shall not be occupied until the electric vehicle charging points have first been provided and made available for use in accordance with the approved details. The electric vehicle charging points shall be permanently retained and made available for the charging of vehicles.

REASON:

To ensure the proper development of the site, to reduce air pollution, to lower carbon emissions and in the interests of visual amenity.

CONDITION 17:

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

REASON:

In the interests of traffic flows and highway safety.

CONDITION 18:

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

REASON:

In the interests of traffic flows and highway safety.

CONDITION 19:

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

REASON:

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

CONDITION 20:

The buildings hereby approved shall not be occupied until full details showing how all parts of the existing northern Rolls-Royce access will be closed and the kerb and verge reinstated in accordance with the standard specification of the Highway Authority has been submitted to and approved in writing by the Local Planning Authority. Unless non-material variations are agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until the existing northern Rolls-Royce access has been closed and the kerb and verge reinstated in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 21:

The unit hereby approved shall not be occupied until the access road carriageway and footways have been constructed in general accordance with the Site Layout Plan (PAP3-MSA-ZZ-ZZ-DR-A-200010-PL2, 19-05-22).

REASON:

In the interests of highway safety.

CONDITION 22:

The unit hereby approved shall not be occupied until measures demonstrating that the building achieves a BREEAM very good standard or above in terms of carbon reduction has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved measures and details.

REASON:

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

CONDITION 23:

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

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

REASON:

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

CONDITION 24:

No external lighting, other than that shown in the External Lighting Report (210823-P01, 19-05-22), shall be provided or erected on the site unless full details of the type, design and location of the additional lighting, together with a lighting report including details of fixtures and fittings, associated angle, fall, spread and intensity, have first been submitted to and approved in writing by the Local Planning Authority. No external lighting shall be erected until full details of measures, such as the use of photocell and time clocks, to control all obtrusive lighting for each unit has first been submitted to and approved in writing by the Local Planning Authority. No additional external lighting shall be erected and installed other than in accordance with the approved details.

REASON:

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

CONDITION 25:

The rating level of any fixed plant or equipment installed, provided and operated at the site shall not exceed a plant noise limit of 45.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 36.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (22-0377-02-1, 19-05-22).

REASON:

In the interest of residential amenity.

CONDITION 26:

The individual and cumulative noise generated by vehicle movements and activities within and around the building shall not exceed 45.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 36.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (22-0377-02-1, 19-05-22).

REASON:

In the interest of residential amenity.

CONDITION 27:

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

REASON:

In the interests of visual amenity.

CONDITION 28:

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

REASON:

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

CONDITION 29:

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

REASON:

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

INFORMATIVES**INFORMATIVE 1:**

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

INFORMATIVE 2:

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

INFORMATIVE 3:

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

INFORMATIVE 4:

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

INFORMATIVE 5:

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

INFORMATIVE 6:

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

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

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

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

INFORMATIVE 7:

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

INFORMATIVE 8:

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

INFORMATIVE 9:

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

INFORMATIVE 10:

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

INFORMATIVE 11:

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

INFORMATIVE 12:

Condition 24 stipulates that “No external lighting shall be erected until full details of measures, such as the use of photocell and time clocks, to control all obtrusive lighting for each unit has first been submitted to and approved in writing by the Local Planning Authority”. It is acknowledged that the proposal seeks permission for 24 hour a day usage of the approved units. External illumination may therefore be required at all times depending on the hours of operations of the occupiers of the units. However, where operations are not running 24 hours a day the lighting shall be limited and controlled using specific measures. Where operations are running 24 hours a day it is necessary to consider and identify opportunities to use measures to control all or some of the obtrusive lighting. For example, some of the external lighting around the units may not be needed at all times and could then be controlled by time clocks. This would then keep external lighting to the absolute minimum necessary to allow the use to operate.

INFORMATIVE 13:

Condition 23 requires the submission of a Travel Plan. The Travel Plan shall include details of measures to encourage staff to avoid using Combe Fields Road, Peter Hall Lane and Smeaton Hall Lane for commuting to and from work.

INFORMATIVE 14:

Warwickshire Police advise that building sites, and in particular site offices and storage areas, are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

INFORMATIVE 15:

RBC Environmental Health advise that reversing alarms incorporating one or more of the features listed below, or any other comparable system, shall be used on any mobile plant or vehicle operated on site. Where reasonably practicable this will apply to any delivery vehicles. The features include: (i) highly directional sounders; (ii) use of broadband signals; (iii) self-adjusting output sounders; and (iv) flashing warning lights.

INFORMATIVE 16:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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.

Reference: R22/0491

Site Address: Plots 6 and 7, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry, CV7 9JR

Description: Erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping

Recommendation

Approval subject to conditions, informatives and referral to the Government's Department for Levelling Up, Housing and Communities Planning Casework Unit.

1. Background:

- 1.1 This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major development which is required to be referred to the Government's Department for Levelling Up, Housing and Communities Planning Casework Unit.
- 1.2 The application site is on land for which outline permission has been granted for a new employment development (known as Prospero Ansty) in 2021 (ref: R19/1540). Employment uses permitted by the outline permission were restricted to B1 (Offices, Light Industrial and Research and Development of Products or Processes) and B2 (General Industrial) Uses. The principle of built development being provided on the application site has therefore already been established within specified parameters.
- 1.3 This application is for the erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution). The outline permission was not for B8 Uses meaning that it is not possible to bring this proposed development forward as a Reserved Matters Application pursuant to the outline permission. A full planning application has therefore been submitted for Planning Committee to consider.

2. Proposal:

- 2.1. This is a full planning application for the redevelopment of part of the Rolls-Royce site in Ansty. The application site totals 26.2 hectares and includes existing private highways and land required for essential infrastructure. The main elements of new built development would be provided on 7.71 hectares of this land.
- 2.2. In economic terms the proposal represents a major investment which would provide a base for up to 900 employees and would have a positive impact on the region and the local economy and prosperity of the Borough.
- 2.3. The proposed development would provide a total employment floorspace of 36,802 m² (GEA).
- 2.4. The unit on plot 6 would have a floorspace of 25,578 m² (GEA) which would be comprised of 23,072m² (GEA) of B2/B8 floorspace, 2,443m² (GEA) of ancillary office floorspace (Use Class E(g)) and 63m² (GEA) of plant floorspace. It would be 17.10m high above a finished floor level of 88.30m AOD giving a ridge height of 105.40m. A total of 388 car parking spaces would be provided of which 34 would have access to electric vehicle charging points. There would be

60 covered cycle spaces. A total of 42 HGV parking spaces would be located to the rear of the servicing yard. There would be additional reserve parking capacity for up to 29 HGVs that could park in front of dock servicing doors.

- 2.5. The unit on plot 7 would have a floorspace of 11,224 m² (GEA) which would be comprised of 10,000m² (GEA) of B2/B8 floorspace, 1,185m² (GEA) of ancillary office floorspace (Use Class E(g)) and 39m² (GEA) of plant floorspace. It would be 15.50m high above a finished floor level of 86.65m AOD giving a ridge height of 102.15m AOD. A total of 169 car parking spaces would be provided of which 17 would have access to electric vehicle charging points. There would be 60 covered cycle spaces. A total of 7 HGV parking spaces would be located to the rear of the servicing yard. There would be additional reserve parking capacity for up to 12 HGVs that could park in front of dock servicing doors.
- 2.6. The units would be accessed and serviced via a new road extension which would connect into a roundabout on the already built Pilot Way central spine road. Both units would have separately designated and signed points of access for the main car vehicle areas and the HGV servicing yards.
- 2.7. Access to the wider road network would be secured via existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.
- 2.8. To create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. The existing site slopes up gently from the north-west corner to its highest point in the southeast corner. At the north-western corner of the site the existing level is around 82.70m AOD, this rises to around 90.50m AOD at the south-eastern corner. Along the southern boundary, beyond the Plot 6 boundary the land falls away slightly towards the southernmost boundary which is at a level of 89.00 in the south-east corner, adjacent to the RWG complex, and 84.10 in the south-west corner adjacent to Hill Fields Farm. The proposed earthworks would result in a finished floor level of 88.30m AOD for plot 6 and 86.65m AOD for plot 7. As a result, the ridge height of the proposed units would be 105.40m AOD and 102.15m AOD respectively. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building, 105m AOD for the MTC buildings, 106.10m AOD for the approved building on Plot 5 to the east of Plot 6 and 105.70m AOD for the Rolls-Royce building adjacent to the south-east corner of Plot 6.
- 2.9. Surface water runoff from the site that cannot be infiltrated to the ground would be drained, via the strategic surface water sewer, to a balancing pond located to the west and north of the application site. Water would then be discharged from these ponds at a controlled rate.
- 2.10. Significant woodland and structural landscape planting would be provided around the perimeter of the wider Prospero Ansty site. Strategic landscape planting is proposed around the southern and eastern site boundaries. This would include the provision of woodland and thicket planting together with standard trees. Further landscape planting would be provided on the land immediately around the units.

3. Site Description:

- 3.1. The application site comprises of 26.2 ha of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 7.71 hectares of land which falls within the enclosed 75 hectare Rolls-Royce site at Ansty (now known as Prospero Ansty). The site itself and wider 75 hectare site

falls within land which was granted outline planning permission for redevelopment as a new employment area in 2021 (ref: R19/1540).

- 3.2. The site comprises of grassland, dense and scattered scrub as well as areas of re-vegetated hardstanding. Fringe areas of woodland, ruderal vegetation and built-form are also located throughout the development site. An existing attenuation pond is located in the north.
- 3.3. The topography of the site is such that it slopes up gently from the north-west corner to its highest point in the southeast corner. At the north-western corner of the site the existing level is around 82.70m AOD, this rises to around 90.50m AOD at the south-eastern corner. Along the southern boundary, beyond the Plot 6 boundary the land falls away slightly towards the southernmost boundary which is at a level of 89.00 in the south-east corner, adjacent to the RWG complex, and 84.10 in the south-west corner adjacent to Hill Fields Farm.
- 3.4. The majority of the application site has historically formed part of Rolls-Royce Ansty's site and manufacturing operations. Many of the buildings associated with this use have been demolished ahead of the proposed redevelopment of the site. Three buildings used by Rolls-Royce for manufacturing and document storage remain and are located to the east of proposed plot 7. A further building is located to the southeast of the site and is used by RWG as an engine test facility.
- 3.5. To the east of the site is a large manufacturing facility and headquarters operated by Meggitt. This facility was the first building to come forward as part of the redevelopment plans. It provides 45,844sq.m of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. Significant strategic landscape planting has been provided on land to the east and south of Meggitt's building. Two attenuation ponds have also been provided to the southeast of the Meggitt building to contain surface water runoff arising from this.
- 3.6. A large office facility occupied by Cadent is also located to the east of the site. This is the second building to come forward as part of the redevelopment plans. This building has a gross external floor area of 11,124 sq.m and is 19 metres high. A separate multi-storey car park associated with these offices has also been constructed. This building has a total gross external floor area of 9,113 sq.m and is 14 metres high. Further strategic landscape planting and an attenuation pond will be provided on land to the north and east of this building.
- 3.7. The construction of three commercial units for flexible use under use classes B2 and B8 is underway on land to the east of the site adjacent to Combe Fields Road. These will be the third phase of buildings to come forward as part of the redevelopment plans. This units will have a combined gross external floor area of 23,239 sq.m and will have a maximum height of 16.5 metres. Strategic landscape planting and an attenuation pond will be provided on land to the north and east of this building.
- 3.8. Planning permission has been granted for the erection of a building to be used under use class B8 on land to the immediate east of plot 6. This land is known as plot 5 and if delivered would provide a gross external floor area of 28,361 sq.m in a building that would be 17.10m high. Strategic landscape planting will be provided on land to the south of this building.
- 3.9. At a broader level the site is seen within the context of Ansty Business Park to the north which benefited from outline planning permission for 124,484 square metres of B1 floorspace for use as a High Technology Park. A substantial part of this land has now been developed and occupied with a limited number of plots remaining. Buildings present on the site include the Manufacturing Technology Centre (19m high), London Taxi Corporation (17.60m high), FANUC (14.35m high), Sainsbury's (13m high), AVL (9.10m high), Ericsson (6.10m high), High Temperature Research Centre (14.50m high) and Aerospace Research Centre (15.20m high). The primary access to this area is afforded off the A46 and M6 J2 with a secondary

access off Combe Fields Road. A dual lane spine road called Central Boulevard runs through the centre of the Park providing direct access to each building. Areas of strategic landscaping have been incorporated around the perimeter of the site with further ornamental landscaping throughout the Park.

- 3.10. The Rolls-Royce site and Ansty Business Park are surrounded by open countryside which is used for agriculture. The closest residential property is located approximately 230 metres from plot 6 to the southwest at Hill Fields Farm. Walsgrave Hill Farm is located approximately 530 metres from the site to the west of plot 6. The property of Fair View on Peter Hall Lane is located approximately 810 metres from plot 6 to the east. Public bridleways R75b and R75x and public footpath R75y are located to the south and public footpath R73c and R74 are located to the east. Coombe Abbey Conservation Area, incorporating the Grade II* registered park of Coombe Country Park, is located approximately 480m to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Coombe Abbey. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 850m to the west. The M6 motorway is also located approximately 1km to the north.

4. Relevant Planning History

- 4.1 R22/0485: Erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping. Undetermined.
- 4.2 R21/1165: Erection of three commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) with ancillary uses, and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1. Approved 05/04/2022.
- 4.3 R21/0784: Erection of three commercial units (Use Class B2) and associated works, including supporting infrastructure, landscaping and re-profiling works for the remainder of Plot 1 (application for approval of reserved matters relating to access, appearance, landscaping, layout and scale against outline planning permission R19/1540 dated 15th June 2021). Approved 29/10/2021.
- 4.4 R21/0525: Erection of building and use for Class B8 (storage and distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) with PV roof panels, including ancillary offices. Primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, access road, car parking, cycle parking, lorry parking, service areas, drainage, landscaping, demolition of existing buildings, ground remodelling, associated works and temporary use of land for deposition of soil arisings. Approved 31/08/2021.
- 4.5 R21/0501: Change of use from open pasture agricultural land to land for biodiversity enhancement together with habitat creation and associated works. Approved 18/08/2021
- 4.6 R19/1540: Outline planning application for a new employment area (Prospero Ansty) including the redundant/surplus parts of the Rolls-Royce Ansty manufacturing and testing site, comprising B1a, B1b, B1c & B2 floorspace (up to 160,000 m², of which no more than 20,000 m² is for B1a and/or B1b), hotel (C1) (up to 4,500 m²), retail (A1/A3) (up to 250 m²); including car & cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision & replacement of utilities & service infrastructure and other associated works. Approved 15/06/2021.

- 4.7 R19/1512: Erection of building and use for purposes within Class B1(a) (Offices) of the Town and Country Planning (Use Classes) Order 1987 (as amended), together with ancillary research and development facilities (Use Class B1(b)), staff gym and studio, associated surface and multi-storey car park, cycle parking, access road, service areas, external plant and machinery, drainage, attenuation ponds, landscaping, demolition of existing buildings, ground remodelling and associated works. Approved 03/07/2020.
- 4.8 R20/0094: A new commercial headquarters building providing B1(a) office, B1(b) research and development, B1(c), light industrial, B2 and sui generis space, associated car parking, lorry parking, cycle parking, service areas, external plant and machinery, structural landscaping, drainage, SUDs, and other supporting infrastructure including new access roads, together with any necessary demolition and ground remodelling. Approved 14/08/2020.
- 4.9 R17/1829: Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works. Approved 20/04/2018.
- 4.10 R18/0008: Prior notification of proposed demolition. Prior approval not required 02/02/2018.
- 4.11 R16/1923: Demolition of existing gatehouse to southern entrance and erection of replacement gatehouse to northern entrance and associated works to include alterations to access. Approved 09/01/2017.
- 4.12 R16/1250: Prior notification of proposed demolition. Prior approval not required 27/06/2016.
- 4.13 R14/1900: Prior notification of proposed demolition. Prior approval not required 28/10/2014.
- 4.14 R14/1114: Prior notification of proposed demolition. Prior approval not required 12/08/2014.
- 4.15 R12/0739: Prior notification of proposed demolition. Prior approval not required 10/05/2012.

5. Technical Consultation Responses:

Cadent Gas	No objection
Coventry Airport	No response
Coventry City Council	No objection
Environment Agency	No response
Forestry Commission	No objection
Health and Safety Executive	No objection
Historic England	No objection
National Air Traffic Services	No objection
National Grid (Cadent Gas)	No response
National Highways	No objection subject to conditions
Natural England	No objection
RBC Development Strategy	No response
RBC Environmental Health	No objection subject to conditions and informative
RBC Trees and Landscaping	No objection subject to condition
RBC Works Services Unit	No response
Severn Trent Water	No response
Stagecoach	No objection

The Gardens Trust	No response
The Ramblers (Warwickshire Area)	No response
The Woodland Trust	No response
Warwickshire Fire and Rescue	No objection subject to condition and informative
Warwickshire Police	No objection
Warwickshire Wildlife Trust	No response
WCC Archaeology	No objection subject to condition
WCC Ecology	No objection subject to conditions
WCC Flood Risk Management	No objection subject to conditions
WCC Highways	No objection subject to conditions and informatives
WCC Infrastructure	No objection
WCC Rights of Way	No response
Western Power	No response

6. Third Party Consultation Responses:

Combe Fields Parish Council	Comment
-	No particular objection.
-	Welcome proposed 40 mph speed limit to be imposed on Combe Fields Road (D2045) adjacent to the new traffic lights for Combe Fields Road / Peter Hall Lane / Pilot Way.
-	Inevitable increased traffic volume on Combe Fields Road, despite claims that the main entry / exit will be via the M6 / A46 still a major concern.
-	Bend alongside Meggitt building very narrow and increased traffic, even at 40 mph, would increase the accident risk at that point.
-	Combe Fields Road carriageway going towards Coombe Abbey has large potholes starting to appear and areas of subsidence near edges of carriageways. Requires urgent preventative maintenance by WCC before traffic volume ramps up.
-	Proposed Pilot Way / Combe Fields Road / Peter Hall Lane signalised / traffic light junction must be constructed such that large agricultural machines (e.g. combine harvesters) can continue to travel along and through this junction unimpeded.
-	Concern whether proposed drainage systems will be able to cope with increasing winter rainfall with increasing size of built-up area on wider site.
-	Should be some restrictions on emitted noise - especially where 24hr logistics are concerned.
-	External lighting should be kept to an absolute minimum and shall not intrude into Combe Fields Parish.
-	Construction traffic should be prohibited from accessing Peter Hall Lane (D2046) and Smeaton Lane (C171). Should only use Come Fields Road (D2045) in an emergency.

