

23 March 2018

## PLANNING COMMITTEE - 4 APRIL 2018

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 4 April 2018 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn  
Executive Director

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

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

## A G E N D A

### PART 1 – PUBLIC BUSINESS

1. Minutes.

To confirm the minutes of the meeting held on 14 March 2018.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

(a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;

(b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and

(c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.
6. Delegated Decisions – 15 February – 7 March 2018.

## **PART 2 – EXEMPT INFORMATION**

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2017/18 – 15) are attached.

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

Councillors Mrs Simpson-Vince (Chairman), Mrs Avis, Mrs A'Barrow, Brown, Butlin, Cranham, Ellis, Gillias, Miss Lawrence, Lewis, Sandison and Srivastava.

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

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

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

**Planning Committee – 4 April 2018**

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

**Applications for Consideration**

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

- Applications recommended for refusal with the reason(s) for refusal (pink pages)
- Applications recommended for approval with suggested conditions (yellow pages)

**Recommendation**

The applications be considered and determined.

## APPLICATIONS FOR CONSIDERATION – INDEX

### Recommendations for refusal

There are no applications recommended for refusal to be considered.

### Recommendations for approval

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
1	R17/1829	Rolls-Royce, Ansty Aerodrome, Combe Fields Road, Coventry, CV7 9JR Erection of building and use for purposes within Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended), including ancillary offices and storage space, primary vehicular access from Pilot Way (Ansty Park), secondary vehicular access from Combe Fields Road, car and cycle parking, service areas, reserve expansion land, external storage units, gatehouse, drainage, attenuation ponds, substation, foul pumping station, demolition of existing buildings, ground remodelling and associated works.	3
2	R17/0764	Riddys Yard, Kings Newnham Lane, Bretford, CV23 0JU Change of use to builder's yard and rear extension to existing building.	31
3	R18/0165	Stag and Pheasant, 27 Main Street, Newton, Rugby Proposed external alterations together with the change of use of the existing residential annex to provide guest accommodation.	37
4	R18/0067	7 Grosvenor Road Rugby Proposed Change of Use of Existing Dwelling to a HMO.	43

**Reference number:** R17/1829

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

**Description:** 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

**Case Officer Name & Number:** Chris Kingham and Nathan Lowde, 01788 533629 and 01788 533725

**Background:**

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

**Proposal:**

This is a full planning application for the redevelopment of part of the Rolls-Royce site in Ansty.

The proposal is being brought forward on just over 26 hectares of land and seeks to provide a manufacturing facility and headquarters for a global engineering company called Meggitt. The company specialises in manufacturing and monitoring extreme environment components and smart sub-systems for aerospace, defence and energy markets.

In economic terms the proposal represents a major estimated investment of £130 million, would provide around 1,000 jobs and is of high importance to the region.

The manufacturing facility would be provided in one single building with integrated offices and ancillary buildings within the grounds. The development would provide 45,844sq.m (493,461sq.ft) of gross internal B2 Use Class floorspace. The height of the building would be 13.70 metres.

Access to the site would be via a new carriageway extending through the centre of the Rolls-Royce site towards the existing highway in Ansty Business Park to the north. This would then allow access onto the primary access point of the A46, M6 J2 and M69 in addition to the secondary access point onto Combe Fields Road. A total of 750 car park spaces would be provided together with 68 covered cycle spaces and 30 covered motorcycle spaces.

In order to create a large single level platform for the proposed building, car park and service yard it would be necessary to undertake cut and fill earthworks across the site. The levels would then rise more gradually from Combe Fields Road towards the proposed access carriageway by approximately 6.10 metres compared to approximately 12.40 metres at present. In order to achieve this the land close to Combe Fields Road would be raised with a 2.20 metre high retaining wall provided to contain this. As a result the ridge height of the proposed building would be approximately 17.10 metres higher than the Combe Fields Road level.

Surface water runoff from the site is proposed to be contained in two attenuation ponds to the southern part of the site. Water will then be discharged from these ponds at a controlled rate which would be 50% less than current brownfield discharge rates.

The northern, eastern and southern boundaries would be screened by strategic landscaping which would include woodland and thicket planting together with standard trees. The thickness of the landscape buffer zones would vary from 3-14m on the northern boundary to 20-40m on the eastern boundary and 18-35m on the southern boundary. The existing row of mature trees along the eastern boundary next to Combe Fields Road would be retained. The proposed car park and western boundary adjacent to the proposed new carriageway access would contain both rows of hedgerows and standard trees.

The remaining part of the Rolls-Royce site not subject of this application would remain unaltered. Importantly, the existing Rolls-Royce operations as present on the site today would be retained and would

continue to operate as currently. This includes an engine test facility, a central data store facility, and a small number of existing manufacturing units. The proposed development, including access roads, has been designed to allow and not interfere with this continued operation.

### **Site Description:**

The application site comprises of 26.02 hectares of previously developed land, redundant buildings and amenity grassland. It falls within the grounds of the Rolls-Royce Manufacturing Facility at Ansty which itself extends to an area of approximately 75 hectares of enclosed land. Many of the former buildings on the site have recently been demolished with only the floor slabs now remaining. The remaining buildings are of brick and metal clad construction and range from 13 metre high industrial buildings to single storey ancillary buildings. These areas are linked together by internal access roads which remain on site in addition to a car parking area, amenity grassland and mature trees. The Rolls-Royce Manufacturing Facility site is currently served by a main site access and secondary access located off Combe Fields Road to the east. Topographically the land rises up from Combe Fields Road into the site (towards the west) by approximately 12.50 metres. Outside of the application site but within the adjoining Rolls-Royce estate are a number of buildings which remain in active use for manufacturing and storage.

At a broader level the site is seen within the context of Ansty Business Park to the north which has outline 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.

The immediate surrounding land to the east, south and west comprises of open countryside. The closest residential property to the site is 180 metres away to the southeast at Fair View on Peter Hall Lane. The property of Peter Hall Farm is also located just beyond this at a distance of 260 metres at the closest point. Public bridleways R75b and R75x run alongside the southern boundary of the application site. Combe Abbey Conservation Area, incorporating the Grade II\* registered park of Combe Country Park, is located to the south of the site at a distance of approximately 250 metres at the closest point. A number of listed buildings are located in this area with the most notable being the Grade I listed Combe Abbey. Aside from this it is noteworthy that the A46 Coventry Eastern Bypass and urban area of Coventry is located approximately 1.25km to the west. The M6 motorway is also located approximately 1km to the north.

### **Relevant Planning History (Application Site):**

R18/0008: Prior notification of proposed demolition. Prior approval not required 02/02/2018.

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.

R16/1250: Prior notification of proposed demolition. Prior approval not required 27/06/2016.

R14/1900: Prior notification of proposed demolition. Prior approval not required 28/10/2014.

R14/1114: Prior notification of proposed demolition. Prior approval not required 12/08/2014.

R12/0739: Prior notification of proposed demolition. Prior approval not required 10/05/2012.

### **Relevant Planning History (Within Vicinity of Application Site):**

R09/0035/MEIA: Ansty Park, Land East of A46 (Coventry Eastern Bypass) and South of the M6, Ansty, Warwickshire. Use of land for the construction of 124,484 sq.m. of floor space for use as a High Technology Park for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and associated infrastructure, car parking and landscaping. Approved 15/05/2009.

### Technical Consultation Responses:

Cadent Gas Plant Protection	No objection subject to informative
Cadent Pipelines Team	No objection subject to informative
Civil Aviation Authority	No response
Coventry Airport	No objection
Coventry City Council	No objection
Environment Agency	No objection
Forestry Commission	No response
Health and Safety Executive	No objection
Highways England	No objection
Historic England	Concerns
National Air Traffic Services	No objection
Natural England	No objection
RBC Development Strategy	No comment
RBC Environmental Health	No objection subject to conditions and informatives
RBC Lighting Consultant	No objection
RBC Trees and Landscaping	No objection subject to conditions
RBC Works Services Unit	No response
Rugby Ramblers Association	No objection subject to footpath R75 being kept open
Severn Trent Water	No objection
Stagecoach	No objection with comment
The Gardens Trust	No response
Warwickshire Fire and Rescue Service	No objection subject to condition and informatives
Warwickshire Police	No objection
Warwickshire Wildlife Trust	No comment
WCC Archaeology	No objection subject to conditions
WCC Ecology	No objection subject to conditions
WCC Flood Risk Management	No objection subject to condition and informatives
WCC Highways	No objection subject to conditions
WCC Infrastructure	No response
WCC Rights of Way	No objection subject to informative
Western Power	No response

### Third Party Consultation Responses (Amended Plans and Reports):

None

### Third Party Consultation Responses (Original Plans and Reports):

Parish Council          Welcome high profile employer but make following observations:

1. Height of building next to Combe Fields Road and Peter Hall Lane.
2. Query whether finished floor levels could be closer to level Combe Fields Road.
3. Quick growing instant trees next to Combe Fields Road and Peter Hall Lane to screen development.
4. Query how and where roof rainwater collected and retained.
5. Parish Council to be involved in discussion of colour scheme of building.
6. External lighting to minimum and pointed downwards.
7. Query number access points off Combe Fields Road.
8. Query whether timings of traffic light junction on Combe Fields Road would be modified.
9. Sufficient on-site parking required.
10. Impact on off-site culverts, ditches and drainage needs to be considered.
11. No construction traffic to use Peter Hall Lane and Smeaton Lane.
12. Increased volume traffic within Combe Fields Parish and need to ensure roads can cope.
13. Developer should provide/contribute towards high speed broadband connections to residents in Combe Fields Parish.
14. Contact details of person responsible for maintenance and emergencies.

## Assessment of Proposal:

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

The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Core Strategy 2011 and Rugby Borough Local Plan 2006 Saved Policies. The relevant policies are outlined below.

### Rugby Borough Core Strategy 2011

CS1	Development Strategy	Complies
CS11	Transport and New Development	Complies
CS16	Sustainable Design	Complies
CS17	Sustainable Buildings	Complies

### Rugby Borough Local Plan 2006 Saved Policies

GP2	Landscaping	Complies
GP6	Safeguarding development potential	Complies
E6	Biodiversity	Complies
T5	Parking Facilities	Complies
T13	Airport Flight Paths	Complies
ED4	Major developed sites in the Green Belt	Complies
ED5	Retention of existing strategically significant employment sites	Complies

### Guidance

Planning Obligations SPD (2012)  
Sustainable Design and Construction SPD (2012)

### Material Considerations

National Planning Policy Framework (NPPF or “the Framework”) (2012)  
National Planning Practice Guidance (NPPG)  
Draft Revised National Planning Policy Framework (2018)  
Draft Planning Practice Guidance (2018)  
Community Infrastructure Levy (CIL) Regulations 2010 (as amended)  
Natural England National Character Area (2013)  
Warwickshire Landscapes Guidelines (1993)  
Landscape Assessment of the Borough of Rugby: Sensitivity and Condition Study (2006) and associated ‘Summary of Rugby Town’s Urban Fringe’ (2006)  
Emerging Rugby Borough Local Plan (see paragraph below)

The Council is in the process of preparing a new Local Plan which will replace the Core Strategy 2011 and saved policies of the Rugby Borough Local Plan 2006. This has culminated in a Publication Local Plan being submitted for examination in July 2017. In doing this the Council has taken account of all representations received during the consultation stages.

The decision to submit for examination demonstrates that the Council considers that the Publication Local Plan has been prepared in line with the relevant legal requirements (including the duty to cooperate) and also meets the tests of ‘soundness’ contained in the Framework. The first stage of the public hearings took place in January 2018. The second stage of public hearings is scheduled to take place in April 2018 and it is expected that the Local Plan will be adopted later this year.

Paragraph 216 of the Framework states that decision makers may give weight to relevant policies in emerging plans according to: (1) the stage of preparation of the emerging plan; (2) the extent to which there are unresolved objections to relevant policies in the emerging plan; and (3) the degree of consistency of relevant policies to the policies in the Framework. In this respect the examination of the Publication Local Plan 2017 by an Inspector has yet to be completed. The Publication Local Plan 2017 can therefore only be afforded limited weight as a material consideration because it is still subject to change.



## Key Issues

1. Principle of Development and Green Belt
2. Highways and Transport
3. Landscape and Visual Impact
4. Trees and Hedgerows
5. Ecology
6. Flood Risk and Drainage
7. Heritage and Archaeology
8. Air Quality
9. Noise
10. Contamination
11. Light
12. Economic Growth
13. Residential Amenity (Light, Aspect and Privacy)
14. Sustainable Design and Construction
15. Planning Balance and Sustainability of Development

### 1. Principle of Development and Green Belt

The application site falls within the grounds of the Rolls-Royce Manufacturing Facility at Ansty. There is an extensive history of development on this site with the remaining and recently demolished buildings having evolved over a number of years. This resulted in a variety of building sizes, heights, building slabs, materials and styles. A chimney stack just under 30m dominated the skyline and was visible from many public vantage points. Internal access roads remain on site in addition to a car parking area, amenity grassland and mature trees. The site itself is contained by wire chain link fencing with barbed wire on top.

In policy terms CS1 of the Core Strategy 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. It consequently sets out that development will be resisted in such areas unless permitted by national policy on Green Belts.

Despite the Green Belt location the whole Rolls-Royce site lies within the “Strategically Significant Employment Site and Major Development Site in the Green Belt” allocation as outlined on the Rural Proposals Map 2011. Saved Local Plan Policy ED4 consequently applies and states that planning permission will only be granted for redevelopment if it does not result in built development occupying a larger area than was previously the case or the height of the existing buildings being exceeded, unless there would be an overall landscape benefit.

