



13 July 2020

PLANNING COMMITTEE - 22 JULY 2020

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 22 July 2020 via Microsoft Teams.

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

Mannie Ketley
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 24 June 2020.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Tree works application to remove protected Lime tree at 127 Bawnmore Road (Ref: R20/0146).
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 15 June 2020 – 2 July 2020.
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 - June 2020.

Membership of the Committee:

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

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

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

Planning Committee – 22 July 2020

Report of the Head of Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There were no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R19/1387	Phase 3, Cawston Extension Site, Coventry Road, Rugby Erection of 21 residential dwellings (re-plan of R17/1895 to include 7 additional units)	3

Reference: R19/1387

Site Address: Phase 3, CAWSTON EXTENSION SITE, COVENTRY ROAD, RUGBY

Description: Erection of 21 residential dwellings (re-plan of R17/1895 to include 7 additional units)

Case Officer Name & Number: Lucy Davison, 01788 533696

Recommendation

1. Planning application R19/1387 be granted subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.
2. The Head of Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

This application is being reported to Planning Committee for determination because the proposed development falls within the definition of major developments.

Description of site

This application relates to part of the Cawston Extension site which is located to the south west of the existing Cawston Grange development.

Although permission has been granted for the whole of the Cawston Extension site this application only relates to a section of the southern part of the overall site.

The development site is surrounded by other residential development approvals which are in the process of being constructed.

Description of proposal

This is a full planning application for the erection of 21 residential dwellings. This is to include 7 additional units to those previously approved in planning approval R17/1895. The original submission of the application was for 22 dwellings (8 additional) however this was revised to the current proposal.

Linden Homes are seeking to re-plan a parcel to the north east of the site, replacing several large 4 and 5-bedroom homes with a smaller range of predominantly 3-bedroom family homes to meet market demand. Previously on this section of the development there were 8, 4-bedroom dwellings and 6, 5-bedroom dwellings approved.

This application proposes 19 market housing units, 17 (3-bedroom dwellings) and 2 (4-bedroom dwellings) and 2 affordable units (3-bedroom dwellings). All units proposed are two-storey.

The proposed dwellings will include a range of features such as canopy porches, curved headers and chimneys. A materials plan has been submitted which shows two different brick and tile types as well as render properties.

Planning History

R11/0114 Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).

Approval 01/04/2014

R16/1780 Erection of 245 dwellings and associated infrastructure: Approval of reserved matters related to R11/0114 {Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).}

Approval of Reserved Matters 05/07/2017

R17/1895 Erection of 214 dwellings and associated infrastructure: Approval of reserved matters related to R11/0114 {Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).} Amended scheme for part of Linden Homes site following approval of R16/1780.

Approval of Reserved Matters 23/03/2018

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

H2: Affordable Housing Provision

H1: Informing Housing Mix

HS5: Traffic Generation and Air Quality

HS4: Open Space, Sports Facilities and Recreation

NE1: Protecting Designated Biodiversity and Geodiversity Assets

SDC1: Sustainable Design

SDC6: Sustainable Drainage

SDC4: Sustainable Buildings

SDC2: Landscaping

D4: Planning Obligations

D3: Infrastructure and Implementation

D2: Parking Facilities

D1: Transport

National Planning Policy Framework, 2019 (NPPF)

Planning Obligations SPD 2012

Technical consultation responses

Work Services No objection

Warwickshire Police Comments received regarding security but related to wider site not proposal area.

WCC Fire Authority No objection subject to informative

WCC Highways Initial objections received but addressed in submission of amended plans.

No objection subject to conditions and informatives to final proposal.

WCC Flood Risk Authority No objection subject to conditions

WCC Dept of Planning Requests for S106 contributions received

Severn Trent No comments received
Rugby Disability Forum No comments received
NHS Property Services Requests for S106 contributions received
RBC Trees and Landscape Updated tree report requested and received. No objection subject to condition
RBC Environmental Health No objection subject to conditions and informatives
Environment Agency No formal comment as no environmental constraints within their remit.
WCC Ecology No objection

Third party comments

Parish Council No objection and welcomes the reassessment of plans to reflect demand

Assessment of proposals

The main considerations in respect of this application are the principle of development; the impact on visual and neighbouring amenity, highway safety and contributions to mitigate impacts of the development.

1 Principle of development

1.1 Policy GP1 of the Local Plan outlines when considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

1.2 Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.

1.3 The application site is located within the Rugby town as defined in Policy GP2 of the Local Plan; this is the main focus of all development in the Borough. Development is permitted within existing boundaries and as part of allocated Sustainable Urban Extensions.

1.4 The proposed residential development is located in the most sustainable location of Rugby Borough and therefore complies with Policy GP1 and GP2 of the Local Plan.

2 Design and layout

2.1 Policy SDC1 of the Local Plan states that development should 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. All developments should aim to add to the overall quality of the areas in which they are situated.

2.2 The application site is seen in the context of developments in the surrounding area. These contain a mix of dwelling types and styles. Modern properties are located within the existing Cawston Grange development and provided on the William Davis and Redrow sites.

2.3 The general design of the proposed development continues the character of the existing development approved at the southern part of the Cawston extension site comprising a range of housetypes. porches, curved headers and render is used to add interest to the development.

2.4 Car parking is provided in a mix of garages and spaces to the front and sides of houses, this reduces the prominence of parked cars within the street scene.

2.5 A materials plan has been provided which shows two types of brick and two types of tile to be used across the site in addition to off white/cream render. The materials proposed provide variety across the development whilst reflecting the materials found in the surrounding area. The proposals are considered acceptable and in accordance with Policy SDC1.

2.6 It is considered that alterations to properties in the future could harm the visual amenity of the area. Conditions (4 and 5 in draft decision) are therefore proposed removing some permitted development rights from corner properties where alterations will be prominent and to retain open fronts across the development.

2.7 A boundary treatment plan has been provided. Brick walls are proposed at prominent locations within the street scene with close boarded fences to other boundaries. Post and rail fencing 1.2m high is proposed adjacent to open space areas. It is considered the proposed boundary treatments are acceptable and reflect those approved within the wider development.

3 Landscaping, ecology, open space

3.1 Policy SDC2 states the landscape aspects of a development proposal will be required to form an integral part of the overall design.

3.2 The Council's Tree and Landscape Officer has reviewed the landscape plan submitted with the proposal and has no objection subject to condition (6 of draft decision) and implementation of tree protection measures.

3.3 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.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

3.4 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.