Chairman of Brinklow Parish Council

- Potential issues with traffic routing through Brinklow.
- Contributions would help villages with increase in traffic.

7. Assessment of Proposal:

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

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

7.3 Rugby Borough Council Local Plan 2019

GP1	Securing Sustainable Development	Complies
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GP2	Settlement Hierarchy	Complies
GP3	Previously Developed Land and Conversions	Complies
GP4	Safeguarding Development Potential	Complies
DS1	Overall Development Needs	Complies
ED1	Protection of Rugby's Employment Land	Complies
ED2	Employment Development Within Rugby Urban Area	Complies
ED3	Employment Development Outside Rugby Urban Area	Complies
HS1	Healthy, Safe and Inclusive Communities	Complies
HS2	Health Impact Assessments	Complies
HS5	Traffic Generation, Air Quality, Noise and Vibration	Complies
NE1	Protecting Designated Biodiversity and Geodiversity Assets	Complies
NE2	Strategic Green and Blue Infrastructure	Complies
NE3	Landscape Protection and Enhancement	Complies
SDC1	Sustainable Design	Complies
SDC2	Landscaping	Complies
SDC3	Protecting and Enhancing the Historic Environment	Complies
SDC4	Sustainable Buildings	Complies
SDC5	Flood Risk Management	Complies
SDC6	Sustainable Drainage	Complies
SDC7	Protection of the Water Environment and Water Supply	Complies
SDC9	Broadband and Mobile Internet	Complies
D1	Transport	Complies
D2	Parking Facilities	Complies
D3	Infrastructure and Implementation	Complies
D5	Airport Flightpath Safeguarding	Complies

7.4 Supplementary Planning Documents (SPDs)

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

7.5 Material Considerations

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

7.6 Key Issues

Section 8 Settlement Hierarchy and Green Belt
Section 9 General Principle of Development
Section 10 Principle of Employment Development
Section 11 Economic Growth
Section 12 Landscape and Visual Impact
Section 13 Trees and Hedgerows
Section 14 Ecology
Section 15 Traffic Flows and Highway Safety
Section 16 Flood Risk and Drainage
Section 17 Heritage and Archaeology
Section 18 Air Quality
Section 19 Noise
Section 20 Contamination
Section 21 Light

Section 22	Residential Amenity (Light, Aspect and Privacy)
Section 23	Carbon Emissions, Sustainable Design and Construction
Section 24	Health
Section 25	Broadband
Section 26	Other Matters
Section 27	Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

Settlement Hierarchy

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

National Policy on Green Belts

- 8.2 National policy on Green Belts is set out within the Framework at section 13. Paragraph 147 is particularly relevant and stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Inappropriate development includes the construction of new buildings other than those listed as exceptions in paragraph 149 of the Framework.
- 8.3 The exception listed at paragraph 149g of the Framework allows for the “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would reuse previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.”
- 8.4 In order for the scheme to benefit from this exemption, it must first be demonstrated that it is previously developed land. This is defined in Annex 2 of the Framework as being: “Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure.” The exclusions to this definition are then listed with one of these being “land that was previously developed but where the remains of the permanent structure have blended into the landscape”.
- 8.5 ‘Curtilage’ is not a term defined in legislation or the Framework. The Courts have consistently held that the extent of a curtilage will be a matter of fact and degree and will depend on the particular circumstances of a case.
- 8.6 Regarding this application, it is noted that the application site can broadly be broken down into four distinct areas which are comprised of the following:
- Area 1: Existing highway infrastructure including Pilot Way and Central Boulevard.
 - Area 2: Former airfield runway. No buildings previously located on this area. Includes a remaining section of the former airfield runway and service roads hard surfacing with

associated open land around this. This area was fenced off from the main Rolls-Royce site but was connected and accessible via a gated service road to it.

- Area 3: Land which was previously occupied by now demolished and cleared buildings, structures and hard surfaces. Includes areas of open and undeveloped land around these former buildings and structures within the fenced perimeter boundary and forming part of the curtilage.
- Area 4: Landscape buffer and ecological zone.

8.7 It is considered that areas 1-3 should be classified as previously developed land. They comprise of land which is or was occupied by a permanent structure, including the curtilage of the developed land. Area 4 should not be classified as previously developed land. This area comprises of land which through extant permissions in the area is committed to being used as a landscape buffer and ecological mitigation zone.

8.8 The proposed development would be constructed across areas 1-3 only. To determine whether development in these areas would be inappropriate development in the Green Belt, it is necessary to ascertain whether the proposed development would have a greater impact on the openness of the Green Belt than the existing development. This is considered below.

Impact on Openness

8.9 In regard to openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness in terms of the Green Belt has a spatial aspect as well as a visual aspect and is not therefore limited to volumetric comparisons.

8.10 In this case the application site is currently free from any permanent structures. The proposed construction of buildings and associated infrastructure on this land would clearly result in a permanent loss of that openness. Furthermore, the cumulative impact arising from the size and scale of this development, and the approved Prospero Ansty outline development (R19/1540), Meggitt development (R17/1829), Cadent development (R19/1512), Plot 5 development (R21/0525), Plot 1B development (R21/0784 and R21/1165) and Rolls-Royce consolidation development (R18/2218), is such that the spatial impact would be significantly greater than the combined floorspace, height and volume of the now demolished buildings which were located on the wider Rolls-Royce site.

8.11 From a visual perspective the presence of the proposed building and development in this part of the site would readily be observed from public vantage points including Combe Fields Road, public footpaths R73c, R75b, R75x and R75y, and nearby residential properties. The visual impact of this would be reduced through significant landscape planting which is proposed along the southern and western edges of the application site and boundaries of the wider site. When established this would help to screen and soften views of the buildings. Furthermore, the presence of these buildings would not be seen in isolation within open countryside. Instead, it would be seen within the context of existing buildings at Prospero Ansty (including the Meggitt, Cadent, Plot 1B units and retained Rolls-Royce buildings) and Ansty Business Park. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.

8.12 Having regard to the spatial and visual aspects of development, it is considered that the proposal would clearly cause significant and permanent harm to the Green Belt by reducing its openness. This harm must be given substantial weight in accordance with paragraph 148 of the Framework.

Other Harm

- 8.13 Aside from the impact on openness, paragraph 138 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 8.14 In this regard, Ansty Park and the majority of the Rolls-Royce site are designated as being an Employment Site (Within Green Belt) on the Rural Policies Map. This designation creates a clearly defined area for employment development which is physically disconnected from Coventry and other urban areas.
- 8.15 The area of proposed built development for this application would be contained entirely within this designated area (save for a minor section of car parking for plot 6). It is considered that containing development to the boundaries of the designation helps to prevent harm to the five purposes. In particular, it would not diminish the physical separation of the designated area from Coventry or other urban areas.
- 8.16 However, as identified above, the amount of development proposed within this designated area would increase exponentially. This would have a spatial and visual impact on the openness of the Green Belt as identified above. In turn, this would reduce the amount of open space on the site thus creating a notably denser urban form of development across the extent of the designation. This would contrast with the limited number of buildings and significantly higher amount of open space on the site previously. As a result, the proposal would give rise to some limited harm to checking the unrestricted sprawl of large built-up areas and some moderate harm to assisting in safeguarding the countryside from encroachment.
- 8.17 Conversely, the contained nature of development to land within the designated area ensures that it would not give rise to harm to prevent neighbouring towns merging into one another, preserving the setting and special character of historic towns, and assisting in urban regeneration.

Other Considerations

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

Extant Outline Planning Permission

- 8.19 Outline planning permission (R19/1540) was granted on 15th June 2021 for a new employment area (known as Prospero Ansty) on the Rolls-Royce Ansty site. The permission is specifically for B1a, B1b, B1c and B2 floorspace (up to 160,000m²), a hotel (C1) (up to 4,500m²) and retail units (A1/A3) (up to 250m²). The permission also includes car and cycle parking, structural landscaping, new access roads, any necessary demolition (including demolition of "4 shop"), ground remodelling, drainage infrastructure, provision and replacement of utilities and service infrastructure and other associated works. This permission remains extant and does not expire until 15th June 2031.

- 8.20 Development and landscape parameters plans were approved as part of the outline application which will guide future detailed development on the outline site. These plans show the area where built development would be carried out. Maximum building heights of 18m for much of the site and 14m for the southern part of the site are specified. The location of the main access road is also shown together with areas for formal and structural landscaping. The structural landscaping would be located around the southern and western perimeter of the site. It would predominately be 20m wide with a small 14m wide section on part of the western boundary. Further locations for ecological mitigation works and retained ancient woodland are indicated.
- 8.21 The application site for this full application falls within the boundary of this outline application. The proposed building would be within the development and landscape parameters approved for the outline application. Specifically, it falls within an area identified for development, would not exceed maximum floorspace allowances and has a maximum height no greater than 105.40m AOD for plot 6 and 102.15m AOD for plot 7 (the outline permission allows for buildings with a height up to 106.1m AOD on plot 6 and 105.35m on plot 7).
- 8.22 The outline permission provides a fallback position for the size of buildings which could be constructed in this location. It is therefore reasonable to conclude that the proposal would not have a greater impact on the openness of the Green Belt than what has already been permitted and could be constructed in this location. This is a material consideration which must be considered in the planning balance.

9. General Principle of Development

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

10. Principle of Employment Development

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

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

- 10.2 In this case the proposal is for the partial redevelopment of the existing Rolls-Royce site as defined on the Rural Policies Map. It therefore complies with policy ED1 which indicates support in principle for B2 and B8 use class employment development in this location. In turn, the proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but within a site allocated for employment purposes.
- 10.3 The proposal also complies with policy ED3 of the Local Plan because it is for employment development outside of the Rugby Urban Area but on a site historically and currently used for B use class employment purposes. Equally, the proposal complies with policy ED2 of the Local Plan because the proposed office (E(g) use class) floorspace for each of the proposed units would be ancillary to the proposed main B2 and B8 uses. Indeed, the proposed office space would amount to no more than 12% of the total floorspace for each of the buildings.
- 10.4 Furthermore, the proposal complies with policy DS1 of the Local Plan which sets out the need for 208ha of employment land, including 98ha to contribute to Coventry’s unmet needs between 2011 and 2031. Paragraph 4.16 of the supporting text to this policy makes clear that the employment land target would be delivered partly through intensification opportunities at existing sites. The redevelopment and intensification of the Rolls-Royce site would therefore help to ensure this target is met.

11. Economic Growth

- 11.1 Policy GP1 of the Local Plan sets out a goal to secure development that improves the economic conditions of this area. This is consistent with paragraph 81 of the Framework which outlines that “decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”.
- 11.2 The proposed development seeks to accommodate flexible B2 and B8 class uses and represents a unique opportunity to provide additional business opportunities at a well-established and well-connected employment location. The two units would provide a base for up to 900 employees.
- 11.3 The proposed development would also represent a significant investment in the Borough arising from the construction of the units. Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 11.4 Overall, the proposal represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities. As a consequence, it would have a significant and positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.

12. Landscape and Visual Impact

- 12.1 Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on the landscape.
- 12.2 The application site comprises of 26.2 hectares of land and includes existing private highways and land required for essential infrastructure. The main elements of proposed built development would be provided on 7.71 hectares of land which falls within the 75 hectare Rolls-Royce site at Ansty. The site is comprised of a number of habitats including grassland, woodland, scrub habitats, ruderal vegetation, recolonising hardstanding and built-form. A pond is located within the north of the site.
- 12.3 The majority of original buildings at the Rolls-Royce site have been demolished. Prior to the demolition works there was a wide variety of buildings on the site with the layout, appearance, sizes, heights and materials having clearly evolved over the years. There was consequently no clear and uniform character with the development rather appearing more disjointed. However, in general terms the buildings closest to Combe Fields Road were two storeys in height with incidental green space positioned between the buildings and the road. The larger more industrial looking buildings were located further into the site on higher ground levels thereby being readily visible in the surrounding landscape. A chimney stack just under 30m high also dominated the skyline and was visible from many public vantage points.
- 12.4 Part of the Rolls-Royce site has already been redeveloped through the construction of a large purpose built manufacturing facility and headquarters operated by Meggitt. It provides 45,844 square metres of gross internal B2 Use Class floorspace in a building which is 13.70 metres high. The building is supported by a large surface car park, attenuation ponds and structural landscaping. Work has also recently been completed on the construction of a new office and research development facility for use by Cadent together with associated multi-storey car park. This has resulted in the provision of 20,237 square metres of new floorspace split between two buildings which are between 14 and 19 metres high. Advanced construction work is currently underway for the speculative development of three units on land between the Cadent and Meggitt buildings (known as Plot 1B). Once completed, this will result in the provision of 23,239 square metres of new floorspace with a maximum height of 16.5 metres. Extant permission for a further building (known as Plot 5) opposite (west) of Meggitt also allows for 28,361 square metres of floorspace with a maximum height of 17.10 metres.
- 12.5 The proposal subject of this application would continue the redevelopment of the Rolls-Royce site. It would result in the construction of two commercial units. Unit 6 would have a gross external floor area of 25,578 square metres. It would be 17.10m high above a finished floor level of 88.30m AOD giving a ridge height of 105.40m. Unit 7 would have a gross external floor area of 11,224 square metres. It would be 15.50m high above a finished floor level of 86.65m AOD giving a ridge height of 102.15m AOD. In respect of appearance, the proposed elevations of the office elements would contain a high level of glazing which would be broken up with cladded panels in a palette of dark grey, white and black. The main elevations of the units would be clad in horizontally laid profiled metal cladding, in two tones of grey, with a darker shade at parapet level. The roofs to both the offices and units would not be visible as there would be a parapet which conceals this.
- 12.6 To create a large single level platform for the proposed buildings it would be necessary to undertake cut and fill earthworks across the site. The existing site slopes up gently from the north-west corner to its highest point in the southeast corner. At the north-western corner of the site the existing level is around 82.70m AOD, this rises to around 90.50m AOD at the south-eastern corner. Along the southern boundary, beyond the Plot 6 boundary the land falls away slightly towards the southernmost boundary which is at a level of 89.00 in the south-east

corner, adjacent to the RWG complex, and 84.10 in the south-west corner adjacent to Hill Fields Farm. The proposed earthworks would result in a finished floor level of 88.30m AOD for plot 6 and 86.65m AOD for plot 7. As a result, the ridge height of the proposed units would be 105.40m AOD and 102.15m AOD respectively. This compares to 98.50m AOD for the Meggitt building, 102.50m AOD for the Cadent building, 105m AOD for the MTC buildings, 106.10m AOD for the approved building on Plot 5 to the east of Plot 6 and 105.70m AOD for the Rolls-Royce building adjacent to the south-east corner of Plot 6.

- 12.7 In terms of landscape and visual impact, the proposal would result in development in a part of the site where there has previously been no physical built development. The proposed buildings would be 17.10m and 15.50m high. This compares to the: 19m height of the MTC and Cadent buildings to the east and northeast; 13.70m height of the Meggitt building to the east; 16.5m height of the three units on plot 1B to the east; and 17.10m height of the approved plot 5 building to the east. The position and size of the proposed buildings are consequently such that they would be highly visible when viewed from public vantage points including Coombe Country Park, Combe Fields Road, public rights of way R73c, R75b, R75x and R75y, and nearby residential properties.
- 12.8 In order to mitigate against the visual impact, the proposal includes provisions for additional woodland and structural landscape planting around the perimeter of the wider Prospero Ansty site. Vegetation along the southern boundary would be enhanced by planting which would include evergreen species to provide year-round screening. Larger stature trees would also be planted along the southern boundary, which would make a more immediate contribution to the screening of the site. The thickness of this buffer is 20 metres deep. This woodland and structural landscape planting buffer would continue around the western boundary with a thickness of 20m deep. An ecological enhancement area would also be provided on land to the west of the site which would include additional planting, water bodies and grassland improvements. Full details of the planting, together with a timetable for implementation, would be required by condition 14. This landscaping would supplement the recently planted landscape buffer along part of the eastern and southern edge of the wider Prospero Ansty site alongside Meggitt and the east-west arm of the estate spine road. Further landscape planting would be provided on the land immediately around the units and car park areas.
- 12.9 A Landscape and Visual Appraisal has been submitted with the application. It concludes that the development “is within the approved [outline planning permission(R19/1540)] parameters for the site and whilst the implementation will result in some loss of openness within the Green Belt the development will be seen in the context of its location adjacent to the existing Rolls Royce site and Ansty Business Park. The extensive landscape buffer around the southern and western boundaries will ultimately help to screen and assimilate the development into the surrounding rural land.”
- 12.10 The Council’s Landscape and Arboricultural Officer has considered all the submitted plans and Landscape and Visual Appraisal. They are ultimately satisfied that there would not be any significant detrimental impact from a landscape character point of view subject to the proposed landscape buffer mitigation zone being implemented.
- 12.11 It is acknowledged that the proposed development would be readily visible within the wider landscape from Coombe Country Park, Combe Fields Road, public rights of way and nearby residential properties. However, the proposed development would not be seen in isolation and would rather be seen alongside existing buildings on the Rolls-Royce site and Ansty Business Park. The proposed height of the units conforms to the limitations set within the outline permission (R19/1540). The proposed landscape buffer would further soften and screen views of the proposed development. It is therefore accepted that the development would not have a greater impact than that which has been previously permitted under the outline permission.

