



20 December 2022

PLANNING COMMITTEE - 11 JANUARY 2023

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 11 January 2023 in the Council Chamber at the Town Hall, Rugby.

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

Mannie Ketley
Chief Executive

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

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Delegated Decisions – 17 November to 14 December 2022.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

Membership of the Committee:

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

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

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

Planning Committee – 11 January 2023

Report of the Chief Officer for Growth and Investment

Applications for Consideration

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Item	Application Ref Number	Location site and description	Page number
1	R22/0171	301 Clifton Road, Rugby CV21 3QZ Change of use of shop to a hot food takeaway, single storey rear and side extension and re-location of existing side door.	3
2	R22/1081	46 Grosvenor Road, Rugby CV21 3LF Proposed change of use of a dwelling to a 7 room HMO including a single storey rear extension and 2 new dormer windows.	19
3	R22/0771	Land opposite Draycote Water, Southam Road, Rugby Outline planning application, with all matters reserved, for the construction of up to 18 no. holiday lodges (identical to scheme previously approved under R18/0829).	32

Reference: R22/0171

Site Address: 301, Clifton Road, Rugby, CV21 3QZ

Description: Change of use of shop to a hot food takeaway, single storey rear and side extension and re-location of existing side door.

Recommendation

1. Planning application R22/0171 be approved subject to:
 - the conditions and informatives set out in the draft decision notice appended to this report.
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1.0 Introduction

- 1.1 The application is being reported to the Planning Committee in accordance with the Scheme of Delegation, as more than 15 letters of objection from households residing in the locality of the application site have been received and Councillor Sue Roodhouse has requested the application be determined by the Planning Committee on the following grounds:
 - Parking near the junction and the proximity of the pedestrian crossing
 - Environmental impact of noise and smell
 - No confirmation of opening hours
- 1.2 The Planning Committee on Wednesday 9th November 2022 voted to defer determining the planning application so that consultation could be undertaken between the Highway Authority, the Local Planning Authority (LPA) and the applicant in regards to mitigation methods to prevent vehicles parking on/close to the crossing on Clifton Road outside the site and to make a request to the applicant to undertake a road safety audit.
- 1.3 In consultation with the Highway Authority, condition 4 is recommended to ensure details for the installation of bollards to prevent vehicular use of the footway between the South Street junction with Clifton Road and the existing pedestrian crossing adjacent to 305 Clifton Road is submitted to and approved by the LPA prior to above ground development commencing. The approved scheme shall be implemented in full prior to the first use as a hot food takeaway. The applicant has agreed to the condition.
- 1.4 The LPA requested the applicant undertake a road safety audit, and the applicant stated that he was happy to follow the expertise of the Highway Authority on the issue. The Highway Authority do not think it is reasonable to ask for a road safety audit to be undertaken at the planning stage given the stage of the application and the relatively minor nature of the works. However, an assessment of risks will be required as part of discharging the condition in relation to the scheme of bollards, which may require a road safety audit. If required, this can be ensured through the provisions of the Highways Act 1980. On this basis, a road safety audit has not been undertaken at this stage.

2.0 Description of site and surrounding area

2.1 The application site is located on Clifton Road, a road connecting Rugby with the village of Clifton Upon Dunsmore but also Houlton and the industrial buildings along Butlers Leap. The property is located on the corner of Clifton Road and South Street with the area predominantly comprising of residential terraced properties. This section of Clifton Road contains a number of small shops and businesses including; The Clifton Inn public house, House of Carpets, Premier - Winfield Supermarket, a barber shop, a kitchen studio and a hair salon. The property itself was previously a bridal store but is currently vacant. A residential flat is located on the first floor. The front and the majority of the side of the building is finished in a cream render whilst the remainder of the side and rear of the property is brick. The surrounding properties vary in materials and finish.

3.0 Description of proposals

3.1 This application seeks full planning permission for the change of use of the shop to a hot food takeaway, a single storey rear and side extension and re-location of the existing side door.

3.2 Currently the shop falls under Use Class E (although vacant) and the proposal is to change the use to a hot food takeaway (Use Class Sui Generis). The hot food takeaway is expected to employ four full-time and two part-time members of staff. To facilitate the operations of the hot food takeaway internal and external alterations are required. In addition, an odour and smoke extraction system has been detailed. A small side/rear extension is proposed which will have dimensions of approximately: width – 1.5 metres, length – 4.7 metres and flat roof height – 2.7 metres. The extension will be constructed out of brick to match existing, will have a single ply membrane flat roof and the half-glazed door will be UPVC. The existing external door on the side elevation facing South Street will be relocated to ensure the flat above has separate access. After internal and external alterations are completed, the ground floor of the building will comprise of the public area where people order, the counter and prep area, a store room, private toilet, food prep area and an attached shed which will be used as a bin store.

3.3 To the rear will be a service yard and space will be made to accommodate four secure undercover visitor cycle spaces and secure undercover cycle spaces for staff. Five car parking spaces are to be assigned to the shop in the existing car park area to the rear of The Clifton Inn, which the applicant owns. Signage will be displayed in the shop to direct customers to the proposed off-street car parking spaces to the rear of The Clifton Inn.

4.0 Relevant planning history

<u>Application Number</u>	<u>Description</u>	<u>Decision</u>	<u>Date</u>
R14/1041	Erection of new shop front shutters	Approved	09/07/2014
R21/0488	Change of use of retail shop (Use Class E(a)) to hot food takeaway (fish & chip shop) (Use Class Sui Generis)	Withdrawn by applicant / agent	08/11/2021

5.0 Relevant Planning Policies and Guidance

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.

Rugby Borough Local Plan 2011-2031 (June 2019)

Policy GP2: Settlement Hierarchy

Policy TC2: Rugby Town Centre – New Retail and Town Centre Uses

Policy HS1: Healthy, Safe and Inclusive Communities

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

Policy SDC1: Sustainable Design

Policy D2: Parking facilities

Supplementary Planning Documents

Air Quality Supplementary Planning Document (July 2021)

National Planning Policy Framework – 2021

Section 6: Building a strong, competitive economy

Section 7: Ensuring the vitality of town centres

Section 8: Promoting healthy and safe communities

Section 9: Promoting sustainable transport

Section 12: Achieving well-designed places

6.0 Technical consultation responses

- 6.1 WCC Highway Authority – has undertaken a full assessment of the planning application. Based on the assessment and appraisal of the development proposals the Highway Authority has no objection to the planning application subject to conditions 5 and 6.

Following the decision to defer determining the planning application, the LPA have consulted with the Highway Authority and the applicant in regard to mitigation methods to prevent vehicles parking on/close to the crossing on the Clifton Road outside the application site. The Highway Authority has suggested condition 4 for the installation of bollards to be approved in writing by the LPA in consultation with the Highway Authority. The condition includes that the approved scheme for the provision of bollards is to be implemented in full prior to the first use as a hot food takeaway. Informative 9 is included for the applicants attention in relation to condition 4.

- 6.2 RBC Environmental Health – initially commented that the planned ventilation and extraction system odour control in principle appears acceptable as to the equipment provided, subject to location, layout and final termination point. Support restricting the hours to those proposed. Recommended that a noise assessment and details of the extraction system layout should be provided prior to determination as it was possible that the impact from the proposed change of use could be too great for reasonable mitigation therefore making the proposed use unacceptable.

Further information was provided in regards to the extraction system but at the time details of the location, layout and final termination point were missing.

Additional information was provided including detailing what Environmental Health had requested. This detailed the location of the extraction systems, provision of two in line and

one split silencer, ESP, odour neutraliser, baffle filters (four stage mixed media filtration system), the fitting of anti-vibration mounts and the jet cowls to the final termination point. The predicted noise breakout from the extraction system is noted. Subject to the system being installed as per the submitted plans and documents, then properly maintained, it is acceptable. Details on noise and odour control as requested for prior determination are now acceptable. Four informative notes (no. 3, 4, 5 and 6) are recommended to be attached to the decision notice.

6.3 RBC Works Services – If the new food business chooses to have a trade waste collection with RBC the bins along with any domestic bins purchased by the developer will need to be presented kerbside on scheduled collection days (informative 7).

6.4 Warwickshire Fire and Rescue – no response received.

7.0 **Third party comments**

7.1 Ward Councillors – representations received from three ward councillors.

Councillor Sue Roodhouse – requested the application be determined by the Planning Committee on the following grounds: parking near the junction and the proximity of the pedestrian crossing, environmental impact of noise and smell and no confirmation of opening hours.

Councillor Sandison – received concerns regarding its vicinity to the pedestrian crossing and potential parking issues. It is also on two walking bus / go to school routes to St Andrew's Benn Primary School and Eastlands Primary School via Winfield Recreation Ground.

Councillor Jerry Roodhouse – registered the following concerns:

- Traffic at the junction of South Street and proximity of the pedestrian crossing, no vehicle should be stopping. Safety for pedestrians is a key issue.
- What enforcement can take place if the vehicles using this do not use the alternative car park?
- Not clear on cycle racks or waste / environmental standards either such as littering.
- Hours of operation not stated.
- Low noise and smell filters needed as close to residential properties.
- Concerns on public health grounds as we should be encouraging healthy eating.
- Proximity of other fish and chip shop on Lower Hillmorton Road.

7.2 Neighbours – Neighbours notified during two consultation periods and a site notice displayed with 32 household objections and a petition with 149 signatures in support of the application received.

Summary of the objections received:

- Car parking spaces at the Clifton Inn is not appropriate or realistic as people who want to collect a takeaway will not walk 100+ yards. Will lead to people parking illegally adjacent to the junction of South Road or adjacent to the Clifton Road pedestrian crossing or on the already oversubscribed residential parking in South Street.

- Will result in illegal parking and the associated safety risks attached to this for pedestrians and vehicle users.
- Lack of residential parking already.
- Increase demand for parking over the former use.
- Insufficient parking to support a food takeaway.
- Concerns with delivery vehicle parking.
- Increase in traffic and the associated safety issues.
- Poor visibility at the junction to Clifton Road from South Street
- Through traffic along South Street
- Would result in an undesirable deterioration of character and loss of amenities to the area by reasons of increased vehicular activity associated with fast-food and takeaways.
- Noise generated from the increase of traffic and people.
- Noise generated from the operation of the takeaway.
- Noise nuisance from customers of the takeaway.
- Noise from the extraction system.
- The smell and odour generated from the business would affect quality of life.
- No indication where the extractors and filters are going to be situated.
- How can the filters realistically omit all the smells from the takeaway?
- Air pollution from increased vehicles
- Increased litter and the associated problems.
- Inadequate bin provision.
- Reduce the value of neighbouring properties.
- No indication of trading hours. Late night takeaway traffic will have a detrimental impact on the area.
- Proposed opening hours will result in both noise and light pollution
- Two planning applications from the 1980s at 303 Clifton Road for the use as a fish and chip shop were refused due to a lack of off-street car parking and too near to neighbouring dwellings. Application in 2000 at 315-317 Clifton Road for a fish and chip shop was also refused and appeal dismissed.
- Extension to the rear will restrict light to the rear of our property and light is already very limited.
- Antisocial behaviour
- There are already several hot food takeaways in walking distance/short drive away.
- Introduction of another unhealthy food establishment will likely compound health problems. Close proximity to a local primary school, the park, Rugby Football Club and a bus stop used by school children.
- Placement opposite a park means it will likely become an attraction for young people who need a healthy balanced diet.
- Approving the application would not be in line with the government's commitment to reducing the promotion and access to fat food and unhealthy choices.

8.0 **Assessment of proposals**

8.1 The main considerations in respect of this application are as follows:

9. Principle of Development;
10. Character and Design;
11. Impact on Residential Amenity;
12. Air Quality, Odours, Noise and Litter;
13. Impact upon Healthy Lifestyles;
14. Highway Safety and Parking;
15. Conclusion and Recommendation.

9.0 Principle of Development

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

9.2 The application site is located within Rugby town as defined by Policy GP2. Rugby town is the main focus for all development in the Borough. Development is permitted within existing boundaries and as part of allocated Sustainable Urban Extensions.

9.3 Section 6, paragraph 81 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. Policy TC2 states that in order in order to sustain and enhance the vitality and viability of the town centre, new proposals for meeting the retail floor space requirements will be permitted firstly within the Primary Shopping Area, and for other main town centre uses within Rugby Town Centre boundary, followed by Edge-of-Centre locations, then Out-of-Centre sites that are in accessible locations. Section 7 of the NPPF similarly sets out the hierarchy for main town centre uses. In this case, the proposal is for a Sui Generis use and therefore it will not contribute towards meeting the retail floorspace requirement in the town centre as per Policy TC2. Currently the ground floor retail unit is vacant with shutters down from its previous occupancy as a bridal store. The proposal will bring a vacant unit back into use which will support economic growth and provide employment opportunities.