3.5 Warwickshire County Council Ecological Services department had no detailed ecological comments regarding the proposal or concerns regarding the re-plan of the site. However, as part of the original plan (Ref R17/1895) a number of bird and bat boxes were proposed and detailed in the Environmental Management Plan. As the layout/number of buildings has changed a revised plan will be requested for submission subject to the granting of any permission to reflect the changes and clarify their locations. This is proposed in condition 7 of the draft decision attached.

3.6 Policy HS4 states that residential development of 10 dwellings and above, shall provide or contribute towards the attainment of the Council's open space standards and facilities. While this application includes 21 dwellings this is only 7 more than previously approved. Based on the contributions received from previous approvals at the development there is no requirement for further provision as a result of this proposal.

4 Amenity

4.1 Section 12 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Policy SDC1 of the Local Plan states that proposals need to ensure that the living conditions of existing and future neighbouring occupiers are

safeguarded.

4.2 Individual rear private gardens are proposed for each dwelling with adequate off-street storage space for wheeled bins. Although the Council does not have specified space standards in relation to rear gardens it is considered that the proposed gardens will provide sufficient private amenity space for the proposed occupiers.

4.3 Approved open space with adjacent site boundaries means that there will not be an adverse impact on the proposed or approved dwellings.

4.4 To maintain consistency Environmental Health have suggested conditions (9 to 14 in draft decision) included on previous approvals to protect against noise and construction management.

5 Sustainable design and construction

5.1 Policy SDC4 requires all new buildings meet the Building Regulations requirement of 100 litres of water/person/day unless it can be demonstrated that it is financially unviable. A condition (15 in draft decision) would be applied to the granting of any permission to comply with this requirement.

5.2 Policy SDC6 requires in all major developments Sustainable Drainage Systems (SuDS). The surface water drainage proposals submitted as part of the application assessment are acceptable subject to the inclusion of recommended conditions (16 and 17 in draft decision) to any approval granted.

6 Transport, highways and parking

6.1 Policy D1 of the Local Plan states development will be permitted where sustainable modes of transport are prioritised and measures designed to mitigate transport impacts arising from either individual development proposals or cumulative impacts caused by a number of proposal are provided.

6.2 A Transport Statement has been submitted to accompany the application. Since outline planning consent was gained in the immediate vicinity of the site a signalised pedestrian crossing has been provided on the Trussell Way arm of the B4642 Coventry Road/ Trussell Way junction. A pedestrian footway is provided along the site frontage along the B6462 Coventry Road, which ties into the existing provision further east towards Cawston. Public transport via bus is available eastbound from Coventry Road and westbound on Calverston Road.

6.3 Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities, based on the Borough Council's Standards. The proposed plans provide either 2 parking spaces for 3-bedroom properties or 3 parking spaces for 4-bedroom properties. Cycle parking can be provided in the property gardens. It is therefore considered that suitable parking facilities can be provided in accordance with Policy D2 and Appendix 5 of the Local Plan.

6.4 WCC Highways had initially objected to the application and raised concerns regarding access widths, bin collection point, driveway sizes and provision of spaces. Following submission of revised plans provided the comments received from WCC Highways were addressed.

6.5 On the basis of the amended plans WCC Highways have raised no objection to the application, subject to conditions and informatives. This includes a condition relating to prevention of mud or debris on the highway which is included in condition 20 of the appended draft decision.

6.6 Appendix 5 of the Local Plan for car parking standards requires provision of electric charging point for residential developments of 10 dwellings or more. The provision of the electric charging will be secured by condition (21 in the draft decision) subject to the granting of any approval.

7 Affordable housing

7.1 Policy H2 of the Local Plan states affordable housing should be provided on all sites of at least 0.36hectares in size or capable of accommodating 11 (net) dwelling units or more (including conversions and subdivisions).

7.2 At this site, a target affordable housing provision of 30% is sought. This is calculated as two dwellings which are proposed to be provided on-site.

7.3 Therefore, the proposal is in accordance with Policy H2 of the Local Plan.

8 Air Quality

8.1 Policy HS5 requires that development of more than 1000 sqm of floorspace or 10 or more dwellings 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.

8.2 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.”

8.3 It is recognised that the current proposal triggers the threshold of a Major development and as such Policy HS5 is relevant. The proposal introduces new boilers and car parking spaces for the proposed dwellings.

8.4 Within the context of point 1 of the policy, the development is not considered to be air quality neutral and in addition requires an Air Quality Assessment. RBC Environmental Health have recommended the air quality assessment and air quality neutral assessment consider the cumulative effects of impacts on air quality in addition to other relevant planning permissions granted or currently being determined within the area.

8.5 In order to address points 2 to 4 of the policy RBC Environmental Health request submission and approval of an air quality assessment prior to the occupation of any proposed dwellings and no above ground development beginning until a scheme detailing measures/mitigation to meet air quality neutral standards. These measures will be secured by condition (11 and 12 of the draft decision) subject to the granting of any permission and as such comply with Policy HS5.

9 Developer Contributions

9.1 Local Plan Policy H1 states that a wide choice of high quality market housing must provide a mix of types and sizes with Policy H2 stating that affordable homes should be provided on all sites of at least 0.36 hectares or capable of accommodating 11 dwellings or more.

9.2 Policy D3 refers to the impact of development on infrastructure and states that where there is not sufficient capacity developer contributions may be sought to mitigate the impacts of the proposed development. Policy D4 states these will be secured through a s106 legal agreement.

9.3 In terms of affordable housing the two three-bedroom dwellings included within the site layout meets the requirement of affordable housing units in relation to the scheme size proposed.

9.4 The University Hospitals for Coventry and Warwickshire NHS Trust have been in contact advising that this development has an effect on health and wellbeing in particular in relation to the impact that the development has on the acute service provided by the Trust. Following their advice, they have confirmed that they require a contribution which would be used directly to provide health care services to meet patient demand.

9.5 Warwickshire County Council (Infrastructure Delivery) have confirmed that a Sustainable Travel Packs Contribution is to be paid for the provision of information packs for owners and occupiers of the dwellings which include information on sustainable modes of transport and to help promote sustainable travel and road safety in the area.

9.6 This application is therefore considered to be in accordance with Local Plan Policy H1 and H2 along with the SPD on Planning Obligations.

10 Heads of Terms

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

Contribution	Requirement	Trigger
Affordable Housing	Two Dwellings in accordance with approved floor plans.	Not Applicable
NHS Trust	Meet patient demand for access to health care services.	To Be Confirmed
Warwickshire County Council (Traffic and Road Safety)	To help the promotion of sustainable travel and road safety.	Commencement of Development.