12.12 On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The scale and layout of the proposed development is such that this would invariably have a greater impact than was previously the case. However, in mitigation, the development would be seen within the immediate context of well-established buildings rather than intruding into open countryside. The height of the building would conform to the limitations set within the outline permission (ref. R19/1540). Over time the impact would be lessened as the proposed strategic landscape planting matures and thereby softens and filters views of the development. As a result, the proposal complies with the Framework and policies NE3, SDC1 and SDC2 of the Local Plan.

13. Trees and Hedgerows

13.1 Paragraphs 131 and 174 of the Framework and policies NE3 and SDC2 of the Local Plan set out the importance of incorporating features such as trees and hedgerows into the proposed development.

13.2 A Pre-Development Tree Survey submitted with the application which identifies a number of existing trees located across the proposed built development area. These trees are categorised as being of moderate and low quality. The nature of the proposed development is such that all of these trees would need to be removed.

13.3 To compensate for this loss, it is proposed to provide substantial new tree planting within a strategic landscape buffer and on-plot soft landscape planting. This would include extra heavy standard trees, heavy standard trees, coniferous trees and feathered trees together with woodland and thicket planting.

13.4 The Council's Arboricultural Officer has raised no objection to the proposed replacement tree planting to compensate for the loss of those located on the site. It is accepted that the extent of tree loss would be necessary to create sufficient space for the proposed building to be laid out. The submitted site layout plan shows that the proposed development could be accommodated on the site without causing significant and detrimental harm to existing retained trees.

13.5 The proposed development also includes provisions for an existing 150mm diameter surface water drainage pipe to be replaced with a 225mm diameter surface water drainage pipe. This pipe would be located adjacent to Hill Park Wood which is classified as an ancient semi-natural woodland. Standing advice for ancient woodlands is to have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (i.e. meaning there should be no disturbance within it). In this case the proposed drainage pipe would be located 6.5 metres away from the woodland at its nearest point.

13.6 A detailed technical note submitted with the application in relation to this issue notes that a pipe outfall can't be built 15 metres away from the woodland as it would be in the LEVC pond. It further notes that the existing 150mm pipe was laid in July 2019. This location was chosen because it followed the line of a disused tarmac road and therefore minimised the impact on flora and fauna. The channel created to lay the pipe was backfilled using soft "as dug" material. It is advised that this channel can be used again as it is a soft material and won't require widening. Moreover, it notes that not all of the trees in the woodland are ancient. A survey of the trees has confirmed that the proposed works would be more than 15 metres away from the nearest ancient tree. Finally, they advise that alternative solutions such as utilising or extending the size of the LEVC pond has been considered. These were discounted because the pond does not have existing capacity to accommodate extra flows and there is insufficient space to extend it without encroaching into buffer zones for trees and the ancient woodland. The Council's Arboricultural Officer has considered this and accepted the justification put forward subject to tree protection measures being implemented (condition 29).

13.7 Overall, it is considered that the impact on trees would be acceptable. The proposal therefore complies with the Framework and policies NE3 and SDC2.

14. Ecology

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

Habitats

14.2. Coombe Pool Site of Special Scientific Interest (SSSI) is located approximately 1km away from the south of the site. The pool is fed by the Smite Brook watercourse. The proximity of this brook to the site is such that it may be hydrologically linked to the SSSI. This gives rise to the potential for contaminants in surface water from the site being discharged into the watercourse and reaching the SSSI. The Flood Risk Assessment and Drainage Strategy submitted with the application contains details of measures which would ensure pollutant levels expected in the surface water run-off would be controlled. The implementation of these measures would ensure that there is no adverse impact on the downstream SSSI. It is not envisaged that there would be any potential adverse effects on other statutory and non-statutory sites in the area.

14.3. The application site itself supports a number of habitats of intrinsically low ecological value including areas of poor semi-improved grassland, amenity grassland, ruderal vegetation as well as the hardstanding, built form and bare ground. Features of relatively higher ecological value (albeit limited) within the context of the site include dense and scattered scrub and trees.

14.4. The application site is comprised of a number of habitats of varying ecological value including grassland, woodland, scrub habitats, ruderal vegetation, recolonising hardstanding and built-form. A pond is located within the north of the site. In order to facilitate the development proposals, the majority of the eastern areas of the development site would be lost. By way of mitigation, new areas of landscape planting would be provided within in-plot areas, this would include for scrub thicket and tree planting, grassland habitats, hedgerows as well as ornamental shrub planting.

14.5. The site falls within the wider Prospero Ansty outline site which has received permission to incorporate extensive areas of strategic mitigation, including: extensive grassland enhancement and creation, wetland habitat creation, woodland / scrub planting as well as other measures. The incorporation of these measures would ensure that the impacts arising from habitat loss on plots 6 and 7 would be off-set in full with a realistic gain in the longer term.

14.6. WCC Ecology has assessed the impact of the proposed development and has requested that condition 5 is imposed requiring the submission of a Biodiversity Impact Assessment (BIA). This would quantify the value of existing habitats and establish what impact there would be from the loss of those habitats as a result of the proposed development. It would then compare this with the post-development habitat values which would be derived from the proposed retention of existing habitats in addition to proposed habitat creation and enhancement on-site. In the event that this demonstrates that there would be a net biodiversity loss arising from the proposed development there would be a need for off-site biodiversity offsetting. This would ensure a net gain in biodiversity on other land in the area surrounding the application site and would be secured by condition 5.

Species

14.7. The ecological investigations have drawn on data records and surveys which indicate that the development has the potential to have an impact on bats, reptiles, amphibians (Great Crested

Newt), birds and invertebrates. A variety of measures incorporating a series of precautionary working principles are proposed to offset such potential impacts. WCC Ecology has assessed these and are satisfied that the potential impact to these species would be mitigated against through condition 3.

Ecology Conclusions

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

15. Highways and Transport

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

Access

- 15.2. Historically vehicular access to the Rolls-Royce site was only available from two access points (known as north and south) directly onto Combe Fields Road. This meant all traffic moving to and from the site had to use local roads, including through villages like Ansty, to access the facility. However, this situation has recently changed following the construction of the Meggitt manufacturing facility on part of the Rolls-Royce site. This development resulted in the construction of a new spine road which runs through the centre of the Rolls-Royce site and connects into Pilot Way on Ansty Business Park. This consequently allows users to access the site directly via the primary access point to the A46, A4600, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road.
- 15.3. Units 6 and 7 would be serviced directly via a new service road that would connect off the Prospero central spine road via a four-armed roundabout. Both units would have separately designated and signed points of access for the main car vehicle areas and the HGV servicing yards.
- 15.4. This new service road and associated accesses would then allow access onto the existing access roads in Ansty Business Park. These roads ultimately connect to the primary access link to the A46, M6 J2 and M69 in addition to a secondary access point onto Combe Fields Road. A new signalised junction would also be provided onto Combe Fields Road (required by condition 17) but this would be restricted to cars and smaller vehicles only. All HGV traffic would be directed to the strategic road network through Ansty Business Park rather than using local routes such as via Ansty Village.
- 15.5. WCC Highway has assessed the proposed layout of the service road and accesses and raised no objection to this.

Parking Provision

- 15.6. For plot 6, a total of 388 car parking spaces would be provided of which 34 would have access to electric vehicle charging points. There would be 60 covered cycle spaces. A total of 42 HGV parking spaces would be located to the rear of the servicing yard. There would be additional reserve parking capacity for up to 29 HGVs that could park in front of dock servicing doors.
- 15.7. For plot 7, a total of 169 car parking spaces would be provided of which 17 would have access to electric vehicle charging points. There would be 60 covered cycle spaces. A total of 7 HGV parking spaces would be located to the rear of the servicing yard. There would be additional reserve parking capacity for up to 12 HGVs that could park in front of dock servicing doors.
- 15.8. The Council's car parking standards are set out within Appendix 5 of the Local Plan. This indicates that if all of the units were used for B2 purposes there would be a potential demand for 567 car parking spaces for plot 6 and 249 car parking spaces for plot 7. However, if all of the units were used for B8 purposes there would be a potential demand for 425 car parking spaces for plot 6 and 186 car parking spaces for plot 7. The proposed provision is therefore significantly less than the potential demand that could arise if all units were used for B2 purposes. Equally, it would be slightly less than the potential demand that could arise if all units were used for B8 purposes.
- 15.9. Nonetheless, the standards within the Local Plan are intended to provide guidance and critically are not minimum standards which must be achieved. The proposed units are speculative builds with no known occupier at this stage in the process. The applicant has therefore sought to provide car parking in line with similar developments elsewhere and anticipated customer demand based on their own research. Ultimately any potential occupier would be aware of the number of car parking spaces available for each unit. It would consequently be unlikely that a potential occupier would proceed to purchase a unit if they felt the number of spaces was insufficient for their needs.
- 15.10. Despite the above, there is a concern that insufficient parking provision could lead to parking on private non-adopted estate roads. Condition 22 consequently requires the submission of a Car Parking Management Plan and Strategy within three months of occupation. This would require details of how off-site car parking on roads across Prospero Ansty and Ansty Park and the car parking areas would be monitored, managed and reviewed. This would then give a mechanism to control and manage parking should any issues materialise.
- 15.11. The Council does not have standards for HGV parking. The amount required is rather left to each business according to their needs. WCC Highways has not objected to the level of provision proposed.

Traffic Flows

- 15.12. The submitted Transport Statement concludes that the traffic impact arising from the proposed development falls within the limits of that which has already been accepted by the outline permission granted at the site (R19/1540). Essentially, it contends that the proposal would not give rise to any additional harm to traffic flows beyond that which has already been agreed and accounted for. Specifically, the traffic analysis demonstrates that the development has the potential to generate up to 195 traffic movements in the morning peak hour and up to 151 movements during the evening peak hour. It notes this fall within the 'permitted' traffic generation previously accepted under earlier applications.
- 15.13. The proposed change from a B2 Use to a use as B2 general industrial units, B8 commercial warehousing units, or as a mixture of these uses, is likely to generate a higher proportion of HGV traffic than has been considered under previous planning consents at the site. A Freight

Management Plan would therefore be required via condition 18. This would allow for a range of measures, as deemed appropriate by WCC Highways and Highways England, to offset any potential adverse impacts associated with this. Such measures could include: active management by a Travel Plan Coordinator; time access restrictions onsite during peak commute hours; preventing HGVs using Ansty village as a route to or from the site; implementing and managing a Routing and Signing Strategy; ongoing monitoring and review; road signage; using a vehicle booking system to sequence inbound and outbound deliveries; providing on site "early arrival bays"; providing HGV driver welfare facilities; and implementing parking restrictions along the key corridor within Ansty Park.

- 15.14. Both WCC Highways and Highways England have undertaken a full assessment of the development proposals in accordance with national and local planning and transport policy. They are both satisfied that the impact on traffic flows would not be significant and detrimental. They have therefore raised no objections subject to conditions.
- 15.15. Highways England particularly note that a mitigation scheme at M6 Junction 2 would be necessary and must be delivered prior to occupation of the building owing to the projected rise in HGV traffic. The proposed mitigation scheme includes the signalisation of M6 Junction 2 with the introduction of signals at the A46 approach and opposing section of circulatory. This proposed scheme would result in a significant betterment to the overall operation of the junction and A46 approaches. This would be secured by condition 16.
- 15.16. To encourage the use of sustainable transport options and reduce reliance on single occupancy private cars it is proposed that a Travel Plan would be adopted. This would be implemented by a Travel Plan Coordinator who would encourage the adoption of measures such as cycling and car sharing. A Travel Plan would be secured via condition 22. The proposed development would therefore comply with policy D1 of the Local Plan which supports the provision of sustainable modes of transport to mitigate against transport impacts.
- 15.17. In conclusion, it is considered that the proposal would have an acceptable impact on highway safety. The residual cumulative impacts on the road network would also not be severe. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

16. Flood Risk and Drainage

- 16.1 Paragraphs 159-169 of the Framework and policies SDC5 and SDC6 of the Local Plan set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible.
- 16.2 The Flood Risk Assessment and Drainage Strategy submitted with the application confirms that the proposed development would be carried out within flood zone 1 (very low risk) and therefore passes the requirements of the sequential and exception tests outlined within the Framework. It also outlines that there would be no increased flood risk to the site itself or adjacent developments and is not susceptible to flooding by other techniques.
- 16.3 In respect of surface water drainage, the Flood Risk Assessment considers the impact of ground conditions, topography and layout upon this. The surface water drainage strategy has been designed to cater for storm events up to 1 in 100 years plus a 20% allowance for climate change. This strategy has been designed to ensure that all surface water flows that cannot be infiltrated to the ground would be drained to balancing ponds to the west via surface water drains. WCC Flood Risk Management has carried out an independent assessment of the Flood Risk Assessment and Drainage Strategy and raised no objection subject to condition 6.

- 16.4 The Flood Risk Assessment and Drainage Strategy confirms that foul sewage would discharge via gravity to a new pump station to the northeast of units 6 and 7. From there it would pump to a receiving chamber adjacent to the Meggitt entrance located within the proposed spine road.
- 16.5 It has been found that the findings of the Flood Risk Assessment and Drainage Strategy are acceptable and form a robust basis for considering the flood risk and drainage impacts arising from the proposed development. In the first instance it has been established that the proposed development would be located in a low risk flood zone and would therefore not be susceptible to flooding. Surface water drainage would principally be dealt with through the use of a piped system discharging into the strategic surface water sewer, which would drain to the balancing pond to the west, in addition to infiltration-based drainage. It would also ensure that the development itself would not be at risk from surface and ground water flooding. Aside from this it has been demonstrated that foul sewage could be drained from the site via a foul water pumping station. As a result, the proposal complies with the Framework and policies SDC5 and SDC6.

17. Heritage and Archaeology

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

Archaeological Potential

- 17.2 A Historic Environment Desk-Based Assessment, Geophysical Survey Report and Written Scheme of Investigation (WSI) for Archaeological Evaluation has been submitted with the application. WCC Archaeology has considered this and advised that the proposed development is located within an area of significant archaeological potential. They note that the WSI provides an appropriate strategy to adequately evaluate the site. This includes a need to undertake fieldwork which would incorporate trial trenching. WCC Archaeology consequently has no objection to the proposed development subject to condition 7.

Designated Heritage Assets

- 17.3 The application site does not contain any designated heritage assets. However, the site does lie within close proximity to a number of surrounding heritage assets. Coombe Abbey Conservation Area, incorporating the Grade II* registered park of Coombe Country Park, is located approximately 480m to the south of the application site. A number of listed buildings are located in this area with the most notable being the Grade I listed Coombe Abbey. There is also a Grade II listed building (Peter Hall) to east of the site and another Grade II listed building (Walsgrave Hill Farm) to the west of the site.
- 17.4 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is therefore relevant to these listed buildings and their setting. It requires the Council to have “special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.” Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area.
- 17.5 In relation to listed buildings it is noted that there is no statutory definition of setting. However, having regard to the definition of setting outlined in the Framework, it is possible for a site to be in the setting of a listed building even if there are no clear visual links between the two. In relation to conservation areas it is again important to recognise that a site can influence and make a positive contribution to its setting. In this case the application site is clearly visible from

the edge of the park. The closest building on plot 6 would be sited approximately 480 metres from the northern boundary of the registered park and 900 metres from the grade II Peter Hall building to the southeast.

- 3.11. Although the proposed buildings would be clearly visible from the northern edge of the park, it is important to acknowledge that they would not be seen in isolation. They would rather be viewed as part of a historical employment area which is undergoing significant redevelopment. They would particularly be seen within the context of the RWG engine testing building, Meggitt building and remaining Rolls-Royce buildings. The recently constructed Cadent building is also located to the east together with 3 new units (on Plot 1B) which are currently under construction. The presence of employment buildings in this location would consequently not appear out of place or unusual when seen and read in the wider landscape in conjunction with buildings across the Rolls-Royce site and Ansty Business Park to the north.
- 3.12. Critically, the proposed height, scale and layout of the commercial units forming this application are within the parameters set by the outline consent (R19/1540). As such the proposed development wouldn't result in any further impact upon the designated heritage assets, to that which has already been previously assessed and considered, on balance, acceptable.
- 3.13. Notwithstanding the above, the proposed development would result in new buildings being erected in a part of the Rolls-Royce site which was previously open and had no buildings. Although Historic England hasn't raised any objection or concern with the proposed development, it is clear that the development would have a degree of impact upon the setting of designated heritage assets. In acknowledgement of this, the proposal includes provisions for additional woodland and structural landscape planting around the perimeter of the wider Prospero Ansty site. Vegetation along the southern boundary would be enhanced by planting which would include evergreen species to provide year-round screening. Larger stature trees would also be planted along the southern boundary, which would make a more immediate contribution to the screening of the site. Full details of the planting, together with a timetable for implementation, would be required by condition 14. This landscaping would supplement the recently planted landscape buffer along part of the southern edge of the wider Prospero Ansty site alongside Meggitt and the east-west arm of the estate spine road. As such, it is considered that the impact upon the setting of designated heritage assets would reduce to an acceptable level over time as the landscaping matures and screens views of the development.
- 3.14. Overall, it is considered that this proposal would result in a minor level of harm to designated heritage assets. This level of harm would be minimised by the proposed landscaping and external lighting schemes. Nonetheless, as harm would arise it is judged that the proposal would result in a 'less than substantial' harm to these assets. This 'less than substantial' harm, does not result in a 'less than substantial' objection and attracts considerable importance and weight, as clarified in the Barnwell judgement of February 2014. Paragraph 202 of the Framework states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'. This needs to be considered within the overall planning balance.