9.4 The application is therefore considered to be in accordance with Policy GP2 and TC2 of the Local Plan and Section 6 and 7 of the NPPF.

10.0 Character and Design

10.1 Policy SDC1 in the Local Plan states that development should demonstrate high quality, inclusive and sustainable design and that proposals will only be supported where the scale, density and design responds to the character of the area in which they are situated. Factors including the massing, height, landscape, layout, materials and access are a key consideration in the determination of planning applications.

10.2 Section 12, paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 126 further states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

- 10.3 The application proposes a minor extension to side/rear of the property with the majority of the works to be internal to accommodate the layout of the proposed use. The extension will essentially in-fill the area between the existing side wall of the property and the boundary wall at No. 303 Clifton Road, it will not project beyond the furthest projecting rear wall. The extension will be constructed out of matching bricks and will have a single ply membrane flat roof (secured by condition 3). The relocation of the existing side door will not have a material impact on the streetscene. Overall, the extension and the external alterations are considered to be acceptable and will not have an adverse impact on the character and appearance of the area.
- 10.4 To the rear, two galvanised mild steel PPC black finished flues are proposed which are part of the odour and smoke extraction system. The flues will project above the eaves of the building by approximately 1 metre to ensure the system works efficiently. Whilst vantage points of the flues will be visible along South Street, it is considered that the benefits of the extraction system outweighs the minimal harm to the streetscene. Furthermore, the LPA requested the flues be black to minimise harm.
- 10.5 If planning permission is granted, any new signage on the front of the shop may require advertisement consent. Informative 8 is recommended to make the applicant aware.
- 10.6 It is considered that the application is in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.
- 11.0 Impact on Residential Amenity
- 11.1 Policy SDC1 in the Local Plan states that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.
- 11.2 Section 12, paragraph 130 (f) of the NPPF states decisions should ensure developments provide a high standard of amenity for existing and future users.
- 11.3 This section of the report will only assess the impact the extension and external alterations will have on the amenity of nearby residential properties. Air quality, odour, noise and litter will be assessed in the next section of the report.
- 11.4 A 45-degree guideline drawn from the midpoint of the closest window at No. 303 Clifton Road shows that the extension severely crosses the guideline. However, in this case the extension is considered to cause minimal additional loss of light to the adjoining property over and above the existing situation. This is because the existing building already severely crosses the 45-degree guideline and when considering the orientation of the properties and the sun path, the rear of No. 303 Clifton Road already receives very little light. Furthermore, the extension has been designed with a flat roof to limit its impact. The extension will have no side facing windows and it is considered that the proposed door on the rear elevation will not cause any significant overlooking over and above the existing windows on the side and rear elevations. The rear extension will not cause any loss of light or privacy to any other neighbouring property.
- 11.5 Relocating the existing door on the side elevation of the building will not materially impact any surrounding properties residential amenity.

- 11.6 It is considered that the application is in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.
- 12.0 Air Quality, Odours, Noise and Litter
- 12.1 Policy HS5 states that development of more than 1,000 sqm of floorspace or any development within the Air Quality Management Area that generates new floorspace must achieve or exceed air quality neutral standards or address the impacts of poor air quality by mitigating their effects. The Council seeks to reduce air pollution in order to contribute to achieving national air quality objectives.
- 12.2 It is acknowledged that this application only generates a very small amount of new floorspace as a result of the proposed extension. The extension will have a minimal impact on the Air Quality Management Area. There will be a material increase of emissions linked to the proposed use compared with the previous use as a result of vehicular generated visits to the site. The takeaway will be situated in a residential area and should serve the local community. It would be unknown how many of the potential customers would travel to the takeaway by car, by bicycle or by walking to the site. The applicant is encouraging sustainable transport methods by providing cycle spaces for customers and staff. Environmental Health were consulted on the application and did not raise any air quality concerns. Informative 1 is recommended which identifies various initiatives which assist in reducing the impact upon the Air Quality Management Area.
- 12.3 The proposed hot food takeaway will result in odours and smoke, it is not achievable to eliminate all odours and smoke, but it is possible to effectively mitigate against them to protect the amenities of the surrounding residential properties as far as possible. Details of the odour and smoke extraction system has been submitted. The location of the extraction systems, provision of two in line and one split silencer, electrostatic precipitator (ESP), odour neutraliser, baffle filters (four stage mixed media filtration system), the fitting of anti-vibration mounts and the jet cowls to the final termination point have been detailed. The benefit of a jet cowl is that it expels air vertically rather than laterally which decreases the probability that fumes will be a nuisance to surrounding properties. A four stage mixed media filtration system and odour neutraliser is proposed which is an odour eliminating unit designed to release an odour neutralising chemical into the air and combines odour neutralising agents with materials that apparently impart a pleasant scent to the air. An ESP is a unit specifically designed for kitchen extract systems as they have integral sumps to collect the oil, grease and smoke particles filtered out of the exhaust. The equipment proposed will be used whilst the premises is operational. If the equipment is fully operational and properly maintained then Environmental Health consider that the equipment proposed is acceptable. It is therefore considered that the equipment detailed will effectively mitigate against smoke and odours to ensure nearby residential properties will not be significantly impacted. Noise breakout from the extraction system was noted by Environmental Health and it is therefore considered that noise levels will be effectively reduced by the silencers. Condition 7 is recommended to ensure the extraction system proposed is installed and functional prior to the hot food takeaway use commencing and to ensure the system is operational when the takeaway is open.
- 12.4 Hot food takeaways generate other noises such as from customers. Given the residential setting of the proposed takeaway, it is considered appropriate to impose a condition (condition 9) to restrict opening hours in line with the proposed opening hours (Monday to Saturday 11 am – 11pm and Sunday and Bank Holidays 2pm – 8pm). Restricting the

hours to those above will ensure the takeaway will not generate noise at inappropriate times to protect the amenities of the nearby properties.

- 12.5 A takeaway will generate waste from its operation (food preparation) and from its customers. Controlling the waste generated by the food preparation process is easier to control than waste generated by the customers. The floor plans show a bin storage area in the existing shed to the rear which will be used by the business. RBC Works Services team have commented that if the business chooses to have trade waste collected by the Council then the bins along with any other domestic bins need to be presented kerbside on collection days.
- 12.6 In terms of waste generated from the customers and the concerns surrounding littering, this is harder to control as it is ultimately the choice the customer makes. However, the takeaway can encourage proper disposal, although it is realised that the majority of the waste will need to be disposed off-site by the customer. Condition 8 is recommended so that prior to the first use of the takeaway a litter management scheme shall be submitted to and approved in writing by the LPA which should include details on the regularity of litter picking, existing and proposed bin provision and associated signage.
- 12.7 The application is considered to be in accordance with Policy HS5 of the Local Plan.
- 13.0 Impact upon Healthy Lifestyles
- 13.1 As part of Policy HS1, support will be given to proposals which seek to encourage healthy lifestyles by providing opportunities for formal and informal physical activity, exercise, recreation and play and, where possible, healthy diets. Section 8, paragraph 92c of the NPPF similarly also states that planning decisions should enable and support healthy lifestyles.
- 13.2 The location of the proposed takeaway opposite Whinfield Recreation Ground and in close proximity to two primary schools is noted. It is acknowledged that the majority of food offered by hot food takeaways is not deemed to be healthy. However, due to the small-scale nature of this development with only one unit offering takeaway food this will have a limited impact on the overall role in creating and maintaining healthy, safe and inclusive communities. Ultimately people have a choice in what they eat and drink and decide their own diets. With the wide range of access available to unhealthy foods, it is considered unreasonable to refuse the application on this point as this takeaway will only contribute a very minor amount to the diets of the local community. Overall, this consideration carries little weight in the overall assessment.
- 13.3 The application is considered to be in accordance with Policy HS1 of the Local Plan and Section 8 of the NPPF.
- 14.0 Highway Safety and Parking
- 14.1 Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motor cycles, cycles and for people with disabilities (or impaired mobility), based on the Borough Council's Standards.

- 14.2 Section 9, paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 14.3 The gross floorspace area of the building, including the proposed extension, is approximately 80 square metres. In accordance with the parking standards contained within appendix 5 of the Local Plan, 16 car parking spaces, 4 visitor cycle spaces and 2 staff cycle spaces should be provided.
- 14.4 To the rear of the building, four undercover secure visitor cycle spaces are proposed in addition to the secure undercover cycle storage for staff. The application therefore complies with this part of Policy D2.
- 14.5 In terms of vehicular parking, five spaces are proposed in the existing car park to the rear of The Clifton Inn. An assessment has to be made as to whether these spaces are adequate and satisfactory. Although the number of spaces proposed does not meet the advised parking standards within the Local Plan, it is considered on balance that the hot food takeaway will have adequate and satisfactory parking available.
- 14.6 Many objections received raised issue with the proposed parking arrangement to the rear of The Clifton Inn as they believe the spaces will not realistically be used given the use as a takeaway and the distance the parking is from the shop. The objections believe that the takeaway will result in customers parking illegally whether this be on the zigzag lines or on the crossing outside the shop or on other parts of Clifton Road and South Street and the resulting highway safety issues in regards to other road users and pedestrians. The distance to the proposed spaces at The Clifton Inn from the shop entrance is approximately 130 metres. The case officer undertook a timed leisurely walk from the shop to the proposed spaces at The Clifton Inn and it took approximately 1 minute 30 seconds. The proposed car parking spaces at The Clifton Inn is considered to be reasonable and acceptable for customers and delivery drivers of the takeaway. The hot food takeaway should serve the local community with many within walking or cycling distance, who may utilise the visitor cycle spaces to be provided, which reduces the reliance of the need to travel by car. On-street car parking is available to supplement the car parking spaces at The Clifton Inn.
- 14.7 WCC Highway Authority has undertaken an assessment of the application and have no objection subject to conditions and therefore it can be determined that the Highway Authority consider the proposal will not have a significant impact on highway safety and operation. The NPPF states that applications should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe which the Highway Authority consider not to be the case. Following deferment of the application from November's Planning Committee, condition 4 has been agreed for a scheme of bollards on Clifton Road between the junction at South Street and the pedestrian crossing adjacent to No. 305 Clifton Road to be submitted to and approved in writing by the LPA in consultation with the Highway Authority prior to above ground development commencing. The approved scheme must be implemented prior to the first use as a hot food takeaway. The installation of bollards in addition to the existing Traffic Regulation Orders on/close to the crossing outside the application site should prevent customers parking illegally outside the proposed takeaway.

14.8 Although the merits of the objector's comments are appreciable, it is important to note that the existing shop falls under Use Class E and therefore can be operated as anything that falls under Use Class E without the need for planning permission. The site has no off-street car parking and therefore the ground floor space could be converted to a convenience store, for example, without requiring planning permission and have no customer car parking available. Although, in this case the applicant is not providing any off-street car parking on the site of 301 Clifton Road, presumably due to the constraints of the site and the fact that any off-street car parking on the site would remove the on-street car parking capacity, the parking arrangement at The Clifton Inn is considered to be the best alternative.

14.9 On balance, the application is considered to be in accordance with Policy D2 of the Local Plan and Section 9 of the NPPF.

15.0 Conclusion and Recommendation

15.1 The site is located within the most sustainable location in the borough. The proposal will bring a vacant unit into use which will support economic growth and provide employment opportunities. The proposed extension and external alterations will not adversely impact the streetscene and will have little adverse impact on the amenities of the adjoining properties. An extraction system has been detailed which is considered to be acceptable to protect the surrounding neighbours from odours and smoke as far as possible. Restricting opening hours will ensure the takeaway does not generate noise at inappropriate times to protect the amenities of nearby residential properties. Although no car parking spaces are proposed on the site of the proposed takeaway, it is considered that the car parking spaces at The Clifton Inn are acceptable in addition to the cycle spaces proposed. The proposal is judged not significantly impact highway safety and operation and the condition securing the installation of bollards on Clifton Road further mitigates any concerns.

15.2 On balance, it is concluded that the proposal constitutes sustainable development. It complies with the Development Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that planning permission should be approved.

15.3 **Recommendation**

1. Planning application R22/0171 be approved subject to:
 - the conditions and informatives set out in the draft decision notice appended to this report.
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R22/0171

DATE APPLICATION VALID:
06-Mar-2022

APPLICANT:
SINGH 319-323 CLIFTON ROAD, RUGBY, CV21 3QZ

AGENT:
REBECCA WALKER, Chapman Design LLP, Lelleford house, Coventry road, Coventry road, Rugby, CV23 9DT

ADDRESS OF DEVELOPMENT:
301, Clifton Road, Rugby, CV21 3QZ

APPLICATION DESCRIPTION:
Change of use of shop to a hot food takeaway, single storey rear and side extension and re-location of existing side door.