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

11 Planning Balance and Conclusion

11.1 The application is in the most sustainable area of the borough, meeting the needs for housing within the borough. Along with the provision of 30% affordable housing and it is considered that the proposal therefore meets the social perspective of sustainable development.

11.2 The proposed new dwellings would result in money being invested in construction on the site, employment relating to construction jobs over the build period, new household spending in the Borough, a contribution to the viability of local retail uses, services and businesses and additional Council Tax revenue. As such, the proposed development would satisfy the economic role of sustainable development.

11.3 From an environmental perspective the potential adverse impacts of the proposed development in relation to the use of the land, accessibility, highway safety, ecology, flood risk, drainage, air quality, noise, contamination, residential amenity and water conservation have all been considered. In the instances where there are any adverse impacts this can be mitigated against through conditions and S106 and therefore the proposal meets the environmental aspect of sustainable development.

11.4 taking all matters into account the proposal would secure a sustainable form of development in accordance with the policies set out in the local plan and the NPPF subject to a legal agreement, conditions and informatives.

Recommendation

1. Planning application R19/1387 be granted subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and/or planning obligations as indicatively outlined in the heads of terms within this report.
2. The Head of Growth and Investment (in consultation with the Planning Committee Chairman) be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

DRAFT DECISION

REFERENCE NO:
R19/1387

DATE APPLICATION VALID:
28-Oct-2019

APPLICANT:

Ms McCrae, Linden Homes Linden Homes, Ashurst, Southgate Park, Bakewell Road, Orton Southgate, Peterborough, PE26YS

AGENT:

ADDRESS OF DEVELOPMENT:

Phase 3, CAWSTON EXTENSION SITE, COVENTRY ROAD, RUGBY

APPLICATION DESCRIPTION:

Erection of 21 residential dwellings (re-plan of R17/1895 to include 7 additional units)

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

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

REASON:

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

CONDITION 2:

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

- Transport Assessment Addendum WA5192PD Coventry Road October 2019 Rev B
- A30 Dwg No. 1208/A30/01
- The Eveleigh Dwg No. EVE.pe AS Rev A
- The Knightley Dwg No. 1208/KN1
- The Mountford Dwg No. MOU.pe Rev B
received by the Local Planning Authority on 28th October 2019
- Cawston Phase 2- Storm Micro Drainage
- Drainage Layout- North Dwg No. E3792/511/F
- Drainage Areas Plan- North Deg No. E3792/516/C
- Single garage Dwg No. 1208/SG
received by the Local Planning Authority on 21st January 2020
- Landscape proposals Rev A
received by the Local Planning Authority on 27th February 2020
- Arboricultural Implication Plan Dwg No. 3342.Ph3replan.Cawston.Linden.AIP
- Arboricultural Implications Assessment and Method Statement by Andrew Belson 23rd March 2020 Report Ref 3342.Cawston.Linden.AIA
- Tree Protection Plan Dwg No. 3342.Ph3replan.Cawston.Linden.TPP
received by the Local Planning Authority on 25th March 2020
- Location Plan Dwg No. 1208/PH3/LP Rev B
received by the Local Planning Authority on 9th April 2020
- Planning Layout Phase 2 Replan Dwg No. PH3-01 Rev E
- Phase 3 Replan- Boundaries Dwg No. 1208/PH3/005 Rev E

- Phase 3 Replan- Materials Dwg No. 1208/PH3/006 Rev E
received by the Local Planning Authority on 6th May 2020

REASON:

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

CONDITION 3:

The facing materials to be used on the external walls and roof shall as specified on plan Phase 3 Replan- Materials Dwg No. 1208/PH3/006 Rev E received by the Council on 6th May 2020.

REASON:

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

CONDITION 4:

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

REASON:

In the interest of visual amenity.

CONDITION 5:

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 to plots 197, 205, 248, 249 or 250 which comes within Classes A (extensions), B (additions to roofs), C (other roof alterations) or E (outbuildings) 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 6:

All tree protection measures and tree works identified within the approved Arboricultural method statement and Tree protection plan relating to the approved design details must be implemented prior to the construction phase and to the satisfaction and written approval of the Local Planning Authority. 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. Pre-commencement site meeting to be arranged with the applicant, Local Planning Authority tree officer and designated arboricultural consultant responsible for the site to inspect tree protection measures.

REASON:

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

CONDITION 7:

Prior to occupation a plan outlining the location of bird and bat boxes shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of biodiversity.

CONDITION 8:

No development shall commence unless and until details of the proposed glazing and acoustic ventilation for each plot have been submitted to ensure that the day and night noise limits set out in the Noise Assessment reference LE11072/002 received by the Local Planning Authority on 26th August 2011 in relation to planning application R11/0114 are complied with. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of residential amenity.

CONDITION 9:

No development shall commence unless and until a BS5228 noise assessment has been submitted to and agreed in writing by the Local Planning Authority to determine the noise impact on existing noise sensitive receptors and occupied phases of the development.

REASON:

In the interest of residential amenity.

CONDITION 10:

Unless otherwise agreed in writing by the Local Planning Authority work on site must 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 or Bank Holidays.

REASON:

In the interest of residential amenity.

CONDITION 11:

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

REASON:

In the interests of air quality.

CONDITION 12:

Prior to occupation, an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. This will take into consideration the impact of traffic emissions on

the proposed new residential development. Development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION 13:

No development shall commence unless and until a Construction Management Plan detailing how potential environmental nuisances such as noise, vibration, dust and mud and debris on the highway will be controlled on and off site has been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interests of the amenities of the area.

CONDITION 14:

In the event that contamination is found at any time when carrying out the development hereby permitted it shall be reported in writing immediately to the local planning authority. Each of the following subsections a) to c) shall 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 15:

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

REASON:

In the interests of sustainability and water efficiency.

CONDITION 16:

No development shall commence unless and until a surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details.

REASON:

To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

CONDITION 17:

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

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 18:

The development shall be laid out in general accordance with drawing no. A099352_PH3-01 Rev E, Phase 2 Replan, dated 05/05/2020.

REASON:

In the interest of highway safety.

CONDITION 19:

No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON:

In the interest of highway safety.

CONDITION 20:

The Applicant/Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Prior to the commencement of the development, the details of these measures (including type, method of operation and control of use) shall be submitted in writing to the Local Planning Authority for their approval in consultation with the Highway Authority.

REASON:

In the interest of highway safety.

CONDITION 21:

No above ground development shall commence until full details of the electric car charging points, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details. No dwelling shall be occupied until the approved electric car charging point for that plot has been installed in accordance with the approved details.

REASON:

In the interest of sustainability.

CONDITION 22:

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

REASON:

To ensure the proper development of the site.