Non-Designated Heritage Assets

- 3.15. The application site contains parts of two known non-designated heritage assets, i.e. Ansty Airfield and Coventry Rocket Development Test Site. These are rated as being of low (local) and medium (regional) importance. The Historic Environment Desk-Based Assessment also identifies areas of Post Medieval period ridge and furrow agricultural earthworks within the site boundary to the north and south of the runway. This is rated as being of negligible importance.

- 3.16. The proposed development would not impact upon the Coventry Rocket Development Test Site which would remain as part of a grassland habitat area. However, it would remove the last remaining surface element of the former Ansty Airfield and remnant ridge and furrow earthworks of Post Medieval date.
- 3.17. The principle of the above has already been examined and accepted through the grant of outline permission (R19/1540) for development in this part of the site. Critically, the proposed height, scale and layout of the commercial units forming this application are within the parameters set by the outline consent. As such the proposed development wouldn't result in any further impact upon the non-designated heritage assets, to that which has already been previously assessed and considered, on balance, acceptable.
- 3.18. The proposed development represents a cumulative continuation of an alteration of landscape character already underway, beginning with the establishment of the Rolls Royce factory and now through the redevelopment of the land as a business park. Nonetheless, it is necessary to accept that the loss of these non-designated heritage assets would result in harm. As these are non-designated heritage assets of no more than low (local) and negligible importance, it is considered that this harm would be classified as being less than substantial harm. This level of harm has been mitigated through the preservation by record within the submitted Historic Environment Desk-Based Assessment. A programme of archaeological evaluative work and associated post-excavation analysis and report production detailed within the submitted Written Scheme of Investigation for Archaeological Evaluation would also provide further preservation by record (condition 7).

18. Air Quality

- 18.1 Paragraph 186 of the Framework, policy HS5 of the Local Plan and the Air Quality SPD set out the need to consider the impact of the proposed development on air quality.
- 18.2 An Air Quality Assessment (AQA) has been submitted with the application. It identifies that the site is located outside the Rugby Air Quality Management Area (AQMA) but is in close proximity to the Coventry City-Wide AQMA. It therefore notes that elevated pollutant concentrations may be experienced at this location. Furthermore, it indicates that the site is in an area where air quality is mainly influenced by road traffic emissions along the local road network. The development consequently has the potential to cause adverse impacts to existing pollution levels at nearby sensitive receptors.
- 18.3 The AQA considers the potential impact at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. It demonstrates that the proposed development would cause a negligible increase in concentrations of nitrogen dioxide (NO₂) and Particulate Matter (PM₁₀ and PM_{2.5}). Importantly, it would not result in exceedance of national air quality strategy objectives. The residual effects are consequently not deemed to be significant.
- 18.4 Potential construction phase air quality impacts from fugitive dust and fine particulate matter emissions were also assessed. The AQA identifies that these could be mitigated through a range of good practice control measures. Condition 3 requiring the submission of a Construction Environmental Management Plan incorporating these measures would ensure this is achieved.
- 18.5 In line with policy HS5 of the Local Plan, development must achieve or exceed air quality neutral standards. The submitted AQA consequently sets out that the traffic movements associated with the proposed development would be below the permitted traffic envelope for Prospero Ansty and is therefore considered to be air quality neutral.

- 18.6 Furthermore, measures including new landscaping, electric vehicle charging points, cycle shelters, travel plans, biodiversity mitigation, BREEAM excellent sustainability rating, solar PV panels and measures to achieve a better air tightness and thermal insulation levels than required by current Building Regulations would contribute towards achieving air quality neutral standards.
- 18.7 Environmental Health are satisfied with the conclusions reached within the AQA, i.e. that the proposed development would not have an overall significant effect on local air quality. As a result, the proposal complies with the Framework and policy HS5.

19. Noise

- 19.1 Paragraph 174 and 185 of the Framework and policies HS5 and SDC1 of the Local Plan set out the need to ensure that noise arising from the proposed development would not adversely impact on the amenity of nearby noise-sensitive receptors.
- 19.2 A Noise Impact Assessment has been submitted with the application which considers the impact of operational, plant and traffic noise associated with the development on the closest residential dwellings to the site. To ensure that there would not be a significant and detrimental impact to these properties it is proposed that limits would be placed on operational and plant noise emissions for daytime and night-time periods. This would ensure that the noise level impact at the closest residential dwellings would be negligible.
- 19.3 Environmental Health has considered this assessment and are satisfied that the closest residential dwellings would not be adversely affected by noise subject to conditions 24 and 25. As a result, the proposal complies with the Framework and policies HS5 and SDC1.

20. Contamination

- 20.1 Paragraphs 174, 183 and 184 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 20.2 A Geo-Environmental Summary and Geotechnical and Environmental Technical Note has been submitted with the application which reviews source material and the existing setting of the site. The summary identifies recorded contamination in site soils and groundwater following ground investigation.
- 20.3 Environmental Health has considered these documents and raised no objection to the proposed development subject to condition 4. This sets out the procedure for how to deal with any unexpected contamination found after development has begun. It specifically would require the submission of an investigation and risk assessment including a remediation scheme. It is considered that this would ensure that contaminated land does not affect the health of the future occupiers of the proposed development. As a result, the proposal complies with the Framework.

21. Light

- 21.1 Paragraph 185 of the Framework sets out the need to limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. National Planning Practice Guidance also expands on this. It indicates that getting the design and setting right is important as artificial lighting can be a source of annoyance to people, harmful to wildlife, undermine enjoyment of the countryside or detract from enjoyment of the night sky.
- 21.2 An External Lighting Report has been submitted with the application. This shows that the proposed lighting has been designed in line with national lighting guidance and industry

standards. It indicates that lighting would be provided to minimise upward light spill, glare and backwards light spillage. A key component of this would be ensuring all lighting has a zero degree tilt angle. Environmental Health are satisfied that the proposed lighting would be acceptable. As a result, the proposal complies with the Framework. Condition 23 would ensure that the external lighting is undertaken in accordance with the details submitted.

22. Residential Amenity (Light, Aspect and Privacy)

- 22.1 Policy SDC1 of the Local Plan sets out that proposals for new development should ensure the living conditions of existing and future neighbouring occupiers are safeguarded.
- 22.2 The closest residential property is located approximately 230 metres from plot 6 to the southwest at Hill Fields Farm. Walsgrave Hill Farm is located approximately 530 metres from the site to the west of plot 6. The property of Fair View on Peter Hall Lane is located approximately 810 metres from plot 6 to the east. The distance from these properties to the proposed buildings is such that this would not give rise to significant and detrimental impacts on light, aspect and privacy. The impact on residential amenity would therefore be acceptable. As a result, the proposal complies with policy SDC1.

23. Carbon Emissions, Sustainable Design and Construction

- 23.1 Policies SDC1 and SDC4 of the Local Plan sets out support for the enhanced energy efficiency of buildings and need to achieve a BREEAM very good sustainability rating. This is consistent with section 14 of the Framework which indicates a need for the planning system to support the transition to a low carbon future to help tackle climate change. Rugby Borough Council also declared a climate emergency in July 2019.
- 23.2 BREEAM standards represent best practice in the sustainable design of non-residential buildings. The Design and Access Statement provides an indication that a BREEAM excellent sustainability rating could be achieved. This rating is higher than that required by the Local Plan and represents a material benefit which would help to tackle climate change. Condition 21 requires measures to ensure this is achieved and implemented.
- 23.3 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the buildings and measures to achieve better air tightness and thermal insulation levels for walls and roofs than required by current Building Regulations. This provision and these measures are not required by policies in the Local Plan and therefore represents a material benefit which would help to tackle climate change. Condition 12 would be required to ensure delivery of these panels and measures.
- 23.4 Condition 9 is proposed to ensure measures are installed to reduce summer overheating within the buildings.
- 23.5 As a result, the proposal complies with the Framework and policies SDC1 and SDC4.

24. Health

- 24.1 Section 8 of the Framework and policies HS1 and HS2 of the Local Plan set out the need to achieve healthy places and ensure development would not have a significant adverse impact on wellbeing.
- 24.2 The Health Impact Assessment submitted with the application concludes that the impact on health arising from the proposal would be neutral and positive. As a result, the proposal complies with the Framework and policies HS1 and HS2.

25. Broadband

- 25.1 Policy SDC9 of the Local Plan sets out the need for new developments to facilitate and contribute towards the provision of broadband infrastructure.
- 25.2 The Utility Statement submitted with the application indicates that cable ducts are located within existing highways to the site and link into BT openreach telecoms infrastructure. Alternative cable ducts have been provided to allow service from Virgin or and alternative telecoms provider. The applicant would be responsible for ordering a telecoms service to meet their needs. As a result, the proposal complies with policy SDC9.

26. Other Matters

- 26.3 Warwickshire Fire and Rescue Service has raised no objection to this application subject to an informative drawing the applicant's attention to the need for the development to comply with building regulations.

27. Planning Balance and Conclusion

- 27.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) means "approving development proposals that accord with an up-to-date development plan without delay". The Local Plan was adopted in June 2019 and is considered to be an up-to-date development plan.
- 27.2 In this case the application site is located in the Green Belt. Policy GP2 of the Local Plan is therefore relevant and sets out that development will be resisted in such areas unless permitted by national policy on Green Belts. In this case the proposed scheme would be inappropriate development in the Green Belt and should not be approved except in very special circumstances. In accordance with paragraph 148 of the Framework, very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. In this case it was identified that there would be harm by reason of inappropriateness, the impact on openness and the impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 148 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. In order to determine this, it is consequently necessary to have regard to the economic, social and environmental impact which the proposal would have.

Economic

- 27.3 From an economic perspective, the proposed development represents a substantial investment in the Borough. It would safeguard existing jobs and provide new employment opportunities.
- 27.4 It would further have a significant, positive and direct impact on the regional and local economy. This is entirely consistent with the designation of this site as an Existing Strategically Significant Employment Site. Indeed, policy ED1 of the Local Plan sets out that such sites should be protected and retained for employment purposes. It also supports the complete redevelopment of such sites where potential impacts, including to the Green Belt, allow. Furthermore, the redevelopment and intensification of this Rolls-Royce site would help to ensure the Council meets its employment land targets as outlined in policy DS1 of the Local Plan.

- 26.5 Other economic benefits would include: safeguarding of construction jobs; associated in-direct jobs and businesses being supported; potential new construction employment opportunities; the potential for new jobs within the Borough; and support of businesses and jobs who provide services to the facility.
- 26.6 Overall, the proposal represents a substantial investment in the Borough. It would provide new employment opportunities. As a consequence, it would have a significant positive impact on the regional and local economy. In line with the Framework, these benefits to economic growth and productivity should be given significant weight in favour of the proposed development. As a result, the proposal complies with the Framework and policy GP1.
- 26.7 It is considered that the clear economic benefits outlined above should carry very substantial weight in favour of the proposed development.

Social

- 26.8 From a social perspective, it is important to recognise that many of the original Rolls-Royce buildings on the site have been demolished resulting in a loss of employment opportunities. The proposed redevelopment of this site would consequently bring the land back into active economic use and in turn provide up to 900 jobs. This would therefore create opportunities for new employment. The provision of job security would further play a key role in helping improve and safeguard mental health and wellbeing.
- 26.9 It is considered that the clear social benefits outlined above should carry very substantial weight in favour of the proposed development.

Environmental

- 26.10 From an environmental perspective, the potential adverse impacts of the proposed development in relation to landscape, visual appearance, trees, hedgerows, ecology, highway safety, traffic flows, flood risk, drainage, heritage, archaeology, air quality, noise, contamination, light, residential amenity and carbon emissions have all been considered. The assessment has subsequently shown that there would be no adverse impacts in some instances. However, in other instances where potential adverse impacts are identified, it would be possible to mitigate against this impact through a number of different measures and strategies. This mitigation could be secured through conditions to ensure that this is delivered.
- 26.11 Moreover, the outline permission provides a fallback position for the size of buildings which could be constructed in this location. The proposal would be under the limits allowed by this outline permission and would consequently not have a greater impact on the landscape and openness of the Green Belt than what is permitted to be constructed in this location. This is a material consideration which weighs in favour of the application.
- 26.12 The proposed development seeks to further reduce carbon emissions through the provision of a small number of solar PV panels on the roof of the building and measures to achieve better air tightness and thermal insulation levels for walls and roofs than required by current Building Regulations. This provision and these measures are not required by policies in the Local Plan and is therefore a small material benefit which would help to tackle climate change. This carries weight in favour of the proposed development.
- 26.13 In regard to heritage assets, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the decision maker to give special regard to the desirability of preserving a listed building and its setting. Section 72 of the same Act places a duty on the decision maker to give special attention to the desirability of preserving and enhancing the character of a Conservation Area. In this case it has been found that the proposal would give

rise to some unavoidable harm to Coombe Abbey Conservation Area and the Grade II* registered park of Coombe Country and listed buildings contained within it (most notably the Grade I listed Coombe Abbey). This harm would arise from the intrusion and visual impact caused by the location and scale of the proposed buildings. The extent of this harm would be tempered by woodland and structural planting around the southern and western boundaries of the site. It is therefore considered that the proposal would result in 'less than substantial' harm to these heritage assets.

- 26.14 There would be a further adverse impact arising from the removal of the last remaining surface element of the former Ansty Airfield and remnant ridge and furrow earthworks of Post Medieval date. As non-designated heritage assets, the impact would result in less than substantial harm in the terms of the Framework and Policy SDC3 of the Local Plan. This impact is considered to be of a level of significance that has adequately been mitigated through preservation by record within the submitted Historic Environment Desk-Based Assessment. A programme of archaeological evaluative work and associated post-excavation analysis and report production detailed within the submitted Written Scheme of Investigation for Archaeological Evaluation would also provide further preservation by record.
- 26.15 In accordance with policy SDC3 of the Local Plan and paragraph 202 of the Framework, the identified harm above should be weighed against the public benefits of the proposal. Paragraph 199 of the Framework states that "great weight should be given to the asset's conservation ... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance". This gives rise to a strong presumption against planning permission being granted. However, on balance, it is considered that whilst having regard to Sections 66 and 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, policy SDC3 of the Local Plan, and the Framework, the benefits of the scheme, as described above, are sufficient to clearly and demonstrably outweigh the harm to the identified heritage assets.

Conclusion

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

27. Recommendation:

- 27.1. Planning application R22/0491 to be granted subject to:

- a. The conditions and informatives set out in the draft decision notice appended to this report; and
- b. Referral to the Department for Levelling Up, Housing and Communities National Planning Casework Unit.

DRAFT DECISION

REFERENCE NO:
R22/0491

DATE APPLICATION VALID:
20-May-2022

APPLICANT:

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

AGENT:

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

ADDRESS OF DEVELOPMENT:

Plots 6 and 7, Ansty Aerodrome, Combe Fields Road, Combe Fields, Coventry, CV7 9JR

APPLICATION DESCRIPTION:

Erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping

CONDITIONS

CONDITION 1:

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

REASON:

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 2:

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

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Planning Boundary	PAP67-MSA-ZZ-ZZ-DR-A-200001-PL3	19-05-22
Levels Strategy	PAP67-CWA-ZZ-ZZ-DR-C-000510-P2	19-05-22
Plot 6 - Site Layout Plan	PAP6-MSA-ZZ-ZZ-DR-A-200010-PL2	19-05-22
Plot 6 - Floor Plans - Ground Site Layout Plan	PAP6-MSA-ZZ-00-DR-A-200015-PL1	19-05-22
Plot 6 - Floor Plans - Office Ground Floor	PAP6-MSA-OF-00-DR-A-200100-PL1	19-05-22
Plot 6 - Floor Plans - Office Upper Floors	PAP6-MSA-OF-ZZ-DR-A-200105-PL1	19-05-22
Plot 6 - General Elevations	PAP6-MSA-ZZ-ZZ-DR-A-200200-PL1	19-05-22
Plot 6 - Fire Access Plan	PAP6-MSA-ZZ-ZZ-DR-A-200025-PL1	19-05-22
Plot 7 - Site Layout Plan	PAP7-MSA-ZZ-ZZ-DR-A-200010-PL1	19-05-22
Plot 7 - Floor Plans - Ground Site Layout Plan	PAP7-MSA-ZZ-00-DR-A-200015-PL1	19-05-22
Plot 7 - Floor Plans - Office Ground Floor	PAP7-MSA-OF-ZZ-DR-A-200100-PL1	19-05-22
Plot 7 - Floor Plans - Office Upper Floors	PAP7-MSA-OF-ZZ-DR-A-200105-PL1	19-05-22
Plot 7 - General Elevations	PAP7-MSA-ZZ-ZZ-DR-A-200200-PL1	19-05-22
Plot 7 - Fire Access Plan	PAP7-MSA-ZZ-ZZ-DR-A-200025-PL1	19-05-22
Drainage Details	PAP67-CWA-ZZ-ZZ-DR-C-000535-P1	19-05-22
Drainage Layout - Sheet 1 of 3	IPD-16-379-P-515-J	25-07-22
Drainage Layout - Sheet 3 of 3	IPD-16-379-P-517-H	25-07-22
Drainage Layout - Sheet 1 of 3	IPD-21-556- 500	19-05-22
Drainage Layout - Sheet 2 of 3	IPD-21-556-501	19-05-22
Drainage Layout - Sheet 3 of 3	IPD-21-556-502	19-05-22