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

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

REASON 1:

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

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

Application form received by the Council on 25th February 2022.

Site location plan (Drawing no. 3986-LP) received by the Council on 25th February 2022.

Existing ground floor plan (Drawing no. 3986-01) received by the Council on 25th February 2022.

Proposed ground floor plan (Drawing no. 3986-02 Revision C) received by the Council on 23rd August 2022.

Existing and proposed elevations (Drawing no. 3986-03) received by the Council on 23rd August 2022.

Existing and proposed elevations (Drawing no. 3986-04 Revision B) received by the Council on 21st October 2022.

Existing and proposed elevations (Drawing no. 3986-05 Revision B) received by the Council on 21st October 2022.

Proposed site plan (Drawing no. 3986-06) received by the Council on 25th February 2022.

AA Catering Equipment Services Ltd letter, dated 20/05/2022, reference: 301 Clifton Rd Rugby received by the Council on 22nd July 2022.

Cylindrical cased axial flow fans document received by the Council on 22nd July 2022.

Our ESP Range document received by the Council on 14th June 2022.

Electrostatic Precipitation (ESP) Filter Unit Technical and Operations Manual received by the Council on 14th June 2022.

O.N.100 Odour Neutraliser Technical and Operations Manual received by the Council on 14th June 2022.

ON100 technical sheets received by the Council on 14th June 2022.

AA Catering Equipment Acoustics document received by the Council on 14th June 2022.

Letter re 301 Clifton Road, Rugby opening hours dated 08/04/2022 received by the Council on 11th April 2022.

REASON 2:

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

CONDITION 3:

The facing materials to be used on the external walls and roof of the proposed extension shall be as specified on the application form received by the Council on 25th February 2022 and on drawings existing and proposed elevations (Drawing no. 3986-04 Revision B) received by the Council on 21st October 2022 and existing and proposed elevations (Drawing no. 3986-05 Revision B) received by the Council on 21st October 2022.

REASON 3:

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

CONDITION 4:

No above ground development shall commence until details for the installation of bollards to prevent vehicular use of the footway on the public highway C213 Clifton Road between its junction with D3238 South Street and the existing pedestrian crossing adjacent to 305 Clifton Road is submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved scheme shall be implemented in full prior to the first use as a hot food takeaway.

REASON 4:

In the interests of highway safety and operation.

CONDITION 5:

The proposed use as a hot food takeaway shall not commence until space has been provided and marked out within the site for the parking of five cars in general accordance with drawing number 3986-06, received by the Council on 25th February 2022. The car parking spaces shall thereafter be kept clear of obstructions and available for the use of customers and staff at all times when the proposed use is open for customers.

REASON 5:

In the interests of highway safety and operation and to ensure satisfactory parking facilities.

CONDITION 6:

The proposed use as a hot food takeaway shall not commence until directional signage has been provided and displayed within the application site to direct customers to the proposed off-street car parking spaces, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The approved directional signage shall be displayed at all times.

REASON 6:

In the interests of highway safety and operation and to ensure satisfactory parking facilities.

CONDITION 7:

The proposed use as a hot food takeaway shall not commence until the extraction system as shown on the proposed ground floor plan (Drawing no. 3986-02 Revision C) received by the Council on 23rd August 2022; existing and proposed elevations (Drawing no. 3986-04 Revision B) received by the Council on 21st October 2022; existing and proposed elevations (Drawing no. 3986-05 Revision B) received by the Council on 21st October 2022; and as detailed within AA Catering Equipment Services Ltd letter, dated 20/05/2022, reference: 301 Clifton Rd Rugby received by the Council on 22nd July 2022; Cylindrical cased axial flow fans document received by the Council on 22nd July 2022; Our ESP Range document received by the Council on 14th June 2022; Electrostatic Precipitation (ESP) Filter Unit Technical and Operations Manual received by the Council on 14th June 2022; O.N.100 Odour Neutraliser Technical and Operations Manual received by the Council on 14th June 2022; ON100 technical sheets received by the Council on 14th June 2022; and AA Catering Equipment Acoustics document received by the Council on 14th June 2022 has been installed and is functional. The extraction system must be operational when the hot food takeaway is open.

REASON 7:

To protect the amenity of nearby properties.

CONDITION 8:

The proposed use as a hot food takeaway shall not commence until a litter management scheme has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be complied with thereafter. Such details shall include the regularity of litter picking, existing and proposed bin provision and associated signage.

REASON 8:

In the interests of the general amenity of the area.

CONDITION 9:

The premises shall not be opened for business other than between the hours of 11am to 11pm Monday to Saturday and between the hours of 2pm to 8pm on Sunday and Bank Holidays.

REASON 9:

To protect the amenity of nearby properties.

INFORMATIVE 1:

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

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

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

INFORMATIVE 2:

The applicant is advised to ensure proper maintenance of the extraction system approved in line with the manufacturer's guide and the maintenance section of AA Catering Equipment Services

Ltd letter, dated 20/05/2022, reference: 301 Clifton Rd Rugby received by the Council on 22nd July 2022.

INFORMATIVE 3:

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE 4:

Prior to opening, the food business operator should register their business with the Council's Commercial Regulation Team to comply with relevant food safety legislation. For further information please email fs@rugby.gov.uk.

INFORMATIVE 5:

The grant of planning permission does not preclude action begin administered by Rugby Borough Council or a third party by way of relevant environmental legislation, should complaints about excessive noise or other site operations be received and investigated.

INFORMATIVE 6:

This development will be subject to separate enforcement regimes including, but not limited to, the Housing Act 2004, building regulations and Council's Standards of Amenity. Advice should be sought from Housing Enforcement on (01788) 533857 prior to any work commencing.

INFORMATIVE 7:

If the new food business chooses to have a trade waste collection with Rugby Borough Council the bins along with any domestic bins purchased by the developer will need to be presented kerbside on scheduled collection days.

INFORMATIVE 8:

Notwithstanding the details of signage on any of the approved plans and elevations, this planning permission does not grant advertisement consent.

INFORMATIVE 9:

Condition number 4 requires works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

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

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

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

DRAFT

Reference: R22/1081

Site Address: 46 , Grosvenor Road, Rugby, Warwickshire, CV21 3LF

Description: PROPOSED CHANGE OF USE OF A DWELLING TO A 7 ROOM HMO, INCLUDING A SINGLE STOREY REAR EXTENSION AND 2 NEW DORMER WINDOWS

Recommendation

1. Planning application R22/1961 be approved subject to:
 - the conditions and informatives set out in the draft decision notice appended to this report
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice

This application is being reported to Planning Committee for determination because the proposed development has been called to Committee by Councillor Harrington following concerns regarding the number of HMOs in the street, anti-social behaviour, there not being enough facilities for existing residents in relation to parking and house prices.

1. Description of site

1.1. The application property is a two-storey mid-terrace within Grosvenor Road. It is located within Rugby Town. The street is subject to on street resident parking. The street scene consists of mostly two storey terraced dwellings. The application site is located 0.6 kilometres from the train station and approximately 0.7 kilometres from the town centre. The street has a mixture of single-dwellings, flats and HMO's.

2. Description of proposals

2.1. This application seeks full planning permission for the change of use of a 3 bedroomed dwelling (C3) into a 7 person House in Multiple Occupation (HMO) including a 'L' shape rear dormer, 2 x rooflights and a single-storey rear extension. The accommodation would comprise 6 bedrooms and a communal kitchen/living area. The proposal also includes secure cycle storage and bin storage within the rear garden.

2.2. The Town and Country Planning (Use Classes) (Amendment)(England) Regulations 2020 allows for residential dwelling houses within Use Class C3 to be converted into a HMO (C4) under permitted development rights so long as there are six or fewer residents living there. This application seeks 7 occupants therefore planning permission is required.

2.3 The proposed 'L' shape rear dormer would be located on both the main roof plane and the roof plane of the outrigger rear projection. The dormer would be approximately 2.7 metres in height and 3.2 metres deep and would take up most of both the rear roof planes. A similar dormer has been constructed at no 50 Grosvenor Road. There would be one window on the dormer attached to the main roof plane, 2 obscurely glazed windows on the side elevation of the rear outrigger and a plain glazed window on the end of the dormer which would face south-east

towards the rears of the dwellings on Claremont Road. The roof space would be able to accommodate 2 bedrooms (with en-suites) with the inclusion of the dormers. Two 'Velux' style rooflights are proposed on the front roof plane facing the street.

2.4 The single-storey rear extension would replace an existing lean-to and provide additional floor area within the communal kitchen/seating area. The extension would partially in-fill the area between the rear part of the dwelling and the rear projection and would be approximately 1.7 metres wide with a flat roof measuring approximately 3.2 metres (which accommodates a light lantern) with an overall depth of 5.2 metres.

2.5 A cycle store and bin store are both proposed within the rear garden. The bin store would provide capacity for 3 recycling bins and 3 waste bins within a timber purpose-built storage area approximately 4.2 metres in length and 1.2 metres in height. The cycle store comprises a concrete slab with 10 'D' bars bolted into a concrete slab. The cycle store will be covered with a polycarbonate roof with an overall height of 2.2 metres and a length of 5.4 metres.

3. Planning History

3.1 None relevant in relation to development within this property.

3.2 RBC HMO Register 2022 has 191 licenced HMO premises within the Borough, the following 7 are licenced within Grosvenor Road;

4 Grosvenor Rd -permitted occupants - 6

7 Grosvenor Rd, permitted occupants - 8

52 Grosvenor Rd -permitted occupants - 8

75 Grosvenor Rd – permitted occupants - 5

90 Grosvenor Rd – permitted occupants - 6

95 Grosvenor Rd – permitted occupants - 6

111 Grosvenor Rd -permitted occupants - 5

4. Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development

GP2: Settlement Hierarchy

HS5: Traffic Generation and Air Quality

NE1: Protecting Designated Biodiversity and geodiversity Assets

SDC1: Sustainable Design

D2: Parking Facilities

National Planning Policy Framework, 2021 (NPPF)

Section 2: Achieving Sustainable Design

Section 9: Promoting Sustainable Transport

Section 12: Achieving well-designed places

Supplementary Planning Documents and other reports

Sustainable Design and Construction, 2012

Air Quality, 2021

National Design Guide, 2019

5. **Technical consultation responses**

No comments received from:

- Warwickshire Fire and Rescue
- RBC Work Services

No objections received from:

- WCC Highways
- RBC Environmental Health
- RBC Private Sector Housing

6. **Third party comments**

Councillor Harrington objected to the application in regard to:

- Not enough facilities for current residents including parking
- Significant number of HMOs within this particular street in Benn Ward
- Issues with litter/bins
- reduces house prices for hard working families
- Could cause anti-social behaviour

11 letters of objection received from 11 different addresses were received which raised the following:

- Degradation of area - too many HMOs causing families to move out
- Loss of community /breakdown of social cohesion
- Rubbish and litter
- Lack of parking
- Disabled bays are being used by non-disabled persons when no other spaces are available
- Parking on double yellow lines causes hazards
- 9 HMO's already in the street
- Potential stress on doctor surgery with more residents
- Constant building work
- Property values decreasing
- Noise pollution

7.0 **Assessment of proposals**

7.1 The key issues to assess in the determination of this application are:

- Principle of development
- Impact upon the character of the area
- Impact upon residential amenity
- Impact upon highway safety
- Ecology
- Air quality
- Other matters

8. Principle of development

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

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

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

8.4. This application is therefore considered to comply with Policy GP2 of the Local Plan. The principle of development is therefore considered to be acceptable subject to the detailed assessments below and all other material planning considerations

9. Impact upon character of the area

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

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

9.3. RBC Public Register of licenced HMOs (October) 2022 lists 191 licenced HMOs within the Borough, 7 of which are within Grosvenor Road. The application property is not currently registered. This alongside the side visit confirms that the property is not being used as a HMO currently and as such, still benefits from permitted development rights associated with the residential use of the property.

9.4. Both the single-storey rear extension and the dormer extension would be 'permitted development' in size and should the property remain in use as a single-dwelling, planning permission would not be required for either development.

9.5. Neither the proposed rear extension nor dormer would be viewable from the public realm due to their positioning at the rear of the building. As the dwelling is mid-terrace, the rear of which is not easily viewed from any vantage points on nearby streets and in this regard, there would be no harm caused to visual amenity. The rooflights to the front would be flush with the front roof plane and have no discernible impact on the character or appearance of the dwelling within the street scene. The proposed extension seeks to use the similar materials as the existing dwelling with the dormer cheeks clad in tile to match which would be conditioned accordingly (**Condition 3**).

9.6. The external amenity space to the rear is to be unaltered and retained for use by the occupiers and there would be no alteration to boundaries treatments and therefore no change to how to property is perceived within the streetscene.