The Rolls-Royce buildings which remain and have recently been demolished have a combined floorspace of approximately 55,540m<sup>2</sup>. This compares to the proposed floorspace of the replacement Meggitt buildings which would have a combined floorspace of approximately 42,105m<sup>2</sup>. The remaining existing buildings on the site would be demolished as part of the re-development works. The proposed development would therefore reduce the floorspace of buildings on the site by approximately 13,435m<sup>2</sup> (or 24%).

The Rolls-Royce buildings which remain and have recently been demolished were a variety of heights ranging from 3-13m high. This compares to the proposed height of the main replacement Meggitt building which would have a height of 13.70m. The proposed highest replacement building would therefore be 0.70m (or 5%) higher.

As a number of the Rolls-Royce buildings have recently been demolished it is not possible to calculate what the exact volume of these buildings were. However, a crude estimated calculation indicates the remaining and recently demolished building had a volume of approximately 553,728m<sup>3</sup>. This compares to the proposed volume of the replacement Meggitt buildings which would have a combined volume of approximately 545,675m<sup>3</sup>. The proposed development would therefore reduce the volume of buildings on the site by approximately 8,053m<sup>3</sup> (or 1.5%).

In relation to the impermeable areas on the site it has been calculated that the existing areas of hardstanding and remaining and recently demolished building totals approximately 9.4ha. This compares to

approximately 9.1ha for the proposed impermeable areas for the replacement Meggitt hardstanding and buildings. The proposed development would therefore reduce the amount of impermeable areas on the site by approximately 0.3 (or 3.2%).

The above calculations indicate that the proposed development would occupy a smaller area than the Rolls-Royce buildings which would be demolished and have recently been demolished. However, the height of the replacement building would be marginally (5%) higher than the original buildings. It is necessary therefore to establish if there would be an overall landscape benefit.

In terms of impact the proposals include provisions for cut and fill earthworks which would change the levels across the site. This would create a level slab for the building and result in slightly raised levels by Combe Fields Road and lower levels towards the western boundary. The ridge line of the proposed Meggitt building would be 98.5 AOD. This would be lower than the highest ridge line of 100.34 AOD for one of the recently demolished Rolls-Royce buildings. Although the proposed Meggitt building would be higher than original buildings the measured AOD level ridge height would actually be lower.

The footprint of the proposed building is such that the developed part of the site would extend closer to Combe Fields Road than was previously the case. The raised site levels and height of the building in this location are such that there would be a greater impact on the landscape and openness in an immediate local context. However, the existing trees along this boundary together with strategic landscape planting alongside the road would significantly help to screen and soften this impact.

Aside from the immediate local impact, the impact at a wider level would be an improvement over the original development. This is because the proposed level reduction would result in the ridge height of the proposed Meggitt building being lower than that of the previous Rolls-Royce buildings. Furthermore, the proposal would consolidate the piecemeal and disparate nature of the former buildings on the site into one modern building and ancillary buildings. The high level of native planting and landscaping surrounding this would also soften the appearance of this in wider views.

As a result it is considered that the proposed development would result in an overall landscape benefit that is sufficient enough to outweigh the slightly increased height of the main building. On this basis, the proposal would therefore be compliant with saved policy ED4.

Notwithstanding the above, the approach outlined within saved policy ED4 is linked to aspects of the previous Planning Policy Guidance Note 2: Green Belt which is no longer adopted national planning policy and this approach has not been included within the Framework. Although saved policy ED4 is part of the Development Plan, paragraph 215 of the Framework implies consideration of this policy should not have equal weight to consideration of the Framework given the variances in approach.

Paragraph 89 of the Framework states that complete redevelopment of previously developed sites would not be inappropriate development provided that there would be no greater impact on the openness of the Green Belt. For the reasons already stated it is considered that the proposal would not have a greater impact on the openness of the Green Belt. The redevelopment of this previously developed land would therefore not be inappropriate development.

Saved Local Plan Policy ED5, Strategically Significant Employment Sites, protects the site and seeks to ensure that the employment use of the site is retained to provide an overall range and mix of uses that maintain the local economy. Policy ED5 states that uses B1, B2 and B8 will be permitted but that development for other purposes will not be permitted. The supporting text to this policy emphasises that the retention of such sites is an essential complement to the allocation of new employment sites, and seeks to minimise development of Greenfield land for employment use. This application therefore complies with policy ED5.

It is further important to recognise that development has been located on this site since 1935 with Rolls-Royce taking over and developing the site since 1966. 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 allocation in successive development plans which allows for redevelopment. Indeed, the proposed development would lead to the more effective use of previously developed land which is allocated as a Strategically Significant Employment and Major Development Site in the Green Belt. Moreover, the proposed development would be confined within the existing Rolls-Royce site boundaries

and would therefore result in no further encroachment in the Green Belt. It would also not have a greater impact on the purposes of including land within the Green Belt as set out in paragraph 80 of the Framework, particularly owing to its designation.

In conclusion, the proposed redevelopment of this site would not be inappropriate development in the Green Belt. It is allocated as a Strategically Significant Employment Site and Major Development Site in the Green Belt and complies with saved policies ED5 and ED6 of the Local Plan.

## **2. Highways and Transport**

The existing Rolls-Royce site is currently accessed at two points from Combe Fields Road. The main access provides entrance to the Rolls-Royce estate roads and a large southern parking area. The second access point connects into a bus layby arrangement with two further connections into the Rolls-Royce site from this. The first connection point is a gated road which provides an alternative means of access to the Rolls-Royce estate roads. The second connection point provides access to a large northern parking area. There is consequently no direct route from the Rolls-Royce site to Ansty Business Park. Access to the A46, M6 J2 and M69 is therefore only achievable via a convoluted route through the Ansty Business Park Combe Fields Road secondary access or Ansty village.

The proposed redevelopment of the site includes provisions to reconfigure highway connections and provide a direct link to Ansty Business Park and the A46, M6 J2 and M69 interchange. In order to do this a new highway connection would be made from the proposed Meggitt site, through the remaining Rolls Royce site and to the end of Pilots Way in Ansty Business Park by the MTC building. This connection would also provide a link to the Ansty Business Park secondary access point onto Combe Fields Road.

In view of this it is proposed that the existing Combe Fields Road main access and alternative estate road secondary connection point would be closed off. Only the existing secondary access with connection into the northern car park would remain. A new access point would then be created on Combe Fields Road to provide access for a maintenance and service road. This would be positioned slightly further south than the existing main access point. The result of this is such that all traffic associated with the new development would utilise the Ansty Business Park Central Boulevard connections.

A total of 750 car park spaces would be provided together with 68 covered cycle spaces and 30 covered motorcycle spaces. In respect of car park spaces this is well within the maximum 1,015 car parking spaces which would be allowed in line with the Council's Parking Standards in the Planning Obligations SPD. For covered cycle spaces the Council's guidelines indicate that a minimum of 216 cycle spaces (125 staff cycle spaces and 91 visitor cycle spaces) should be provided. The proposed development would therefore provide 148 less cycle spaces than what is required.

A Transport Statement submitted with the application compares the number of vehicular movements that would be generated by the proposed development against the number of trips which could occur under the existing permitted use of the site when fully developed and operational. This has been reviewed by WCC Highways and Highways England who concur with the methodology used. They ultimately agree with the conclusion that there would actually be less of an impact on the highway network as a result of the proposed development. This is because the number of trips to the site would be less than could currently occur.

Regard has also been had to the proposed highway reconfiguration which would result in a direct route from the site onto the A46 and M6 J2. This would consequently have a profound impact upon routing patterns to and from the site. Whilst WCC Highways acknowledge that traffic would still be able to exit onto Coombe Fields Road they accept the findings of the Transport Statement that 79% of trips would be directly through Ansty Park onto the A46 and M6 J2. This represents a marked improvement to the existing situation where all vehicles currently have to use Combe Fields Road regardless of origin/destination. As a result there would be a notable reduction in the number of vehicles using Combe Fields Road and passing through the village of Ansty.

The impact of vehicular movements at a number of junctions in the area surrounding the site has been modelled to establish whether there would be any negative impact on their capacity. WCC Highways and Highways England are both satisfied that the impact would be negligible and cannot be considered severe.

In terms of parking provision no concerns have been raised by WCC Highways. Although the proposal is estimated to provide jobs for 1,000 people it is important to recognise that all of these employees would not necessarily be on site at the same time. This is because the nature of the manufacturing use is such that there are different shifts with a flow of people coming and going across the day at different times. The 750 proposed spaces are consequently considered to be sufficient to meet the likely needs of staff and visitors. In respect of cycle provision it is recognised that the number of covered spaces is well below standards. Nonetheless, this provision is a marked improvement above the existing permitted use where there are no covered cycle spaces. It is also accepted that the applicant could provide further cycle spaces on site should the demand for this materialise upon occupation. It is consequently considered that the proposal complies with Saved Local Plan Policy T5 and Core Strategy Policy CS11.

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 Co-ordinator who would encourage the adoption of measures such as cycling and car sharing. The proposed development would therefore comply with policy CS11 of the Core Strategy which supports the provision of sustainable modes of transport to mitigate against transport impacts.

In conclusion, it is considered that the highway impact arising from the proposed development would be acceptable. The highway impact would not be severe and the proposal complies with the Framework and Saved Local Plan Policy T5 and Core Strategy Policy CS11.

### **3. Landscape and Visual Impact**

The application site comprises of a large area of previously developed land within the grounds of the Rolls-Royce Manufacturing Facility at Ansty. A small number of buildings remain on the site but the majority of these have recently been demolished with only the floor slabs now visible. Prior to the demolition works there was a wide variety of buildings on the site with the layout, appearance, sizes, heights and materials having clearly evolved over the years. There was consequently no clear and uniform character with the development rather appearing more disjointed. However, in general terms the buildings closest to Combe Fields Road were two-storeys in height with incidental green space positioned between the buildings and the road. The larger more industrial looking buildings were located further into the site on higher ground levels thereby being readily visible in the surrounding landscape. A chimney stack just under 30m high also dominated the skyline and was visible from many public vantage points.

The proposed development would replace all of the former buildings on the site with one large modern manufacturing unit together with a small number of ancillary buildings. The nature of the proposed development is consequently such that a single level platform is required for the large industrial building. As the land levels currently rise into the site towards the west by 12.50 metres from Combe Fields Road it is necessary to create a substantial levelled area for the building, car park and service yard. It is therefore proposed that earthworks would be carried out resulting in earth in the highest part of the site being cut into. The resulting earth would then be filled into the lowest part of the site thus creating a level platform for the building and a gently rising slope for the car park.

The proposed main building would be of a large rectangular design approximately 218m wide and 175m deep. The elevations would be 13.70 metres high in view of the need to provide the necessary clearance for manufacturing operations. In respect of appearance the proposed elevations would be constructed from profiled and horizontally laid metal cladding, and finished in metallic grey with vertical flashings to provide visual relief. The main front elevation would be westward facing overlooking the car park. It would contain glazed units of varying tints and metal faced panels that would be configured within the system to give variety and interest to the façade. The front elevation would further be enhanced by the inclusion of a long linear canopy with sweeping curves to create a unique and interesting design feature.

In terms of impact, it is noted that one of the original Rolls-Royce buildings was actually located slightly closer to Combe Fields Road than the proposed building. However, this original building was only two-storeys in height and was surrounded by open amenity grassland. Conversely, the proposed building would be 13.70 metres high and constructed on a slab level which would be approximately 4 metres higher than the Combe Fields Road level. The ridge height of the proposed building would therefore be approximately 17.70 metres higher than the ground level of Combes Field Road. The scale of the proposed building along the Combe Fields Road frontage would consequently be greater than that of previous development in this location. Furthermore, the size of the proposed building is such that this would extend over previously

undeveloped open parts of the site. It is consequently the case that the proposed development would have a greater visual and landscape impact in an immediate and local setting. This would particularly be the case when the site is viewed from both Combe Fields Road and Peter Hall Lane.

In order to mitigate against the visual impact it is proposed to screen and soften the appearance of the proposed development by providing strategic landscape planting around the northern, eastern and southern boundaries. This would include the provision of woodland and thicket planting together with standard trees. The thickness of the landscape buffer zones would vary from 3-14m on the northern boundary to 20-40m on the eastern boundary and 18-35m on the southern boundary. The existing row of mature trees along the eastern boundary next to Combe Fields Road would be retained. The proposed car park and western boundary adjacent to the proposed new carriageway access would contain both rows of hedgerows and standard trees.

To consider the impact on the landscape the applicant has submitted a Landscape and Visual Impact Assessment (LVIA). This sets out that the proposed development would not result in disproportionate additions over and above the size of the original buildings. It also notes that the proposals would use adequate mitigation measures to ensure that it does not cause any material harm to the qualities, character and amenity of the surrounding areas while minimising impacts on the occupiers of existing property within the area. In addition, there would be a slight benefit from the demolition of the existing chimney stack which is just under 30 metres high.

The LVIA ultimately sets out that proposal would not result in any significant landscape effects. Whilst there would be a localised change to the regional Dunsmore Parkland Landscape Character Type, the proposal would fit within the existing industrial land use and character immediately surrounding the site and in effect replace existing buildings of a similar scale and mass. It goes on to contend that over time, and as the proposed native vegetation matures, the proposal would develop a woodland edge that resembles the well-wooded characteristics of Dunsmore Parkland. By year 15, there would be a minor magnitude of change, resulting in a slight beneficial effect, which is not significant.

The conclusions of the LVIA are generally agreed. In respect of the proposed raised levels next to Combe Fields Road it is invariably the case that this would have a greater visual impact in an immediate local context than was previously the case. However, the applicant has provided information outlining that it is not possible to lower the levels any further owing to highway, drainage and earthwork constraints. As a result of this amended plans have been submitted which show increased strategic landscape planting and standard trees along the northern, eastern and southern boundaries.