Drainage Long Sections - Sheet 1 of 4	IPD-21-556-520	19-05-22
Drainage Long Sections - Sheet 2 of 4	IPD-21-556-521	19-05-22
Drainage Long Sections - Sheet 3 of 4	IPD-21-556-522	19-05-22
Drainage Long Sections - Sheet 4 of 4	IPD-21-556-523	19-05-22
Drainage - Proposed Amendments to North West Storm Water Outfall	IPD-21-556-511-A	01-06-22
Drainage Strategy	PAP67-CWA-ZZ-ZZ-DR-C-053000-P3	25-07-22
Drainage String Line Plan	IPD-21-556-524	19-05-22
Exceedance Flow Plan	CWA-22-131-SK008-P02	29-07-22
Highway Layout	IPD-21-556-101-C	19-05-22
Highway Layout	PAP67-IPD-ZZ-ZZ-DR-C-102-B	11-07-22
Highway Standard Details	IPD-21-556-400	19-05-22
Highways - Autotracks - Sheet 1 of 3 - Layout 1	IPD-21-556-105	19-05-22
Highways - Autotracks - Sheet 2 of 3 - Layout 1	IPD-21-556-106	19-05-22
Highways - Autotracks - Sheet 3 to 3 - Layout 1	IPD-21-556-107	19-05-22
Highways - Contour Plan	IPD-21-556-801	19-05-22
Highways - External Details	PAP67-CWA-ZZ-ZZ-DR-C-000525-P1	19-05-22
Highways - Kerbs Layout	PAP67-IPD-ZZ-ZZ-DR-C-1100-A	11-07-22
Highways - Long Sections - Sheet 1 of 2	IPD-21-556-850	19-05-22
Highways - Long Sections - Sheet 2 of 2	IPD-21-556-851	19-05-22
Highways - Pavement Layout	PAP67-IPD-ZZ-ZZ-DR-C-700-B	11-07-22
Highways - Proposed Manhole Schedules	PAP67-CWA-ZZ-ZZ-DR-C-000540-P1	19-05-22
Highways - String Line Plan	IPD-21-556-800	19-05-22
Landscape - Infrastructure Woodland Detailed Planting Plan	PAP67-BCA-EX-XX-DR-L-2262-21-09-S5	19-05-22
Landscape - Parcel 1 Land - Detailed Layout 1 of 3	PAP67-BCA-XX-XX-DR-L-2262-21-05-S5-A	11-07-22
Landscape - Parcel 1 Land - Detailed Layout 2 of 3	PAP67-BCA-XX-XX-DR-L-2262-21-06-A	11-07-22
Landscape - Parcel 1 Land - Detailed Layout 3 of 3	PAP67-BCA-XX-XX-DR-L-2262-21-07-A	11-07-22
Landscape - Parcel 1 Land - Habitat Features	PAP67-BCA-EX-XX-DR-L-2262-21-08	19-05-22
Landscape Concept Plan	PAP67-BCA-XX-XX-DR-L-2262-21-02-S5-A	07-07-22
Landscape Concept Sections	PAP67-BCA-XX-XX-DR-L-2262-21-03-S5-A	11-07-22
<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Air Quality Assessment	22-0301-01-1	19-05-22
Ancient Woodland Buffer Zone Response	N/A	26-07-22
Arboricultural Report - Proposed Drainage Amendments in Relation to Hill Park	69722-0	01-06-22
Compliance with Building Regulations Part L - Plot 6	ESC1843	19-05-22
Compliance with Building Regulations Part L2A 2013 - Plot 6	1843-ESC-00-ZZ-RP-Z-0005-P1	24-05-22
Compliance with Building Regulations Part L - Plot 7	ESC1844	19-05-22
Compliance with Building Regulations Part L2A 2013 - Plot 7	1844-ESC-00-ZZ-RP-Z-0005-P1	24-05-22
Design and Access Statement	PAP67-MSA-XX-XX-RP-A-022000-PL3	19-05-22
Drainage Calculations - Plots 6-7 and RR Pond System	N/A	25-07-22
Drainage Network for Catchment B	IPD-21-556-515	25-07-22
Drainage Schematics - Network Simulations - Plot 6	N/A	25-07-22
Drainage Schematics - Network Simulations - Plot 7	N/A	25-07-22
Ecological Assessment	8508-Plot6and7-EcoAss-vf	24-05-22
External Lighting Report	210823-P02	19-05-22
Flood Risk and Drainage Technical Note – Response to WCC FRM Comments	CWA-22-131	25-07-22
Flood Risk Assessment - Catchment B	IDP-21-556-R-004-1	19-05-22
Flood Risk Assessment and Drainage Strategy	PAP67-CWA-XX-XX-RP-C-000FRA-B	19-05-22
Geo-Environmental Summary	20017J-04 R2s	19-05-22
Geophysical Survey Report	APEA22	07-07-22
Geotechnical and Environmental Technical Note	N/A	19-05-22
Health Impact Assessment Matrix	N/A	19-05-22
Highways Technical Note - Combe Fields Road Signalised Junction	IPD-20-537	21-07-22
Highways Technical Note - Cycle and Pedestrian Infrastructure	IPD-21-556	21-07-22
Historic Environment Desk-Based Assessment	P22-073-3-0	24-05-22
Landscape and Visual Appraisal	2262-22-RP01-A	06-07-22
Noise Impact Assessment	22-0301-02-1	19-05-22
Planning Statement	N/A	19-05-22
Pre-Development Tree Survey	681-22-1	19-05-22
Road Safety Audit Stage 1	SA3607-2	06-06-22

Road Safety Audit Stage 1 Response Report	PAP67-IPD-XX-XX-DR-C-R010	06-06-22
Transport Statement	IPD-21-556-R-001	19-05-22
Tree Constraints Plan	ANS-BCA-ELS-XX-DR-L-2261-21-01-S5	19-05-22
Utility Infrastructure Statement	210823-A	19-05-22
Written Scheme of Investigation for Archaeological Evaluation	P22-073-3-0	14-07-22

REASON:

For the avoidance of doubt.

CONDITION 3:

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

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
- b. Heavy goods vehicle and construction traffic routing plan (including details of any temporary signage);
- c. Timing of heavy goods vehicle movements during the construction phase;
- d. A named point of contact for overseeing construction works and their contact details;
- e. The location, layout and design of temporary site compounds (including access control, areas for loading/unloading and storing plant, materials and deliveries used in constructing the development), temporary lighting and signage;
- f. Construction site access location, control and construction haul routes;
- g. The parking of vehicles of site operatives and visitors;
- h. Hours of work and deliveries;
- i. Temporary perimeter screen and protective fencing;
- j. Pre-commencement checks for wildlife;
- k. Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site including details of supervision by an Ecological Clerk of Works (ECoW);
- l. Details of measures to protect habitats, including the prevention of pollution;
- m. A strategy to manage and maintain any construction materials from entering or silting up the watercourse at the existing outfalls, to ensure that no silt or chemicals can leave the phase being constructed and to ensure any detrimental impact to the watercourse shall be repaired;
- n. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; and
- o. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

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

REASON:

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

CONDITION 4:

If unexpected contamination is found after development has begun, development shall be halted on that part of the site affected by the unexpected contamination to the extent specified in writing by the Local Planning Authority until condition (a) below has been complied with in relation to that contamination.

(a) In the event that contamination is found at any time when carrying out the development hereby permitted that was not previously identified (having regard to the Geotechnical and Environmental

Technical Note (received 19-05-22) and Geo-Environmental Summary (20017J-04 R2s, received 19-05-22)), it shall be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment shall be undertaken in accordance with the requirements of condition (b) and where remediation is necessary a remediation scheme shall be prepared in accordance with the requirements of condition (c) which shall be subject to approval in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report shall be prepared, which shall be subject to approval in writing by the local planning authority in accordance with condition (d).

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

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

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

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

REASON:

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

CONDITION 5:

PART 1

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

- a. Description and evaluation of features to be managed;
- b. Details of habitat creation measures;
- c. Ecological trends and constraints on site that might influence management;
- d. Aims and objectives of management;
- e. Appropriate management options for achieving aims and objectives;

- f. Prescriptions for management actions;
- g. Preparation of a work schedule, including timetable, for the implementation and delivery of the plan;
- h. Site-wide Biodiversity Impact Assessment calculation in accordance with the current DEFRA metrics applied locally to demonstrate that no net loss to biodiversity will be achieved;
- i. Identification of land necessary to mitigate any loss of biodiversity to demonstrate net gain in relation to the approved development;
- j. A review mechanism to update the OSBMP if further development is brought forward in the area surrounding the application site necessitating further changes; and
- k. Management and Implementation Schedule (MIS) which shall include details of a long-term management plan of no less than 30 years, the body/organisation responsible for the implementation of the plan together with relevant legal and funding mechanisms, details and timings of maintenance, provisions for ongoing monitoring and remedial measures.

The approved OSBMP, including associated measures and MIS, shall be implemented in accordance with the work schedule for the implementation of the plan as required by condition 5 Part 1 (g) and approved by the Local Planning Authority.

PART 2

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

REASON:

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

CONDITION 6:

No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved Flood Risk Assessment - Catchment B (IDP-21-556-R-004-1, received 19-05-22) and Flood Risk Assessment and Drainage Strategy (PAP67-CWA-XX-XX-RP-C-000FRA-B, received 19-05-22), has been submitted to and approved in writing by the Local Planning Authority. The scheme to be submitted shall:

- a. Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 38l/s for Catchment B in line with the approved Flood Risk Assessment.
- b. Provide written evidence from the owner of the existing watercourse adjacent to the site (to which the drainage scheme proposes to discharge flows from Catchment B into) that they accept the proposals. This evidence should confirm satisfaction of modifying the discharge rate from an existing 5l/s to 38l/s. The river model created in support of this change to discharge rate should also be submitted for review. If written evidence from the owner cannot be provided, an alternative drainage scheme to deal with the discharge flows from Catchment B shall be submitted to and approved in writing by the Local Planning Authority.
- c. Demonstrate the provisions of surface water runoff attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- d. Provide drawings/plans illustrating the proposed sustainable surface water drainage scheme.
- e. Provide detailed drawings including cross sections, of proposed features such as attenuation features and outfall structures. These shall be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- f. Provide detailed, network level calculations demonstrating the performance of the proposed system. This shall include:

- i. Replacing dummy runs currently sitting within the model with CWA data and supporting schematics updated to reflect this;
 - ii. Suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall), and justification of such criteria where relevant;
 - iii. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events;
 - iv. Results demonstrating the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results shall be provided as a summary for each return period; and
 - v. Evidence supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- g. Provide plans, including external levels plans, to support exceedance and overland flow routing details. Such overland flow routing shall:
- i. Demonstrate how runoff will be directed through the development without exposing properties to flood risk;
 - ii. Consider property finished floor levels and thresholds in relation to exceedance flows; and
 - iii. Recognise that exceedance can occur during any storm event due to a number of factors and shall thus ensure that exceedance management should not rely on calculations demonstrating no flooding.
- h. Provide a detailed site specific maintenance plan giving details on how surface water systems shall be maintained and managed in perpetuity for the lifetime of the development. The details within the plan shall include: the name of the party responsible, a contact name, address, email address and phone number; plans showing the locations of features requiring maintenance and how these should be accessed; and be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

The scheme and maintenance plan shall subsequently be implemented in accordance with the approved details before first occupation of the buildings hereby approved unless non-material variations are agreed in writing with the Local Planning Authority.

REASON:

To prevent the increased risk of flooding and to ensure the future maintenance of the sustainable drainage structures.

CONDITION 7:

No development shall commence until:

- a) The programme of archaeological evaluative work and associated post-excavation analysis and report production detailed within the Written Scheme of Investigation for Archaeological Evaluation (P22-073-3-0, 14-07-22) has been undertaken and a report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the Local Planning Authority.
- b) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

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

REASON:

To ensure that heritage assets are not lost or harmed by the development.

CONDITION 8:

No above ground development shall commence on each of the buildings and structures listed below until full details, including floor plans, elevation plans, materials, colours, level plans and cross-section plans, have first been submitted to and approved in writing for the following buildings and structures shown on the Plot 6 - Site Layout Plan (PAP6-MSA-ZZ-ZZ-DR-A-200010-PL2, 19-05-22), Plot 7 - Site Layout Plan (PAP7-MSA-ZZ-ZZ-DR-A-200010-PL1, 19-05-22) and Levels Strategy (PAP67-CWA-ZZ-ZZ-DR-C-000510-P2, 19-05-22):

- a. Cycles shelters;
- b. Bin stores;
- c. Transformer;
- d. Ring Main Units;
- e. Substation;
- f. Sprinkler tanks;
- g. HGV entrances;
- h. Double swing gates;
- i. Manual gates;
- j. Acoustic fence;
- k. Paladin fence; and
- l. Retaining walls.

No unit hereby approved shall be occupied until the relevant associated buildings and structures listed in condition 8 (a to l) have first been provided for that unit in accordance with the approved details. The cycle shelters shall be permanently retained for the accommodation of cycles of persons working in or calling at the premises and shall not be used for any other purpose. The acoustic fence shall be permanently retained and shall not be repaired or replaced other than in accordance with the approved specification.

REASON:

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

CONDITION 9:

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

REASON:

In the interests of health and wellbeing.

CONDITION 10:

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

REASON:

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

CONDITION 11:

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

REASON:

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

CONDITION 12:

The roof-mounted photovoltaic (PV) panels indicated on the Plot 6 - Site Layout Plan (PAP6-MSA-ZZ-ZZ-DR-A-200010-PL2, 19-05-22) and Plot 7 - Site Layout Plan (PAP7-MSA-ZZ-ZZ-DR-A-200010-PL1, 19-05-22) shall not be installed until full details of these have first been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the roof-mounted photovoltaic (PV) panels for that unit have first been provided and brought into use in accordance with the approved details, and measures to achieve thermal insulation levels of 0.22 W/m².K for walls and 0.15 W/m².K for roofs and air tightness of less than 3 cu m/hour/m² as set out within the Design and Access Statement (PAP67-MSA-XX-XX-RP-A-022000-PL3, 19-05-22) has first been provided for that unit. The roof-mounted photovoltaic (PV) panels and measures relating to thermal insulation levels and air tightness shall thereafter be maintained and retained in perpetuity.

REASON:

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

CONDITION 13:

No internal fit out of a unit shall commence until full details of on-site changing and showering facilities to be incorporated into that unit has first been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until on-site changing and showering facilities have been provided in that unit in accordance with the approved details. The on-site changing and showering facilities shall be permanently retained and used for these purposes in perpetuity.

REASON:

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

CONDITION 14:

No unit shall be occupied until a Woodland and Structural Landscaping Plan (WSLP) has been submitted for land outside of the application site to the south and west of the Pilot Way Spine Road and RWG Testing Facility. The WSLP shall include planting plans with written specifications and details of: the quantity, size, species, position and source of all new planting including trees, hedgerows and shrubs; and a timetable for the implementation of all of the works and planting.

The landscaping scheme and all planting and habitat enhancements, as detailed in the WSLP, Landscape Concept Plan (PAP67-BCA-XX-XX-DR-L-2262-21-02-S5-A, 07-07-22), Landscape - Infrastructure Woodland Detailed Planting Plan (PAP67-BCA-EX-XX-DR-L-2262-21-09-S5, 19-05-22), Landscape - Parcel 1 Land - Detailed Layout 1 of 3 (PAP67-BCA-XX-XX-DR-L-2262-21-05-S5-A, 11-07-22), Landscape - Parcel 1 Land - Detailed Layout 2 of 3 (PAP67-BCA-XX-XX-DR-L-2262-21-06-A, 11-07-22), Landscape - Parcel 1 Land - Detailed Layout 3 of 3 (PAP67-BCA-XX-XX-DR-L-2262-21-07-A, 11-07-22) and Landscape - Parcel 1 Land - Habitat Features (PAP67-BCA-EX-XX-DR-L-2262-21-08, 19-05-22), shall be implemented and planted no later than the first planting season following first occupation of the development unless otherwise specified in the WSLP.

The landscaping scheme and all planting shall thereafter be maintained and managed in accordance with a 30 Year Landscape and Ecological Management Plan which shall first have been submitted to and approved in writing by the Local Planning Authority before first occupation of the development.

If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION 15:

No part of the development hereby approved shall be occupied until full details of electric vehicle charging points, including the location, make and model, have been submitted to and approved in writing by the Local Planning Authority. No unit shall be occupied until the electric vehicle charging points have first been provided and made available for use in accordance with the approved details. The electric vehicle charging points shall be permanently retained and made available for the charging of vehicles.

REASON:

To ensure the proper development of the site, to reduce air pollution, to lower carbon emissions and in the interests of visual amenity.

CONDITION 16:

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

REASON:

In the interests of traffic flows and highway safety.

CONDITION 17:

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

REASON:

In the interests of traffic flows and highway safety.

CONDITION 18:

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

REASON:

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

CONDITION 19:

The units hereby approved shall not be occupied until full details showing how all parts of the existing northern Rolls-Royce access will be closed and the kerb and verge reinstated in accordance with the standard specification of the Highway Authority has been submitted to and approved in writing by the Local Planning Authority. Unless non-material variations are agreed in writing with the Local Planning

Authority, the units hereby approved shall not be occupied until the existing northern Rolls-Royce access has been closed and the kerb and verge reinstated in accordance with the approved details.

REASON:

In the interests of highway safety.

CONDITION 20:

The units hereby approved shall not be occupied until the access road carriageway and footways have been constructed in general accordance with the Highway Layout (PAP67-IPD-ZZ-ZZ-DR-C-102-B, 11-07-22).

REASON:

In the interests of highway safety.

CONDITION 21:

The units hereby approved shall not be occupied until measures demonstrating that the buildings achieve a BREEAM excellent standard or above in terms of carbon reduction has been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved measures and details.