9.7. Overall, it is considered that the proposed works would complement the character of the existing dwelling and the wider street scene. The application is therefore considered to be in accordance with Policy SDC1 of the Local Plan and Section 12 of the NPPF.

10. Impact upon residential amenity

10.1. Policy SC1 of the Local Plan seeks to safeguard the living conditions of existing and future neighbouring occupiers. Section 12 of the National Planning Policy Framework states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. Paragraph 123 of the National Design Guide seeks the provision of good quality internal and external environments for users of buildings

10.2. The proposal seeks occupation for 7 people within the property. The proposed room sizes comply with national space standards for this type of accommodation. Although the bedroom sizes are of generous proportions, the applicant has verbally stated that he does not take couples and all bedrooms would be single occupancy only. The number of persons occupying the HMO can be secured through an appropriately worded condition **(Condition 6)**

10.3. In terms of the impact on neighbouring residents in relation to the physical alterations of the property through the proposed extensions, the rear dormer would be approximately 30 metres from the rear elevations of the properties on Claremont Road which is to the south-west of the site. The proposed window on the rear of the dormer on the outrigger projection would be no closer to these dwellings than the existing windows on the first floor. Due to the distance between the dwellings, it is considered that there would be no adverse overlooking impact in relation to this new window. Windows on the side elevation of the proposed dormer are to be obscurely glazed which would prevent potential overlooking into the side windows of the adjacent property (no 48 Grosvenor Road). This can be conditioned to ensure compliance **(condition 4)**.

10.4. The application provides external amenity space for the future occupiers to the rear of the property with access to the rear garden through the communal areas. Within the rear garden is a designated bin storage area and cycle storage sufficient for residents and visitors. The provision of which can be secured by condition to ensure they are available prior to first occupation of the HMO **(condition 5)**.

10.5. As the property benefits from an 'entry' between itself and no 44 Grosvenor Road, bins can be brought out onto kerbside for collection on the requisite day without having to be manoeuvred through the property itself. Good management of the property will ensure that the bins are then brought back into the storage area once the collections have been made which would prevent potential nuisance through pedestrian hazard.

10.6. Although the change of use to an HMO, albeit potentially increasing the number of residents to the property, given that a smaller HMO accommodating up to 6 unrelated occupants would not require planning permission for the change of use, or that the property could be occupied by a large family as a single dwelling - the proposal for a 7 person HMO would not

substantially increase the comings and goings from its residents with no material difference in terms of noise disturbance than other residential uses which would not require permission.

10.7. Comments have been received relating to the numbers of HMOs within Grosvenor Road itself. Although it is noted that residents are concerned with changes within the street in terms of residential uses, the use of the property as an HMO remains within a residential function providing a sustainably located home and provides affordable accommodation where there is housing need. As previously outlined, the Public Register lists 7 other HMOs licenced within Grosvenor Road. There are 186 separate addresses within Grosvenor Road and 7 HMOs within the street equates to approximately 3.76%. An increase of 1 additional HMO would equate to 4.3% of the street in use for registered HMO housing.

10.8. Overall, the proposed scheme accords with Policy SDC1 of the Rugby Local Plan and Section 12 of the National Planning Policy Framework and paragraph 123 of the National Design Guide.

11. Impact upon highway safety

11.1. Policy D2 of the Local Plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities including provision for motorcycles, cycles and for people with disabilities, based on the Borough Council's Standards.

11.2. Paragraph 111 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

11.3. Objections have been received in relation to the number of HMOs in the area and the impact this has on the amount of traffic and parking availability.

11.4. WCC Highways were consulted and have undertaken a full assessment of the application. They have no objections to the application and do not consider that there would be a material increase to the vehicular trip generation at the site.

11.5. It is acknowledged that the proposed use of the property may increase the number of occupants with associated vehicles. WCC Highways have confirmed that the number of residential parking permits which may be applied for and potentially granted for the address would be limited to 3 with an additional visitor permit. The parking restrictions in the area apply between 8am and 8pm Monday – Saturday.

11.6. Parking standards outlined in the Local Plan states that Houses of Multiple Occupancy will each be considered on its own merits. Given the location, accessibility to public transport, the close proximity to the town centre, and also the proposed provision for safe and secure cycle parking within the rear garden, this is considered acceptable.

11.7. It is therefore considered that on balance this application would not warrant refusal on highways grounds and that this proposal complies with Policy D2.

11.8. In regard to non-disabled car owners using disabled parking bays this appears to be an existing problem and not one that would be caused or exacerbated by the proposal. If such instances occur, they should be reported to WCC Parking Enforcement without delay.

12. Ecology

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

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

12.3. The building appears to be well-sealed with concrete interlocking tiles and no obvious gaps beneath ridge tiles or to the gable end mortar.

12.4. It is considered that the development has low potential for protected species and therefore is considered acceptable subject to informatives relating to bats and bird nesting.

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

13. Air Quality

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

13.2. The Local Plan defines Air Quality Neutral as “emissions from the development proposal being no worse, if not better, than those associated with the previous use.” It is recognised that the current proposal increases floorspace within the Air Quality Management Area and as such policy HS5 is relevant.

13.3. Given the increase in rooms and relocation of the kitchen it is considered appropriate to recommend the air quality neutral / mitigation condition in case additional gas boilers are to be provided. The change of use is from residential to HMO so the sensitivity of the receptors remains the same, in terms of land subject to contamination considerations, the proposal does not involve a significant increase in emissions that materially affects the AQMA compared with the existing use, the proposal is considered to achieve or exceed air quality neutral standards. As a result, mitigation as detailed in points 2 to 4 of the policy are not required.

13.4. This application is therefore considered to be in accordance with Policy HS5 of the Local Plan.

13.5. Sound insulation for such conversion works are covered under Building Regulations to provide minimum standards. The door to the ground floor front room 2 opens into the open plan seating /kitchen area but is also adjacent to the front door. This layout should be discussed with the Neighbourhood Services Team Private Sector Housing officers and Warwickshire Fire and Rescue.

14. Other matters

14.1. Objections have been received in regard to there not being enough facilities in the area for the new occupiers including potential stress on doctors' surgeries. Although no comments were invited from the NHS it is not considered that the number of new residents that could potentially occupier the property would have such a significant impact on local NHS services. In regard to the additional pressure on community infrastructure, changes of use to private rented accommodation, do not trigger a requirement for financial contributions.

14.2. Objections have been received concerning the number of HMOs in the area. Whilst it is acknowledged that there are a number of HMOs within the locality, which have introduced an alternative type of residential accommodation being provided, there is no policy position or constraint that would prevent further changes of use from houses to multiple occupation accommodation.

14.3. Objections have been received in regard to the residents wanting to retain this area as a family area. Each application is to be assessed on its one merits taking into account any material planning considerations. This is not considered to be a material planning consideration.

14.4. Objections have been received in regard to potential anti-social behaviour occurring from the development site. If this were to occur this would fall within the control of the police and the Environmental Health and Community Safety team. It is not a material planning consideration however there is separate legislation which covers this and therefore could be controlled if it were to occur.

14.5 Property values are not a planning matter and therefore cannot be treated as such.

14.6 Disturbance from building work is a temporary issue whilst the building works are being carried out and would not be a reason to refuse planning permission. An informative is included with good practice guidelines for appropriate working hours within residential areas.

15. Planning Balance and Conclusion

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

15.2. On balance, it is concluded that the proposal complies with the Development Plan and there are no material considerations which indicate that the proposal should be refused. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material Considerations including the Framework, it is considered that planning permission should be approved subject to conditions and informatives.

16. Recommendation

1. Planning application R22/1061 be approved subject to:
 - the conditions and informatives set out in the draft decision notice appended to this report
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice

DRAFT DECISION

REFERENCE NO:
R22/1081

DATE APPLICATION VALID:
17-Nov-2022

APPLICANT:

Mr S DIXEY 46, Grosvenor Road, Rugby, Warwickshire, CV21 3LF

AGENT:

REBECCA WALKER, Chapman Design LLP Chapman Design LLP, Lelleford house, Coventry road, Coventry road, Rugby, CV23 9DT

ADDRESS OF DEVELOPMENT:

46 , Grosvenor Road, Rugby, Warwickshire, CV21 3LF

APPLICATION DESCRIPTION:

PROPOSED CHANGE OF USE OF A DWELLING TO A 7 ROOM HMO, INCLUDING A SINGLE STOREY REAR EXTENSION AND 2 NEW DORMER WINDOWS

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

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

REASON:

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

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

Site Plan, Drg no 4036-00

Location Plan, Drg no 4036-01

Existing and Proposed Ground Floor Plan, Drg no 4036-01

Existing and Proposed First Floor Plan, Drg no 4036-02

Existing and Proposed Front and Rear Elevations, Drg no 4036-04

Existing and Proposed Side Elevation, Drg no 4036-05

Received by the Council on 17th November 2022

Proposed Roof Plan, Drg no 4036-06

Proposed Second Floor (roof) Plan, Drg no 4036-03

Proposed Cycle Store Details, Drg no 4036-07

Proposed Bin Store Details, Drg no 4036-08

Received by the Council on 13th December 2022

REASON:

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

CONDITION 3:

The facing materials to be used on the dormer window and ground floor extension shall as specified on the application form, received by the Council on 17th November 2022
To ensure a satisfactory external appearance and for the avoidance of doubt.

CONDITION 4:

The second floor side windows to be formed in the west side of the proposed dormer window shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION 5:

Prior to the first occupation of any room within the hereby approved HMO, the bin storage area and cycle stores have been constructed in accordance with the approved details as shown on Drg no's: 4036-07 and 4036-08 and in the area as indicated on the approved site plan, Drg no 4036-00 and shall remain available in perpetuity.

REASON:

In the interest of visual and residential amenity.

CONDITION 6: The application site at 46 Grosvenor Road, Rugby, CV21 3LF shall be limited to no more than 7 occupants at any one time.

REASON:

In the interests of residential amenity in accordance with Policy SDC1 of the Local Plan (2019)

CONDITION 8: Unless non-material amendments are otherwise agreed in writing with the Local Planning Authority, no above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet air quality neutral standards or to provide suitable mitigation, has been submitted to and approved in writing by the Local Planning Authority. Prior to occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

REASON:

In the interests of air quality.

INFORMATIVE 1:

As per the condition the applicant is required to incorporate measures to assist in reducing their impact upon the Air Quality as part of this development. In order to achieve air quality neutral standards it is suggested that the approved scheme could include the installation of ultra-low emission boilers (<40mg/kWh) if gas is used for space/water heating, increased tree planting, green walls and roofs, the incorporation of electric vehicle charging points on any car parking or

provision of secure cycle storage. More information on plants that can be incorporated into landscaping for green walls and roofs can be found here:
https://www.museumoflondon.org.uk/application/files/4915/2604/2216/2018-05-11-phytosensor-final-web-ok-compressed_1.pdf Such measures contribute as mitigation for air quality purposes.

Should you require any further advice on ensuring your development has a positive contribution on air quality, further information can be obtained from the Commercial Regulation team through 01788 533533 or email ept@rugby.gov.uk

Should an Air Source Heat Pump be proposed for installation, it should be ensured that the noise from such plant will not adversely affect residential amenity in the area. These units can create noticeable noise levels which may affect neighbouring dwellings so noise mitigation may be necessary to avoid complaints or possible formal action under other legislation.

INFORMATIVE 2:

The development will be subject to separate enforcement regimes including, but not limited to, the Housing Act 2004, Building Regulations and Council's Standards of Amenity. Advice should be sought from Housing Enforcement on 01788 533857 prior to any work commencing.

Landlord is required to contact the Council's Housing Enforcement Team prior to commencement of works and under the Housing Act 2004 is required to comply with HMO legislation and submit a HMO application prior to occupancy.

INFORMATIVE 3:

To reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site should not occur outside the following hours: -

Monday – Friday 7.30 a.m. – 6.00 p.m.

Saturday 8.30 a.m. – 1.00 p.m.

NO WORK ON SUNDAYS & BANK HOLIDAYS.

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

INFORMATIVE 4:

The occupiers of the HMO should dispose of waste appropriately in the bins provided within the site as shown on the proposed site plan.

INFORMATIVE 5:

Bins must be presented kerbside for collection by 7:30am on morning of collection and returned back to the property after emptying.

INFORMATIVE 6:

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 disturb, obstruct or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0208 261089. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is

found during works, work should stop immediately and Natural England must be contacted on 02080 261089 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 inclusive, so work should ideally take place outside these dates if at all possible.

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

INFORMATIVE 8:

The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition) – Drainage and Waste Disposal.

