Notice is hereby given that the Borough Council in pursuance of its powers under the above mentioned Act, as amended and Rules, Orders and Regulations made there under, grants planning permission for the development referred to hereunder subject to the conditions also specified and in accordance with the plans and particulars submitted except insofar as may otherwise be required by the conditions.

APPLICATION NUMBER: R07/0980/R3P
DATE OF APPLICATION: 27/07/2007

ADDRESS OF DEVELOPMENT:
1-10 Hockley Close
Grandborough
Rugby
Warwickshire
CV23 8DW

APPLICANT/AGENT:
Michael Dyson Associates Ltd
West House
Meltham Road
Honley
Holmfirth
West Yorkshire
HD9 6LB

APPLICATION DESCRIPTION:
Demolition of existing houses and garages. Erection of 10 replacement dwellings.

CONDITIONS & REASONS/RELEVANT DEVELOPMENT PLAN POLICIES & PROPOSALS/REASON FOR APPROVAL:

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
This permission shall relate only to the original drawings received by the Local Planning Authority on 24th May 2007 and to the amended layout drawing 6747-(P1)-08/B received by the Local Planning Authority on 10th September 2007.

REASON:
To ensure the details of the development are acceptable to the Local Planning Authority for the avoidance of doubt.
CONDITION: 3

This permission shall be implemented by Rugby Borough Council, or a Registered Social Landlord, and shall not endure for the benefit of the land.

REASON:

The proposal is only acceptable because the application is for the provision of affordable housing.

CONDITION: 4

Before any development is commenced a comprehensive scheme detailing both hard and soft landscaping shall be submitted to and approved by the Local Planning Authority. This scheme shall include planting plans with written specifications, a schedule of plants noting species, plant sizes, numbers and density; finished levels and means of enclosure, together with an implementation programme.

REASON:

In the interests of the visual amenities of the locality.

CONDITION: 5

Full particulars including details of the colour and texture of the materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles, shall be submitted to and approved by the Local Planning Authority before any development is commenced.

REASON:

To ensure a satisfactory external appearance.

CONDITION: 6

The vehicular access to the site shall not be used until it has been constructed to include the following requirements all of which are specified in Transport and Roads for Developments - The Warwickshire Guide 2001 (published by Warwickshire County Council).

a) Each dropped crossing shall have a minimum width of 3.0metres (for a single access) and 5.0 metres (for a shared access with a gradient not steeper than 1 in 10 and hard surfaced for a distance of 7.5 metres from the near edge of the highway footway.

b) Visibility splays for pedestrians have been provided with an "x" distance of 2.0 metres and "y" distances of 2.0 metres as measured from the edges of the access. No structure, erection, trees or shrubs exceeding 0.6 metres in height shall be placed, allowed to grow or be maintained within the visibility splays so defined.

c) The access not reducing the effective capacity of any highway drain and.or ditch, and not allowing surface water to run off the site onto the highway.

d) Gates and barriers opening into the site and not being placed within the vehicular access any closer than 5.5metres from the near edge of the highway carriageway.

REASON:

To ensure the details of the development are satisfactory to the Local Planning Authority in the interests of public and highway safety.

CONDITION: 7

No dwelling shall be occupied until pedestrian and vehicular access has been provided to the satisfaction of the Local Planning Authority.
REASON:
In the interests of public and highway safety.

CONDITION: 8
The development shall not be occupied until the applicant has provided sustainability packs for each household.

REASON:
In the interests of public and highway safety.

CONDITION: 9
The accommodation for car parking shown upon the approved plans shall be provided before the development is occupied and shall be retained permanently for the accommodation of vehicles belonging to the occupiers of the dwellings and shall not be used for any other purpose.

REASON:
In the interests of public and highway safety.

CONDITION: 10
Before the development is commenced full details of the means of foul and surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:
In accordance with the requirements of the Environment Agency.

CONDITION: 11
No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

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

CONDITION: 12
Floor levels of the new dwellings must be set no lower than 80.13m AOD(N).

REASON:
To protect the new dwellings from flooding.

CONDITION: 13
No development approved by this permission shall commence until a scheme for the provision and implementation of a surface water run-off limitation system incorporating the use of SuDS has been submitted to and approved in writing by the local Planning Authority.
REASON

To prevent the increased risk of flooding.

ADOPTED POLICIES:


REASON FOR APPROVAL:

The proposed development would make the efficient and sustainable re-use of an area of previously developed land to provide affordable housing and is in accordance with policies S3, S4, H14 and H21 of the Rugby Borough Local Plan 2006. The proposed development would incorporate a satisfactory access, highway layout and car parking facilities and would not have a significant detrimental impact on the amenities and scale and character of the area and as such would comply with policies GP1, GP3, T3 and T5 of the Rugby Borough Local Plan 2006.