REASON:

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

CONDITION 22:

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

REASON:

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

CONDITION 23:

No external lighting, other than that shown in the External Lighting Report (210823-P02, 19-05-22), shall be provided or erected on the site unless full details of the type, design and location of the additional lighting, together with a lighting report including details of fixtures and fittings, associated angle, fall, spread and intensity, have first been submitted to and approved in writing by the Local Planning Authority. No external lighting shall be erected until full details of measures, such as the use of photocell and time clocks, to control all obtrusive lighting for each unit has first been submitted to and approved in writing by the Local Planning Authority. No additional external lighting shall be erected and installed other than in accordance with the approved details.

REASON:

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

CONDITION 24:

The rating level of any fixed plant or equipment installed, provided and operated at the site shall not exceed a plant noise limit of 45.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 36.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (22-0301-02-1, 19-05-22).

REASON:

In the interest of residential amenity.

CONDITION 25:

The individual and cumulative noise generated by vehicle movements and activities within and around the buildings shall not exceed 45.3 LA,r (dB) in the day-time (between 07:00 - 23:00 hours) and 36.5 LA,r (dB) in the night-time (23:00 - 07:00 hours) at the closest noise sensitive receptor, unless non-material variations are agreed in writing with the Local Planning Authority. Such measurements or calculations shall be made in accordance with the main principles of BS4142:2014 and the Noise Impact Assessment (22-0301-02-1, 19-05-22).

REASON:

In the interest of residential amenity.

CONDITION 26:

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

REASON:

In the interests of visual amenity.

CONDITION 27:

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

REASON:

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

CONDITION 28:

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

REASON:

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

CONDITION 29:

No works, demolition or development shall take place until a Final Arboricultural Method Statement (FAMS) and Tree Protection Plan (TPP) for the protection of the retained trees (to be in accordance with sections 5.5 and 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. This FAMS and TPP must include details and positioning of tree protection fencing, any ground

protection measures to create construction exclusion zones and an auditable system of monitoring. The approved FAMS and TPP shall be implemented in full prior to any works, demolition or development taking place. Protective measures must remain in place until the completion of all construction works. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

REASON:

To ensure all retained trees and woodland are suitably protected during the construction phase and successfully incorporated into the approved scheme.

INFORMATIVES

INFORMATIVE 1:

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

INFORMATIVE 2:

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

INFORMATIVE 3:

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

INFORMATIVE 4:

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

INFORMATIVE 5:

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

INFORMATIVE 6:

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

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

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

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

INFORMATIVE 7:

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

INFORMATIVE 8:

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

INFORMATIVE 9:

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

INFORMATIVE 10:

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

INFORMATIVE 11:

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

INFORMATIVE 12:

Condition 23 stipulates that "No external lighting shall be erected until full details of measures, such as the use of photocell and time clocks, to control all obtrusive lighting for each unit has first been submitted to and approved in writing by the Local Planning Authority". It is acknowledged that the proposal seeks permission for 24 hour a day usage of the approved units. External illumination may therefore be required at all times depending on the hours of operations of the occupiers of the units.

However, where operations are not running 24 hours a day the lighting shall be limited and controlled using specific measures. Where operations are running 24 hours a day it is necessary to consider and identify opportunities to use measures to control all or some of the obtrusive lighting. For example, some of the external lighting around the units may not be needed at all times and could then be controlled by time clocks. This would then keep external lighting to the absolute minimum necessary to allow the use to operate.

INFORMATIVE 13:

Condition 22 requires the submission of a Travel Plan. The Travel Plan shall include details of measures to encourage staff to avoid using Combe Fields Road, Peter Hall Lane and Smeaton Hall Lane for commuting to and from work.

INFORMATIVE 14:

Warwickshire Police advise that building sites, and in particular site offices and storage areas, are becoming common targets for crimes such as theft of plant and fuel. These sites should be made as secure as possible. All plant and machinery should be stored in a secure area. Tools and equipment should be marked in such a way that they are easily identifiable to the company. Consideration should be given to the use of security patrols. Developers are now requested to inform the local Safer Neighbourhood Policing Team, which covers the area of the development that they have arrived on site and provide contact numbers of the site manager for us in the case of an emergency. A grid reference for the site should be provided. This will help to reduce the possibilities of a delayed response.

INFORMATIVE 15:

RBC Environmental Health advise that reversing alarms incorporating one or more of the features listed below, or any other comparable system, shall be used on any mobile plant or vehicle operated on site. Where reasonably practicable this will apply to any delivery vehicles. The features include: (i) highly directional sounders; (ii) use of broadband signals; (iii) self-adjusting output sounders; and (iv) flashing warning lights.

INFORMATIVE 16:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. Prior to carrying out works, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

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.

Reference: R22/0500

Site Address: LAND SOUTH OF BAILEYS LANE, BAILEYS LANE, LONG LAWFORD CV23 9FS

Description: Construction of 2 bedroomed bungalow

Recommendation

Approve subject to conditions

1.0 Introduction

This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as Councillor Poole has requested the application be determined by the Planning Committee on the following grounds:

- Application not complying with Condition 5 of outline application R19/1530
- Concerns over potential design of the dwelling and future use of the roof space

2.0 Description of site

The application site is located within Long Lawford and the village boundary. Baileys Lane is a short road that slopes steeply upwards from School Street to the east, joining with Main Street to the west. Property types within the village are very mixed. Along School Street there are a number of two-storey detached dwellings to the southern end and west side of the road, whilst from the junction of Baileys Lane there are predominantly bungalows, and it is noted that dormers are not a common feature, and the roofs are hipped. To the west along Main Street the properties are older with predominantly two-storey terraced cottages with some modern infill development. Baileys Lane originally had no residential properties within it, as the rear gardens of the properties on School Street and Main Street were joined back to back. In 2014 an application for a detached dwelling was approved; this is the only residential dwelling within the road and is comprised of a small bungalow that sits level with the adjacent highway.

The application site is located to the south of Baileys Lane and was formerly part of the rear garden space for numbers 12 and 14 Main Street. The site is currently grassed and the gardens for 12 and 14 Main Street are to the west, with the gardens to 19 School Street and 2 Main Street located to the east and south of the site. There is an access to the rear of nos 4, 6, 8, 10, 12 and 14 Main Street from Baileys Lane to the northwest of the application site.

Although the application site fronts onto Baileys Lane the ground level is around 2 – 2.5m higher than the road and there is no independent access into the site, this can currently only be achieved by going through the rear garden of number 14 Main Street. A high brick wall measuring 2.2 metres currently retains all of the ground within the application site.

3.0 Description of proposals

- 3.1 The application seeks consent for the erection of a 2 bedroom bungalow. In the originally submitted application the proposed scheme, the proposed dwelling would have a footprint of approximately 71m², a height of 5.5 metres and included 4 no. attic rooflights, a rear dormer window in the gable roof and a staircase into the attic. Following officer concerns the design was changed to a hipped roof and all the roof lights, the dormer and staircase were removed. In addition, the footprint of the property has been reduced to approximately 65.8m² and the height has been reduced to 4.4 metres. The existing land level would be excavated to lower it to street level within Baileys Lane for the dwelling, and the proposal includes off road parking to the front for 2 no. vehicles. The rear garden space would remain elevated above the dwelling with stepped access.
- 3.2 Retaining walls would be constructed to hold back the land around the site and the proposed boundary treatment to the south, would be comprised of close board feather edge timber fencing with the retention of existing close boarded fencing to the east and west boundaries. The amended scheme was re-consulted on for 14 days.

4.0 Planning History

R19/1530 – Outline planning permission with all matters reserved for 1 no. dwelling.
Approved 06/03/2020

R21/1093 – Full planning application. Proposed 4 bedroomed bungalow with roof dormers. Withdrawn 21/01/2022

R22/0138 – Full planning application. Erection of one and half height dwelling. Refused 25/04/2022.

5.0 Relevant Planning Policies

National Planning Policy Framework, 2021 (NPPF)

Section 12: Achieving well-designed places

Rugby Borough Local Plan 2011-2031, June 2019

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy SDC1: Sustainable Design

Policy HS5: Traffic Generation and Air Quality

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets

Policy D2: Parking Facilities

Supplementary Planning Documents

Sustainable Design and Construction – 2012; including Residential Design Guide

Housing Needs SPD July 2021

Air Quality SPD July 2021

6.0 Technical consultation responses

WCC Archaeology – no objection subject to conditions for archaeological investigation to be carried out at the site prior to commencement of works.

WCC Ecology – no objection subject to conditions to provide a scheme for nesting boxes and a schedule of enhancement measures.

WCC Building Control – no comments received.

WCC Fire and Rescue – no comments received.

WCC Highways – no objection subject to highways conditions and informatives

Western Power – no comments received

RBC Environmental Health – no objection subject to conditions for air quality mitigation and land contamination and air quality informative

RBC Tree Officer – no objection.

RBC Works Services Unit – no objection. Advisory re the kerbside waste collection service.

Severn Trent Water – no objection. Advisory not re the availability of public sewer.

7.0 Third party comments

7.1 Ward Councillor Poole – Refer to planning committee for determination for the following reasons and concerns:

- Application not complying with Condition 5 of outline application R19/1530
- Concerns over potential design of the dwelling and future use of the roof space

7.2 Long Lawford Parish Council – objection

7.3 Neighbours objections. 5 were received raising the following points:

- Noise and disruption during the build
- Removal of existing hedge
- Design of original submission out of character
- Overbearing impacts
- Overlooking and overshadowing
- Potential future use of the roof space
- Concerns over the lack of main sewer to the site
- Applicants liability during the build
- Land shown not in applicants ownership
- Concerns regarding the tree to the south of the site
- Access along path to the south

8.0 Determining Considerations:

The key issues for consideration in this application are: -

9. Principle of Development
10. Character and Design
11. Residential Amenity
12. Biodiversity
13. Air Quality
14. Parking

9.0 Principle of Development

9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material planning considerations indicate otherwise

9.2. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy with Rugby town being the main priority of development within the borough.

9.3. The application site is located within the settlement boundaries of Long Lawford which is defined in Policy GP2 of the Local Plan, as being part of the Main Rural Settlements area. The plan supports development within the existing boundaries of all main rural settlements and on allocated sites.

9.4. This application is therefore considered to comply with Policy GP2 of the Local Plan.

9.5. Other planning permissions are also a material consideration and outline planning approval was given in 2019 for a dwelling which is currently a live consent but has not been progressed.

9.6. Subject to detailed consideration being given to the impact of the proposed scheme, having an acceptable impact on the character and appearance of the area, residential amenity, ecology, air quality and parking, and ensuring it complies with national and local policies detailed above, the principle of development is considered acceptable.

10.0 Character and Design

10.1. Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design. New development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are situated, and developments should aim to add to the overall quality of the areas in which they are situated.

10.2. The main concern with the application site has been the height of the land. Previous iterations have failed to address this adequately and this application is the first scheme submitted that seeks to address the land levels adequately. The proposed scheme shows the area to be occupied by the new dwelling as fully excavated, such that it is level with the adjacent highway. The only part of the site to retaining the existing height would be the rear garden area.

10.3. The proposed dwelling has been substantially altered. The roof height has been lowered and the design changed from gable to hipped; all roof lights and the dormer have been removed. The plans show a painted render finish with brick quoin details and concrete interlocking roof tiles. **Condition 3** will be applied to any consent granted in order to secure finishing details for the new dwelling.

11.0 Residential Amenity

11.1. In addition to seeking development to respect the character of an area, Policy SDC1 of the Local Plan seeks to safeguard the living conditions of existing and future neighbouring occupiers. Section 12 of the National Planning Policy Framework states that planning should always seek a high standard of amenity for existing and future users of developments.

11.2. The closest neighbours to the application site would be numbers 10, 12 and 14 Main Street, whose back gardens meet with the west boundary of the site. No's 6 and 8 Main

Street are also impacted as they have separate garden areas that are accessed along a path that runs immediately behind and adjacent to the southern boundary of the application site.

11.3. Objections to the application have been received from five separate addresses raising concerns regarding a number of issues including concern over the potential future use of the roof space. Whilst it is not possible to make a determination on what might happen, **Condition 14** will be applied to remove permitted development rights for the property in order that any future changes can be properly considered by the Local Planning Authority.

11.4 The original scheme was higher and larger than the amended proposal under consideration. Objections relating to over shadowing, loss of light, and overlooking have also been received. The property will be set down from neighbouring dwellings and as such any potential for overshadowing has been mitigated and it is considered that there would not be significant harm. All of the roof lights have been removed along with the dormer and there would be no windows in the side elevations. The main entrance door would be located in the west side elevation; however, this opens onto the hallway which is a passing place and not a habitable room.

11.5. Potential noise and disruption during the build process would be addressed by way of an informative advising construction hours for the build, which has been requested by Environmental Health. Similarly, Severn Trent have advised the applicants to get in touch regarding the sewer situation and the applicant informed. They have also been advised that a cesspit would require planning permission and invited to include this with the application. This was not forthcoming and instead a condition was requested. It is considered that a condition for this would not meet the six test requirements, as it would be unreasonable to apply because the need for a cesspit has not been properly assessed by the applicant. Therefore, an informative will be added instead to advise of the need for planning permission should the need for the cesspit arise.

11.6. To the rear of the site is an access path to some rear garden space that serves the properties in Main Street. Concerns regarding this being made safe and kept accessible have also been raised. This is not a material planning consideration but would be covered under the building control regulations. Similarly, the applicants liability during the build process is not a material planning matter.

11.7. The red line plan includes land that is not within the applicants ownership. This came to light after the application was registered. Certificate B has now been completed to confirm that the landowner has been notified. The issue raised regarding the hedge removal is discussed at section 12 of this report.

11.8. It is considered that the amended proposed scheme is in accordance with Policy SDC1 of the Rugby Local Plan in that the new development appropriately safeguards the amenities of neighbouring occupants.

12.0 Biodiversity

12.1. Policy NE1 looks at delivering a net gain in biodiversity. WCC Ecology have considered the proposals requested that conditions to secure a scheme for nesting boxes

and a schedule of enhancement measures are attached to any permissions granted to highlight the risks to the protected species and to use the development as an opportunity to enhance the site for biodiversity in line with the NPPF and ODPM Circular 2005/06. These have been applied and **Conditions 7 and 8** would be required to be discharged prior to the commencement of any building work.

12.2. In addition to the conditions a general trench note would be included to help monitor site clearance and footings during early stages of construction, along with an informative to avoid disturbance to nesting birds, should a consent be granted

12.3. The site originally had a high leylandii hedge along the north boundary fronting the road. Objections to its removal have been received and it is understood that the applicant has already removed this. Whilst the hedge itself is not afforded any protection by the planning regime, the removal took place during bird nesting season and the appropriate authorities have been notified.

12.4. Concerns regarding the tree set back from the south boundary have also been raised by neighbours. The RBC Tree Officer had been consulted and advises that the tree is a self-set Sycamore of low quality. As such no objection has been raised.

12.5. Subject to this the impact on protected species is considered acceptable in accordance with Policy NE1 of the Local Plan.

13.0 Air Quality

13.1. Policy HS5 requires that development within the Air Quality Management Area as defined in Appendix 8 of the Local Plan that would generate any new floorspace must achieve or exceed air quality neutral standards. If air quality neutral standards are not met, points 2, 3 and 4 of the policy detail how developments should address the impacts of poor air quality, including mitigation measures.

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

13.3. It is recognised that the current proposal increases floorspace within the Air Quality Management Area and as such policy HS5 is relevant. The proposal introduces new boiler and increases car parking by 2 spaces. Therefore, there would be a material increase of emissions from the proposed development compared with the emissions of the previous land use. Within the context of point 1 of the policy, the development is not considered to be air quality neutral. As a result, mitigation as detailed in points 2 to 4 of the policy are required.

13.4 Environmental Health have been consulted and have requested that **Condition 4** be applied to secure a scheme for air quality mitigation. This would be done prior to the commencement of the development. In addition, they have also requested **Condition 5** in case unexpected land contamination is encountered during the build process.

13.5. Subject to the conditions and an informative for air quality mitigation it is considered that the proposal complies with Policy HS5 of the Local Plan.

14.0 Parking and Highways

14.1. Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities. For a two bedroomed property in a low access zone 1.5 no. parking spaces are required.

14.2. WCC Highways have not objected to the scheme subject to **Conditions 9, 10, 11 and 12**. In addition Condition 13 has been applied to secure the onsite parking in perpetuity.

14.3. The proposed scheme provides 2 no. parking spaces and as such meets the requirements of Policy D2 of the Rugby Local Plan.

15.0 Planning Balance and Conclusion

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

15.2. The case officer has worked positively and proactively to secure an acceptable amended scheme. On balance, it is concluded that the proposal complies with the Development Plan and there are no material considerations which indicate that the proposal should be refused. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material Considerations including the Framework, it is considered that planning permission should be approved.

16.0 Recommendation

Approve subject to appropriate conditions and informatives set out in the draft decision appended to this report

DRAFT DECISION

REFERENCE NO:
R22/0500

DATE APPLICATION VALID:
01-Jun-2022

APPLICANT:
Mr Tejza Top flat, 13 Albert Street, Banbury, OX165DG

AGENT:
Dawid Kornata, DK Plans Architectural Services, Ransom Hall, Ransom Wood Business Park, Mansfield, NG21 0HJ

ADDRESS OF DEVELOPMENT:
LAND SOUTH OF BAILEYS LANE, BAILEYS LANE, LONG LAWFORD CV23 9FS

APPLICATION DESCRIPTION:
Construction of 2 bedroomed bungalow

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:
The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

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

CONDITION 2:
Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

Application Form received on 24/05/2022
Drawing number DK138-LP Location Plan received on 01/06/2022
Drawing number DK138-301A Existing Site Plan received on 01/06/2022
Drawing number DK138-302C Proposed Site Plan received on 26/07/2022
Drawing number DK138-303B Proposed Floor and Roof Plans received on 18/07/2022
Drawing number DK138-304A Proposed Elevations received on 18/07/2022

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

CONDITION 3:
No development shall commence on site until full finishing details for the proposed dwelling have been submitted and approved in writing by the Local Planning Authority for the following:

- Colour and make of brick to be used for quoin detailing on the walls and the retaining walls along with samples
- The materials to be used for hard surfaced areas to the front sides and rear
- Colour and make of the roof tiles along with samples
- The type of render to be used for the proposed development, along with the colour
- Full details of the of windows including the colour.