The Council's Landscape and Arboricultural Officer has considered all of the submitted plans and LVIA. They are ultimately satisfied that there would not be any significant detrimental impact from a landscape character point of view. It is acknowledged that the proposed development would be readily visible within the wider landscape from Public Rights of Way, highways and residential dwellings. However, the proposed development would not be seen in isolation and would rather be seen alongside existing buildings on the remaining Rolls-Royce site and Ansty Business Park. In the case of the latter it is particularly noted that the 17.70 metre ridge height of the proposed building above the Combe Fields Road ground level would still be less than the nearby 19 metre high MTC building at Ansty Business Park. Furthermore, the ridge line of the proposed Meggitt building would be 98.5 AOD. This would be lower than the highest ridge line of 100.34 AOD for one of the recently demolished Rolls-Royce buildings. As a result it is accepted that the overall impact in the wider landscape would actually be reduced. This would particularly be the case when the proposed strategic landscape planting matures over time thereby softening and filtering views of the building. In turn this would lead to an overall landscape benefit.

The most sensitive area in relation to the proposed development is Coombe Abbey Country Park with views towards the site from the northern extremities and Public Right of Way R75y. The Council's Landscape and Arboricultural Officer has assessed the impact to this and considers that the existing ridge and associated rise in topography from the Park to the site would obscure most views of the development. The significant woodland planting proposed in this location would further help to offset the impact and mirror the wooded edge forming the outer limit of the Park.

In conclusion, it is considered that the landscape and visual impact arising from the proposed development would be acceptable. The proposals would replace a number of buildings previously on this part of the site and would be seen in the context of the wider developed Rolls-Royce and Ansty Business Park sites. The

height and appearance of the building would be softened and screened by mature landscape planting. It is consequently considered that the proposal complies with the Framework and Saved Local Plan Policy GP2 and Core Strategy Policy CS16.

#### **4. Trees and Hedgerows**

Paragraph 118 of the Framework sets out that permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Three of the core planning principles outlined within paragraph 17 of the Framework establish the need to 'seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings', 'take account of the different roles and character of different areas...recognising the intrinsic character and beauty of the countryside' and to 'help conserve and enhance the natural environment'. Policy CS16 of the Core Strategy is consistent with this and requires proposals to not cause material harm to the qualities, character and amenity of the areas in which they would be situated. Policy GP2 of the Local Plan also sets out the need for proposals to retain and enhance the landscape character of an area, retain important site features and incorporate new landscape planting.

##### *Existing Trees and Hedgerows on Site*

The majority of trees on the application site are located around the site boundaries but there are also a smaller number of trees sporadically positioned within the application site. None of the trees on or adjacent to the site are covered by Tree Preservation Orders. An Arboricultural Report submitted with the application includes a survey which identifies the arboricultural value of all existing trees, tree groups and hedgerows, on and adjacent to the site. The results of this indicate a total of 8 individual trees, 23 tree groups and 2 hedges, within the application site. Of the individual trees, 6 were of moderate quality and 2 low quality. All of the tree groupings and hedges surveyed were of low arboricultural quality.

##### *Proposed Tree and Hedgerow Planting and Removal*

The development requires the removal of two moderate quality and two low quality trees. In addition to this a further 15 low quality groups and one hedge will also need to be removed. The partial removal of four groups of trees is also necessary as certain trees within each group cannot be sustainably retained.

To mitigate this loss and to mitigate against the impact of the proposed development, the proposed landscaping includes the planting of an extensive number of individual trees, hedgerows, thicket mix planting, woodland mix planting and ornamental shrub planting.

##### *Assessment of Impact on Trees and Hedgerows*

The Council's Arboricultural Officer has assessed the Arboricultural Report and raised no objection to the impact the proposed development would have on existing trees and hedgerows on and immediately adjacent to the site. Whilst the tree losses within the site are fairly extensive, these trees are relatively low quality and insignificant within the context of the surrounding area. The proposed landscaping is also welcomed to offset the harm of proposed losses. 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.

##### *Trees and Hedgerow Conclusion*

Whilst the proposed development would require the removal of a number of trees it is considered that this would be acceptable because the trees to be removed are relatively low quality and insignificant within the context of the surrounding area. Moreover, the proposed landscape planting more than mitigate this impact and would actually result in more trees on the site than is currently the case.

#### **5. Ecology**

Policy E6 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. This policy is

consistent with one of the core planning principles outlined within paragraph 17 of the Framework which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The Framework further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraphs 109, 113, 114, 117 and 118). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

#### *Impact on Statutory and Non-Statutory Ecological Sites*

The site is within approx. 800m of Coombe Abbey SSSI to the south of the site. The site is also situated within the Impact Risk Zone of Coombe Pool SSSI, which is situated 0.23km south of the application site. The site lies within close proximity of Smite Brook. Designated features within Coombe Pool SSSI may be hydrologically linked to this watercourse, therefore the site is considered to be hydrologically linked to this SSSI. There is the potential for off-site impacts on Coombe Pool SSSI through contaminants in surface water discharge reaching the SSSI via the brook connecting the application site to the SSSI. A condition would therefore be necessary to ensure that details are provided to show how pollutant levels expected in the surface water run-off would be controlled to ensure there is no adverse impact on the downstream Site of Special Scientific Interest (SSSI).

#### *Habitats*

The majority of the application site comprises predominately of buildings and hard standing interspersed with areas of semi-improved grassland. Ancient semi-natural broadleaved woodland and ponds are located close to the north-west of the Site. To the north of the site, an area of marshy grassland dominated by tufted hair grass (*Deschampsia cespitosa*) is present. There were no waterbodies within the boundary of the Site; however, a known GCN breeding pond is located in the south west corner of the adjoining Ansty Business Park site. The surrounding area largely consists of agricultural fields, with Ansty Business Park to the north of the Site.

A Biodiversity Impact Assessment (BIA) has subsequently been submitted to quantify the value of the existing habitats and establish what impact there would be from the loss of those habitats as a result of the proposed development. The BIA shows that the proposed scheme is expected to result in a net gain in biodiversity through on-site habitat creation and management, in addition to the restoration of an area of 2 ha of poor semi-improved grassland to good condition off-site but within the applicant's ownership.

#### *Protected and Priority Species*

In relation to protected and priority species, the appraisal draws on data records and surveys which indicate that the development has the potential to have an impact on bats, great crested newts, badgers, birds, European Hedgehog and reptiles. However, WCC Ecology are satisfied that the potential impact to these species could be mitigated against through planning conditions.

#### *Ecology Conclusions*

It has been found that the findings of the appraisal, surveys and assessment are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The proposal would result in a net gain in biodiversity through proposed habitat creation and enhancement. In turn this would ensure that the habitats available for protected and priority species would not be lost. Equally, the potential impact on these 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 that biodiversity is enhanced. This position is also supported by Warwickshire County Council Ecology.

## **6. Flood Risk and Drainage**

The Framework requires that consideration is given to the potential impact of flooding on new development whilst also ensuring that flood risk is not increased elsewhere as a result of it (paragraphs 100-103). It also sets out a sequential risk-based approach to the location of development to steer this away from the areas

at highest risk. Policy CS16 of the Core Strategy and policy GP2 of the Local Plan are consistent with this and set out that sustainable drainage systems (SUDS) should be proportionality incorporated into new development where practical.

### *Flood Risk*

The Flood Risk Assessment and Drainage Strategy submitted with the application confirms that the majority of the application site falls within flood zone 1 (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.

A small section of the red line site boundary goes over the flood plain of the River Sowe, on the Central Boulevard in Ansty Business Park. However, this is a significant distance away from the area where construction is proposed to take place and it has been confirmed that no works are being undertaken on the crossing area. The Environment Agency therefore require no further information on this matter from a flood risk perspective.

### *Surface Water Drainage*

In respect of surface water drainage, the FRA 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 20% climate change. This strategy has been designed to ensure that all surface water flows that cannot be infiltrated to the ground will be collected into attenuation ponds, located in the south-east corner of the site, and discharged at agreed rates into the existing watercourses to the south-east and north-west of the site. This run-off into existing watercourses would be at a controlled rate which is 50% better than existing run-off rates. Furthermore, it is proposed that run-off from the roof would be collected and reused through a rainwater harvesting tank with the impermeable areas of hardstanding draining via gullies and linear channels. A full retention interceptor is proposed for the service yard with a bypass separator proposed for the car parking areas. The drains would be sized to contain flows up to the 1 in 30 year event with runoff up to the 1 in 100 year event plus climate change managed within the site boundary.

WCC Flood Risk Management has carried out an independent assessment of the FRA and raised no objection to this subject to a condition requiring the submission of a detailed surface water drainage scheme. The response from STW and the Environmental Agency further supports this position.

### *Foul Sewage*

The Flood Risk Assessment and Drainage Strategy confirms that the foul water will discharge via gravity to a new foul sewer located within the proposed spine road, which in turn discharges to a new foul water pumping station via the existing rising main. This rising main takes the pumped discharge to the head of a public gravity foul water sewerage system to the south-west, located to the west of Walsgrave Farm. Severn Trent Water has raised no objection to this.

### *Flood Risk and Drainage Conclusions*

It has been found that the findings of the FRA 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 will principally be dealt with through the use of an adoptable piped system outfalling into an attenuation pond in addition to potential infiltration based drainage. This would ensure that the proposed development would not increase flood risk off site and would actually result in a 50% betterment compared to the existing situation. 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 new foul water pumping station which would direct foul flows to the public sewer located to the west of Walsgrave Farm.



## 7. Heritage and Archaeology

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

### *Heritage Assets*

Coombe Abbey Conservation Area lies 210m south of the site which includes the Grade II\* Registered Park, together with a number of listed buildings including Coombe Abbey (Grade 1 listed), which contains a wide variety of important designated heritage assets.

There is also a Grade II listed building (Peter Hall) 270m east of the site and another Grade II listed building (Walsgrave Hill Farm) 1km west of the site.

### *Policy background*

Policy CS16 refers to the historic environment. It states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant-impact on existing designated and non-designated heritage assets and their settings.

In considering a proposal that may affect the setting of a heritage asset, the duty imposed by section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Court of Appeal in *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and Others* (2014) made clear that special regard to the desirability of preservation means that avoiding harm to a listed building, or its setting, is a factor that is not only one of considerable importance, but also one that attracts considerable weight in any balancing exercise.

Another key judgement recently is the Kedleston Hall high court appeal [Case No: CO/5004/2016]. This is a key judgement with regards to setting and how the surrounding rural context plays an important role in the significance of a heritage asset.

There is no statutory duty, equivalent to those imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the determination of planning applications for proposals affecting the setting of a Conservation Area, ancient monuments or other archaeological deposits. However any planning application should be determined in accordance with the development plan and all other material considerations. Government guidance set out in the Framework is clear that the effect of the proposed development on 'heritage assets' including scheduled monuments is material to the consideration of planning applications.

National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.' Paragraph 131 of the Framework states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

### *Heritage Assessment*

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 scale of the building, proposed landscaping along the southern boundary and the impact of external lighting.

In respect to the latter, the Council's lighting consultant has confirmed that the proposed lighting scheme has been designed to minimise the impact upon Coombe Abbey. The landscaping scheme has been revised and the southern boundary of the application site has been significantly enhanced with proposed woodland edge planting, and the provision of a number of extra heavy standard trees. Furthermore, the landscaping immediately along the southern elevation of the building has also been significantly enhanced with proposed woodland edge planting, including a number of extra heavy standard trees. Within the initial comments from Historic England, it was considered that the proposed landscaping needed to be more robust and substantial to provide adequate screening early in the life of the building. It is considered that the revised landscaping scheme has addressed this, and the introduction of heavy standard trees would ensure an adequate level of early screening. As such, it is considered that the proposed impact upon this boundary has been ameliorated through the proposed landscaping scheme.

### *Archaeology*

The proposed development lies within an area of archaeological potential, largely within the extent of the site of Ansty Airfield, a former RAF airfield operational from 1936 to 1953 (Warwickshire Historic Environment Record MWA9584). Cropmarks including: a rectilinear enclosure, possible ring ditch and linear features (MWA13379) have been identified within the adjacent field to the south of the application site. The Historic Environment Desk-Based Assessment, submitted in support of this application, acknowledges that whilst previous development across parts of the site may have had an impact upon surviving archaeological features, there remains a potential for archaeological deposits dating from the prehistoric, Roman and later periods to survive across the application site.

Warwickshire County Council Archaeology have reviewed the contents of the documents submitted and have raised no objection to the principle of development, subject to conditions relating to the implementation of a programme of archaeological work.

### *Conclusion*

The documentation submitted with this application acknowledges that the proposed scheme would have some impact upon heritage assets within the vicinity. The applicants have assessed this level of harm as being minor. This identified harm has been further minimised by revisions to 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 134 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.

## **8. Air Quality**

The Framework establishes the need to consider whether the proposed development would result in unacceptable levels of air quality to the detriment of new or existing development (paragraph 109). It further outlines a requirement to consider the impact on Air Quality Management Areas (AQMA) and the cumulative impacts on this (paragraph 124). This is consistent with policy CS10 of the Core Strategy and the Air Quality section of the Planning Obligations SPD which set out the need to ensure that new development does not result in a significant increase in the production of air quality pollutants.

### *Air Quality Management Area*

The application site falls outside the Rugby Air Quality Management Area (AQMA). However, the site lies in close proximity to the Coventry City Council AQMA. The Air Quality Assessment ref: 23384/12-17/5575 dated December 2017 which was submitted with the application has been reviewed. It has been undertaken following scoping advice from Rugby Borough Council Environmental Health. This outlines the potential impacts of the additional vehicular traffic that would be generated by the proposed development. Air pollutant levels are considered at existing sensitive receptors within the vicinity of the site and at proposed receptors within the site. The assessment subsequently concludes that the proposed development is not predicted to lead to new exposures to concentrations above the air quality objections and relatively small increases at some receptors close to roads. The overall significance is judged to be

'slight'. In addition to this the assessment concludes that no further air quality assessment is required. Environmental Health are satisfied that the development will not lead to new exposures exceeding the national objective for annual mean NO<sub>2</sub> concentrations and that the overall impact is judged to be slight at most.