INFORMATIVE 1:

Not less than 28 days notice shall be given to the Warwickshire County Councils Rugby Area Team (telephone: 01926 412515, fax: 01788 833644) before any work is carried out within the limits of the highway verge, footway and carriageway. This shall include for materials and skips which are stored within the highway extents in order that he may carry out inspections and issue permits for which a charge will be made.

INFORMATIVE 2:

Before any improvement works required by this Planning Permission are commenced to the existing highway, the developer shall enter into an agreement under the Highway Act 1980 with the Highway Authority. (Warwickshire County Council).

INFORMATIVE :3

Postal addresses for new properties are arranged through Rugby Borough Council, Transportation Services Section (telephone: 01788 533786, fax: 01788 533728).

INFORMATIVE: 4

For further information regarding Sustainability Packs contact Warwickshire County Council’s Sustainability Project Officer on 01926 412105. These packs currently cost around £35 per pack.

INFORMATIVE : 5

Bats may be present in the buildings. These are a protected species and should they be found or evidence suggesting their occupation be found contact shall be immediately made with the Warwickshire County Council Ecology Unit at Warwickshire Museums on 01926 418060 before continuing with work.

INFORMATIVE: 6

The applicant/developer is advised that before any work is carried out on site, in order to ensure that the construction of approved development schemes adheres to approved plans and complies with requirements of related planning conditions, not less than 7 days notice shall be given to the Rugby Borough Councils Monitoring Officer (telephone: 01788 533725, fax:01788 533778).
INFORMATIVE: 7

The Highway Authority will not consider drawings or inspect works relating to the adoption of highways under Section 38 of the Highways Act 1980, unless all relevant details of the highways concerned have already been approved in writing by the District Planning Authority in consultation with the Highway Authority as required by conditions imposed on the appropriate planning permission under the Town and Country Planning Act 1990. Developers are advised that no consideration of drawings for technical approval will be carried out until the developer has paid the non-returnable sum of £1000 in respect of the technical checks.

INFORMATIVE: 8

The Highway Authority, will not adopt any estate roads until they, together with the means of access to them, have been laid out and constructed in accordance with the principles and standards as set out in ‘Transport and Roads for Developments The Warwickshire Guide 2001 (published by Warwickshire County Council) and any subsequent amendments. An application to enter into a Section 38 Highway Works Agreement should be made to the Development Group, Warwickshire County Council, Environment & Economy Directorate, Shire Hall, Warwick, CV34 4SX. The applicant/developer and LPA are advised the approval of plans for the purposes of the planning permission hereby granted does not constitute an approval of the plans under Section 38 of the Highways Act 1980. Developers are advised that no inspection of highway works being proposed for adoption will be carried out until a Section 38 Agreement has been completed.

INFORMATIVE: 9

Unless the developer has entered into an agreement with the appropriate Sewerage Authority or its agent authority for the adoption, under Section 104 of the Water Industry Act 1991, of all sewers contained or passing within the limits of a highway, the Highway Authority will not complete an agreement to adopt that highway under Section 38 of the Highways Act 1980.

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

PLANNING DEPARTMENT,  
TOWN HALL,  
EVREUX WAY,  
RUGBY,  
CV21 2RR

ANNA E. ROSE Head of Planning and Culture

DATE: 23/07/2008

Important – Please read the notes attached to this form

Full Planning Approval
NOTES

Other Legislation
This decision does not grant any right or approval under other legislation. You will have to apply separately for Building Regulations approval and for consent to undertake works, or place scaffolds, hoardings or skips within the highway.

Appeals to the Secretary of State
If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 0117 372 6372, E-mail: enquiries@planning-inspectorate.gsi.gov.uk, Website: www.planning-inspectorate.gov.uk. The Planning Inspectorate have introduced an online appeals service which you can use to make your appeal online.

You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate will publish details of your appeal on the internet (on the Appeals area of the Planning Portal). This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based its decision on a direction given by him.

Purchase Notices
If either the local planning authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Compensation
In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on reference of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Important Note
Please note that any works carried out without compliance with the conditions attached to this approval will be entirely at the risk of the persons involved and may result in formal actions being taken by the Local Planning Authority.

Additional Note
If you wish to discuss this decision please contact the Planning Department on 01788 533777/788.
If conditions are imposed on this decision notice and a formal discharge of the said conditions are required, each request will be charged at £25.00 and £85.00 respectively.

Extensions and improvements of dwelling house or development within curtilage including walls, fences and other means of enclosure £25.00
Any other development £85.00
The fee will be refundable if written confirmation from the LPA is not received within 12 weeks of the date of receipt.