The development shall not be carried out other than in accordance with the approved details.
REASON: In the interests of visual amenity in accordance Policy SDC1 of the Rugby Local Plan

CONDITION 4:

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, no above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet the air quality mitigation requirements of policy HS5 has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

REASON: In the interests of air quality.

CONDITION 5:

When carrying out work as part of this development hereby permitted, in the event that contamination is found it shall be reported in writing immediately to the local planning authority. Each of the following subsections a) to c) shall then be subject to approval in writing by the local planning authority.

a) An investigation and risk assessment shall be undertaken 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.

b) Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared.

c) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared.

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

CONDITION 6:

No development shall commence unless and until:

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

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

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

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

REASON: In the interest of archaeology.

CONDITION 7:

No part of the development hereby permitted shall be commenced until a scheme for the provision of two suitable general passerine species nesting boxes to be integrated into the new building 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, the boxes shall be maintained in perpetuity.
REASON: In accordance with NPPF, ODPM Circular 06/2005.

CONDITION 8:

The development hereby permitted shall not commence until a detailed schedule of enhancement measures (to include native species planting and details of any habitat creation and species-specific enhancements such as hedgehog highways, bird and bat boxes provided) has been submitted to and approved in writing by the Local Planning Authority. Such approved enhancement measures shall thereafter be implemented in full.
REASON: In accordance with NPPF, ODPM Circular06/2005.

CONDITION 9:

The development shall not be commenced until an access for cars has been provided to the site not less than 5 metres or greater than 6 metres in width at any point.
REASON: In the interests of highway safety

CONDITION 10:

The vehicular access to the site shall not be used in connection with the development until it has been surfaced with a bound macadam material for its whole length.
REASON: In the interest of highway safety.

CONDITION 11:

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

CONDITION 12:

The access to the site for cars shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.
REASON: In the interest of highway safety.

CONDITION 13:

The accommodation for car parking, shown on the approved plan [...drawing no] shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles for the approved dwelling.
REASON: In order to ensure that satisfactory parking and access arrangements are maintained within the site.

CONDITION 14:

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

CONDITION 15:

No new windows or rooflights shall be formed in the west elevation or any roofslope of the proposed dwelling hereby approved, without the prior written permission of the Local Planning Authority.

REASON: In the interest of residential amenity.

CONDITION 16:

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

REASON: In the interests of sustainability and water efficiency.

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. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

INFORMATIVE 2:

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. Concrete should not be left unset overnight, or suitable barriers erected to prevent animals accessing the concrete. Pipework with a diameter greater than 120mm should have the ends closed off overnight to prevent entrapment. 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 3:

Condition numbers 8-11 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

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

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

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

INFORMATIVE 4:

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 5:

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

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

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

INFORMATIVE 6:

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 7:

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 8:

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

INFORMATIVE 9:

The applicants attention is drawn to the informative from Severn Trent Water in regard to public sewer records. Should the requirement for a cesspit arise during construction, further planning permission will be required for construction and installation of this.

DRAFT

AGENDA MANAGEMENT SHEET

Report Title: Planning Appeals Update

Name of Committee: Planning Committee

Date of Meeting: 17 August 2022

Report Director: Chief Officer - Growth and Investment

Portfolio: Growth and Investment

Ward Relevance:

Prior Consultation:

Contact Officer: Richard Holt
Development and Enforcement Manager
01788 533687, richard.holt@rugby.gov.uk

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

Corporate Priorities: This report relates to the following priority(ies):
 Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C)
 Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E)
 Residents live healthy, independent lives, with the most vulnerable protected. (HC)
 Rugby Borough Council is a responsible, effective and efficient organisation. (O)
[Corporate Strategy 2021-2024](#)
 This report does not specifically relate to any Council priorities but

Summary: This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 1 April 2022 to 30 June 2022.

Financial Implications: Increases the scope for related costs claims within the Planning Appeals process.

Risk Management Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to cost claims and any subsequent costs awards.
Equality and Diversity:	No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

Planning Committee - 17 August 2022

Planning Appeals Update

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

1. Introduction

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.

2. Appeals determined

During the last quarter from 1 April 2022 to 30 June 2022 a total of two planning appeal was determined, of which two were allowed, zero were dismissed and zero were withdrawn.

A total of two enforcement appeals were determined, of which one notice was varied and upheld and one notice was upheld.

A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

3. Appeals outstanding/in progress

As at 30 June 2022 there were 11 planning appeals and four enforcement appeal still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date of Meeting: 17 August 2022
Subject Matter: Planning Appeals Update
Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Location	Full development description	Application number	Case Officer	PINS Reference	Decision date	Decision description	Appeal Decision	Appeal Decision Date
FOUR OAKS, WOLSTON GRANGE, RUGBY, CV23 9HJ	Removal of Condition 4 under planning application R18/1250 to allow for the reinstation of permitted development rights	R21/0222	Thomas Leech	APP/E3715/W/21/3285260	6th May 2022	Approval	Allowed	6th May 2022
HOME FARM, MAIN STREET, BRANDON, COVENTRY, CV8 3HW	Proposed new dwelling and garage, detached garage, and formation of a new highway access	R21/0794	Paul Varnish	APP/E3715/W/22/3290513	24th November 2021	Refusal	Allowed	23rd June 2022

Nature of problem	Location	Case Officer	Case No.	PINS reference	Appeal Hearing type ENF	Appeal decision date	Appeal decision ENF
Unauthorised Gypsy and Traveller encampment and associated works	LAND AT TOP ROAD, TOP ROAD, BARNACLE	Chris Davies	ENF/2020/0058	APP/E3715/C/20/3251933; 3251934; 3251935; 3251936; 3251937; 3255440; 3255441; 3255442; 3255443; & 3255444	Hearing	23/05/2022	Notices varied and upheld x5; & notices nullified x5
Alleged - Unauthorised fencing to front and rear of property	27, WESLEY ROAD, RUGBY, CV21 4PG	Hitesh Tosar	ENF/2020/0372	APP/E3715/C/21/3286562	Written Representations	11/04/2022	Notice upheld

Location	Full development description	Application number	Case Officer	PINS Reference	Stage Description	Appeal Type	Decision date	Decision description	Decision level
MAGPIE LODGE FARMYARD, LILBOURNE ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BB	Demolition of existing barns and the erection of 5 dwellings (Outline Only - Principle, Access, and Layout Only).	R20/0635	Sam Burbidge	3289532	Appeal Lodged	Written Representations	23rd June 2021	Refusal	Committee
LAND AT FOSSE CORNER (JUNCTION OF MILLERS LANE AND FOSSE WAY), MONKS KIRBY	Change of use of land to use as a residential caravan site for 2no. gypsy families, including siting of 2no. static caravans and 2no. touring caravans together with laying of hardstanding and erection of 2no. stable/utility buildings (retrospective). Permission sought for a temporary period of 3 years.	R20/1062	Lucy Davison	APP/E3715/W/21/3278838	Appeal Lodged	Hearing	30th June 2021	Refusal	Committee

130, ASHLAWN ROAD, RUGBY, CV22 5EP	PROPOSED 3 NO. NEW BUILD DWELLINGS WITH DETACHED GARAGES AND ASSOCIATED CAR PARKING AND LANDSCAPING	R21/0872	Lucy Davison	APP/E3715/W/22/3295435	Appeal Lodged	Written Representations	10th February 2022	Refusal	Committee
8, DONE CERCE CLOSE, DUNCHURCH, RUGBY, CV22 6NZ	Re-submission of previous application R21/0223. This new application seeks the erection of a new 3 bedroom, two storey dwelling to the end of the terrace.	R21/0881	Sam Burbidge	app/e3715/w/21/3289361	Appeal Lodged	Written Representations	12th November 2021	Refusal	Delegated
1, CYPRESS ROAD, RUGBY, CV21 1SA	Previously there was a brick wall at the back of the property. This has been replaced with a fence which has been moved out to the edge of the property boundary.	R21/0969	Euan Hardy	APP/E3715/D/22/3293613	Appeal Lodged	Householder Appeal Service	3rd December 2021	Refusal	Delegated

	Fence is in keeping with the style of the rest of the estate. A gate has also been added to provide access at the side of the garden.								
MERLIN FIELD FARM, GIBRALTAR LANE, LEAMINGTON HASTINGS	Conversion of an existing agricultural building to create 4no. dwellinghouses, together with provision of a total of 9no. car parking spaces and associated works.	R21/0997	Chris Davies	APP/E3715/W/22/3296706	Appeal Lodged	Written Representations	22nd December 2021	Refusal	Delegated
53, ALWYN ROAD, RUGBY, CV22 7QU	Erection of double storey side extension to existing dwelling house.	R21/1025	Sam Burbidge	APP/E3715/D/22/3292760	Appeal Lodged	Householder Appeal Service	8th February 2022	Refusal	Delegated
SUNNYCREST HOUSE, RUGBY ROAD, PRINCETHORPE, RUGBY, CV23 9PN	Erection of a 2-storey side extension to provide a pool building with two bedrooms above.	R21/1033	Sam Green	APP/E3715/D/22/3297289	Appeal Lodged	Householder Appeal Service	31st January 2022	Refusal	Delegated

The Shrubs, 21, Wood Lane, SHILTON, COVENTRY, CV7 9JZ	Variation of Condition 2 of R20/0323 for the alterations to provide additional roofspace and the erection of side and rear extensions	R21/1098	Frances Keenan	APP/E3715/D/22/3292124	Appeal Lodged	Householder Appeal Service	14th January 2022	Refusal	Delegated
THE WHITE HOUSE, GRANDBOROUGH ROAD, WOOLSCOTT, GRANDBOROUGH, RUGBY, CV23 8DB	Proposed outbuilding with gym, sauna and large open room	R22/0124	Ruth James	APP/E3715/D/22/3300611	Appeal Lodged	Written Representations	13th April 2022	Refusal	Delegated
LAND TO REAR OF 23, LUTTERWORTH ROAD, PAILTON, RUGBY, CV23 0QE	Demolition of existing ancillary buildings and erection of a new single storey dwelling, detached garage and associated parking	R21/0914	Paul Varnish	APP/E3715/W/22/3295089	Appeal Lodged	Written Representations	3 rd December 2021	Refusal	Delegated

Nature of problem	Location	Case No.	PINS reference	Appeal Hearing type ENF	Case Officer
Unauthorised Gypsy and Traveller encampment site	LAND ADJACENT TO MILLERS LANE, FOSSE WAY, MONKS KIRBY	ENF/2020/0360	APP/E3715/C/21/3267184	Written Representations	Hitesh Tosar
Alleged rebuilding of stable	BARN MEADOW FARM, CALCUTT LANE, STOCKTON, RUGBY, CV23 8HY	ENF/2020/0101	APP/E3715/C/21/3273997	Written Representations	Chris Davies
Alleged - Unauthorised raised platform/decking	69, GILBERT AVENUE, RUGBY, CV22 7BZ	ENF/2021/0051	APP/E3715/C/21/3285704	Written Representations	Nathan Lowde
Alleged evidence found to revoke Lawful Development Certificate granted R17/1699	Barn Meadow Farm, Calcutt Lane, Stockton, Rugby, CV23 8HY	ENF/2020/0118	APP/E3715/C/21/3273997	Written Representations	Hitesh Tosar

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 30 June 2022 to 27 July 2022
Name of Committee:	Planning Committee
Date of Meeting:	17 August 2022
Report Director:	Chief Officer - Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey Search and Systems Officer 01788 533774, daniel.mcgahey@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	The report lists the decisions taken by the Chief Officer for Growth and Investment under delegated powers.
Financial Implications:	There are no financial implications for this report.

Risk Management Implications:	There are no risk management implications for this report.
Environmental Implications:	There are no environmental implications for this report.
Legal Implications:	There are no legal implications for this report.
Equality and Diversity:	There are no equality and diversity implications for this report.
Options:	
Recommendation:	The report be noted.
Reasons for Recommendation:	To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers.

Planning Committee - 17 August 2022

Delegated Decisions - 30 June 2022 to 27 July 2022

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 17 August 2022

Subject Matter: Delegated Decisions - 30 June 2022 to 27 July 2022

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Delegated

8 Weeks Advert

Applications Approved

R22/0327 10, CHURCH STREET, RUGBY,
8 Weeks Advert CV21 3PH
Approval
30/06/2022

New shop signage to existing
shop front.

R22/0451 26, The Green, Rugby, CV22
8 Weeks Advert 7LY
Approval
08/07/2022

Retrospective application for A
1900mm x 600mm flat aluminium-
backed shop sign showing "Bilton
Bathrooms" in metal lettering,
non-illuminated, protruding only a
few millimetres out, above the
main door and A 550 x 800mm
vinyl 'opening times' sign to one
side of the front door. Not
illuminated, no protruding
lettering.

R22/0536 5557, HIGH STREET, RUGBY,
8 Weeks Advert CV21 4EG
Approval
18/07/2022

Advertisement consent for the
installation of folded aluminium
Fascia's to 3 elevations, with
external through lights. False
window graphics under each side
fascia. Vinyl window graphics
applied to specified glazing
panels.

Delegated

8 Weeks PA Applications

Applications Refused

R20/0928 8 Weeks PA Refusal 30/06/2022	OLD LAURENTIAN SPORTS AND SOCIAL, LIME TREE AVENUE, RUGBY, CV22 7QT	Proposed use of land for a temporary events marquee
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R22/0439 8 Weeks PA Refusal 14/07/2022	LAND TO REAR OF ANSTY HALL HOTEL, MAIN ROAD, COVENTRY CV7 9HZ	Change of use of agricultural barn to residential use with associated car parking and garden
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R22/0245 8 Weeks PA Refusal 25/07/2022	1, HERTZ CLOSE, RUGBY, CV23 1AW	Erection of an Allan Block Retaining Wall with Screen Fencing on top (retrospective)
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Applications Approved

R21/0477 8 Weeks PA Approval 30/06/2022	THE MALTHOUSE, MAIN STREET, THURLASTON, RUGBY, CV23 9JS	Erection of 6 (no) dwellings.
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R22/0300 8 Weeks PA Approval 30/06/2022	6, HAYES CLOSE, RUGBY, RUGBY, CV21 1JG	Extension to rear of garage and connection to house to provide storage space for mobility scooter and utility space
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Delegated

8 Weeks PA Applications Applications Approved

R22/0501 8 Weeks PA Approval 01/07/2022	14, KINMAN WAY, RUGBY, CV21 1XB	Conversion of existing garage into a kitchen area.
R22/0427 8 Weeks PA Approval 04/07/2022	54 , Carlton Road, Bilton, Rugby, Warwickshire, CV22 7PD	Single storey rear extension and new render to existing extension and garage
R21/0983 8 Weeks PA Approval 05/07/2022	108, HEATHER ROAD, BINLEY WOODS, COVENTRY, CV3 2DB	Demolition of existing garage and erection of a front porch, two- storey side and part two storey, part single storey rear extension, including loft conversion.
R22/0273 8 Weeks PA Approval 05/07/2022	UNIT 9, JUNCTION ONE, LEICESTER ROAD, RUGBY, RUGBY, CV21 1RW	Change of use from Class E (previously Class A3) to a Sui Generis use consisting of a coffee shop/restaurant selling food and drink for consumption on and off the premises. Installation of a 'drive-thru' lane and associated engineering works. Minor alterations to car parking and servicing arrangements and associated changes to landscaping.

Delegated

8 Weeks PA Applications Applications Approved

		Demolition and alterations to the building and elevations including recladding. Provision of new bin store and cycle store.
R22/0443 8 Weeks PA Approval 05/07/2022	17, LAWRENCE ROAD, RUGBY, CV21 3SA	Demolition of existing garage and shed and construction of a flat roof garage.
R22/0564 8 Weeks PA Approval 05/07/2022	53, ALWYN ROAD, RUGBY, CV22 7QU	Single storey side extension to dwelling house.
R21/1111 8 Weeks PA Approval 06/07/2022	11, RICHMOND ROAD, RUGBY, CV21 3AB	2 Storey Side and single storey rear extension
R22/0457 8 Weeks PA Approval 07/07/2022	23, LAWRENCE ROAD, RUGBY, CV21 3SA	Double storey side extension and front porch to existing dwellinghouse.
R22/0458 8 Weeks PA Approval	34, NEWTON LANE, NEWTON, RUGBY, CV23 0DX	Proposed single and two storey front extension and alterations to dwellinghouse

Delegated

8 Weeks PA Applications Applications Approved

07/07/2022

R21/1008
8 Weeks PA
Approval
08/07/2022

407, NEWBOLD ROAD, RUGBY,
CV21 1EP

Single storey side extension
including porch.

R21/1142
8 Weeks PA
Approval
08/07/2022

85, BILTON ROAD, RUGBY,
CV22 7AS

Double storey side extension and
single storey rear extension

R22/0352
8 Weeks PA
Approval
08/07/2022

17, CHURCH STREET, RUGBY,
CV21 3PB

Change of use from a bank (Use
Class E(c)(i)) to a flexible consent
for a bar/bistro (Sui Generis),
including the sale of food (Use
Class E(b)) and ancillary office
space (Use Class E(c)(iii)), and
yoga studio (Use Class E(d)),
together with occasional outdoor
seating.