INFORMATIVE 1:

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

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

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

INFORMATIVE 2:

Condition number 18 require that the estate roads including footways, verges and footpaths are designed, laid out and constructed in accordance with the Highway Authority's standard specification. The applicant / developer is advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads. The approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. An application to enter into a Section 38 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Street Works Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution.

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

INFORMATIVE 3:

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

INFORMATIVE 4:

Unless the applicants/developer have entered into an agreement under Section 104 of the Water Industry Act 1991 with the appropriate water supply and sewerage treatment company for the adoption of all sewers contained or passing within the limits of a highway, the Highway

Authority may not be prepared to complete a Highway Works Agreement under Section 38 of the Highways Act 1980 to adopt the highway.

INFORMATIVE 5:

Prior to commencement of development, the applicant is required to 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 6:

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 7:

As per the condition the applicant is required 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 8:

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

AGENDA MANAGEMENT SHEET

Report Title: Tree works application to remove protected Lime tree at 127 Bawnmore Road (Ref: R20/0146)

Name of Committee: Planning Committee

Date of Meeting: 22 July 2020

Report Director: Head of Environment and Public Realm

Portfolio: Environment and Public Realm

Ward Relevance: Bilton

Prior Consultation: Public - Site Owner

Contact Officer: David Gower

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

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

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

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

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

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

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

Ensure that the council works efficiently and effectively (CR)

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

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

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

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

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

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

Statutory/Policy Background:

Town and Country Planning Act 1990

Town and Country Planning (Tree Preservation) (England) Regulations 2012

Summary:

A tree works application (ref:R20/0146) was made to remove a protected Lime tree contained within Tree Preservation Order no.48. Replacement planting details have been provided. The reasons for removal are;

- Tree debris blocks gutters.
- Tree situated at the edge of a tarmac drive and reversing bay and effectively inhibits 3 parking spaces due to the nature of Lime trees which have extremely heavy sap drop in spring and summer.
- Tree sheds seed pods and branches up to 1.5m long and 25mm thick.
- Leaf drop and pigeon droppings.
- Removal of this tree would enhance quality of life of the resident and any adverse impact mitigated by planting plan.
- Applicant wishes to re-configure/extend driveway.
- Significant contributor into degradation of the house.

The subject tree is an early mature lime tree. It is 15.5 metres in height with a stem diameter of 44cm. The main stem of the tree is located 9 metres away from the nearest point of the property (garage) with a canopy spreading 5 metres towards the property. Therefore, there is 4 metres canopy clearance from the property.

The tree is located within the grassed garden and immediately adjacent to the driveway and reversing circle.

On inspection the tree was found to be in good condition with no major defects identified and serves as a prominent visual amenity within the local area being highly visible from Bawnmore Road alongside other protected trees located within adjacent properties.

A letter of support in favour to remove the tree has been received from 129 Bawnmore Road, in relation to light loss, seed, leaf sap drop from the tree.

This application is being reported to Planning Committee because the applicant is related to a Borough Councillor.

Financial Implications: N/A

Risk Management Implications: N/A

Environmental Implications: The tree is a highly visible landscape feature and its loss would also result in a loss of sustainable public amenity and wildlife habitats which would then have a subsequent detrimental impact on the surrounding environment and biodiversity.

Legal Implications: The refusal of a Tree Works application may be appealed to the Planning Inspectorate within 28 days of receipt of notice.

Equality and Diversity: N/A

Options:

1. To refuse the tree works application to fell based on the negative impact to local visual amenity.
2. To approve the tree works application to fell subject to replacement planting.

Recommendation: The tree works application be refused.

Reasons for Recommendation:

1. The tree subject to the application to fell displays good form and vitality and is prominent visual amenity in the local area.

There are no major external signs of disease, decay or structural defects.

2. The tree is highly visible to the general public as viewed from Bawnmore Road and forms a prominent visual amenity feature and landscape feature within the local area as well as being a focal point within the garden.
3. The tree is adequately set back from the property with a 4 metre canopy clearance.
4. Issues in relation to sap/leaf drop/seed drop in relation to trees can be considered natural processes and not reason the British legal recognises as a 'legal nuisance'. These reasons are not considered sufficient to justify removal of a protected tree.
5. The tree does not inhibit parking although the canopy does hang low over the driveway. The lower branches of the tree could be pruned (crown lifted) to provide clearance over the driveway. Given the large area of the garden there are opportunities to extend the parking without removing the tree.
6. If the tree is removed there will be a detrimental impact upon local visual amenity which could set a precedent to remove similar protected trees located in adjacent properties.
7. Collectively, protected trees located within the property frontages along Bawnmore Road constitute a highly visual and prominent landscape feature with public amenity, wildlife habitats and biodiversity benefits.

Planning Committee - 22 July 2020

**Tree works application to remove protected Lime tree at 127
Bawnmore Road (Ref: R20/0146)**

Public Report of the Head of Environment and Public Realm

Recommendation

The tree works application be refused.

1. Background

The Arboricultural Officer is the officer responsible for dealing with tree works applications and also a formal consultee for planning applications within Rugby Borough Council's administrative area, advising on landscape, and arboricultural matters.

An application (ref R20/0146) was made to remove a protected Lime tree contained within Tree Preservation Order no.48. (Appendix 1) and to provide replacement planting. (Appendix 2). Tree Preservation Order no.48 contains a number of trees contained within the garden frontages of 117 to 143 Bawnmore Road.

The reasons for removal are;

- Tree debris blocks gutters.
- Tree situated at the edge of a tarmac drive and reversing bay and effectively inhibits 3 parking spaces due to the nature of Lime trees which have extremely heavy sap drop in spring and summer.
- Tree sheds seed pods and branches up to 1.5m long and 25mm thick.
- Leaf drop and pigeon droppings.
- Removal of this tree would enhance quality of life of the resident and any adverse impact mitigated by planting plan.
- Applicant wished to extend and reconfigure driveway.
- Significant contributor into degradation of the house.

The subject tree is an early mature lime tree. It is 15.5 metres in height with a stem diameter of 44cm. The main stem of the tree is located 9 metres away from the nearest point of the property (garage) with a canopy spreading 5 metres towards the property. There is 4 metres canopy clearance from the property.

The tree is located within the grassed garden and immediately adjacent to the driveway and reversing circle.

On inspection the tree was found to be in good condition with no major defects identified and serves as a prominent visual amenity within the local area being highly visible from Bawnmore Road alongside other protected trees located within adjacent properties.