DRAFT

Reference: R22/0771

Site Address: Land opposite Draycote Water, Southam Ro, Land opposite Draycote Water, Southam Road, Rugby

Description: OUTLINE PLANNING APPLICATION, WITH ALL MATTERS RESERVED, FOR THE CONSTRUCTION OF UP TO 18 NO. HOLIDAY LODGES (IDENTICAL TO SCHEME PREVIOUSLY APPROVED UNDER R18/0829)

Recommendation

1. Planning application R22/0771 be approved subject to:
 - b. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1. Introduction

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

2. Description of site

2.1. The application site is located opposite to the Draycote Water entrance and covers approximately 7.2 hectares.

2.2. The site has already been granted planning permission for a Centre of Rural Excellence (CRE) (granted permission under reference R12/0617) the approved development would be for the erection of a new two storey building, smaller ancillary buildings, caravan and camping pitches and the formation of a new vehicular access.

2.3. The purpose of the CRE is to promote rural activities to include walking, fishing, animal husbandry and other outdoor pursuits such as gardening and crop cultivation.

2.4. Although the site has yet to be developed, works have commenced and the application would now be considered extant confirmed by a lawful development certificate in 2019, R19/0006. The approved site layout for the CRE allowed for a small section (0.8 hectares) of pasture land to the west of the site to remain. This is the area where the holiday lodges will be located.

2.5. The site is located in close proximity to Leam Valley Golf Centre to the south, and beyond that the local rural settlement of Kites Hardwick, Draycote Reservoir and its recreational facilities to the west and to the north and east, open countryside.

2.6. Adjacent to the south of the site there is a single access track, accessed off Southam Road. Beyond the access track is an embankment and fishing lakes, within the ownership of the Leam Valley Golf Centre.

2.7. To the north, east and west of the site are hedgerows which surround the site. The hedgerows, to a certain extent, screens the site from view.

3. Description of proposals

3.1. This application is for outline planning permission for the construction of 18 (no) holiday lodges, with all matters reserved.

3.2. The planning application is accompanied by the following information:

- Site Location Plan
- Proposed Site Plan “For Illustrative Purposes Only”
- Proposed Holiday Lodge Plans & Elevations “For Illustrative Purposes Only”
- Planning Statement

3.3. The site layout plan indicates the proposed plot size, approximately 0.8 Hectares in size and indicates, for illustrative purposes, the appearance of the lodges, the layout of the lodges and how they will be accessed.

3.4. This application will determine whether the principle is considered acceptable, with the final – Layout, Scale, Appearance, Access and Landscaping to be considered as reserved matters, submitted at a later date.

4. Planning History

Application No	Description	Decision	Date
R19/0006	Lawful Development Certificate (existing), for clarification that the applicant has commenced works, in compliance with Condition 1 of the Planning Application R12/0617: Change of use of the land to form a centre of rural excellence to include the erection of a new two storey building, smaller ancillary buildings, caravan and camping pitches and the formation of a new vehicular access – Current Application	Approval	07-02-2019
R18/0829	Outline planning permission for the construction of up to 18 (no) holiday lodges, with all matters	Approval	07/11/2019
R12/0617	Change of use of the land to form a centre of rural excellence to include the erection of a new two storey building, smaller ancillary buildings, caravan and camping pitches and the formation of a new vehicular access	Approved	14/03/2013

5. Technical Consultations

Planning Ecology	No Objection
Severn Trent Water	No Objection
WCC Highways	No Objection
WCC Fire and Rescue	No Objection
Work Services Unit	No objection
Environmental Agency	No response
Trees and Landscaping	No Objection Subject to Conditions

6. Third Party Responses

- 6.1. Neighbours consulted and press notice served.
- No responses received
 - Parish Council Responded with same comments for R18/0829
 - Impact on Highway safety
 - Request for details of the holiday lodges

7. Relevant Planning Policies

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

7.2. The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

7.3. Rugby Borough Local Plan 2011-2031, June 2019

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy SDC1: Sustainable Design

Policy SDC2: Landscaping

Policy SDC4: Sustainable Buildings

Policy D1: Transport

Policy D2: Parking Facilities

Policy D3: Infrastructure and Implementation

Policy ED4: The Wider Urban and Rural Economy

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets

Policy NE3: Landscape protection and enhancement

7.4. Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD – 2012

7.5. Material Considerations

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

National Planning Practice Guidance (NPPG)

National Design Guide 2021

8. Assessment of proposals

8.1. The key issues to assess in the determination of this application are:

Section 9	Principle of Development
Section 10	Highway Safety
Section 11	Character and Design
Section 12	Impact on Residential Amenity
Section 13	Air Quality and Noise
Section 14	Biodiversity
Section 15	Planning Balance and Sustainability of Development
Section 16	Recommendation
Section 17	Appendix

9. Principle of development

- 9.1. Policy GP1 of the Local Plan states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.
- 9.2. This is reflected in Section 2 of the NPPF which states that when considering development proposals, the Local Planning Authority will take a positive approach that reflects the presumption in favour of sustainable development.
- 9.3. Paragraph 12 of the NPPF states that “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’.
- 9.4. The Local Plan for Rugby was adopted on the 4th June 2019. On adoption, the authority had a five-year supply of housing. The latest Annual Monitoring Report (AMR), published in October 2021, confirms this position. The Local Plan is considered fully up to date and in compliance with the NPPF and therefore is the starting point for decision making. All planning policies are relevant and are supported by a robust and up-to-date evidence base.
- 9.5. Plan Policy GP2 states that new development will be resisted; only where national policy on countryside locations allows will development be permitted.
- 9.6. The NPPF also supports the sustainable growth and expansion of all types of business and enterprise of all types, through well designed new buildings.
- 9.7. Support is also given to sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings and sustainable rural tourism and leisure developments which respect the character of the countryside.

- 9.8. The National Planning Policy Framework within Paragraph 84 - Supporting a prosperous rural economy – states that planning decisions should enable sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new building and sustainable rural tourism and leisure developments which respect the character of the countryside.
- 9.9. Local Plan Policy ED4 that certain forms of development and uses are acceptable in principle both in and outside the urban area, to include small-scale tourism, visitor accommodation and leisure-based uses, subject to the content of other policies in the Local Plan. Policy ED4 stresses that schemes will be assessed against the impact that is likely to be caused to the character of the local area as well as the benefit that would arise for rural communities, business and the wider local economy.
- 9.10. Within the previous officer report for the previous granted permission it was stated that the for the application (for the CRE - R12/0617) it was established that the provision of a tourist facility would be in principle acceptable. It is considered that as the CRE is aimed at rural activities the best location for the centre would be in a rural area. In addition, it would be located near to Draycote Water, the Leam Valley Golf centre and fishing lakes. The CRE is located within close proximity to Dunchurch, which has facilities to include restaurants and shops.
- 9.11. The previous officer report also stated that within the supporting information that the holiday lodges would be integral to the Centre of Rural Excellence (CRE). The proposed holiday lodges would help to support a prosperous rural economy by enabling the sustainable growth and expansion of this. By expanding the elements on offer at the centre and the linkages with the existing surrounding established recreational and leisure uses, and thus enabling a sustainable rural tourism and leisure development which fully respects the character of the countryside. Furthermore, the proposal will help to grow the visitor economy in the Borough and the County through the provision of rural holiday accommodation and the development of this rural attraction.
- 9.12. The proposed holiday lodges are linked both physically and intrinsically with the CRE. Physical access to the site for the holiday lodges runs through the remainder of the CRE site. Intrinsically holiday accommodation forms part of a leisure and tourism development and is another element of use alongside the already improved elements of the CRE building, caravan and camping pitches and craft and animal elements.
- 9.13. Under the previous application the officer discussed the potential for the lodges as an isolated application if the CRE was never to be developed. The agent considers that if the CRE was not developed, there is still planning policy support for the provision of holiday accommodation as a stand-alone planning application, which would also support the nearby leisure attractions and other tourist attractions within the borough and county.
- 9.14. The proposed lodges are for the purpose of supporting tourism and leisure, due to the rural locality, permanent dwellings would not be considered acceptable. A condition will be included which requires a break of one month where the accommodation remains vacant to ensure the lodges are only used on a temporary basis.
- 9.15. The NPPF within paragraph 85 states that 'Planning policies and decisions

should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.

9.16. The site is not easily accessible for pedestrians, as there is no footpath, however, the site is accessible by bicycle and there is a bus stop to the front of the site. The proposal is sensitive to its surroundings, as the holiday lodges will provide linkages with the existing surrounding established recreational and leisure uses.

9.17. Within the 'The Warwickshire Visitor Economy Framework 2013-2018' it is stated that the focus of the policy and work programme is to ensure that the whole of Warwickshire benefits from the growth of tourism. The policy seeks to grow the visitor economy's contribution to economic prosperity, employment and quality of life across the County. To include the key priority of creating compelling places to visit. The proposed holiday lodges will be linked both physically and intrinsically with the CRE. It was considered that The CRE was acceptable and is located within an ideal location and would support the established facilities, Draycote Water, the Leam Valley Golf centre and fishing lakes, Dunchurch and the other visitor attraction within the borough and county, which the holiday lodges will help to benefit and support. As the holiday lodges are integral to the CRE, it is considered they will also benefit the above recreational and tourist activities.

9.18. As there has been no significant changes relevant to the previously used policies in the updated NPPF and the Local Plan the current officer accepts that the original assessment is still applicable and it is therefore considered that the proposal is in principle acceptable and complies with National and Local Policy, subject to all planning matters being appropriately addressed.

10. Design and Appearance

10.1. Policy SDC1 states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated. Policy SDC1 will be supported by the Council's 'Sustainable Design and Construction SPD'.

10.2. The NPPF within Section 12 states the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.3. The location of the holiday lodges is to the west of the site, approximately 200 metres from the highway. The lodges will be single storey, approximately 3 metres in height and 6 metres in width, and of an appearance typical of a holiday lodge. (It is recommended that the

minimum spacing distance between caravans made of aluminium or other materials with similar fire performance properties should not be less than 5 metres between units and 3.5 metres at corners). A condition will be included for the exact specifications of the lodges, to ensure they are of a suitable design and layout.

10.4. The proposed CRE development will be located to the west of the site, nearest to the highway, and will include several buildings and structures. It was considered, within the original application - R12/0617, that the scale and layout would retain the open aspect and setting of the rural locality. The proposed lodges will be located to the rear of the CRE and will integrate with the approved CRE scheme.

10.5. Consideration has been given in the event the CRE development may not be built. Due to the positioning of the holiday lodges, being located away from the highway, the screening on the west boundary and the views from the south being mainly screened by the embankment, which abuts the access lane, it is considered that there will be minimal impact on the setting of the locality.

10.6. Tree and hedgerow planting and other landscaping is proposed across the site and a condition can be used to ensure the details of this are agreed. This landscaping will help to soften the edge of the development and provide a better landscape structure. It is therefore considered that the proposal complies would comply with Policy NE3 Landscape Protection and Enhancement.

10.7. Whilst the introduction of the lodges would alter the appearance of the once open field, it is considered the proposed location, being positioned away from the highway is sympathetic with the location. It is also considered that the lodges would integrate well with the CRE or individually (if the CRE is not developed). A condition will be included to ensure the final design, positioning and scale of the buildings are acceptable. The addition of further landscaping will help to screen the site and would also positively enhance the site.

10.8. This application is therefore considered to be in accordance with Section 12 of the NPPF and Local Plan Policy SDC1.

11. Protecting Amenity

11.1. The proposed site is located well away from any neighbouring properties (the properties located to the west, at the entrance of Draycote Water, are approximately 250 metres away). It is therefore considered that the proposed lodges would not impact on the amenities of any neighbouring properties.

11.2. This application is therefore considered to be in accordance with Section 12 of the NPPF and Local Plan Policy SDC1.

12. Highway safety and car parking

12.1. The Local Plan 2011-2031 Policy D2 Parking Facilities states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities.

12.2. Warwickshire County Council Highways were consulted to assess the proposal. The leading highway authority returned a stance of no objection subject to highway improvements including bus stop facilities and pedestrian improvements. The development cannot be occupied until this condition has been met.

12.3. It is therefore considered that the application is acceptable on highways grounds subject to conditions.

13. Ecology Considerations

13.1. Part 15 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity, among other things.

13.2. In addition, Policy NE1 Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Council Local Plan 2011-2031 states that the Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity.

13.3. WCC Ecology have been consulted in order to assess the proposal and the submitted Preliminary Ecological Appraisal (PEA). In response WCC Ecology have requested a condition for a combined ecological and landscaping scheme and a protected species method statement for reptiles.

13.4. Once the conditions are complied with, it is considered the proposal will not have an adverse impact on protected species in accordance with the Local Plan Policy NE1.

14. Sustainable Buildings:

14.1. The Local Plan 2011-2031 Policy SDC4 states that all new dwellings shall meet the Building Regulations requirement of 110 litres of water/person/day unless it can be demonstrated that it is financially unviable. A condition will be included to ensure this policy is complied with.