### *Air Quality Conclusions*

It has been found that the findings of the Air Quality Assessment are acceptable and form a robust basis for considering the air quality impacts arising from the proposed development. In respect of the impact upon the Rugby AQMA proposed development is not predicted to lead to new exposures to concentrations above the air quality objections and relatively small increases at some receptors close to the roads. The overall significance is judged to be 'slight'.

## **9. Noise**

Paragraph 123 of the Framework outlines the need to consider the impact of noise resulting from new development on health, quality of life and areas of tranquillity. It also indicates the need to consider measures, including the use of conditions, to minimise noise and mitigate against the impact from it. Paragraph 17 of the Framework and policy CS16 of the Core Strategy is consistent with this in outlining that planning should seek a good standard of amenity for all existing and future occupants of land and buildings.

### *Impact of Noise to Proposed Development*

The submitted Noise Assessment outlines the need to assess the potential noise impact associated with the proposed construction of the development. The noise survey undertaken confirms that road traffic noise from the nearby M6 motorway is the dominant source of noise in the local area, and makes a significant contribution to the existing noise climate. The nearest sensitive receptor to the proposed development is located approximately 180m to the east of the proposed building, on Peter Hall Lane.

### *Noise Conclusions*

Environmental Health are content with the findings of the Noise Assessment and consider that the rating level of new plant should not exceed 67dB(A)<sub>LA90</sub> to ensure a plant noise limit of 5dB below the lowest measured background level at the nearest sensitive receptor. This would ensure that the residential amenity of the closest noise sensitive receptors would not be harmed.

## **10. Contamination**

The Framework sets out the need to ensure that contaminated land does not affect the health of the future occupiers of new development (paragraphs 109, 120 and 121).

The submitted Geo-Environmental Assessment reviews source material and the existing setting of the site. It has identified a number of areas of potential ground and water contamination and has identified areas that require further investigation.

Environmental Health has subsequently considered the assessment and acceptability of the proposed development in relation to potential contamination issues at the site. Their response is one of no objection subject to a condition requiring 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.

## **11. Light**

The Framework at paragraph 125 states that by encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation. The National Planning Policy Guidance – Light Pollution, advises on how to consider light within the planning system and how 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.

The lighting appraisal submitted by the applicant has been reviewed and a lighting assessment produced by the Council's Lighting Consultant. This lighting assessment evaluated the potential for increased sky glow and possibility of upward light from the proposed installation, as well as the validity of the lighting design presented. This, along with any perceived glare that may be viewed from receptors surrounding the site, light obtrusion and environmental impacts, have also been reviewed. Coombe Abbey is 250m away from the site and the concerns raised by Historic England have been considered along with points raised by the Parish Council.

Overall it is considered that the design is deemed to be acceptable and outputs meet design standards and deliver a scheme that provides the best result possible whilst still lighting the site. Visibility glare is as low as possible and there is negligible spill light. This has been improved from the original design, which has higher uplifts on luminaires, so it means that viewing angles into the LED and its peak beam is now as low as can be achieved whilst still meeting health and safety requirements to light the site. The lighting scheme has been designed to minimise the impact upon Coombe Abbey, and the Council's lighting consultant is satisfied that the revised design is the most suitable and least impactful for Coombe Abbey and its visitors.

## **12. Economic Growth**

Section 1 of the Framework highlights the need for the planning system to support sustainable economic growth with notable references to job creation and prosperity.

Meggitt PLC is an international aerospace and defence engineering group. The proposed facility is a major £130m project which would bring together a number of existing operations and represent a significant investment in the long-term future of Meggitt's UK manufacturing capability. The facility, would provide a base for up to 1,000 employees, and aims to combine a range of operations — Aircraft Braking Systems, Control Systems, Customer Services & Support and Corporate Shared Services — within a world-class aerospace, engineering and technology environment. The substantial investment and significant new employment opportunities that this proposal would generate would have a positive impact on the region and the local economy and prosperity of the Borough.

## **13. Residential Amenity (Light, Aspect and Privacy)**

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new commercial building within close proximity to residential dwelling houses. Paragraph 17 of the Framework is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

### *Impact to Existing Properties*

The closest dwelling to the application site is located to the south-east along Peter Hall Lane, approximately 180m away. Taking into account the distance to this neighbouring property, it is considered that the proposed development could be undertaken without giving rise to significant and detrimental impacts on the light, aspect and privacy.

### *Residential Amenity (Light, Aspect and Privacy) Conclusions*

It is considered that the proposed development could be designed so as to ensure that it would not have a significant and detrimental impact upon the residential amenity of existing properties.

## **14. Sustainable Design and Construction**

Core Strategy policies CS16 and CS17 refer to sustainable design, water efficiency and reducing carbon emissions. The Sustainable Design and Construction Supplementary Planning Document (SDC SPD) 2012 further expands upon this and sets out the potential to reduce carbon emissions through improving energy efficiency in construction and design. This is consistent with chapter 10 of the Framework which supports the inclusion of renewable and low carbon energy within new development.

### *Water Efficiency*

Policy CS16 and SDC SPD specifically state that all non-residential developments should demonstrate water efficiency of the relevant BREEAM very good standard. This is consistent with paragraph 94 of the Framework which outlines the need to take account of water supply and demand. The submitted Planning Statement confirms that the proposed development would conform to that target and includes measures to reduce energy demand through energy efficiency measures, supply of energy through low carbon technologies and use of renewable energy generation.

### *Carbon Dioxide Emissions*

Policy CS17 and SDC SPD specifically state that development must comply with the Building Regulations relevant at the time of construction. It also sets out that as a minimum all new non-residential development of 1000sqm or more should incorporate decentralised and renewable or low carbon energy equipment to reduce predicted carbon dioxide emissions by at least 10%.

The Design and Access Statement submitted with the application indicates that the development would utilise renewable energy technologies to reduce carbon emissions. This includes a significant provision of photovoltaic panels on the roof to provide power to the building. Other measures include; optimisation of use of natural lighting through the provision of roof lights which equate to 15% of the floor area within the warehouse; achieving higher level of thermal insulation and air tightness; reduction in solar gain.

### *Sustainable Design and Construction Conclusions*

It is considered that the proposed development would be able to reduce carbon emissions through improving energy efficiency in construction and design whilst also increasing water efficiency. Planning conditions would need to be imposed to ensure that this is provided.

## **15. Planning Balance and Sustainability of Development**

The application site is located within designated Green Belt. Policy CS1 of the Core Strategy sets out that development will only be permitted in this location where national policy allows. It has been found that the proposed development would not be inappropriate development in the Green Belt and is therefore permitted by national policy. Furthermore, the site falls within land which is allocated as a Strategically Significant Employment Site and a Major Development Site in the Green Belt. The proposed redevelopment of this part of the site for employment purposes in a form which would not increase the footprint of development and would result in an overall landscape benefit is therefore compliant with saved policies ED5 and ED6 of the Local Plan.

From an economic perspective the proposed development would result in money being invested in construction on the site (estimated to be £130 million), employment relating to construction jobs over the build period, long-term investment by a global company and long-term employment (estimated to be 1,000 jobs). The development would also have a positive “knock on effect” in the local and wider economy by virtue of the need for supplies and services to the site. This would therefore help the viability of other businesses whilst helping to protect existing jobs and create the potential for further new jobs. Such benefits would have a substantial positive impact on the local and regional economy and prosperity of the Borough. This therefore weighs significantly in favour of the application. As such, the proposed development would satisfy the economic role of sustainable development.

From a social perspective it is important to recognise that many of the buildings on the site have recently been demolished resulting in a loss of employment opportunities. The proposed redevelopment on this site would consequently bring the site back into active economic use and in turn provide an estimated 1,000

jobs. This would therefore safeguard existing jobs which are currently located on other sites and would also create opportunities for new employment. This is consequently a matter which in itself weighs significantly in favour of the application. As such, the proposed development would satisfy the social role of sustainable development.

From an environmental perspective the potential adverse impacts of the proposed development in relation to highway safety, traffic flows, landscape, visual appearance, trees, hedgerows, ecology, flood risk, drainage, heritage, archaeology, air quality, noise, contamination, light, residential amenity, water conservation 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.

Notwithstanding the above, it is clear that the proposed development would give rise to some unavoidable environmental harm upon heritage assets within the vicinity of the site which could not be fully mitigated against. However, this harm is considered to be minor in nature and it is judged that the proposal would result in a 'less than substantial' harm to these heritage assets. It is subsequently considered, on balance, whilst having regard to the statutory presumption contained within section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, that the benefits of the scheme, as set out above, clearly and demonstrably outweigh the harm to the identified heritage assets. In accordance with recent case law, paragraph 14 of the Framework is consequently still relevant because a conclusion has been reached that the public benefits of the scheme outweigh the harmful impacts on designated heritage assets.

Paragraph 14 of the Framework sets out a presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay. In this case it has been found that 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 and social benefits. These benefits would consequently outweigh the identified harm to heritage assets. 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 should be approved subject to conditions.

**Recommendation:**

The Head of Growth and Investment be given delegated powers to grant planning permission subject to conditions and informatives.

**DRAFT DECISION**

**APPLICATION NUMBER**

R17/1829

**DATE VALID**

06/12/2017

**ADDRESS OF DEVELOPMENT**

Ansty Aerodrome  
Combe Fields Road  
Coventry  
CV7 9JR

**APPLICANT/AGENT**

Mr David Keene  
David Lock Associates  
50 North Thirteenth Street  
Central Milton Keynes  
Milton Keynes  
MK9 3BP  
On behalf of Mr Richard Grenville-Smith, Manse  
Opus (Ansty) LLP and Rolls-Royce PLC

**APPLICATION DESCRIPTION**

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

## **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:**

The development shall not be carried out other than in accordance with the approved plans contained in the following schedule:

<u>Plan Description</u>	<u>Plan No.</u>	<u>Date Received</u>
Site Location Plan	31021-PL-201 F	04-12-17
Proposed Site Context Plan	31021-PL-202F	12-02-18
Proposed Site Layout Plan	31021-PL-203H	12-02-18
Proposed Floor Plan – Factory General Arrangement	31021-PL-204C	22-03-18
Proposed Floor Plan – Offices	31021-PL-205D	22-03-18
Proposed North and West Elevation Plans	31021-PL-206B	12-02-18
Proposed South and East Elevation Plans	31021-PL-207B	12-02-18
Proposed Floor and Elevation Plans - Ancillary Buildings	31021-PL-214B	23-03-18
Roof Plant Section	31021-PL-222	12-02-18
Phase 1 Contour Plan	IPD-16-379-801 A	04-12-17
Phase 1 Isopachyte Plan	IPD-16-379-864	04-12-17
Phase 1 Drainage Strategy Sheet 1 of 2	IPD-16-379-500 Rev D	23-03-18
Phase 1 Drainage Strategy Sheet 2 of 2	IPD-16-379-501	12-02-18
Concept Landscape Plan – Building	1795-17-01_02_03 01 Rev E	20-03-18
Concept Landscape Plan – Infrastructure	1795-17-01_02_03 02 Rev E	20-03-18
Concept Landscape Cross Sections Plan	1795-17-01_02_03 03 Rev E	23-03-18
Tree Protection and Retention Plan	1795-17-04 04 Rev B	12-02-18
External Lighting Layout	17388-E-500 P3	13-02-18
Preliminary Option 5 Highway Layout Phase 1 Plan	IPD-16-379-110 Rev B	12-02-18
Alignments - Long Section Sheet 1 of 2	IPD-16-379-850 Rev A	04-12-17
Alignments - Long Section Sheet 2 of 3	IPD-16-379-851 Rev A	04-12-17
Alignments - Long Section Sheet 3 of 3	IPD-16-379-852 Rev A	04-12-17
Alignments Highway Contour Plan Sheet 3 of 3	IPD-16-379-T-822	07-03-18
Alignments - String Line Plan	IPD-16-379-800 A	04-12-17
Carriageway Cross Section Plan	IPD-16-379-109	04-12-17
<u>Report Description</u>	<u>Report No.</u>	<u>Date Received</u>
Planning Statement	-	04-12-17
Design and Access Statement	31021 D	04-12-17
Transport Statement	IPD-16-379 T001 A	04-12-17
Travel Plan	IPD-16-379 T002 A	04-12-17
Air Quality Assessment	23384-12-17-5575	04-12-17
Flood Risk Assessment and Drainage Strategy	CWA-17-117 Rev F	23-03-18
Phase 1 Redevelopment Surface Water Runoff	IPD-16-379	12-02-18
Betterment Technical Note		
Drainage Design Report	161117	04-12-17
Geo-Environmental Assessment	70030474-R01 2	04-12-17

External Lighting Report	17388 P3	13-02-18
External Lighting Isolines & Obtrusive Calculation Location	17388-E-501 P1	13-02-18
External Lighting Vertical Illuminance Plans	17388-E-502 P1	13-02-18
Noise Assessment	23384-02-18-5492 Rev C	23-03-18
Landscape and Visual Impact Assessment	70030474.R.3.2.1LVIA	04-12-17
Detailed Arboricultural Report	70030474-R-4-1-2-ARB	08-12-17
Soft Landscape Works Maintenance and Management Statement	1795-17-RP02B	12-02-18
Preliminary Ecological Appraisal	70030474-R-2-2-1-PEA 1	04-12-17
Phase 1 Habitat Survey	60464485-P1HS	12-02-18
Phase 1 Habitat Assessment and Bat Roost Potential Assessment	60486485 Rev-1	12-02-18
Ecological Statement	70030474-C-9-2-RBC-SR	08-03-18
Ecological E-mail 07-03-18	-	07-03-18
Ansty Survey - Pond to the South of London Taxi	GVA-PMC.FID6684486	07-03-18
Biodiversity Impact Assessment	-	07-03-18
Historic Environment Desk-Based Assessment	70030474-R-1-2-1-HE	04-12-17
Utility Statement	17388 C	04-12-17

**REASON:**

For the avoidance of doubt.