There was minor small diameter dead wood noted on the ground (less than 25mm) and also some minor dead wood within the tree. This is normal for the species. Routine tree works may be prescribed to periodically remove any dead wood and also to crown lift the tree (prune lower branches) to give 4 metres clearance from ground level and to clear the driveway.

No damage to the property was noted and as being a direct consequence of the tree. Clearing of guttering of leaf and seed matter may be considered as routine maintenance.

Similarly, issues in relation to sap/leaf drop/seed drop in relation to trees can be considered natural processes and not reasons the British legal recognises as a 'legal nuisance'. It is not considered that these reasons are not sufficient to justify removal of a protected tree.

If the tree is removed there will be a detrimental impact upon local visual amenity which could set a precedent to remove similar protected trees located in adjacent properties.

Collectively, protected trees located within the property frontages along Bawnmore road constitute a highly visual and prominent landscape feature with public amenity, wildlife habitats and biodiversity benefits. Appendix 3 shows pictures of the tree its site context and views from Bawnmore Road.

The applicant has proposed mitigation planting (appendix 2) using 4 trees (3 multi stem Birch at planted at 2-3 metre height and 1 Birch planted at approx. 4-4.5m height). Mitigation planting will take many years to establish and replicate the existing dimensions of the subject tree and is only usually prescribed for when granting permission to remove those trees that are considered dead, dangerous or in poor condition.

The front garden is relatively large at 335 square metres and it is considered that there could be scope to extend/re-configure the driveway whilst retaining the subject tree and effectively taking parked vehicles away from the tree. It is recommended that this is given due consideration.

Permission was granted in 2016 at the same property to remove 3 defective and over mature Poplar trees which dominated the front garden. This decision noted that the retention of the subject Lime tree will enable visual amenity to be retained whilst becoming the focal point of the garden.

Loss of the Lime tree will mean there is no dominant tree cover left in the garden.

A letter of support in favour to remove the tree has been received from 129 Bawnmore Road, in relation to light loss, seed, leaf sap drop from the tree. (Appendix 4)

This application is being reported to Planning Committee because the applicant is related to a Borough Councillor.

2. Government advice

Government advice is that tree preservation orders (**TPOs**) should be used to protect selected trees, if their removal would have a significant impact on the environment and its enjoyment by the public.

Local planning authorities should be able to show that a reasonable degree of public benefit would accrue before TPOs are made and confirmed and therefore, the trees should be visible from a public place.

The benefits may be present or future, and the trees may be worthy of preservation for a number of reasons including their intrinsic beauty or their contribution to the surrounding area, or their contribution to the landscape or because they serve as a screen to an eyesore or future development.

The value of trees may be enhanced by their scarcity; and the value of a group of trees or woodland or historical importance, may be taken into account, which alone would not be sufficient to warrant a TPO. In the Secretary of State's view, it would be inappropriate to make a TPO in respect of a tree which is dead, dying or dangerous.

It may be expedient to make a TPO if the local planning authority believes there is a risk of trees being cut down or pruned in ways that would have a significant impact on the amenity of the area. It is not necessary for the risk to be immediate.

In some cases the local planning authority may believe that certain trees are generally at risk from development pressures. The local planning authority may have some other reason to believe that the trees are at risk; changes in property ownership and intention to remove trees are not always known in advance, and so the protection of selected trees by a precautionary TPO might sometimes be considered expedient.

The Government further advises that TPOs should be administered positively and local planning authorities should consider their approach to applications for pruning and felling when making a TPO. They are also encouraged to offer advice on tree management and ensure that necessary tree work takes place in an orderly fashion so as to maintain the amenity of the tree(s) as long as possible.

3. The case for refusing tree works application (Ref: R20/0146)

The Lime tree which is subject to the proposal to fell forms a prominent visual amenity and contributes positively to the overall landscape character of the local area. If the tree is removed there would be detrimental impact upon the local landscape character of the area, public amenity, wildlife habitats and biodiversity. The grounds on which the application was made were not considered sufficient to outweigh the presumption in favour of preservation of the tree.

4. Conclusion

For the reasons set out in sections 1 and 3 above, and in the absence of any valid objections, it is recommended that provisional Tree works application ref: R20/0146 be refused.

Appendix 1

Application form section 5 detailing proposal

5. Identification of Tree(s) and Description of Works

- The number used on the sketch plan; and
- A description of the proposed works.

Where trees are protected by a Tree Preservation Order you must also provide:

- Reasons for the work; and where trees are being felled
- Proposals for planting replacement trees (including quantity, species, position and size) or reasons for not wanting to replant.

e.g. Oak (T3) - fell because of excessive shading and low amenity value. Replant with one standard ash in same position.

Lime Tree Fell and replace with 3 coppiced Himalayan birch and 1 Scots Pine.

Reason one.

This house was purchased in 2018 in a derelict and uninhabitable condition which had been caused by the ingress of water, this was confirmed following a visit by an official of R.B.C. who approved twelve months free of Council Tax under the policy that existed at the time.

The ingress of water was due solely to overflowing gutters caused by tree debris from this and other trees.

Reason two.

The tree is situated at the edge of a tarmac drive at the corner of the drive and the reversing bay, due to its position it effectively inhibits three parking spaces due to the nature of a lime tree which typically has extremely heavy sap drop throughout the spring and summer, which if not removed immediately turns resinous and difficult to remove, also it sheds seed pods throughout the year which are dispersed widely over the area, including the gutters and roof of the dwelling and any cars parked beneath. A lime tree is also subject to the shedding of branches throughout the year, these branches can be up to 1.5 metres long and 25MM. thick, added to the annual leaf drop the tree is home to wood pigeons all year round therefore depositing excessive bird lime on any car parked beneath.

the effect of the removal of this tree would enhance the quality of life of the resident and any adverse effect mitigated by the submitted planting plan.

6. Trees - Additional Information

For all trees

A sketch plan clearly showing the position of trees listed in the question 'Identification of Tree(s) and Description of Works' MUST be provided when applying for works to trees covered by a Tree Preservation Order. A sketch plan is also advised when notifying the LPA of works to trees in a conservation area (see guidance notes).

It would also be helpful if you provided details of any advice given on site by an LPA officer.

For works to trees covered by a TPO

Please note: If none of the proposed work involves trees covered by a TPO, please answer 'No' to the two questions below

Please indicate whether the reasons for carrying out the proposed works include any of the following. If so, your application MUST be accompanied by the necessary evidence to support your proposals (see guidance notes for further details).

1. Condition of the tree(s) - e.g. It is diseased or you have fears that it might break or fall Yes No

If Yes, you are required to provide written arboricultural advice or other diagnostic information from an appropriate expert.