15. Tree Protection and Landscaping

15.1. Local Plan Policy SDC2 states that landscape aspects of a proposed development will be required to form an integral part of the overall design with a high standard of appropriate hard and soft landscaping being required.

15.2. The arboricultural officer has been consulted and has provided the following Comments in accordance with the original submission:-

15.3. Adjacent to the adjoining (off site) boundary are 6 native Black Poplars (Britain's rarest native tree). They are early mature and approximately 15m in height located adjacently to a ditch/brook (which forms the northern boundary) which also links to a pond with an understorey of agricultural hedging. The trees and hedging screen the application site from

the elevated topography to the north. The site also appears to well screened with planted bunds to the south and established hedgerows to the east and west.

- 15.4. The illustrative plans show 5 units in very close proximity to 5 of the 6 Poplar trees therefore within their respective Root protection areas and canopy spreads.
- 15.5. In the original application it was considered that the units are too close and could lead to post development pressure to remove them. Subsequently, the Tree Officer has recommended that an appropriate ecological buffer zone is kept free from building works/development also using the results of an ecological appraisal to ensure important habitats are maintained and enhanced. The Poplars should be allowed to grow without undue pressure to remove.
- 15.6. Due to the location being in the open countryside, a landscaping condition has been requested for further planting to enhance biodiversity potential and to enhance screening as viewed from the north.

16. Severn Trent Water

- 16.1. Severn Trent Water have requested a condition to be included for drainage plans for the disposal of surface water and foul sewage, to ensure that the development provides a satisfactory means of drainage and to reduce the risk of creating or exacerbating a flooding problem.

17. RBC Environmental Health

- 17.1. RBC Environmental Health have been consulted on the resubmission however there was no response received.
- 17.2. The officer therefore assessed the original responses which included the following comments: -
- 17.3. EH initially had concerns regarding contamination, however, they have referred to the previous contamination report, under reference R12/0617, which they consider to be acceptable.
- 17.4. Due to the additional traffic to the proposed 'centre of rural excellence' and concerns over traffic impacts on the traffic flow along the A426. EH gave consideration for an air quality assessment. However, the site is located outside of the Rugby air quality management zone and according to the EPUK & IAQM Guidance Planning for Air Quality, the scale of the particular development does not appear to meet the minimum criteria for an air quality assessment to be required.
- 17.5. Due to the application being for outline permission, they have requested a condition regarding control of noise from plant and machinery, should the proposed development incorporate generators etc.
- 17.6. In review, it is deemed as appropriate and reasonable to apply the requested conditions as originally required due to the identical nature of the resubmission.

18. Warwickshire Fire and Rescue

18.1. Warwickshire Fire and Rescue have no objection to the proposal, providing there is a condition included that the development incorporates a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting at the site

19. The Environment Agency

19.1. The Environment Agency also provided no response to this application. The response from the original application was also one of no objection to the proposal, due to low environmental risk.

20. The Public Rights of Way Team

20.1. The Public Rights of Way Team were not consulted as part of this proposal as they raised no objection to the previous proposal, as there are no recorded public rights of way crossing or immediately abutting onto the application site.

21. Planning Balance and Conclusion

21.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

21.2. Paragraph 8 of the NPPF identifies three overarching objectives to sustainable development: economic, social and environmental. An economic objective, by inter alia, contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; a social objective, by inter alia by supporting the social and cultural well-being of communities and an environmental objective, by inter alia, making efficient use of land. It represents sustainable development because it accords with the economic objective of helping to build a strong rural economy and the social objective of supporting the social well-being of the rural area.

21.3. The National Planning Policy Framework within Paragraph 84 - Supporting a prosperous rural economy – states that planning decisions should enable sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new building and sustainable rural tourism and leisure developments which respect the character of the countryside.

21.4. The proposed holiday lodges will be integral to the CRE and are located within close proximity to the established facilities; Draycote Water, the Leam Valley Golf centre and fishing lakes and will also have access to Dunchurch and the other visitor attractions within the borough and county. The application site is served by public transport (a bus service) and would satisfy the three sustainable overarching objectives – economic, social and environmental.

21.5. In conclusion, It is considered that the proposal is in principle acceptable. In terms of the reserved matters, Layout, Scale, Appearance, Access and Landscaping, these will be assessed once the reserved matters application is submitted. However, it is considered that they can be achieved to a standard, which is satisfactory to the Local Planning Authority. Accordingly, it is considered that the application is in accordance with the National Planning Policy Framework and the Local Plan and is therefore recommended for approval subject to conditions

22. Recommendation

1. Planning application R22/0771 be approved subject to:
 - b. the conditions and informatives set out in the draft decision notice appended to this report; and
2. The Chief Officer for Growth and Investment be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R22/0771

DATE APPLICATION VALID:
25-Jul-2022

APPLICANT:

Plantier & Kotecha c/o John Clarke, Howkins & Harrison, 7-11, Albert Street, Rugby, CV21 2RX

AGENT:

John Clarke, Howkins & Harrison Howkins & Harrison, 7-11 Albert Street, Rugby, CV21 2RX

ADDRESS OF DEVELOPMENT:

Land opposite Draycote Water, Southam Ro, Land opposite Draycote Water, Southam Road, Rugby

APPLICATION DESCRIPTION:

OUTLINE PLANNING APPLICATION, WITH ALL MATTERS RESERVED, FOR THE CONSTRUCTION OF UP TO 18 NO. HOLIDAY LODGES (IDENTICAL TO SCHEME PREVIOUSLY APPROVED UNDER R18/0829)

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1

The development hereby permitted must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2

Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON

To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 3

Details of the following reserved matters shall be submitted to and approved in writing by the Local Planning Authority [for each plot/phase] before any part of the development [of that plot/phase] is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

- a - Layout,
- b - Scale,
- c - Appearance,
- d - Access &
- e - Landscaping

REASON:

To ensure that the details of the development are acceptable to the Local Planning Authority.

CONDITION 4

No above ground development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles 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 5:

Full details of the siting, design and materials of the proposed communal bin and communal cycle stores shall be submitted to and approved in writing by the Local Planning Authority. The communal bin and communal cycle stores shall be provided, in accordance with the approved details before the first occupation of the holiday lodges.

REASON:

In the interest of visual and residential amenity.

CONDITION 6

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

In the interest of visual amenity.

CONDITION 7:

The lodges hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual lodges on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority

REASON:

To ensure the development provides holiday accommodation only in order to protect the character and appearance of the countryside

CONDITION 8:

The lodges hereby approved shall not be occupied during the month of February in any year

REASON:

To ensure the development provides holiday accommodation only in order to protect the character and appearance of the countryside

CONDITION 9:

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 in writing 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 10:

No works or development shall take place until a final arboricultural method statement/tree protection plan for the protection of the retained trees (section 5.5 & 6.1, BS5837:2012) has been agreed in writing with the Local Planning Authority. This scheme must include details and positioning of tree protection fencing, ground protection measures, root pruning/access facilitation pruning specification, project phasing and an auditable monitoring schedule.

REASON:

To ensure all retained trees are not damaged during the development phase.

CONDITION 11:

The landscape details submitted in accordance with Condition 3 shall include a specification of all proposed tree planting. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

REASON:

To maintain and enhance continuity of tree cover within the site.

CONDITION 12:

Notwithstanding the details shown on the submitted plan - Proposed Site Plan "For illustrative Purposes Only" - 1835-02A - received by the Local Planning Authority on the 25-July-2022, any plans, submitted at the Reserved Matters stage, shall ensure that there is no built development or hardsurfacing located within any part of the area hatched green, which lies within a 15 metre distance from the northern boundary.

REASON:

To ensure the protection and future retention of mature trees located adjacent to the site, which form an important landscape feature in the locality.

CONDITION 13:

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the Local Planning Authority (with advice from WCC Ecological Services). The scheme must include all aspects of proposed landscaping including native species planting, details of any pond creation, and species specific enhancements such as bat and bird boxes etc. The agreed scheme will be fully implemented before/during development of the site as appropriate.

REASON:

In accordance with NPPF, ODPM Circular 2005/06.

CONDITION 14:

The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for reptiles, amphibians birds (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

REASON:

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

CONDITION 15:

The development shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting at the site, has been implemented in accordance with a scheme which has been previously submitted to and approved in writing by the Local Planning Authority.

REASON:

In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.

CONDITION 16:

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

REASON:

In the interests of sustainability and water efficiency.

CONDITION 17:

The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

CONDITION 18:

The development shall not be occupied until the public highway A426 Southam Road has been improved so as to provide for improved northbound and southbound bus stop facilities and pedestrian improvements for access between the site and northbound and southbound bus stops in the vicinity of the access to the site, in accordance with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON:

In the interest of Highway Safety and to provide safe connection to public transport

CONDITION 19:

No external lighting shall be erected unless and until full details of the type, design and location have been submitted to and approved in writing by the Local Planning Authority. Any lighting shall only be erected in accordance with the approved details.

REASON:

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

INFORMATIVE:

A. Condition number 18 requires works to be carried out within the limits of the public highway. The applicant / developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.

An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

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

INFORMATIVE:

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

INFORMATIVE:

The drainage and waste disposal system will need to comply with the Building Regulations 2010 Approved Document H (2015 Edition) - Drainage and Waste Disposal.

INFORMATIVE:

The applicant should ensure adequate provision for the storage and disposal of solid waste, prior to the commencement of development.

INFORMATIVE:

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

INFORMATIVE:

The applicant and occupants of the proposed lodges should be aware that the lodges may be subject to disturbance from activities causing smell, noise and/or dust from the Centre of Rural Excellence as granted permission under per R12/0617.

INFORMATIVE:

Lighting on site should be installed to ensure no glare or excessive light spill affects any properties or other developments over the site boundary. Care should also be taken to avoid adverse effects on wildlife and sites valuable to them. Information can be obtained from the Institute of Lighting Engineers on types and positioning of lighting to minimise off site effects

INFORMATIVE:

RBC's work services unit advise that as this will be a business they will require trade refuse and recycling collections which are chargeable. That the access road to the bin stores must be of highway standard to withstand up to a 26 ton collection vehicle and that the dimensions of the bin stores are such that they can accommodate communal refuse and recycling bins (sizes of which are in the developers guide). Work Services would also like to see the preliminary designs of the bin stores please to make sure they can both accommodate the required number of containers and that we are able to manoeuvre the bins in and out on collection days safely without any obstructions which can be completed under the reserved matters application.

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 17 November to 14 December 2022
Name of Committee:	Planning Committee
Date of Meeting:	11 January 2023
Report Director:	Chief Officer - Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Chief Officer - Growth and Investment
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
(C) Climate (E) Economy (HC) Health and Communities (O) Organisation	
Summary:	The report lists the decisions taken by the Chief Officer for Growth and Investment under delegated powers.
Financial Implications:	There are no financial implications for this report.
Risk Management Implications:	There are no risk management implications for this report.

Environmental Implications: There are no environmental implications for this report.

Legal Implications: There are no legal implications for this report.

Equality and Diversity: There are no equality and diversity implications for this report.

Options:

Recommendation: The report be noted.

Reasons for Recommendation: To ensure that members are informed of decisions on planning applications that have been made by officers under delegated powers.