R22/0472
8 Weeks PA
Approval
08/07/2022

45, SANDFORD WAY,
DUNCHURCH, RUGBY, CV22
6NB

Amendment to previously
approved application R21/0733
for the erection of a single storey
front extension.

MENAGERIE, BRINKLOW

Delegated

8 Weeks PA Applications Applications Approved

ROAD, COOMBE FIELDS,
COVENTRY, CV3 2AB

R22/0271
8 Weeks PA
Approval
11/07/2022

Retrospective planning
permission for remedial works to
existing garden walls, permission
to carry out remedial works to an
existing damaged wall and
restrospective consent for the
siting of a storage container

R22/0531
8 Weeks PA
Approval
11/07/2022

159-183, LAWFORD ROAD,
RUGBY, RUGBY, CV21 2HX

Installation of EV charging zone
and erection of EV chargers,
substation and jet wash facility.

R22/0280
8 Weeks PA
Approval
12/07/2022

7A, MARKET PLACE, RUGBY,
CV21 3DY

Proposed Alterations to
Shopfront & Proposed installation
of 20no. new outdoor AC
condensing units, replacing 4no.
large existing Units.

R22/0504
8 Weeks PA
Approval
12/07/2022

37, RUGBY ROAD, LONG
LAWFORD, RUGBY, CV23 9DS

Resubmission of (R17/1485)
Rear extension , front porch & out
building

R22/0568
8 Weeks PA
Approval

247, HILLMORTON ROAD,
RUGBY, CV22 5BE

Proposed to render the whole
front elevation of dwelling.

Delegated

8 Weeks PA Applications

Applications Approved

12/07/2022

R21/1081 8 Weeks PA Approval 13/07/2022	Rosewood, Mile Tree Lane, Alderman's Green, CV2 1NT	Change of use of land for the erection of three residential gypsy pitches with associated amenity block and access
R22/0247 8 Weeks PA Approval 13/07/2022	174, LOWER HILLMORTON ROAD, RUGBY, CV21 3TW	Loft extension and addition of rear dormer roof
R22/0402 8 Weeks PA Approval 13/07/2022	BAYTON LODGE, WITHYBROOK ROAD, WOLVEY, BEDWORTH, CV12 9JW	Formation of new access serving Bayton Lodge and the erection of a brick wall and gates (Part - retrospective).
R22/0416 8 Weeks PA Approval 13/07/2022	3 , Honeysuckle Close, Brownsover, Rugby, Warwickshire, CV23 0TX	Erection of first floor side extension and garage conversion
R21/1094 8 Weeks PA Approval 14/07/2022	BLenheim, OXFORD ROAD, RYTON-ON-DUNSMORE, COVENTRY, CV8 3EA	Substantial alterations to the existing property to form a new larger dwelling. This will include a ground and first floor rear extension, new roof and loft conversion and internal and

Delegated

8 Weeks PA Applications Applications Approved

external remodel.

R22/0292
8 Weeks PA
Approval
14/07/2022

Newnham Gate, Newnham Lane,
Brinklow, Rugby, CV23 0ND

Single storey extension to the
side of the house to create a new
family kitchen/ dining area

R21/0585
8 Weeks PA
Approval
15/07/2022

133, RUGBY ROAD, BINLEY
WOODS, COVENTRY, CV3 2AY

Two storey side extension to both
sides of property. Single storey
extension to the rear. Loft
conversion with hipped dormers.
Centrally will see a dormer
section between dormers to
improve head height. To the front
a porch is to be created.

R22/0187
8 Weeks PA
Approval
15/07/2022

22A, PINE TREE LODGE, BOND
END, MONKS KIRBY, RUGBY,
CV23 0RD

Single storey extension linking
kitchen to garage

R22/0335
8 Weeks PA
Approval
15/07/2022

9, SOMERS ROAD, NEW
BILTON, RUGBY, CV22 7DB

Single storey front and rear
extensions. Canopy to east end
of front elevation. Porch enclose
to west end of front elevation.
Removal of front boundary wall
with planters and installation of
metal rail fence and demountable
bollards, creating 3 no. additional

Delegated

8 Weeks PA Applications Applications Approved

parking spaces.

R21/0662
8 Weeks PA
Approval
18/07/2022

2, MANOR HOUSE CLOSE,
RUGBY, CV21 1HB

Replacement windows and doors

R22/0502
8 Weeks PA
Approval
18/07/2022

13 , Edgecote Close, Rugby,
Warwickshire, CV21 4JU

2 storey side extension side and
single storey rear extension

R22/0406
8 Weeks PA
Approval
20/07/2022

31, WOOD LANE, SHILTON,
COVENTRY, CV7 9JZ

The erection of a single storey
building to the front garden area,
ancillary to the main dwelling.

R22/0413
8 Weeks PA
Approval
20/07/2022

17, CRITCHLEY DRIVE,
DUNCHURCH, RUGBY, CV22
6PJ

Single storey front and side
extensions to create a new
garage, snug and office

R22/0294
8 Weeks PA
Approval
21/07/2022

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

Erection of a detached dwelling
house (Variation of condition 2
and 9 of approved planning
permission ref: R21/0289 dated
21/04/2021 to amend the
approved plans to retain the

Delegated

8 Weeks PA Applications Applications Approved

existing timber fence along the boundary with no. 48 Brookside Close)

R22/0405
8 Weeks PA
Approval
22/07/2022

Heath Cottage, 70 A, The Heath,
Dunchurch, Warwickshire, CV22
6RJ

Erection of outbuilding for home
office use

R20/0320
8 Weeks PA
Approval
25/07/2022

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

Outline application for a
replacement farmhouse with all
matters reserved except for
access

R22/0337
8 Weeks PA
Approval
25/07/2022

MANOR FARM BARNS,
BIRDINGBURY LANE,
FRANKTON, RUGBY, CV23 9PD

Proposed turning head, retention
of drainage treatment plant and
addition of roof lights to barn 4

R22/0511
8 Weeks PA
Approval
25/07/2022

3, ORCHARD WAY, STRETTON-
ON-DUNSMORE, RUGBY, CV23
9HP

Proposed two storey front
extension

R22/0519
8 Weeks PA
Approval
25/07/2022

9, Pennington Mews, Rugby,
CV21 2RG

Single storey extension and
alterations to the rear of
dwellinghouse

Delegated

8 Weeks PA Applications Applications Approved

R22/0437 8 Weeks PA Approval 26/07/2022	33, RUPERT BROOKE ROAD, RUGBY, CV22 6HQ	Single Storey Side and Rear Extension
R22/0515 8 Weeks PA Approval 26/07/2022	2, TENNYSON AVENUE, RUGBY, CV22 6JH	Proposed Loft Conversion including addition of dormer to rear elevation
R22/0569 8 Weeks PA Approval 26/07/2022	THE SPINNEY, COVENTRY ROAD, RUGBY, CV23 9JP	PROPOSED SINGLE STOREY SIDE EXTENSION
R22/0250 8 Weeks PA Approval 27/07/2022	6, HIGH STREET, RUGBY, CV21 4EE	Erection of a close board timber fence to north and west boundary. New porch canopy. (part retrospective)
R22/0331 8 Weeks PA Approval 27/07/2022	16, CLINTON CRESCENT, CHURCHOVER, RUGBY, CV23 0FS	Erection of Pergola in rear garden
	5 , Friars Close, Binley Woods,	

Delegated

8 Weeks PA Applications Applications Approved

Warwickshire, CV3 2QW

R22/0403
8 Weeks PA
Approval
27/07/2022

Demolition of existing
conservatory and erection of
single storey rear extension

R22/0445
8 Weeks PA
Approval
27/07/2022

16, CHURCH STREET, RUGBY,
CV21 3PU

Retrospective application for the
change of use from a HMO flat to
a self-contained flat

Conditions Applications Approved

R22/0598
Conditions
Approval
30/06/2022

LAND NORTH OF COVENTRY
ROAD, COVENTRY ROAD,
THURLASTON

Details in relation to conditions 14
- Construction and Environment
Management Plan, 21 -
Construction Method Statement
& 33 - Construction Traffic
Management Plan of R20/1026
(Erection of 2 logistics units with
associated infrastructure).

R22/0541
Conditions
Approval
01/07/2022

39, LIME TREE AVENUE,
RUGBY, CV22 7QT

Discharge of condition 7 of
R21/0127 - Demolition of existing
detached garage, erection of two
storey front extension, two storey
part single storey side
extensions, single storey rear

Delegated

Conditions Applications Approved

extension, new detached garage,
provision of entrance gates and
various external alterations.

R22/0645
Conditions
Approval
01/07/2022

THE WHITE HOUSE, CHURCH
STREET, CHURCHOVER,
RUGBY, CV23 0EW

Details for condition 3 - window
and door details attached to
R21/0092

R22/0325
Conditions
Approval
04/07/2022

2, SCHOOL STREET, CHURCH
LAWFORD, RUGBY, CV23 9EE

Approval of details in relation to
conditions 3, 7, 10 11, 12 of
R21/1205

R22/0419
Conditions
Approval
07/07/2022

26, RAILWAY TERRACE,
RUGBY

Approval of details related to the
approval extraction equipment
(Condition 4 of R19/1132).

R22/0452
Conditions
Approval
08/07/2022

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

Application to discharge condition
2 (Detailed Maintenance Plan)
and condition 18 (Solar PV
Panels) of R20/0681 (KP3 Parcel
C and F for erection of 146
dwellings).

R22/0588
Conditions

Delegated

Conditions

Applications Approved

Approval

08/07/2022

LAND NORTH OF TRITAX SITE
- LAND NORTH OF COVENTRY
ROAD, COVENTRY ROAD,
THURLASTON

Details in relation to condition 5 -
Landscape and Ecology
Management Plan of R21/1071
(Extended landscape mound to
that approved under planning
permission R20/1026 on northern
boundary of Zone D of
parameters plan. (Alternative
scheme).)

R22/0340
Conditions
Approval
12/07/2022

Units 1 & 2 LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

Approval of details in relation to
condition 38 - Archaeology of
R20/1026 - (Erection of 2 B8
logistics units with associated
infrastructure).

R22/0578
Conditions
Approval
13/07/2022

104, AVON MILL INN,
NEWBOLD ROAD, RUGBY,
CV21 1DH

Discharge of Condition 4 of
planning permission reference
R21/0819 (Variation of Condition
2 of planning permission
reference R19/0777 (Demolition
of existing Public House and
erection of coffee shop with drive
through facility, approved 27
November 2019) to update the
previously approved design and
layout that accords with the latest
EMEA design model) dated 14
October 2021.

Delegated

Conditions

Applications Approved

60, OVERSLADE LANE,
RUGBY, CV22 6EE

R22/0522
Conditions
Approval
21/07/2022

Discharge of Condition 4 of
R21/1181, details relating to bat
box

Discharge of Conditions

Applications Approved

R21/0127 39, LIME TREE AVENUE,
RUGBY, CV22 7QT

01/07/2022

Demolition of existing detached
garage, erection of two storey
front extension, two storey part
single storey side extensions,
single storey rear extension, new
detached garage, provision of
entrance gates and various
external alterations.

R21/0298 MILLHOLME PARC FARM,
LAND TO THE SOUTH OF
FLECKNOE ROAD, FLECKNOE
ROAD, BROADWELL, RUGBY,
CV23 8BA

07/07/2022

Erection of a temporary rural
workers dwelling for a period of
three years

Committee

Discharge of Conditions**Applications Approved**

R20/0919	Land on west side of A5, Watling Street, Clifton Upon Dunsmore, Rugby, CV23 0AJ	Demolition of existing buildings. Erection of three buildings and use of site for purposes of an alcohol distillery and hydrocarbon warehouse (Use Classes B2 and B8) and on office building (Use Class B1a). Plus external tank farms; sprinkler tanks and pumphouse; access; parking and servicing; earthworks and landscaping; drainage; fencing.
15/07/2022		

Delegated**Listed Building Consent Applications****Applications Approved**

R22/0284	MENAGERIE, BRINKLOW ROAD, COOMBE FIELDS, COVENTRY, CV3 2AB	Retrospective listed building consent for remedial works to existing garden walls and permission to carry out remedial works to an existing damaged wall
Listed Building Consent Approval		
11/07/2022		
R21/0663	2, MANOR HOUSE CLOSE, RUGBY, CV21 1HB	Replacement of windows & doors
Listed Building Consent Approval		
18/07/2022		
	16, CHURCH STREET, RUGBY, CV21 3PU	Retrospective application for the change of use from a HMO flat to

Delegated

Listed Building Consent Applications Applications Approved

R22/0446
Listed Building Consent
Approval
27/07/2022

a self-contained flat

Committee

Non Material Amendment Applications Applications Approved

R16/2569 TRITAX SYMMETRY -
EMPLOYMENT, LAND NORTH
OF COVENTRY ROAD,
COVENTRY ROAD,
THURLASTON,

Non-Material
Amendment agreed
30/06/2022

Outline planning application for up to 186,500 sq m of buildings for Use Class B8 (Warehousing and Distribution), with ancillary Use Class B1(a) (Offices), land for a fire station (0.4 hectares) with site infrastructure including energy centre, vehicle parking, landscaping, and sustainable drainage system.
Demolition of Station Farmhouse and outbuildings.
All matters reserved except means of access from A45/M45 junction up to and including the link to the crossing of the Northampton Lane right of way.

Committee

Non Material Amendment Applications Applications Approved

R21/0845	Land North Of, Airfield Drive, Coombe Fields	Temporary planning permission for a period of three years, for two Proof of Concept Research Vehicle, comprising the erection of a temporary structure and one sample easel, together with associated access infrastructure and landscape improvements.
Non-Material Amendment agreed 30/06/2022		

R20/0914	Former Lias Line, Oxford Road, Marton	The change of use of the disused Lias Line from an historic disused railway line to a cycle/ pedestrian route to be laid in a sealed surface with associated ancillary development
Non-Material Amendment agreed 22/07/2022		

Delegated

Non Material Amendment Applications Applications Approved

R21/0689	LAND NORTH OF ASHLAWN ROAD, ASHLAWN ROAD, RUGBY, CV22 5SL	Erection of 216 dwellings, associated access, infrastructure and landscaping. Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to R13/2102.
Non-Material Amendment agreed 22/07/2022		

Committee

Non Material Amendment Applications

Applications Approved

R20/1026	UNITS 1 & 2 TRITAX SYMMETRY SITE - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON	Full planning application for the erection of 2 logistics units development comprising a total of 30,435 sqm (327,599 sq.ft.) (measured GEA) of Class B8 floorspace of which 1,817.2 sq.m (measured GIA) (19,560 sq. ft.) comprises Class E(g)(i) ancillary office floorspace (measured GIA) with associated infrastructure including lorry parking, landscaping including permanent landscaped mounds, sustainable drainage details, sprinkler tank pump houses, gas and electricity substations, temporary construction access from Coventry Road, temporary marketing suite and temporary stockpile area for additional soil disposal.
26/07/2022		

Delegated

Prior Approval Applications

Prior Approval Applications

VODAFONE SITE CELL REF
60636, HOLLOWELL WAY,
RUGBY

Proposed 18.0m Phase 8
Monopole C/W wrapround
Cabinet at base and associated

Prior Approval Applications
Prior Approval Applications

R21/0588
 Telecoms Prior
 Approval
 Not Required
 30/06/2022

ancillary works.

R22/0554
 Agriculture Prior
 Approval
 Not Required
 04/07/2022

CALCUTT ELMS FARM,
 CALCUTT LANE, STOCKTON,
 CV23 8HY

Prior Approval under Schedule 2
 Part 6 of the General Permitted
 Development Order for the
 erection of a steel portal frame
 agricultural building for storage of
 hay and straw.

R22/0373
 Prior Approval change
 of use
 Required and Approved
 05/07/2022

27A, CLIFTON ROAD, RUGBY,
 CV21 3PY

Prior notification for the Change
 of use to 2no. flats.

R22/0544
 Prior Approval
 Extension
 Not Required
 05/07/2022

BEAM ENDS, HIGH STREET,
 MARTON, RUGBY, CV23 9RR

Prior approval for a rear
 extension measuring 6 metres in
 depth, 2.95 metres in height to
 the ridge, and 2.85 metres in
 height to the eaves.

R22/0591
 Agriculture Prior
 Approval
 Not Required
 06/07/2022

WILLOWBROOK BARN,
 WOOLSCOTT ROAD,
 WILLOUGHBY, RUGBY, CV23
 8DA

Steel Portal Framed Agricultural
 Building with Hardcore Floor and
 hard standing access thereto

Prior Approval Applications**Prior Approval Applications**

HOSPITAL OF ST CROSS,
BARBY ROAD, RUGBY, CV22
5PX

R22/0488
Non-domestic solar
prior approval
Not Required
12/07/2022

Prior Approval for installation of
roof mounted solar photovoltaic
panels on non-domestic
buildings.

R22/0580
Demolition Prior
Approval
Not Required
12/07/2022

Unit 2, Millboard, REAR OF,
LODGE FARM, OXFORD ROAD,
RYTON-ON-DUNSMORE,
COVENTRY, CV8 3EJ

Prior approval demolition of
former agricultural building
damaged in fire.

R22/0561
Telecoms Prior
Approval
Required and Approved
26/07/2022

Street Record, Yates Avenue,
Rugby

Proposed telecommunication
installation of a 15m high street
monopole and 3 additional
ancillary equipment cabinets and
associated ancillary works

R22/0585
Prior Approval
Extension
Not Required
26/07/2022

45, Barton Road, Rugby, CV22
7PT

PAX - single storey flat roofed
rear extension

R22/0532
Prior Approval change
of use
Required and Refused
27/07/2022

GRANGE FARM, LONDON
ROAD, RYTON-ON-
DUNSMORE, COVENTRY, CV8
3EW

Prior approval change of use of
agricultural building to 4 no.
dwellinghouses (Class Q)