2. Alleged damage to property - e.g. subsidence or damage to drains or drives. Yes No

If Yes, you are required to provide for:

- Subsidence: A report by an engineer or surveyor (to include a description of damage, vegetation, monitoring data, soil, roots and repair proposals) and a report from an arboriculturist to support the tree work proposals.

- Other structural damage (e.g. drains walls and hard surfaces): Written technical evidence from an appropriate expert, including description of damage and possible solutions.

Documents and plans (for any tree)

Are you providing additional information in support of your application (e.g. an additional schedule of work for question 'Identification of Tree(s) and Description of Works')? Yes No

Appendix 2
Replacement Planting plan submitted by applicant



Key;

Black symbol – Subject lime tree

White symbols – 3 Proposed multi – stemmed Silver Birch 2-3 metres in height

Yellow symbol – 1 proposed Silver Birch approx. 4-4.5m in height

Green Symbols – 2 existing protected lime trees of similar stature to subject tree located in adjacent properties

Appendix 3
Photos of proposed replacements



Multi – stemmed Birch x 3



1 x Silver birch at 4-4-5m

Appendix 4
Photos



Subject tree as viewed from Bawnmore Road



Subject tree as viewed from property entrance



Subject tree as viewed from within garden



Subject tree in centre of picture with other protected trees in background



Subject tree to right showing relationship to property curtilage



Front garden of 127 Bawnmore Road. Subject tree to left



Existing driveway layout. Minor debris (twigs and seeds) on driveway



Property frontage – possible scope for extension of driveway whilst retaining subject tree



Garage facing tree

Appendix 5 Letter of support from 129 Bawnmore Road

P.P. 0853 3485

Letter of support for the removal of Lime Tree at 127 Bawnmore Road, CV22 6JJ

From my view-point, as owner of the adjoining property (129 Bawnmore Road), I give my full support to the removal of this tree for the following reasons, so far as it affects me:-

- 1 The tree is large, and is close to my front drive and the house. The tree is directly to the south-west of my house and drive, from which direction, the wind always blows here.
- 2 The tree takes light away from the front of my house
- 3 There is a constant shower of debris from the tree – not just the autumn leaf burden, but pollen, twigs, seeds sticky sap etc (Lime trees are amongst the dirtiest trees in this respect, as anyone who knows them will know all about)
- 4 This debris blocks the gutters, damages the roofs (as can be seen), damages the cars and requires constant work to maintain, as a result of the proximity of the tree and it's position regarding the prevailing wind direction
- 5 It is also my opinion that the tree should be replaced with a more appropriate tree, or trees, which would be placed further away from the property, and of a type which does not shed so much debris.

Some pictures attached to show the problem

Jon Pedoe
129 Bawnmore Road, Rugby CV22 6JJ

18 Feb 2020





P.P. 08533485



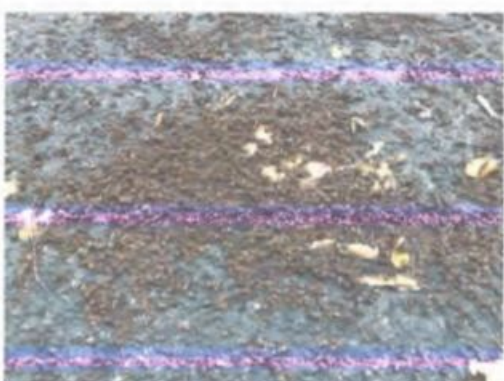
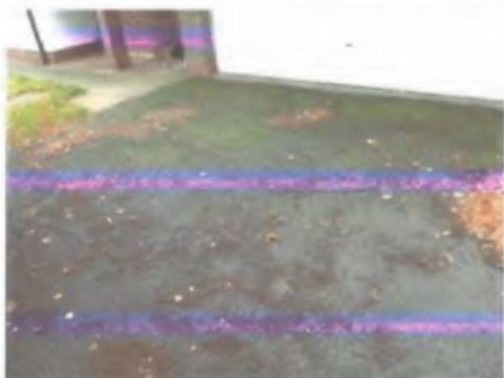


P.P. 0853 3485





P.P. 0853 3485



PP 08533485



P.P. 085 33 485



Name of Meeting: Planning Committee

Date of Meeting: 22 July 2020

Subject Matter: Tree Works application to remove protected Lime tree
(ref:

Originating Department: Environment and Public Realm

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

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 15th June 2020 to 2nd July 2020

Name of Committee: Planning Committee

Date of Meeting: 22 July 2020

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: All

Prior Consultation: None

Contact Officer: Dan McGahey 3774

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

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

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

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

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

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

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

Ensure that the council works efficiently and effectively (CR)

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

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

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

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

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

Protect the public (EPR)

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

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

Planning Committee - 22 July 2020

Delegated Decisions - 15th June 2020 to 2nd July 2020

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 22 July 2020

Subject Matter: Delegated Decisions - 15th June 2020 to 2nd July 2020

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Delegated

8 Weeks PA Applications

Applications Refused

R20/0050 LAND REAR 177, OXFORD
8 Weeks PA STREET, RUGBY
Refusal
24/06/2020

Amendments to planning permission R17/2057 (Demolition of existing workshop and erection of two new dwellings (resubmission of planning application R14/1476, approved 02 December 2014), dated 26 January 2018), including alterations to dwelling designs and access.

Applications Approved

R20/0120 111 , Bilton Road, Rugby, CV22
8 Weeks PA 7AS
Approval
15/06/2020

Erection of a part two storey, part single storey rear extension

R20/0183 7, TIMBER COURT, RUGBY,
8 Weeks PA CV22 5AZ
Approval
16/06/2020

Retrospective garage roof alterations and all associated works to include external alterations (Resubmission of previously approved scheme R19/1199: Retrospective garden outbuilding, garage, and all associated works at 7 Timber

Delegated

8 Weeks PA Applications Applications Approved

Court - dated 28/10/2019).

R20/0214
8 Weeks PA
Approval
16/06/2020

89, Overslade Lane, Rugby,
CV22 6EE

Erection of part two storey part
single storey front extensions.

R20/0235
8 Weeks PA
Approval
16/06/2020

Land to the West of Brambles
Barn and The Coach House,
Bilton Fields Farm Lane, Rugby,
CV22 6RU

Variation of Condition 13 of
R19/1137 (Erection of four
dwellings) dated 19th December
2019 to amend footpath and
passing bays.

R20/0236
8 Weeks PA
Approval
16/06/2020

North site, Bilton Fields Farm,
Ashlawn Road, Rugby, CV22
6RU

Variation of Condition 13 of
R19/1138 (Erection of three
dwellings) dated 19th December
2019 to amend footpath and
passing bays.