**CONDITION 3:**

No development shall commence, excluding any remaining demolition of buildings, until a Construction Phasing and Enabling Plan has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of:

- a. Phasing and programming of site clearance, construction work and demolition activities related to development.
- b. Details of pre-commencement checks and appropriate working practices and safeguards to protect wildlife to be employed during relevant site clearance and construction phases.

Development shall not be carried out other than in accordance with the approved Construction Phasing Plan unless otherwise agreed in writing with the Local Authority.

**REASON:**

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

**CONDITION 4:**

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

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
- b. Heavy goods vehicle routing plan;
- c. Timing of heavy goods vehicle movements during the construction phase;
- d. Loading and unloading of plant and materials;
- e. Hours of work and deliveries;
- f. Storage of plant and materials used in constructing the development.
- g. The parking of vehicles of site operatives and visitors;
- h. Cut and fill level and re-profiling works;
- i. Pre-commencement checks for badgers, reptiles, amphibians, bats, nesting birds and hedgehogs;
- j. Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site including details of supervision by an Ecological Clerk of Works (ECoW);
- k. Details of measures to protect habitats, including the prevention of pollution;
- l. A strategy to manage and maintain any construction materials from entering or silting up the watercourse at the existing outfalls, to ensure that no silt or chemicals can leave the phase being constructed and to ensure any detrimental impact to the watercourse shall be repaired;



- m. Control of noise and vibration emissions from construction activities including ground works and the provision of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; and
- n. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase.

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

**REASON:**

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

**CONDITION 5:**

No development shall commence, including any site clearance and construction work (but excluding demolition of buildings), until a great crested-newt mitigation strategy has been submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed through the Construction Phasing and Enabling Plan required by condition 3). The strategy shall include details of:

- a. Amphibian survey results of ponds (the location of which shall have first been submitted to and approved in writing by the Local Planning Authority) undertaken at an appropriate time of year and detailing great crested-newt population estimates; and
- b. A detailed schedule of great crested-newt mitigation measures (to include timing of works, protection measures, enhancement details, monitoring and gully pot design within any drainage and roads (and application for a Natural England licence if necessary)).

No development shall commence, including any site clearance and construction work (but excluding demolition of buildings), until the approved great crested-newt mitigation strategy has commenced and been implemented in full.

**REASON:**

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

**CONDITION 6:**

No development shall commence, including any site clearance and construction work (but excluding demolition of buildings), until a reptile survey and mitigation strategy has been submitted to and approved in writing by the Local Planning Authority (unless otherwise agreed through the Construction Phasing and Enabling Plan required by condition 3). The reptile survey shall be undertaken at an appropriate time of year and during appropriate weather conditions by a suitably qualified ecologist. The mitigation strategy shall provide details of mitigation measures to include timing of works, protection measures, enhancement details and monitoring. No development shall commence, including any site clearance and construction work, until the details approved reptile mitigation strategy has commenced and been implemented in full.

**REASON:**

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

**CONDITION 7:**

No development shall commence, including any site clearance and construction work (but excluding demolition of buildings), until:

- a. A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work across this site, including trail trenching, shall be 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 is to be submitted to the Local Planning Authority; and
- 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 Archaeological Mitigation Strategy document.

**REASON:**

To ensure the preservation of important archaeological remains and that any archaeological history of the site is recorded.

**CONDITION 8:**

No development shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the Flood Risk Assessment and Drainage Strategy (CWA-17-117 Rev F, received 22-03-18), Proposed Drainage Strategy (CWA-17-117-530 Rev P6, received 22-03-18) 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 to be submitted shall:

- a. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- b. Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 20% (allowance for climate change) critical rain storm to a minimum of 50% betterment on the current brownfield rate of 722.7 l/s for the site. Current and proposed discharge rates for all existing outfalls to be re-used must be provided, demonstrating betterment.
- c. Where flooding occurs onsite to store the 1 in 100 year climate change event details should be provided of the storage capacity required outside of the proposed formal drainage system. Details of the depths and locations of flooding should also be provided to the Lead Local Flood Authority where the depths may be unsafe. Hazard mapping may be required to ensure the development remains safe to users of the site.
- d. Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- e. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- f. Provide plans and details showing the allowance for exceedance flow and overland flow routing. Overland flow routing should look to reduce the impact of an exceedance event.
- g. Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network or adopt the proposed new network.
- h. Demonstrate how the on-site surface water drainage scheme accords with paragraph 4.5.3 of the Preliminary Ecological Appraisal (70030474-R-2-2-1-PEA 1, received 04-12-17).
- i. Provide details of how pollutant levels expected in the surface water run-off will be controlled to ensure there is no adverse impact on the downstream Site of Special Scientific Interest (SSSI).
- j. Provide a detailed 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 and contact details.

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

**REASON:**

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

**CONDITION 9:**

No development shall commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the buildings hereby approved are occupied.

**REASON:**

To ensure that the development is provided with a satisfactory means of drainage.

**CONDITION 10:**

No development of the buildings above ground (slab) level 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 development of the Haul Road access shall commence until full details of the Haul Road access, as shown on the Proposed Site Context Plan (31021-PL-202F, received 12-02-18), including construction, drainage, levels, visibility splays and how vehicular and pedestrian access will be controlled, has first been submitted to and approved in writing by the Local Planning Authority. No structure, tree or shrub shall be erected, planted or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.60 metres above the level of the public highway carriageway.

**REASON:**

In the interests of highway safety.

**CONDITION 12:**

Development, including any site clearance, earthworks, demolition and construction work, shall be undertaken only in accordance with the Arboricultural Method Statement contained within the Detailed Arboricultural Report (70030474-R-4-1-2-ARB, received 08-12-17) and Tree Protection and Retention Plan (1795-17-04 04 Rev B, received 12-02-18), unless otherwise approved in writing with the Local Planning Authority. 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 consent of the Local Planning Authority.

**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 13:**

Development (except demolition of existing buildings) other than that required to be carried out as part of an approved scheme of remediation must not commence until points (a) to (d) below have been complied with unless otherwise agreed in writing by the Local Planning Authority. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

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

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

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

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

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

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

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

**REASON:**

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

**CONDITION 14:**

Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until a great crested-newt masterplan, based on the great crested-newt mitigation strategy required by condition 5, has been submitted to and approved in writing by the Local Planning Authority. The masterplan shall include details of suitable on-site and off-site habitat creation and habitat connectivity between ponds and terrestrial habitat. The buildings hereby approved shall not be occupied until the approved great crested-newt mitigation masterplan has been implemented in full unless otherwise agreed in writing with the Local Planning Authority.

**REASON:**

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

**CONDITION 15:**

Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until full details, including floor plans, elevation plans, materials, colours and level plans, have first been submitted to and approved in writing for the following as shown on Proposed Site Layout Plan (31021-PL-203H, received 12-02-18):

- a. Gatehouse;
- b. Covered Cycle Spaces;
- c. Covered Motorcycle Spaces;
- d. Charging Points;
- e. Substation;
- f. Foul Pumping Station;
- g. PV Panels;
- h. Refuse Storage;
- i. Pedestrian Entrance;
- j. Car Park Entrance and Exit;
- k. Gates; and
- l. Colour Coated Steel Mesh Fence.

The development shall not be carried out other than in accordance with the approved details. Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until the structures listed in condition 15 (a to l) have first been provided in accordance with the approved details. The Covered Cycle Spaces, Covered Motorcycle Spaces and Charging Points shall be permanently retained for the accommodation of cycles, motorcycles and charging of vehicles 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 16:**

The buildings hereby approved shall not be occupied until full details, including materials (together with samples where appropriate), markings for car park spaces, construction, levels and drainage, of all areas of hard surfacing and landscaping, including service roads, parking areas and service areas, 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. Unless otherwise agreed in writing with the Local Planning Authority, the building hereby approved shall not be occupied until the areas of hard surfacing and landscaping 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:**

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

**CONDITION 17:**

The landscaping scheme and all planting, as detailed on Concept Landscape Plan - Building (1795-17-01\_02\_03 01 Rev E, received 20-03-18) and Concept Landscape Plan - Infrastructure (1795-17-01\_02\_03 02 Rev E, received 20-03-18), shall be implemented and planted no later than the first planting season following first occupation of the development. The landscaping scheme and all planting shall thereafter be maintained and managed in accordance with the Soft Landscape Works Maintenance and Management Statement (1795-17-RP02B, received 12-02-18). 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 ensure the proper development of the site, in the interest of visual amenity and to enhance biodiversity.

**CONDITION 18:**

The buildings hereby approved shall not be occupied until a Landscape and Ecological Management Plan (LEMP), which shall have regard to the Illustrative Ecological Masterplan (Draft) (received 07-03-18) unless otherwise agreed in writing with the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include details of:

- a. Proposed grassland habitat types and management, including off-site provision totalling 2 hectares.
- b. Proposed habitats around the margins of the attenuation ponds.
- c. Quantity, size, species, position and sourcing of all new planting including trees, hedgerows and shrubs.
- d. Provision of bird and bat boxes in suitable locations.
- e. Provision of refugia/log piles for amphibians, reptiles and invertebrates.
- f. Management Schedule to include long-term 30 year management plan, details and timings of maintenance, provisions for monitoring, management prescriptions, responsibilities for implementation and reporting of the scheme.

Unless otherwise agreed in writing with the Local Planning Authority, the LEMP must demonstrate that no net loss to biodiversity will be achieved and the buildings hereby approved shall not be occupied until the approved LEMP and associated measures have been implemented in full.

**REASON:**

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

The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow

**CONDITION 19:**

The buildings hereby approved shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to, and approved in writing by, the Local Planning Authority. The buildings hereby approved shall not be occupied until written approval has first been obtained from the Local Planning Authority that the scheme has been constructed to the satisfaction of the Local Planning Authority.

REASON:

In the interests of fire safety.

**CONDITION 20:**

The buildings hereby approved shall not be occupied until a travel plan has been submitted to and approved in writing by the Local Planning Authority unless otherwise agreed in writing with the Local Planning Authority. The submitted travel plan shall demonstrate compliance with the action plan and include the objectives, targets, monitoring and measures set out in the Travel Plan (IPD-16-379 T002 A, received 04-12-17). The approved travel plan shall be brought into operation before any building is occupied.

REASON:

In the interest of traffic flows, air quality and sustainability.

**CONDITION 21:**

The buildings hereby approved shall not be occupied until details of water efficiency measures to be incorporated into the design of the building to meet the standard below shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall then be incorporated into the design of the building prior to occupation and then retained in perpetuity. Unless otherwise agreed in writing with the Local Planning Authority, the minimum standards shall be equivalent to the BREEAM very good standard.

REASON:

In order to ensure water efficiency through sustainable design and construction.

**CONDITION 22:**

Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until full details of how access to the Haul Road access and road, as shown on the Proposed Site Context Plan (31021-PL-202F, received 12-02-18), will be controlled, has first been submitted to and approved in writing with the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the building hereby approved shall not be occupied until the access control has first been provided in accordance with the approved details.

REASON:

In the interests of highway safety and traffic flows.

**CONDITION 23:**

Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until the existing Rolls-Royce car park, located to the southern end of the application site, as shown on the Site Location Plan (31021-PL-201 F, received 04-12-17) has been removed and the land restored in accordance with a landscaping scheme which shall first have been submitted to and approved in writing by the Local Planning Authority.

REASON:

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

**CONDITION 24:**

Unless otherwise agreed in writing with the Local Planning Authority, the buildings hereby approved shall not be occupied until the highway carriageway, including footway and cycleway, as shown on the Preliminary Option 5 Highway Layout Phase 1 Plan (IPD-16-379-110 Rev B, received 12-02-18), has been constructed and made available for use to the satisfaction of the Local Planning Authority.

REASON:

To ensure that the development is served with a satisfactory means of access prior to occupation.

**CONDITION 25:**

All buildings shall be constructed to comply with the published Building Regulations that are relevant at the time of construction.

**REASON:**

To ensure sustainable design and construction.

**CONDITION 26:**

No external lighting, other than that shown on the approved External Lighting Layout (17388-E-500 P3, received 13-02-18) and detailed in the External Lighting Report (17388 P3, received 13-02-18) and required for construction, 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 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 27:**

No roof plant on the building hereby approved, above the offices, shall exceed 4 metres in height unless otherwise agreed in writing with the Local Planning Authority.

**REASON:**

In the interests of visual amenity.

**CONDITION 27:**

The rating level of any fixed plant or equipment installed, provided and operated at the site shall not exceed a plant noise limit of 5dB below the lowest measured background level at the nearest sensitive receptor (30dB(A)), unless otherwise agreed in writing with the Local Planning Authority.

**REASON:**

In the interest of residential amenity and protection of designated heritage assets.

**CONDITION 28:**

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 otherwise agreed in writing with the Local Planning Authority.

**REASON:**

In the interests of visual amenity.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the Framework.

**INFORMATIVE:**

Cadent Gas has advised that the contractor should contact Cadent Gas Plant Protection before any works are carried out on site to ensure the apparatus is not affected by any of the proposed works (Cadent Gas Plant Protection, Cadent Block 1, Floor 1, Brick Kiln Street, Hinckley, LE10 0NA. E-mail: [plantprotection@cadentgas.com](mailto:plantprotection@cadentgas.com). Telephone: +44 (0)800 68858). This is due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area which may be affected by the activities specified.