Planning Committee - 11 January 2023

Delegated Decisions - 17 November to 14 December 2022

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 11 January 2023

Subject Matter: Delegated Decisions - 17 November to 14 December 2022

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DECISIONS TAKEN BY THE CHIEF OFFICER FOR GROWTH AND INVESTMENT UNDER DELEGATED POWERS

Report Run From 17/11/2022 To 14/12/2022

APPENDIX

Delegated

8 Weeks PA Applications

Applications Refused

R22/0818 8 Weeks PA Refusal 18/11/2022	Two Hoots Farm, Lutterworth Road, Bramcote, CV11 6RA	Conversion of buildings to two residential dwellings, including removal of mobile home and toilet block, construction of a link and associated works
R22/1071 8 Weeks PA Refusal 02/12/2022	Fairview, Smeaton Lane, Stretton under Fosse, Rugby, CV23 0PS	1 new dwelling with ecological enhancements (to replace certificate of lawful development for residential caravans and shed ref: R22/0162 granted 26th May 2022)
R21/0861 8 Weeks PA Refusal 09/12/2022	MUSWELL LEYS FARM, COAL PIT LANE, WILLEY, RUGBY, CV23 0SL	Proposed change of use of field to caravan storage with associated security gate, 2metre high butterfly banks, security lights and perimeter cameras.
R22/0877 8 Weeks PA Refusal 14/12/2022	33, Faulkner Road, Houlton, Rugby, CV23 1AD	Replacement gates (retrospective)

Delegated

8 Weeks PA Applications

Applications Approved

R22/0166 8 Weeks PA Approval 17/11/2022	PRINCETHORPE COLLEGE, LEAMINGTON ROAD, PRINCETHORPE, RUGBY, CV23 9PX	Proposed Multi-Use Games Area
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R22/0931 8 Weeks PA Approval 17/11/2022	MANOR FARM, BIRDINGBURY ROAD, FRANKTON, Rugby, CV23 9QR	Additional visitor parking
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R22/1018 8 Weeks PA Approval 17/11/2022	27 , Rowe Close, Hillmorton, Rugby, Warwickshire, CV21 4DL	Demolition of existing conservatory and erection of a single storey rear extension
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R22/1070 8 Weeks PA Approval 17/11/2022	THE OLD GRANARY, LUTTERWORTH ROAD, WOLVEY, HINCKLEY, LE10 3HN	Erection of 2 x 2 stables and 1 x tack room
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R22/0930 8 Weeks PA Approval 21/11/2022	THE OLD DAIRY, GLEBE FARM ROAD, DRAYCOTE, RUGBY, CV23 9RB	Rear extension
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R22/0982 8 Weeks PA Approval	1, Larkspur, Rugby, Warwickshire, CV23 0UW	Proposed single storey rear extension (1ST REVISION)
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Delegated

8 Weeks PA Applications

Applications Approved

21/11/2022

<p>R22/0254 8 Weeks PA Approval 22/11/2022</p>	<p>180, Addison Road, Rugby, Warwickshire, CV22 7EY</p>	<p>Proposed front/side single storey extension, single storey side extension, rear/side single storey extension and new brick retaining wall.</p>
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<p>R22/0750 8 Weeks PA Approval 22/11/2022</p>	<p>GERONA, CHURCH ROAD, RUGBY, CV23 8DH</p>	<p>Loft conversion with dormer to rear and 2 no velux to front, new doors to rear and internal alterations</p>
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<p>R22/0966 8 Weeks PA Approval 22/11/2022</p>	<p>UNIT 17, EUROPARK, WATLING STREET, NEWTON</p>	<p>Change of use from Sui Generis to B8 storage yard and retention of portacabin.</p>
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<p>R22/0984 8 Weeks PA Approval 23/11/2022</p>	<p>40, Loverock Crescent, Rugby, Warwickshire, CV21 4AS</p>	<p>Single story rear and side extension</p>
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<p>R22/0482 8 Weeks PA Approval 25/11/2022</p>	<p>Land Off, Calcutt Lane, Stockton</p>	<p>The siting of a temporary dwelling for agricultural purposes on land known as Little Meadow Farm, to include an area of hardstanding for farming and a garden.</p>
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Delegated

8 Weeks PA Applications Applications Approved

R22/1009 8 Weeks PA Approval 25/11/2022	11, Leicester Road, Shilton, Coventry, Warwickshire, CV7 9HU	TWO STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION
R22/1074 8 Weeks PA Approval 28/11/2022	Home Farm, Post Office Road, Leamington Hastings, Warwickshire, CV23 8DZ	Single storey rear extension, conversion of existing garage into habitable accommodation, infill of existing covered porch area, relocation of front door and fenestration changes to dwellinghouse
R22/0919 8 Weeks PA Approval 29/11/2022	16, SOUTHEY ROAD, RUGBY, CV22 6HF	Two storey side and rear extension and associated raised decking to the rear
R22/0929 8 Weeks PA Approval 29/11/2022	51 , Campion Way, Brownsover, Rugby, Warwickshire, CV23 0UR	Proposed single storey extensions to the front and side/rear elevations
R22/0981 8 Weeks PA Approval	64, RAILWAY TERRACE, RUGBY, CV21 3EX	

Delegated

8 Weeks PA Applications Applications Approved

30/11/2022

Change of use from flats to 7 room HMO (C4) with new external cladding, and conversion of outbuilding for community use F2(b)

R22/0999
8 Weeks PA
Approval
30/11/2022

250, NEWBOLD ROAD, RUGBY,
CV21 1EG

Variation of conditions 2 and 3 of permission granted under R20/0309. Changes to Plot 1 include an increase in height and change in approved materials; changes to Plot 2 include the addition of a side facing window serving the kitchen and an addition of a dormer to the garage in place of a Velux window; and inclusion of a static caravan on site for no longer than the duration of works being undertaken.

R22/1056
8 Weeks PA
Approval
30/11/2022

3 GREENS CLOSE
LUTTERWORTH ROAD
RUGBY
CV23 0EH

Single Storey Side Extension

R22/1097
8 Weeks PA
Approval

4, Haswell Close, Rugby, CV22
5LU

Two storey side extension

Delegated

8 Weeks PA Applications

Applications Approved

30/11/2022

R22/0822 8 Weeks PA Approval 02/12/2022	7, Rathbone Close, Rugby, CV21 4EP	Erection of single storey wrap around extension to existing dwelling house
R22/1008 8 Weeks PA Approval 02/12/2022	60, MALVERN AVENUE, RUGBY, CV22 5JW	Demolition of existing single storey rear extension. New single storey rear extension and additional side window.
R22/1028 8 Weeks PA Approval 02/12/2022	17 , Bronze Road, Cawston, Rugby, Warwickshire, CV22 7XN	Single & Two Storey Rear Extension
R22/1030 8 Weeks PA Approval 02/12/2022	GRANGE FARM, LONDON ROAD, RYTON-ON- DUNSMORE, COVENTRY, CV8 3EW	Change of use of Agricultural barn to 4 no. dwellings and associated parking and landscaping
R22/1064 8 Weeks PA Approval 02/12/2022	UNIT 3, GREAT CENTRAL WAY INDUSTRIAL ESTATE, GREAT CENTRAL WAY, RUGBY, CV21 3XH	Proposed rear extension to warehouse (resubmission of R20/1069)

Delegated

8 Weeks PA Applications Applications Approved

R22/1192 8 Weeks PA Approval 05/12/2022	177, Hillmorton Road, Rugby, CV22 5AS	conversion of rear part of garage for use as a gym and/or office with shower and toilet facility.
R22/0954 8 Weeks PA Approval 06/12/2022	12, Academy Drive, Rugby, Warwickshire, CV21 3UF	To erect a ground floor extension to the rear and side of the existing dwelling.
R22/0976 8 Weeks PA Approval 06/12/2022	276, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2BD	Variation of condition 2 and 3 of R21/0667 - Alterations to front elevation, canopy porch, landscaping and new gated entrance to include rear hipped to gable roof extension, provision of rear roof terrace with glass balustrade and privacy screening and alterations to rear fenestration. (Resubmission of previously approved scheme R19/1027 dated 10/09/2019 for alterations to front elevation, canopy porch, landscaping and new gated entrance).
R22/1015 8 Weeks PA	33, Meadow Road, Wolston, Warwickshire, CV8 3HL	1.5 storey side and single storey rear extension

Delegated

8 Weeks PA Applications Applications Approved

Approval
06/12/2022

R22/1049
8 Weeks PA
Approval
06/12/2022

26, Devonshire Close, Rugby,
CV22 7EE

Retention and completion of
single storey rear extension,
including installation of log burner
and flue.

R22/0362
8 Weeks PA
Approval
07/12/2022

QUEST ACADEMY, ANDERSON
AVENUE, RUGBY, CV22 5PE

Installation of a climbing wall and
zip wire.

R22/0728
8 Weeks PA
Approval
07/12/2022

CENTRE OF AGROECOLOGY,
RYTON ORGANIC GARDENS,
WOLSTON LANE, RYTON-ON-
DUNSMORE, COVENTRY, CV8
3LG

FULL PLANNING APPLICATION
FOR INSTALLATION OF AIR
HANDLING EQUIPMENT AND
FLUES

R22/0998
8 Weeks PA
Approval
07/12/2022

22, Brook Street, Wolston,
Warwickshire, CV8 3HD

Single storey rear extension

R22/1043
8 Weeks PA
Approval
07/12/2022

6, CRESCENT HOUSE,
HORTON CRESCENT, RUGBY,
CV22 5DJ

removal of garage door and
replacment with new doors and
roof light to existing offices

Delegated

8 Weeks PA Applications Applications Approved

R22/0674 8 Weeks PA Approval 08/12/2022	86-88, RAILWAY TERRACE, RUGBY, RUGBY, CV21 3EZ	Conversion of an existing shop and storage area to two separate shops and storage areas
R22/0964 8 Weeks PA Approval 08/12/2022	BRICK HILL FARM BARN, BIRDINGBURY ROAD, LEAMINGTON HASTINGS, RUGBY, CV23 8DY	Single storey extension
R22/1204 8 Weeks PA Approval 08/12/2022	19, HILLMORTON ROAD, RUGBY, CV22 5DF	extend existing dropped kerb by 2 kerb stones
R22/0583 8 Weeks PA Approval 09/12/2022	REAR OF, LODGE FARM, OXFORD ROAD, RYTON-ON- DUNSMORE, COVENTRY, CV8 3EJ	Installation of plant comprising a pump house and a water tank.
R22/0694 8 Weeks PA Approval 09/12/2022	41, KING EDWARD ROAD, RUGBY, CV21 2TA	Amendment to R18/1153 to increase floor area of units 6, 8 & 10 to incorporate the unit approved under R20/0916 and associated external appearance amendments

Delegated

8 Weeks PA Applications

Applications Approved

R22/0702 8 Weeks PA Approval 09/12/2022	49, MIDAS LOUNGE, CHURCH STREET, RUGBY, CV21 3PT	Conversion of the first and second floor to 8 no. flats and replacement windows
R22/0953 8 Weeks PA Approval 09/12/2022	49, MIDAS LOUNGE, CHURCH STREET, RUGBY, CV21 3PT	Variation of condition 2 associated with R21/0088 to alter the internal wall position and the windows in the front elevation
R22/1085 8 Weeks PA Approval 09/12/2022	BAYTON LODGE, WITHYBROOK ROAD, WOLVEY, BEDWORTH, CV12 9JW	Retrospective planning application to regularize alterations to a previously approved annexe.
R21/1080 8 Weeks PA Approval 12/12/2022	52, High Street, Marton, Rugby, CV23 9RR	Erection of first floor side addition.
R22/0164 8 Weeks PA Approval 12/12/2022	RUGBY TOWN FOOTBALL CLUB, BUTLIN ROAD, RUGBY, CV21 3SD	Construction of new gym and 14 room hotel.
	10-11, HIGH STREET, RUGBY,	

Delegated

8 Weeks PA Applications Applications Approved

R22/0198 8 Weeks PA Approval 12/12/2022	CV21 3BG	Erection of a rear first floor smoking shelter to serve the business on site.
R22/0980 8 Weeks PA Approval 12/12/2022	8 BROAD STREET, RUGBY, CV23 0LN	Single story extension to the existing outbuilding, and a new roof.
R22/1040 8 Weeks PA Approval 12/12/2022	GE ENERGY POWER CONVERSION, THOMSON HOUSTON WAY, RUGBY, CV21 1BD	Installation of 17no. louvre panels to East and South elevations, installation of 15no. condenser units, enlargement of 2no. external doors, installation on new full height roller shutter and removal of existing sign.
R22/1045 8 Weeks PA Approval 13/12/2022	NOONHILL COTTAGE, GROVE ROAD, ANSTY, COVENTRY, CV7 9JE	Erection of garage outbuilding.

Certificate of Lawfulness Applications Applications Approved

Delegated

Certificate of Lawfulness Applications Applications Approved

R22/1203 Certificate of Lawfulness Approval 24/11/2022	22, SIDNEY ROAD, RUGBY, CV22 5LB	Certificate of Lawfulness for proposed loft conversion with dormer to rear, 1no. velux to front and changes to windows / doors on elevations
R22/0764 Certificate of Lawfulness Approval 28/11/2022	71 , King Edward Road, Rugby, Warwickshire, CV21 2TE	Existing use of an independent residential ground floor flat
R22/1038 Certificate of Lawfulness Approval 28/11/2022	71b King Edward Road, Rugby, Warwickshire, CV21 2TE	Existing use of an independent residential first floor flat
R22/1051 Certificate of Lawfulness Approval 01/12/2022	138, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AZ	Application for Certificate of Proposed Lawful Use or Development for erection of a detached outbuilding and use for incidental living accommodation.
R22/1106 Certificate of Lawfulness	27, Sandford Way, Dunchurch, Warwickshire, CV22 6NB	Single storey rear extension and conversion of integral garage into study room/ WC

Delegated

Certificate of Lawfulness Applications

Applications Approved

Approval
08/12/2022

<p>R22/0757 Certificate of Lawfulness Approval 13/12/2022</p>	<p>Ground Floor Flat (Rear), 111, Bath Street, Rugby, CV21 3JA</p>	<p>Existing use of an independent ground floor flat</p>
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Conditions

Applications Approved

R22/0701
Conditions
Approval
28/11/2022

MANOR FARM, HINCKLEY
ROAD, BURTON HASTINGS,
NUNEATON, CV11 6RG

Discharge of Conditions 8 and 12
of planning permission reference
R17/2041 (Variation of Condition
4 of planning permission
reference R17/2041 (Outline
planning permission for
demolition of the existing
buildings and erection of six
dwellings, with all matters
reserved other than access,
dated 11 November 2019) to
include reference to an additional
plan, approved 12 November
2021).