R20/0237
8 Weeks PA
Approval
16/06/2020

Land to the north-east of the
Maverick and The Bungalow,
Bilton Fields Farm Lane, Rugby,
CV22 6RU

Variation of Condition 14 of
R19/1139 (Erection of five
dwellings) dated 19th December
2019 to amend footpath and
passing bays.

R20/0314
8 Weeks PA
Approval

31, HAREBELL WAY, RUGBY,
CV23 0TT

Conversion of a single integral
garage into a second reception
room (sitting, hobby, exercise)

Delegated

8 Weeks PA Applications Applications Approved

16/06/2020

R20/0229
8 Weeks PA
Approval
17/06/2020

2, SCHOOL LANE, STRETTON-
ON-DUNSMORE, RUGBY, CV23
9NB

Extensions and alterations to
dwelling.

R20/0293
8 Weeks PA
Approval
17/06/2020

111, MARLBOROUGH ROAD,
RUGBY, RUGBY, CV22 6DA

PROPOSED EXTENSION TO
EXISTING GARAGE AND SHED

R20/0248
8 Weeks PA
Approval
18/06/2020

146, MURRAY ROAD, RUGBY,
CV21 3JR

Change of Use from
dwellinghouse (Class C3) to a
House in Multiple Occupation
containing 7 bedrooms (Sui
generis) including a rear dormer.

R20/0308
8 Weeks PA
Approval
18/06/2020

FIELDS FARM, LOWER GREEN,
GRANDBOROUGH, RUGBY,
CV23 8DD

Erection of an agricultural
building.

R20/0326
8 Weeks PA
Approval
18/06/2020

4, BALCOMBE ROAD, RUGBY,
CV22 5HU

Single storey rear extension, with
mono pitch roof with 2 velum
windows and bifolding door

Delegated

8 Weeks PA Applications Applications Approved

R20/0347 8 Weeks PA Approval 18/06/2020	THE LEYES, CHURCH LANE, THURLASTON, RUGBY, CV23 9JY	Proposed addition of external insulation with a silicone based coloured render to finish.
R20/0368 8 Weeks PA Approval 18/06/2020	35 , Orson Leys, Rugby, CV22 5RF	SINGLE STOREY SIDE AND REAR EXTENSION TO DWELLING
R20/0377 8 Weeks PA Approval 18/06/2020	24, RIDGE DRIVE, RUGBY, CV21 3FE	Retrospective change of use of garage to office space within dwelling house
R19/1484 8 Weeks PA Approval 19/06/2020	Land At Rear Of The White House, Main Road, Ansty, Coventry, CV7 9HZ	Demolition of existing buildings and erection of a dwellinghouse, along with the change of use of land to associated residential garden.
R20/0340 8 Weeks PA Approval 19/06/2020	14, LONG FURLONG, RUGBY, CV22 5QS	Erection of a front single storey extension to include the porch and alterations to garage roof. Erection of a single storey rear extension and alterations to a

Delegated

8 Weeks PA Applications Applications Approved

side window.

R20/0058
8 Weeks PA
Approval
22/06/2020

KINGSLEY COTTAGE, 26,
BOND END, MONKS KIRBY,
RUGBY, CV23 0RD

Erection of single storey
detached garage, including
demolition of existing outbuilding
and removal of gates and
archway.

R20/0332
8 Weeks PA
Approval
22/06/2020

70 , Malvern Avenue, Hillmorton,
Rugby, CV22 5JW

Proposed Single storey Front,
side and rear extensions

R20/0333
8 Weeks PA
Approval
22/06/2020

2 , Harrison Close, Hillmorton,
Rugby, CV21 4BS

Garage conversion, first floor
extension above garage and new
porch

R20/0330
8 Weeks PA
Approval
23/06/2020

BEN MOTOR AND ALLIED
TRADES BENEVOLENT FUND,
BRINKLOW ROAD, RUGBY,
CV23 0JE

Erection of a single storey
extension and other external
alterations: to include a first-floor
roof garden.

R19/1527
8 Weeks PA
Approval
24/06/2020

CEDAR LODGE,
LUTTERWORTH ROAD,
BURTON HASTINGS,
NUNEATON, CV11 6RB

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

Delegated

8 Weeks PA Applications Applications Approved

6, AVONDALE ROAD,
BRANDON, COVENTRY, CV8
3HS

R20/0286
8 Weeks PA
Approval of Reserved
Matters
24/06/2020

Erection of 2 no. dwellings with a shared detached garage (Resubmission of previously approved reserved matters application under R19/1342 following outline planning approval under R18/0488).

R20/0394
8 Weeks PA
Approval
24/06/2020

PARK HOUSE, LITTLE
LAWFORD LANE, LITTLE
LAWFORD, RUGBY, CV23 0JJ

Removal of Condition 9 of planning permission R20/0222 due to change in application site circumstances.

R19/1538
8 Weeks PA
Approval
25/06/2020

15, OAKDALE ROAD, BINLEY
WOODS, COVENTRY, CV3 2BL

Extensions and alterations to dwelling to form a first floor and a garage conversion

R19/1388
8 Weeks PA
Approval
26/06/2020

PETROL STATION, COVENTRY
EASTERN BYPASS, BINLEY
WOODS, RUGBY, CV3 2ZZ

Retrospective application relating to changes to planning approval R18/0093 dated 15th June 2018. The changes are; Retention of the existing 5-starter-gate forecourt layout; Part of the existing canopy raised in line with an existing part; Parking spaces removed at the front of the sales

Delegated

8 Weeks PA Applications Applications Approved

building and relocated to the rear of the building and along the roadside boundary; The proposed drive-thru lane and order window removed and new refuse compound added.

R20/0132
8 Weeks PA
Approval
26/06/2020

Lavender Cottage, MAIN
STREET, COVENTRY, CV7 9LW

Proposed new garage

R20/0265
8 Weeks PA
Approval
26/06/2020

LAND NORTH EAST OF
GRANGE FARM, SAWBRIDGE
ROAD, GRANDBOROUGH

Provision of ménage arena.