**INFORMATIVE:**

Warwickshire Fire and Rescue Authority has advised that the development must be compliant 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](http://www.warwickshire.gov.uk/fireguidance-commercialdomesticplanning). Where compliance cannot be met, please provide details of alternative measures you intend to put in place. Please also note The Warwickshire County Council Guide 2001.

**INFORMATIVE:**

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. Warwickshire Fire and Rescue Authority ask you to consider and ensure that access to the site, during construction and once completed, is maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access. Should you require clarification of any of the foregoing or any further Fire Safety advice please do not hesitate to contact Daryl Townsend at Fire Protection Department, Service HQ, Warwick Street, Leamington Spa, CV32 5LH. Tel: 01926 423231. Fax: 01926 450332. Email: [firesafety@warwickshire.gov.uk](mailto:firesafety@warwickshire.gov.uk).

**INFORMATIVE:**

WCC Rights of Way Team advise that public bridleway R75b must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during construction.

**INFORMATIVE:**

Warwickshire Police advise that the scheme should be designed to achieve full 'secured by design' accreditation.

**INFORMATIVE:**

Warwickshire County Council as the Lead Local Flood Authority does not consider oversized pipes or box culverts as sustainable drainage. Should infiltration not be feasible at the site, alternative sustainable drainage should be used, with a preference for above ground solutions. Surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management. Sustainable Drainage Systems (SuDS) are an approach to managing surface water run-off which seeks to mimic natural drainage systems and retain water on-site as opposed to traditional drainage approaches which involve piping water off-site as quickly as possible.



**Reference number: R17/0764**

**Site address: Riddys Yard, Kings Newnham Lane, Bretford, CV23 0JU**

**Description: Change of use to builder's yard and rear extension to existing building**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Introduction**

This application is to be determined by members of the planning committee given the conflict with saved Local Plan policy ED6 – Retention of other employment land.

### **Description of Site**

The site lies in open countryside designated within the Core Strategy as Green Belt. Opposite the site is a small stretch of ribbon development of housing and a large equestrian centre. To the west is the small village of Bretford which is washed over by the Green Belt. The site comprises of an existing single storey set within an area of hardstanding. The existing building is located along the eastern boundary and lies perpendicular to the road. The permitted use of the site is for B1 purposes. The proposed site and building is visible along the Coventry Road and Kings Newnham Lane.

### **Description of proposal**

The application has been submitted retrospectively and seeks the change of use to a builder's yard and rear extension to existing building. The proposed use would be a sui generis use. The existing building has a footprint of 300sqm and the proposal would increase the footprint by 37.5sqm, totalling 337.5sqm. The volume of the existing building is 1200m<sup>2</sup> and the proposal would increase this volume to 1350m<sup>2</sup>, which is an increase volume of 12.5%.

### **Third Party Comments**

Neighbours                      no comments received

Parish Council                      no comments received

### **Technical Consultee Responses**

WCC Highways                      no objection

WCC Ecology                      bat note and nestling bird not to be added

Env. Services                      no objection subject to conditions

### **Relevant Planning History**

R99/0066	Erection of a single storey building and use for purposed within Class B2.	Refused 01.04.99
R99/0270	Erection of a single storey building and use within Class B1.	Approved 15.06.99
R99/0270	Approval of details	Approved 01.12.99
R06/0909	Change of use of building from Class B1 (offices) to use within Class D1 (motorcycle training school) of the Town and Country Planning (Use Classes) Order 1987.	Approved 18.08.06
R11/0238	Erection of additional garaging and storage	Refused 04.03.11

## **Relevant Planning Policy/Guidance**

### Core Strategy

CS1 Development Hierarchy  
CS16 Sustainable Design and Construction

### Saved Local Plan Policies

ED6 Retention of other employment land

### Rugby Borough Local Plan Draft Publication 2011-2031:

At the present time, the policies in the emerging Draft Local Plan carry some weight, but as the examination process has not been completed, this is very limited, and whilst emerging policies are a material consideration, the key document to determine planning applications remains the adopted 2011 Core Strategy and the NPPF.

### National Planning Policy

National Planning Policy Framework

## **Assessment of Proposal**

### 1. Green Belt

Policy CS1 relates to development in the Green Belt and makes direct reference to national planning policy. The NPPF establishes that new buildings within the Green Belt are inappropriate unless, amongst other circumstances listed in paragraph 89 of the Framework, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Taking into account the scale of the proposed extension it is not considered that the proposal would result in a disproportionate addition over and above the size of the original building.

The permitted use of the site is for B1 industrial purposes. Taking this into account the permitted use it is not considered that the proposed use would have an adverse impact upon the openness of the Green Belt or purposes of including land within it.

### 2. Employment Land

Saved Local Plan Policy ED6 states that planning permission will not be granted for development that would result in the loss of buildings or land that are in, or were last in, employment uses (Use Class B), with the exception of those sites that have been allocated for development under other policies contained within this plan, unless the applicant can demonstrate that there is no reasonable prospect of employment use continuing, resuming or being attracted; or continued use for employment purposes would cause demonstrable harm to the environment or local amenity.

The proposal would result in the loss of a Class B employment use. The retained use would be as a sui generis use. This loss of Class B use conflicts with saved policy ED6. However, given that the retained use is still, within the realms, associated with an employment use, on balance, this loss of Class B employment B, it considered acceptable.

### 3. Character and Appearance

Policy CS16 of the Core Strategy sets out that 'All development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated'. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 17 and Chapter 7 of the NPPF are also relevant and set out the importance of good design in relation to new development.

The wider area is characterised by relatively flat, large fields with little tree cover, through which the River Avon meanders. Notwithstanding that the existing development is industrial in appearance, and is located at a tangent to the road, due to its scale and height it is not conspicuous in the landscape.

The proposed extension would be positioned to the rear of the building and its scale, design and appearance seeks to replicate that of the existing building and therefore would appear subservient to it. It is therefore considered that the proposed extension would not have an adverse impact upon the character and appearance of the area in accordance with policy CS16.

Conditions will be imposed to control storage within the yard area, in the interest of visual amenity.

#### 4. Residential amenity

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new houses. Paragraph 17 of the NPPF is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

There are a number of neighbouring properties within the close vicinity to the application site. Environmental Services have been consulted as part of this application, and are satisfied that subject to conditions the proposal would not have an adverse impact upon these neighbouring properties, in accordance with policy CS16.

#### **Recommendation**

Approval subject to conditions

#### **APPLICATION NUMBER**

R17/0764

#### **DATE VALID**

09/01/2018

#### **ADDRESS OF DEVELOPMENT**

RIDDYS YARD  
KINGS NEWNHAM LANE  
RUGBY  
CV23 0JU

#### **APPLICANT/AGENT**

John Jowitt  
Pj Planning  
Regent House  
156-7 Lower High Street  
Stourbridge  
DY8 1TS

On behalf of Lee Turner Builder Ltd

#### **APPLICATION DESCRIPTION**

Change of use to builder's yard and rear extension to existing building

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

##### **CONDITION: 1**

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

##### **REASON:**

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

**CONDITION: 2**

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

Proposed Site/Block Plan and Floor Plan Drg. No. 8318-01 Rev A  
Site Location Plan 27/12/2017  
Elevations Drg. No. 8318-02 Rev C

**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 of the extension shall be of the same type, colour and texture as those used on the existing building.

**REASON:**

In the interest of visual amenity.

**CONDITION: 4**

No goods, equipment, merchandise, materials or articles of any description shall be stacked, stored or deposited within the open yard at a height greater than that of the surrounding fence/gates enclosing the open yard.

**REASON**

In the interest of visual amenity

**CONDITION: 5**

Only goods, equipment, merchandise and materials, ancillary to the use hereby permitted shall be stored within the open yard.

**REASON**

In the interest of visual and residential amenity

**CONDITION: 6**

Prior to any containers being brought onto the site for storage purposes, full details of the container including positioning within the site shall be submitted to and approved by the Local Planning Authority.

**REASON**

In the interest of visual amenity

**CONDITION: 7**

Within two months from the date of this decision notice, a scheme for the containment, mitigation and management of noise emanating from the site, including details of all external mechanical fixed plant equipment, e.g compressors or air conditioning units shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with this scheme.

**REASON**

In the interest of residential amenity

**CONDITION: 8**

Within two months from the date of this decision notice, boundary treatment details shall be submitted to and approved by the Local Planning Authority. There should be a solid boundary fence or wall around the perimeter of the site. This should be a close boarded fence or solid wall, without gaps, of a minimum height of 2.0 metres and with a minimum surface density of 10kg/m<sup>2</sup>.

**REASON**

In the interest of visual and residential amenity

**CONDITION: 9**

If fork lift trucks are used in the yard these must be restricted to electric type only.

**REASON**

In the interest of residential amenity

**CONDITION: 10**

The hours of operation will be Mon to Sat 07:30 to 18:00. There should be no operations, deliveries or collections outside of these hours.

**REASON**

In the interest of residential amenity

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

**INFORMATIVE: 1**Environmental Services*Construction Noise*

In order 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. – 18.00 p.m.

Saturday                                 8.30 a.m. – 13.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

If work at other times is required permission should be obtained from the local planning authority

### *Lighting*

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

## **INFORMATIVE: 2**

### Ecology

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

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

**Reference number: R18/0165**

**Site address: Stag and Pheasant, 27 Main Street, Newton, Rugby**

**Description: Proposed external alterations together with the change of use of the existing residential annex to provide guest accommodation.**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Description of Site and Proposal**

The application site comprises of a grade II listed public house with associated car parking area. The building is mainly 18<sup>th</sup> Century with 20<sup>th</sup> Century extensions. This public house is located within the village of Newton, on the west side of Main Street, with vehicular access off The Paddock.

This application seeks external alterations together with the change of use of the existing residential annex to provide guest accommodation. This section of the building is a large 20<sup>th</sup> century wing to the rear which is of no special architectural interest. The accommodation would comprise of a management bedroom, together with two first floor guest bedrooms and two ground floor bedrooms. External alterations include the replacement of existing uPVC windows. External alterations also includes the retention of 17 car parking spaces to be retained to serve the public house, removal of existing outbuildings and the creation of an outdoor seating area. The proposal also seeks the erection of a timber enclosed refuse/recycling compound.

External alterations are proposed to the main building which includes:

- Painting of existing windows in a mid-grey colour (RAL 7037).
- Re-painting external brickwork white

### **Third Party Comments Neighbours**

(15 household objections)

- loss of garden area
- lighting should not intrude into neighbouring properties
- Car parking observations, have observed a higher parking demand which 18 vehicles at its peak
- The additional parking for guest accommodation would increase demand
- 27 spaces required
- Increase in on-street parking
- Increase in traffic
- Loss of green space – resulting in increasing flood risk
- Impact upon residential amenity
- Area of significant archaeology
- Over-development
- Loss of wildlife

Newton Parish Council           no objection

- restriction on vehicular access on the site between 1am and 5am
- external lighting should be positioned and hooded so no light spills off the site

### **Technical Consultee Responses**

WCC Highways           no objection

WCC Ecology           no objection subject to conditions

RBC Env. Services   no objection subject to conditions

### **Relevant Planning Policy**

#### **Core Strategy**

CS1   Development Strategy

CS16   Sustainable Design and Construction

#### **Saved Local Plan Policies**

T5    Parking Facilities

### Rugby Borough Local Plan Draft Publication 2011-2031:

At the present time, the policies in the emerging Draft Local Plan carry some weight, but as the examination process has not been completed, this is very limited, and whilst emerging policies are a material consideration, the key document to determine planning applications remains the adopted 2011 Core Strategy and the NPPF.

### National Planning Policy

National Planning Policy Framework

## **Assessment of proposal**

### 1. Principle of Development

The proposed guest accommodation would be used ancillary to the main use of the host building as a Public House. It would seek to support the sustainable growth and expansion of this existing business within its rural location. It is therefore considered that the principle of development is acceptable in accordance with policy CS1 and guidance contained within section 3 of the NPPF.

### 2. Heritage

Policy CS16 also refers to the historic environment. It states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings.

The duty imposed by section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Court of Appeal in *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and Others* (2014) made clear that special regard to the desirability of preservation means that avoiding harm to a listed building, or its setting, is a factor that is not only one of considerable importance, but also one that attracts considerable weight in any balancing exercise.

National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.' Paragraph 131 of the National Planning Policy Framework (the Framework) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

This section of the building, in which the proposed change of use and external works relate to, is described within the listing of the building as a 20<sup>th</sup> Century extension with no special architectural interest. As such it is considered that the external alterations, which includes the replacement of existing windows, is considered acceptable.

The proposed external works to the main building which includes the re-painting of the external brickwork and windows is considered acceptable, and would enhance the existing building.

The proposal would therefore not adversely impact upon this heritage asset in accordance with policy CS16.



### 3. Design, Layout and Visual Amenity

Policy CS16 of the Core Strategy sets out that 'All development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated'. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 17 and Chapter 7 of the NPPF are also relevant and set out the importance of good design in relation to new development.

The proposed alterations would enhance the character and appearance of the building and would not impact upon the building and the visual amenities of the area in accordance with policy CS16.

### 4. Highways and Parking Facilities

WCC have raised no objection to the proposal, and therefore it is not considered that the proposal would impact highway safety.