WHITEHALL MEDICAL
PRACTICE, MORTON

Delegated

Conditions

Applications Approved

R22/1024 Conditions Approval 28/11/2022	GARDENS, RUGBY, CV21 3AQ	Approval of details in relation to conditions 6 and 7 attached to R21/0656 - Proposed single storey extension and re-configuration of entrance to provide additional consulting space and improved facilities.
R22/1286 Conditions Approval 30/11/2022	YOUTH AND COMMUNITY CENTRE, HILL STREET, RUGBY, CV21 2NB	Approval of details in relation to condition 3 attached to R22/0679 - Single Storey front extension to existing Adult Learning Centre (Amendment to R21/1227)
R22/0688 Conditions Approval 01/12/2022	49, MIDAS LOUNGE, CHURCH STREET, RUGBY, CV21 3PT	Approval of details in relation to conditions 3 and 4 attached to R21/0088 - Materials and Air Quality
R22/0698 Conditions Approval 01/12/2022	49, MIDAS LOUNGE, CHURCH STREET, RUGBY, CV21 3PT	Approval of details in relation to conditions 3 and 4 attached to R21/0115 - Materials and Air Quality
R22/1166 Conditions Approval 02/12/2022	PLOT 5, PROSPERO ANSTY (FORMER ROLLS-ROYCE SITE), ANSTY AERODROME, COMBE FIELDS ROAD,	Application to discharge condition 4 (soil arisings), relating to the erection of commercial building, pursuant of R21/0525

Delegated

Conditions

Applications Approved

COOMBE FIELDS, COVENTRY,
CV7 9JR

<p>R22/1017 Conditions Approval 05/12/2022</p>	<p>Land North Of, Airfield Drive, Coombe Fields</p>	<p>Approval of details in relation to condition 5 attached to R21/0845 - Planning application seeking temporary planning permission for a period of three years, for a Proof of Concept Research Vehicle, comprising the erection of two 'sample easels', together with associated access infrastructure and landscape improvements.</p>
<p>R22/0802 Conditions Approval 06/12/2022</p>	<p>LAND ON THE WEST SIDE OF, WATLING STREET, NEWTON</p>	<p>Discharge of Conditions 4,5,7,8,11 and 12 of application R21/0926 S73 application for the variation/removal of conditions 2, 3 and 14 of planning permission R20/0919 Demolition of existing buildings, erection of three buildings and use of site for purposes of an alcohol distillery and hydrocarbon warehouse (Use Classes B2 and B8) and an office building (Use Class B1a). Plus external tank farms; sprinkler tanks and pumphouse; access; parking and servicing; earthworks and landscaping; drainage; fencing.</p>

Delegated

Conditions

Applications Approved

2, ABBOTTS WAY, RUGBY,
CV21 4AP

R22/0823
Conditions
Approval
08/12/2022

Approval of details for Condition
6 (Air Quality Mitigation)
R22/0098 First floor extension to
front, two and single storey rear
extensions. New window to north
side elevation

R22/0994
Conditions
Approval
08/12/2022

PLOT 1B, PROSPERO ANSTY
(FORMER ROLLS-ROYCE
SITE), ANSTY AERODROME,
COMBE FIELDS ROAD,
COOMBE FIELDS, COVENTRY,
CV7 9JR

Approval of details in relation to
conditions 10 (hard surfacing), 14
(electric vehicle charging points),
17 (freight management plan), 18
(northern Rolls-Royce access
closure), 19 (pedestrian dropped
kerbs), 20 (HGV access signage
scheme and barrier), 22
(BREEAM measures) and 24
(external lighting) attached to
R21/1165 - Erection of three
commercial units for flexible use
within Use Classes B2 & B8 use
(with ancillary uses), and
associated works, including
supporting infrastructure,
landscaping and re-profiling
works for the remainder of Plot 1

R22/1032
Conditions
Approval
08/12/2022

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

Details in relation to condition 16:
Lighting Strategy for Biodiversity
of R20/1026 (Erection of 2
logistics units with associated

Delegated

Conditions Applications Approved

infrastructure).

R22/1179 Conditions Approval 09/12/2022	PLOTS 6 AND 7, PROSPERO ANSTY (FORMER ROLLS- ROYCE SITE), ANSTY AERODROME, COMBE FIELDS ROAD, COOMBE FIELDS, COVENTRY, CV7 9JR	Approval of details in relation to conditions 3 (Construction Environmental Management Plan), 5 (Off-Site Biodiversity Management Plan), 6 (Detailed Surface Water Drainage Scheme) and 29 (Final Arboricultural Method Statement and Tree Protection Plan) attached to R22/0491 - Erection of two commercial units for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping.
R22/1197 Conditions Approval 09/12/2022	GALLIFORD UK LIMITED BUILDING A, WOLVEY CAMPUS, LEICESTER ROAD, Wolvey Heath, HINCKLEY, LE10 3JF	Approval of details related to: Condition 7 Materials - R20/0968 - Outline application with all matters reserved except access for the demolition of existing buildings and the erection of residential dwellings (Use Class C3), including the retention and

Delegated

Conditions Applications Approved

amendment of the existing vehicular access off Leicester Road and associated infrastructure, public open space, and landscaping

R22/1212
Conditions
Approval
09/12/2022

PLOT 3, PROSPERO ANSTY (FORMER ROLLS-ROYCE SITE), ANSTY AERODROME, COMBE FIELDS ROAD, COOMBE FIELDS, COVENTRY, CV7 9JR

Approval of details in relation to condition 8 (Road Safety Audit and Visibility Splays) attached to R22/0485 - Erection of one commercial unit for flexible use within Use Classes B2 (General Industrial) and B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987 (as amended) and associated development including drainage, earthworks, highways, car parking, HGV parking, service yard and landscaping

R22/0865
Conditions
Approval
12/12/2022

LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, LONG LAWFORD

Approval of details in relation to condition 14 attached to R17/1089 - Landscape Phasing

R22/0904
Conditions
Approval

Delegated

Conditions

Applications Approved

12/12/2022

ROLLS ROYCE, ANSTY
AERODROME, COMBE FIELDS
ROAD, COOMBE FIELDS,
COVENTRY, CV7 9JR

Approval of details in relation to Plot 1B and conditions 10e (cycle shelters), 10f (changing and showering facilities), 10h (fences, gates and retaining walls), 10i (drainage details), 10k (floorspace), 10l (bin store and substation) of outline planning application R19/1540 dated 15th June 2021 and relating to the erection of three commercial units (Use Class B2) (subject of reserved matters application R21/0784).

R22/0952
Conditions
Approval
12/12/2022

ROLLS ROYCE, ANSTY
AERODROME, COMBE FIELDS
ROAD, COOMBE FIELDS,
COVENTRY, CV7 9JR

Application to discharge conditions 4 (water supply and fire hydrants), 7 (external structures), 8 (energy efficiency), 9 (external materials), 11 (PV panels and rainwater harvesting system), 12 (shower and changing facilities) relating to the erection of three commercial units (Classes B2 & B8), pursuant to planning application R21/1165 dated 05th April 2022.

R22/0499
Conditions
Approval

Delegated

Conditions

Applications Approved

13/12/2022

SOUTH EASTERN PART OF
ZONE D - LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

Approval of details for condition 5
- Construction Environmental
Management Plan (including
Construction Traffic Management
Plan), of R21/0829 Provision of
an Energy Centre

R22/0782
Conditions
Approval
13/12/2022

Eastern Part of Zone D, Tritax
site, LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

Details in relation to conditions
20: Construction Traffic
Management Plan, 31:
Construction Environmental
Management Plan & 41:
Construction Method Statement
of R16/2569 (Outline application
for Use Class B8 buildings with
associated infrastructure) in
relation to part of site covered by
R21/0790.

R22/0862
Conditions
Approval
13/12/2022

LAND NORTH OF ASHLAWN
ROAD, ASHLAWN ROAD,
RUGBY, CV22 5SL

Details in relation to conditions 6:
School Safety Zone & 7: 20mph
signage of R21/0689 (Erection of
216 dwellings with associated
infrastructure)

R22/1147
Conditions
Approval
14/12/2022

PLOT 5, PROSPERO ANSTY
(FORMER ROLLS-ROYCE
SITE), ANSTY AERODROME,
COMBE FIELDS ROAD,

Delegated

Conditions

Applications Approved

COOMBE FIELDS, COVENTRY,
CV7 9JR

Application to discharge condition 3 (CEMP), condition 6 (drainage - pollution protection) and condition 8 (OSBMP) relating to the erection of commercial building, pursuant of R21/0525.

Discharge of Conditions

Applications Approved

R17/2041 Land at Manor Farm, Hinckley
Road, Burton Hastings, Rugby,
CV11 6RG

28/11/2022

Outline planning permission for demolition of the existing buildings and erection of six dwellings, with all matters reserved other than access.

Committee

Discharge of Conditions

Applications Approved

R20/0919 Land on west side of A5, Watling
Street, Clifton Upon Dunsmore,
Rugby, CV23 0AJ

06/12/2022

Demolition of existing buildings.
Erection of three buildings and use of site for purposes of an alcohol distillery and hydrocarbon

Discharge of Conditions Applications Approved

warehouse (Use Classes B2 and B8) and on office building (Use Class B1a). Plus external tank farms; sprinkler tanks and pumphouse; access; parking and servicing; earthworks and landscaping; drainage; fencing.

Delegated

Discharge of Conditions Applications Approved

R22/0098 2, ABBOTTS WAY, RUGBY,
CV21 4AP

08/12/2022

First floor extension to front, two and single storey rear extensions. New window to north side elevation.

R21/0689 LAND NORTH OF ASHLAWN
ROAD, ASHLAWN ROAD,
RUGBY, CV22 5SL

13/12/2022

Erection of 216 dwellings, associated access, infrastructure and landscaping. Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to R13/2102.

R21/0829 SOUTH EASTERN PART OF
ZONE D - LAND NORTH OF
COVENTRY ROAD, COVENTRY
ROAD, THURLASTON

13/12/2022

Provision of an energy centre

Delegated

Listed Building Consent Applications

Applications Approved

R22/0892 BOTTOM LOCK, THE LOCKS,
Listed Building Consent RUGBY
Approval
21/11/2022

Proposed works include replacement of top and bottom timber gates and associated balance beams; replace the main timber cill; replace timber liners; replace damaged copings to offside top approach wall and rebuild section of oversailing wall to offside chamber. Plus remove vegetation from the chamber walls.

R22/0963 KINGSLEY COTTAGE, 26,
Listed Building Consent BOND END, MONKS KIRBY,
Approval RUGBY, CV23 0RD
21/11/2022

Replace 2 no. windows with timber double glazed units (to match existing as close as possible)

R22/0475 CAWSTON OLD FARM HOUSE,
Listed Building Consent WHITEFRIARS DRIVE, RUGBY,
Approval CV22 7QR
30/11/2022

Removal of additional staircase

R22/0956 BILTON GRANGE, RUGBY
Listed Building Consent ROAD, DUNCHURCH, RUGBY,
Approval CV22 6QU
06/12/2022

Listed building Consent for the rebuilding and repair to wall buttress

Delegated

Prior Approval Applications

Prior Approval Applications

R22/1174 Agriculture Prior Approval Not Required 23/11/2022	Field next to start of Cut Throat Lane, Dunchurch, Rugby, CV23 8AD	Prior Approval for an Agricultural Building
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R22/1021 Prior Approval change of use Required and Approved 28/11/2022	MERLIN FIELD FARM, GIBRALTAR LANE, LEAMINGTON HASTINGS	Prior approval for the change of use of an existing agricultural building to 4no. dwellinghouses and associated building works.
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R22/1066 Prior Approval Extension Not Required 01/12/2022	30, Clover Close, Rugby, CV23 0UA	Erection of a single storey rear extension
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R22/1103 Non-domestic solar prior approval Not Required 01/12/2022	PERI LIMITED, MARKET HARBOROUGH ROAD, NEWTON, RUGBY, CV23 0AN	Prior Approval for the installation of PV panels on existing roofs
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R22/0975 Prior Approval change of use Required and Approved 02/12/2022	LAND TO THE EAST SIDE OF FRANKTON LANE, STRETTON- ON-DUNSMORE, RUGBY, CV23 9JQ	Prior Approval change of use of agricultural building to Class C3 dwellinghouse.
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