R20/0346
8 Weeks PA
Approval
26/06/2020

36 JACKSON ROAD,
HILLMORTON, RUGBY, CV21
4LS

Erection of one end terrace
dwelling

R19/1458
8 Weeks PA
Approval
30/06/2020

GWENARTH, MAIN STREET,
EASENHALL, RUGBY, CV23
0JA

Re-siting of existing shed and
erection of a hobby room

Erection of a single storey rear

Delegated

8 Weeks PA Applications Applications Approved

R20/0003 8 Weeks PA Approval 30/06/2020	16B, HEATH WAY, RUGBY, CV22 5JA	extension
R20/0299 8 Weeks PA Approval 30/06/2020	13, CHARLESFIELD ROAD, RUGBY, CV22 5PQ	Erection of a single storey rear extension
R20/0300 8 Weeks PA Approval 30/06/2020	CALA LEVANTE, VICARAGE HILL, CLIFTON UPON DUNSMORE, RUGBY, CV23 0DG	Variation of Condition 2 of R18/0340 - Erection of two storey side extension, single storey front extension to dwellinghouse, erection of gym complex in the rear garden with a walkway link from the dwellinghouse
R20/0175 8 Weeks PA Approval 02/07/2020	SPICERS WOOD, COVENTRY ROAD, PAILTON, RUGBY, CV23 0QA	Part demolition of dwelling to accomodate detached double garage
R20/0311 8 Weeks PA Approval 02/07/2020	29 Handley Close, Ryton on Dunsmore, Coventry, CV8 3FG	The erection of a two-storey side extension.

Delegated

8 Weeks PA Applications Applications Approved

R20/0350
8 Weeks PA
Approval
02/07/2020

5 Coronation Cottages, Fosse
Way, Princethorpe, CV23 9QH

Replacement single storey
extension and front porch.

Certificate of Lawfulness Applications Applications Approved

R20/0163
Certificate of
Lawfulness
Approval
16/06/2020

Cedar Lodge, Lutterworth Road,
Rugby, CV11 6RB

Certificate of Lawfulness for a
porch, single storey side and rear
extension

Discharge of Conditions Applications Approved

R18/0941
15/06/2020

LOTHLORIEN, MAIN STREET,
FRANKTON, RUGBY, CV23 9NY

Erection of a single storey rear
extension, two storey front
extension, internal alterations and
the creation of off-street car
parking to the front of the
property.

R19/1137

Erection of four dwellings

Delegated

Discharge of Conditions Applications Approved

16/06/2020

Land to the West of Brambles
Barn and The Coach House,
Bilton Fields Farm Lane, Rugby,
CV22 6RU

R19/1138

North Site, Bilton Fields Farm,
Rugby, CV22 6RU

Erection of three dwellings

16/06/2020

R19/1139

Land to the north-east of the
Maverick and The Bungalow,
Bilton Fields Farm Lane, Rugby,
CV22 6RU

Erection of five dwellings

16/06/2020

R19/1060

8, LIVINGSTONE AVENUE,
LONG LAWFORD, RUGBY,
CV23 9BU

Proposed first floor extension
above existing single storey
extension; a single storey and
two storey rear extension and
front entrance porch.

17/06/2020

R20/0080

53, ASHLAWN ROAD, RUGBY,
CV22 5ET

Front, rear and side extension

17/06/2020

HOME FARM, MAIN STREET,

Delegated

Discharge of Conditions Applications Approved

WILLOUGHBY, RUGBY, CV23
8BH

R17/1084

23/06/2020

Conversion of barns to create 2 dwelling houses including the demolition of modern agricultural buildings (identical to scheme previously approved under ref R14/0608)

R19/1051

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

23/06/2020

Demolition of existing dwelling, garage and shed and erection of replacement dwelling and associated work

R19/1052

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

23/06/2020

Listed Building consent for the demolition of existing dwelling, garage and shed and erection of replacement dwelling and associated work. Plus the installation of plant in the stable blocks.

R17/1839

29 REGENT STREET, RUGBY,
CV21 2PE

01/07/2020

Proposed change of use of first and second floor to 3 flats, single storey rear extension to first floor and external alterations.

Delegated

Listed Building Consent Applications

Applications Approved

R20/0231
Listed Building Consent
Approval
17/06/2020

2, SCHOOL LANE, STRETTON-
ON-DUNSMORE, RUGBY, CV23
9NB

Listed building consent for the
demolition of outside toilet, shed
and porch including extensions
and alterations to dwelling.

R20/0059
Listed Building Consent
Approval
22/06/2020

KINGSLEY COTTAGE, 26,
BOND END, MONKS KIRBY,
RUGBY, CV23 0RD

Listed Building Consent for the
removal of existing wrought iron
gates and archways, demolition
of non original store outbuilding
and erection of single storey
detached garage.

R20/0257
Listed Building Consent
Approval
25/06/2020

44 THE CRESCENT,
BRINKLOW, RUGBY, CV23 0LR

Listed Building Consent for a
replacement handmade timber
front door

Non Material Amendment Applications

Applications Approved

R19/1231
Non-Material
Amendment agreed
19/06/2020

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

Erection of one new dwelling
(previously approved under
R18/0989).

60 South Road, Clifton Upon

Delegated

Non Material Amendment Applications Applications Approved

Dunsmore, CV23 0BZ

R19/0117

Non-Material
Amendment agreed
23/06/2020

Erection of double storey front extension, single storey rear extension and various other external alterations.

Prior Approval Applications Prior Approval Applications

R20/0354 51, Juliet Drive, Bilton, Rugby,
Prior Approval CV22 6LY
Extension
Not Required
15/06/2020

PAX - Single-storey rear extension that will project 5.5m beyond the rear elevation and will measure 3.48m in height, with an eaves height of 2.47m forming a dual pitched roof.

R20/0276 12, RICHMOND ROAD, RUGBY,
Prior Approval CV21 3AB
Extension
Not Required
19/06/2020

Erection of a single storey rear extension, projecting 6.0 metres from the rear of the house with a width of 5.5 metres, a pitched roof at a max height of 3.6 metres and an eaves height of 2.2 metres (Prior Approval Larger Home Extension)

R20/0362 35, PERCIVAL ROAD, RUGBY,
Prior Approval CV22 5JT
Extension

Delegated

Prior Approval Applications

Prior Approval Applications

Not Required
19/06/2020

PAX - For a proposed single-storey rear extension that will infill the space between the existing rear wall and an existing extension, representing a 6m depth with a total height of 4m - forming a flat roof.

R20/0389
Agriculture Prior
Approval
Not Required
30/06/2020

Centre Of Pond 268m From
Willowbank Farm, Smeaton Lane
242m From Unnamed Road,
Lutterworth Road, Str

Prior notification for the erection
of a straw barn

R20/0387
Prior Approval
Extension
Not Required
01/07/2020

50, WOLSEY ROAD, RUGBY,
CV22 6LW

PAX - Proposed single storey
rear extension with a flat roof with
a total depth of 4.78m and
maximum height of 2.9m and an
eaves height of 2.6m. The
extension will further be
constructed with matching
materials.