The explanatory text accompanying policy T5 sets out that the availability of car parking can influence people's transport decisions and that an excessive increase in car parking can reinforce car dependency. Equally, the guidance on parking standards within the Planning Obligations SPD sets out that the Council will seek well designed parking solutions that will accommodate the likely level of car ownership in any given area and reduce the level of on street parking. As existing 22 car parking spaces are provided within the site. The applicant set out within their Design and Access Statement that the car parking monitoring survey undertaken indicated a maximum of 6 vehicles observed, and based on the proposal together with a 20% increase in parking demand indicates a minimum requirement of 16 car parking spaces. It is important to note that the car parking standards as set out within the SPD, relating to drinking establishments and guest houses are maximum standards and not minimum. The standards indicated for A3 drinking establishment is 1 space per 5 sq.m and for a guest house 1 space/bedroom. This would equate to a maximum number of 29 car parking for the development. The number of retained spaces is close to the maximum specified for a development of this size so would more than adequately provide for the site therefore comply with saved policy T5. In addition to this the public house mainly seeks to serve the local community and as such a high proportion of customers travelling to the site would be on foot/cycle.

### 5. Residential Amenity

Policy CS16 of the Core Strategy requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new houses. Paragraph 17 of the NPPF is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

As no new windows are proposed at first floor level, it is considered that the proposal would not have an adverse impact upon the amenities of neighbouring properties in accordance with policy CS16.

### **Recommendation**

Approval subject to conditions.

**APPLICATION NUMBER**

R18/0165

**DATE VALID**

16/01/2018

**ADDRESS OF DEVELOPMENT**

Stag and Pheasant  
27 Main Street  
NEWTON  
RUGBY  
CV23 0DY

**APPLICANT/AGENT**

Mr Ross Farley  
Synergy Architects  
8  
Euston Place  
Leamington Spa  
CV32 4LN  
On behalf of Dr Evans, Choicecircle Ltd

**APPLICATION DESCRIPTION**

Proposed external alterations together with the change of use of the existing residential annex to provide guest accommodation.

**CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES****CONDITION: 1**

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

**REASON:**

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

**CONDITION: 2**

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

- Dwg. No. SA678 P100A Existing Site Layout
- Dwg. No. SA678 P101B Proposed Site Layout
- Dwg. No. SA678 P103B Proposed Pub Plans
- Dwg. No. SA678 P105A Proposed Pub Elevations

**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 unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 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 ensure the proper development of the site and in the interest of visual amenity.

**CONDITION: 4**

The accommodation for car parking shown on the approved plan Dwg. No. SA678 P101B Proposed Site Layout shall be provided before the guest accommodation being brought into use, and shall be retained permanently for the accommodation of vehicles of persons working in or calling at the public house or using the guest accommodation.

**REASON:**

In order to ensure that satisfactory parking and access arrangements are maintained within the site.

**CONDITION: 5**

The maximum stay permitted by person(s) using the guest accommodation, hereby permitted, shall not exceed 28 days in duration. Upon leaving the site no return is permitted until a period of 28 days has elapsed.

**REASON:**

To prevent the permanent occupation of the guest houses.

**CONDITION: 6**

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the building, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved by the Local Planning Authority prior to such plant being installed. Equipment shall then be installed in accordance with the approved details.

**REASON:**

In the interests of the amenities of neighbouring properties.

**CONDITION: 7**

A scheme of works for odour control for any proposed kitchen extraction equipment shall be submitted to and approved in writing by the Local Planning Authority prior to such plant being installed. The approved odour control scheme shall be implemented on site prior to the extraction system being brought into use and shall thereafter be so retained.

**REASON:**

To prevent the emission of fumes which would be detrimental to the amenity of the area.

**CONDITION: 8**

Prior to any work commencing on the proposed new outdoor seating area, a noise assessment should be undertaken by a suitably qualified person and submitted for approval by the LPA. It should assess the existing noise levels, with particular regard to noise from the use of any external areas of the public house and the proposed new outdoor seating area, to determine any potential adverse effect upon the existing neighbouring residential properties. The report should include recommendations for any necessary acoustic mitigation works. The assessment should consider any likely change in the aural environment should permission be granted for R18/0163 for new residential properties at the rear of the public house.

**REASON:**

In the interests of the amenities of neighbouring properties.

## **STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF.

## **INFORMATIVE:**

### ECOLOGY

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

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

A variety of bird species use bird boxes for nesting. They can be particularly useful in the urban environment, where natural nesting places can be scarce. Consideration should be given to the provision of suitable bird boxes within the new build or adjacent trees, in order to increase nesting opportunities for birds. The WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of bird boxes to use.

**Reference number:**

R18/0067

**Site address:**

7 Grosvenor Road Rugby

**Description :**

Proposed Change of Use of Existing Dwelling to a HMO

**Case Officer Name & Number:**

Erica Buchanan 01788 533789

**Description of Site**

The application property is a three storey mid terraced property with a basement. The property lies on the north-west side of Grosvenor Road in a primarily residential area within walking distance of Rugby Town Centre. Opposite the site is the car park for the Grosvenor Hotel.

The site lies on the edge of the Clifton Road, Hillmorton Road and Whitehall Road Conservation Area but not within it.

The property currently comprises a 4 bedroomed property. This includes the use of the loft being utilised as a bedroom where there is an existing front dormer window.

There is a shared side access to the rear in between the application property and number 9 Grosvenor Road.

On street parking is available by way of parking permits and 1 hour restrictions.

**Description of Proposal**

The proposal is to convert the existing property to provide a 6 bedroomed HMO. The proposal includes shared kitchen facilities on the ground floor and a small kitchen area on the second floor. The proposed communal lounge would be located in the basement.

Access to the rear amenity space would be through the communal kitchen as well as the shared access with the neighbouring property.

The layout of the proposal is 2 bedrooms on the ground floor, 3 bedrooms on the first floor and 1 bedroom in the roof. All rooms would have shower and toilet facilities.

There is no proposed alterations to the external appearance of the property.

**Planning History**

None

**Technical Consultation**

WCC Highways

No objections

RBC Environmental Services

No objections subject to conditions

Housing Enforcement Officer

Has suggested 14 Informatives

**Third Party Consultations:**

**Neighbours**

Object

2 Households

Objections from local residents on:

Overdevelopment

Intensification of use

No off street parking provided

Increased parking pressures on street

Noise disturbance

Fire and other security risks

Issues relating to water pressure and shared sewerage

Impact of increased "letting" signs have a detrimental impact on the Conservation Area.

Already two HMO's within 30 yards additional one would result in an imbalance

Councillor Shera:

Requests application to be determined by committee

Objects - Grosvenor Road is already saturated with houses turned into HMO and has serious impact on traffic movement, parking and environmental damage. Number 7 is quite near to the junction and could have a serious highway safety issues if granted. I request you and the planning committee reject this application and not allow the Benn Ward properties to become HMO estate.

## **Relevant Planning Policies and Guidance**

Rugby Borough Council Local Plan 2006 Saved Policies

T5 Parking Facilities

Rugby Borough Core Strategy 2011

CS1: Development Strategy

CS16: Sustainable Design

CS17: Sustainable Buildings

Rugby Borough Local Plan Draft Publication 2011-2031:

At the present time, the policies in the emerging Draft Local Plan carry some weight, but as the examination process has not been completed, this is very limited, and whilst emerging policies are a material consideration, the key document to determine planning applications remains the adopted 2011 Core Strategy and the NPPF. It is not considered any emerging policies in the Draft Local Plan conflict with the planning proposal for the reasons set out below

GP3: Previously Developed Land and Conversions.

National Planning Policy Framework 2012

National Planning Practice Guidance 2014

SPD

Sustainable Design and Construction

## **Assessment of proposal**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that "If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise."

Policy CS1 provides a settlement hierarchy; the intention of which is to ensure that the most sustainable locations for new development are considered ahead of those which are deemed to be less sustainable. The site lies outside of the Town Centre but within walking distance and therefore its positioning is considered to be sustainable.

A house in multiple occupation is considered a use that will still be residential in nature, the proposal therefore complies with the intentions of policy CS1 and as such, the principle of the change of use is acceptable.

## **Character and appearance**

Part 7 of the NPPF emphasises good design and policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Emerging policy GP3 states that the re-use or adapting existing buildings will be permitted subject to amongst other things the proposed use or adaption can be accommodated without extensive rebuilding. The proposed change of use does not propose any alterations to the external appearance of the building and as such it is not considered that the development will have an impact upon the visual amenity or character of the area. It is therefore concluded that the proposed use of the premises as a HMO will not have an adverse impact upon the qualities, character and amenity of the area, complying with the contents of policy CS16 and emerging policy GP3

Whilst local residents have raised concerns that the conversion to an HMO would change the character of the area it is not considered in planning terms out of character with this residential area. It should also be pointed out that Class C3 and C4 of the Use Class Order allows for up to 6 people either living together as a single family or as an HMO with shared kitchen and living facilities without requiring any planning permissions.

### **Parking**

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. The area lies in an area of high accessibility within walking distance to the town centre and local transport networks therefore the need for the provision of off street parking is lower. WCC Highways have not objected to the proposal and it is considered that the proposal complies with saved policy T5 of the Local Plan 2006.

As local residents have raised concerns regarding parking provision and given the area is subject to residents parking permit or 1 hour minimum stay it is proposed to impose a condition that the residents are not eligible for residents parking permits.

### **Conversion**

In terms of the conversion the property would need to be licensed by the Council as a house in multiple occupation (HMO) and the applicant would be required to submit a completed HMO licence application to Housing Enforcement prior to the occupation of the property reaching five persons.

The HMO licence will only be given if Housing is satisfied the property is suitable for occupation by the specified number of persons and the proposed management arrangements are satisfactory.

There would be a requirement that there is adequate provisions for fire safety measures which must be installed in accordance with relevant British Standards.

Housing have raised concerns regarding the use of the basement as a habitable room in terms of fire safety and ventilation. In addition to the provision of means of escape for other rooms in the event of a fire.

It is expected Building Control will ensure the proposed development complies with all relevant Building Regulations, including sound insulation.

It should however be pointed out that the requirements needed for the HMO license falls outside planning legislation and cannot be a determining factor in this application.

Therefore the main consideration in planning terms is whether the proposed conversion is acceptable. As previously stated the existing property is currently in residential use, in a residential area and as the use as an HMO is residential in its nature the proposed change of use is considered acceptable.

### **Recommendation**

Approve subject to conditions

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R18/0067

### **DATE VALID**

16/01/2018

### **ADDRESS OF DEVELOPMENT**

7 GROSVENOR ROAD  
RUGBY  
CV21 3LF

## **APPLICANT/AGENT**

Mrs Rebecca Walker  
Chapman Design  
Lelleford House  
Coventry Road  
Long Lawford  
Rugby  
Warwickshire  
CV23 9DT  
On behalf of ABINGTON PARK ESTATES LTD

## **APPLICATION DESCRIPTION**

PROPOSED CHANGE OF USE OF EXISTING DWELLING TO A HMO

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

### CONDITION: 1

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

### REASON:

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

### CONDITION: 2

The development shall not be carried out other than in accordance with the plans ref: 3437 -01, 02, 03, and 04 received by the Local Planning Authority on 2 January 2018

### REASON:

For the avoidance of doubt.

### CONDITION: 3

Before the development hereby permitted is first occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the area at any time.

### REASON:

In the interest of highway safety.

### CONDITION: 4

Before the development is occupied a scheme of mitigating works for sound insulation of the ceiling/floors and all party walls shall be submitted to and approved by the Local Planning Authority, the approved scheme shall be implemented and maintained thereafter.

### REASON:

In the interest of residential amenities

### 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 paragraphs 186 and 187 of the NPPF.

### INFORMATIVE

- Approval of a planning application for converting a property to a HMO does not in itself confer the grant of a licence for an HMO under the Housing Act 2004,
- It is advisable for the applicant to contact Housing Enforcement prior to commencement of any works to discuss the impact of the HMO licence conditions on the proposed development and to arrange a site visit, particularly in relation to provision of adequate fire safety measures.



- The premises will require to be licensed by the Council as a house in multiple occupation (HMO) and the applicant will be required to submit a completed HMO licence application to Housing Enforcement prior to the occupation of the property reaching five persons.
- The Council will only grant an HMO licence if it is satisfied the property is suitable for occupation by the specified number of persons; the proposed licence holder is considered fit and proper and is the most suitable person to hold the licence; persons involved in the management of the HMO are considered fit and proper and the proposed management arrangements are satisfactory.
- The applicant will be required to comply with Parts 1, 2 and 7 of the Housing Act 2004, as applicable and all relevant Regulations.

***AGENDA MANAGEMENT SHEET***

<b>Report Title:</b>	Delegated Decisions – 15 <sup>th</sup> February 2018 to 7 <sup>th</sup> March 2018
<b>Name of Committee:</b>	Planning Committee
<b>Date:</b>	4 <sup>th</sup> April 2018
<b>Report Director:</b>	Head of Growth and Investment
<b>Portfolio:</b>	
<b>Ward Relevance:</b>	All
<b>Prior Consultation:</b>	None
<b>Contact Officer:</b>	Dan McGahey 3774
<b>Public or Private:</b>	Public
<b>Report subject to Call-In:</b>	No
<b>Report En-Bloc:</b>	No
<b>Forward Plan:</b>	No
<b>Corporate Priorities:</b>	
<b>Statutory / Policy Background:</b>	Planning and Local Government Legislation
<b>Summary:</b>	The report lists the decisions taken by the Head of Growth and Investment under delegated powers
<b>Financial Implications:</b>	There are no financial implications for this report
<b>Risk Management Implications:</b>	There are no risk management implications for this report
<b>Environmental Implications:</b>	There are no environmental implications for this report

**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 – 4<sup>th</sup> April 2018**

**Delegated Decisions – 15<sup>th</sup> February 2018 to 7<sup>th</sup> March 2018**

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

**Recommendation**

The report be noted.

**1.1 BACKGROUND**

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

Name of Meeting:  
Planning Committee

Date of Meeting:  
4<sup>th</sup> April 2018

Subject Matter:  
Delegated Decisions – 15<sup>th</sup> February 2018 to 7<sup>th</sup> March 2018

Originating Department:

## List of Background Papers

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

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

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 15.02.2018 TO 07.03.2018

**A. APPLICATIONS – DELEGATED**

<b>Applications Approved</b>		
<i>R17/1882 Approved 15.02.2018</i>	35 The Kent Hillmorton Rugby CV21 4NJ	Erection of single storey side and rear extension and installation of new vehicular access.
<i>R18/0106 Approved 15.02.2018</i>	Budleigh Coventry Road Cawston Rugby CV22 7RY	Erection of a storey rear extension to form an Orangery and a link extension to connect the existing garage/loft space to the main house.
<i>R18/0072 Approved 16.02.2018</i>	Oakdale Nurseries Void Fairways Garden Centre Rugby Road Binley Woods Coventry CV8 3GJ	Variation of condition 15 of R11/0786 to require ventilation details to be agreed before use of café instead of before commencement of development. (Original permission, R11/0786: Redevelopment of Garden Centre including the erection of a new building with open sales area and service yard, car parking, landscaping and associated works.)
<i>R18/0041 Approved 16.02.2018</i>	244 Alwyn Road Bilton Rugby CV22 7RR	Erection of a part two storey part single storey side and a single storey side/rear extension.
<i>R18/0059 Approved 16.02.2018</i>	135 Main Street Thurlaston Rugby CV23 9JS	Replacement of the metal clad roof with a slate roof - (retrospective) - (resubmission of previously approved Planning Application R17/1442).
<i>R18/0158 Approved 16.02.2018</i>	34 Chicory Drive Brownsover Rugby CV23 0UB	Erection of a two storey side extension and provision of hardstanding to the front of the property - (resubmission of previously approved Planning Application R17/1233).
<i>R18/0090 Approved 16.02.2018</i>	6 The Green Dunchurch Rugby CV22 6NX	Proposed residential apartment.

<i>R17/1230 Approved 19.02.2018</i>	Clifton Court Nursing Home Lilbourne Road Clifton upon Dunsmore Rugby CV23 0BB	Formation of an additional parking area consisting of 14 parking spaces and erection of a storage shed.
<i>R18/0037 Approved 18.02.2018</i>	35 North Road Clifton upon Dunsmore CV23 0BN	Proposed two storey side extension (building on top of garage) and single storey rear extension, with a new lean-to pitched roof across the front of the house, and patio to the rear with steps down to the garden.
<i>R17/2065 Approved 20.02.2018</i>	Longbank Hallway Drive Shilton Coventry CV7 9JQ	Erection of a single storey side extension.
<i>R18/0173 Approved 20.02.2018</i>	16 St Marks Avenue Bilton Rugby CV22 7NP	Erection of a car port.
<i>R17/1835 Approved 20.02.2018</i>	Park Court Park Road Rugby CV21 2QZ	Demolition of existing garages and construction of 1 (no) dwelling.
<i>R17/1900 Approved 21.02.2018</i>	Land adjacent to 55 Avondale Road Brandon Coventry CV8 3HS	Demolition of an existing outbuilding and conversion and extension to the existing detached garage to form a detached bungalow.
<i>R18/0155 Approved 21.02.2018</i>	18 Church Close Ryton on Dunsmore CV8 3NH	Proposed replacement of existing conservatory roof with contemporary replica tiled roof.
<i>R17/2050 Approved 22.02.2018</i>	The Warehouse Hunter Street Rugby CV21 3LT	Variation of condition 2 of planning permission Ref R11/0997 dated 20/11/2013 and variation of condition 2 of planning permission Ref R16/1360 dated 26/7/16 for retention of dwellings and to raise the height of them by 800mm.
<i>R18/0028 Approved</i>	9 Coventry Road Marton	Relocate existing roller shutter door to Bay 1 ~1.5m further towards road across forecourt.



23.02.2018	CV23 9RH	Construct steel framework to support roller shutter door and cladding to make extended access secure and waterproof. Create extended horizontal flat standing area ~1.35m in front of relocated door and down ramp at ~10 degrees for ~1.15m in front of that to meet existing forecourt, which has ~3.5 degree slope. The change is required to accommodate modern equipment that meets the latest DVSA requirements for MOT Vehicle Test Centre Class 4, which is the VTS existing use.
<i>R16/0767 Approved 26.02.2018</i>	Pinnacle Care Limited Cherry Trees Residential Home 242 Dunchurch Road Rugby CV22 6HS	Demolition of existing care home and erection of two detached dwellings: to include the alteration of the existing access and provision of a dropped kerb.
<i>R17/1698 Approved 26.02.2018</i>	St Martins Leamington Road Rugby CV23 9PU	Erection of proposed single storey side extension (garage) and new entrance canopy.
<i>R17/1789 Approved 26.02.2018</i>	Brickyard Cottage Monks Kirby Lane Monks Kirby Rugby CV23 0RH	Single storey front/side extension, provision of a pitched roof, other alterations and conversion of garage.
<i>R18/0200 Approved 27.02.2018</i>	31 Elizabeth Way Long Lawford Rugby CV23 9DJ	Erection of a single storey front extension together with a new porch
<i>R17/1518 Approved 27.02.2018</i>	The White House Church Street Churchover Rugby CV23 0EW	Conversion and Extension of Existing Garage and Ancillary Building to Form a Separate Dwelling, and Formation of a New Site Access.
<i>R18/0009 Approved 28.02.2018</i>	28 Orchard Way Rugby CV22 7PS	Erection of single storey front and side extension and dormer windows to front and rear front and rear slope
<i>R18/0118 Approved 28.02.2018</i>	121 Percival Road Hillmorton Rugby CV22 5JX	Erection of a two storey side extension and single storey side/ rear extension

<i>R18/0117 Approved 28.02.2018</i>	61 Pytchley Road Rugby CV22 5NF	Erection of two storey side and rear extension and single storey rear extension
<i>R17/2037 Approved 28.02.2018</i>	Welcome Lodge Main Street Thurlaston Rugby CV23 9JS	Alteration to the window types and change of the use of external material (Resubmission of previously approve scheme under R14/0128 and R14/0555 for the erection of first floor side/rear extension, alterations to front dormer window, erection of rear conservatory, external alterations.)
<i>R18/0202 Approved 01.03.2018</i>	286 Lower Hillmorton Road Hillmorton Rugby CV21 4AE	Erection of a two storey side extension
<i>R17/2110 Approved 01.03.2018</i>	Punch Taverns Land Adjacent to Blacksmith Arms 19 High Street Ryton on Dunsmore CV8 3EY	Erection of 2 dwelling houses and associated works
<i>R17/2000 Approved 01.03.2018</i>	206 Hillmorton Road Rugby CV22 5BB	Erection of two storey side extension and single storey side and rear extensions, porch and changes to existing windows
<i>R18/0089 Approved 01.03.2018</i>	Windy Willows Woodbine Stables Grandborough Fields Road Grandborough Rugby CV23 8BA	Erection of a new equestrian barn.
<i>R18/0084 Approved 01.03.2018</i>	Ground Floor and Basement 36 North Street Rugby CV21 2AL	Alterations to shop frontage of retail unit onto North Street, a new rear entrance to the service yard, an internal alteration and the continued use of the ground floor unit as A1 retail
<i>R18/0112 Approved 02.03.2018</i>	76 High Street Ryton on Dunsmore CV8 3FH	Erection of proposed single storey side and rear extension
<i>R17/2095 Approved 06.03.2018</i>	Lion Farm 48 Rugby Road Rugby	Erection of one detached dwelling with vehicular access from Rugby Road (resubmission of R13/0940 approved on 30th

	CV22 6PW	January 2014)
<i>R18/0066 Approved 06.03.2018</i>	The Air Ambulance Service Trading Limited Hazell House Burnthurst Lane Rugby CV23 9QA	The demolition of existing single storey office/storage buildings and the erection of a single 4 bed residential dwelling and associated carport/annexe
<i>R18/0014 Approved 06.03.2018</i>	16 Prentice Close Rugby CV23 9AQ	Erection of proposed front porch
<i>R18/0212 Approved 07.03.2018</i>	Willowbrook House 19 Main Street Withybrook CV7 9LT	Erection of a two storey and single storey rear extension
<i>R17/2009 Approved 07.03.2018</i>	Keepers Cottage 8 Main Street Bourton on Dunsmore Rugby CV23 9QS	Erection of a single storey side extension and a two storey rear extension
<i>R17/1931 Approved 07.03.2018</i>	Land to rear of Toft Cottage/Toft Annex Toft Lane Dunchurch Rugby CV22 6NR	Proposed new build dwelling (re-submission of R17/0351).
<i>R17/2072 Approved 07.03.2018</i>	The Chopping Block Flecknoe Village Road Flecknoe Rugby CV23 8AU	Construction of a temporary freezer store building.
<b><i>Prior Approval Applications</i></b>		
<i>R18/0115 Prior Approval notification of proposed demolition-not required 16.02.2018</i>	12 Watts Lane Hillmorton Rugby CV21 4PE	Application for prior notification of proposed demolition of dwelling house
<i>R18/0169 Prior Approval not required</i>	18 Dalkeith Avenue Bilton Rugby	Prior notification for a rear extension measuring 6 metres in depth; 3 metres in height to the ridge; and 3 metres in height to the eaves.

19.02.2018	CV22 7NN	
<i>R18/0180 Prior Approval required and granted 21.02.2018</i>	11 Wheatfield Road Bilton Rugby CV22 7LN	Prior Approval for erection of a single storey rear extension: 4m projection from original dwelling, 2.4m eaves height, 3.6m ridge height.
<i>R18/0169 Prior Approval not required 26.02.2018</i>	Grove Farm Straight Mile Frankton Rugby CV23 9QG	Prior notification of intention to convert existing agricultural building to a dwelling house (Class Q (a) only).
<i>R18/0178 Prior notification of proposed demolition not required 26.02.2018</i>	Vacant Industrial Building Former Thomas Hunter Omnia Works (Adjacent to Impact Dance Studio and Rugby Station Surface Car Park) Mill Road Rugby CV21 1AA	Prior notification of proposed demolition of industrial building
<i>R18/0361 Prior notification of agriculture or forestry development not required 06.03.2018</i>	Town Thorns Farm Brinklow Road Rugby CV23 0JE	Prior Notification for the extension of an agricultural building for the purpose of storing straw and feed.
<b>Listed Building Consents</b>		
<i>R18/0201 Listed Building Consent 27.02.2018</i>	The White House Church Street Churchover Rugby CV23 0EW	Alterations to Existing Wall to Form New Site Access - Listed Building Consent
<b>Certificate of Lawful Use or Development</b>		
<i>R18/0343 Certificate of Lawful Use or Development 07.03.2018</i>	24 Hill Crescent Stretton on Dunsmore Rugby CV23 9NF	Certificate of lawfulness- Erection of a rear flat roof dormer
<b>Approval of Details/ Materials</b>		
<i>R16/0163</i>	Top House Farm	Repair and alteration of an existing Listed

<i>Approval of details</i> 16.02.2018	Broadwell Road Grandborough Rugby CV23 8BA	Building to include demolition of an existing conservatory and outbuilding and the erection of a two storey rear extension and a single storey side extension.
<i>R12/1353</i> <i>Approval of details</i> 19.02.2018	Coton House Lutterworth Road Churchover Rugby CV23 0AA	A Hybrid Planning Application seeking Full Planning Permission for the demolition of redundant buildings, alterations to existing access on to A426, change of use and extension of Coton House to form 4 dwellings, construction of garaging to serve Coton House, change of use of stable buildings and extension to form 8 dwellings, change of use of the old dairy and extension to form 1 dwelling, conversion of buildings H, J & K to form 3 dwellings, engineering works to form a noise bund, below ground installation of private sewage treatment plant; and Outline Planning Permission for the provision of a new estate village comprising of the provision of 60 dwellings together with internal access, road layout, car parking, relocation of electricity sub-station, landscaping and open space and 2 bat barns (access and layout to be considered at this stage) (76 dwellings in total).
<i>R17/1760</i> <i>Approval of details</i> 20.02.2018	14 Hillmorton Road Rugby CV22 5DQ	Listed Building Consent for the proposed increase in height of the existing roof of the side extension, other internal and external alterations and the change of use of a C3 residential property to 3 self-contained flats.
<i>R15/2168</i> <i>Approval of details</i> 21.02.2018	Wolvey Fields Farm Main Street Withybrook Coventry CV7 9LX	Redevelopment of site including the demolition of existing buildings and the erection of 3 new dwellings.
<b>Approval of Non Material Changes</b>		
<i>R14/2369</i> <i>Approval of Non Material Changes</i> 15.02.2018	Newbold Farm Main Street Newbold Rugby CV21 1HW	Erection of 6no. dwelling houses together with the conversion and extension of existing barns to provide a further 7no. Dwelling houses with associated garages and car parking.
<i>R17/0702</i> <i>Approval of Non Material Changes</i> 28.02.2018	Development Land adj 115 Murray Road Murray Road Rugby	Demolition of existing storage buildings and construction of 6 new build flats, with access to the highway and parking

<p><i>R16/1786</i>  <i>Approval of Non</i>  <i>Material Changes</i>  <i>28.02.2018</i></p>	<p>Land rear of Bon Ami  Bulkington Road  Wolvey  Hinckley  LE10 3LA</p>	<p>Erection of one new dwelling with associated access and parking.</p>
<p><i>R17/0472</i>  <i>Approval of Non</i>  <i>Material Changes</i>  <i>06.03.2018</i></p>	<p>The Estates Office  Horton Crescent  Rugby  CV22 5DJ</p>	<p>Demolition of the existing estate department building, and ancillary buildings and the erection of a part single, part two and part three storey building comprising school day-houses, 2 (no) dining halls, kitchens, reception area and common rooms.</p>