



10 June 2022

PLANNING COMMITTEE - 22 JUNE 2022

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 22 June 2022 in the Council Chamber at the Town Hall, Rugby.

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

Mannie Ketley
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes
To confirm the minutes of the meeting held on 25 May 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 – 5 May to 8 June 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 – 22 June 2022

Report of the Chief Officer for Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

Item	Application Ref Number	Location site and description	Page number
1	R22/0466	Rugby Gateway, Leicester Road, Rugby Details in relation to Condition 21 Construction Method Statement/Construction Environmental Management Plan of R10/1272 in relation to phase R3 (R19/0976, 146 dwellings).	3

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
2	R20/0981	New Haven, Rugby Road, Withybrook, Coventry CV7 9LN Demolition of existing dwelling and erection of a replacement dwelling house, together with the erection of a triple garage with tack room, and first floor home office, erection of a stable block with feed store and wash down area and provision of a ménage, and associated landscaping (resubmission of previously approved under R16/0299).	9
3	R21/0894	32 High Street, Rugby CV21 3BW The renovation and conversion of the existing buildings at 30 and 32 High Street and 15 Sheep Street (excluding most of the ground floor at 30-32) to provide residential accommodation consisting of 32 units, including rooftop penthouse extensions and alterations to the existing building facades.	26
4	R22/0219	Rugby Cricket Club, Webb Ellis Road, Rugby CV22 7AU Retrospective application for the refurbishment and extension of existing cricket nets and extension of astroturf to the cricket square.	40
5	R22/0226	Caravan at Rose Field, Hinckley Road, Wolvey, Hinckley LE10 3HQ Change of use of the land for the siting of one residential gypsy and traveller pitch.	45

Reference: R22/0466

Site Address: Rugby Gateway, Leicester Road, Rugby

Description: Details in relation to Condition 21 - Construction Method Statement / Construction Environmental Management Plan of R10/1272 - In relation to phase R3 (R19/0976, 146 dwellings).

Recommendation

Refusal of submission in relation to Condition 21 of R10/1272.

1.0 Description of site

1.1 This application relates to the phase of development of Rugby Gateway known as R3.

1.2 This is located to the north of phase R2 and north west of phase R1, both of which are constructed and occupied. The spine road through the Gateway site will be to the east of the site and this will provide access to the development.

2.0 Description of proposals

2.1 This is not an application for planning permission for the residential development which was granted by outline application R10/1272 and approval of reserved matters R19/0976.

2.2 This application relates to condition 21 of the outline planning permission which states:
“No development shall commence in any phase, unless and until a Construction Method Statement / Construction Environmental Management Plan (CEMP) for that phase, has been submitted to and approved in writing by the Local Planning Authority. All relevant developers, contractors and sub-contractors should sign up and agree with the statement. The statement should cover all aspects of the development from earth working to construction and should include:

- (i) a scheme to treat and remove suspended solids from surface water run-off during construction;*
- (ii) construction traffic routing ;*
- (iii) construction works and delivery hours of operation as appropriate to that phase;*
- (iv) noise and dust mitigation measures;*
- (v) measures to ensure the environment is protected from pollutants, likely impact of vibration imposing activities on existing and future properties;*
- (vi) a BS5228 construction type noise assessment;*
- (vii) Environment and Species Protection Plan;*
- (viii) Measures to prevent deleterious matter being carried onto all nearby highways the adoption of Best Practicable Means as defined in Section 72 of the Control of Pollution Act 1974, or any such revision, should be used as the basis for drafting and implementing the construction method statement/plan. Development shall not be carried out other than in accordance with the approved method statement/plan.”*

2.3 A Construction Management Plan was submitted and approved with the application for the housing, and an updated Plan has since been approved which changed the position of the site compound.

2.4 In relation to condition 21(ii) the approved Construction Management Plans showed the site being accessed along the temporary haul road from Leicester Road which was approved by R20/0162.

2.5 Although planning permission was granted for the temporary access and haul road technical consent is also required from Warwickshire County Council Highways to form the access onto Leicester Road.

2.6 Bloor Homes have advised that they have experienced delays in obtaining the required technical approval from Warwickshire County Council Highways. They have therefore submitted a revised Construction Management Plan which shows the spine road through R1 (Lower Lodge Avenue) used as a temporary construction access until such time as highway consent is granted and the access from Leicester Road provided.

2.7 Since the submission of the application development has commenced on site with vehicles routing through R1 and R2 to the south and through phase R4 to the north. Temporary stop notices have been served regarding this.

Planning History

R10/1272 Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.

Approval 20/08/2013

R19/0976 Erection of 146 dwellings with associated infrastructure, play area and landscaping; (Approval of Reserved Matters: Access, Appearance, Landscaping, Layout and Scale in relation to outline planning permission R10/1272.)

Approval of Reserved Matters 19/08/2020

R20/0162 Formation of temporary construction access, including alteration to existing access from Leicester Road.

Approved 31/05/2020

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

DS3 Residential Allocations

SDC1 Sustainable Design and Construction

National Planning Policy Framework, 2021 (NPPF)

Technical consultation responses

RBC Environmental Services	No objection	Subject to additional controls on traffic and vehicles
WCC Highways	No objection	Have some concerns, road is suitable for large vehicles and includes calming features, these could make access more difficult for large vehicles, Road Safety Audit may be

appropriate, temporary route should only be agreed for 3 months

Third party comments

Councillor Lowe Objection

- Disruption to residents will be huge and is unacceptable.

County Councillor Simpson-Vince Objection

- Bloor Homes have had time to sort out the access with WCC Highways but did not respond for several months;
- During phase R2 residents experienced constant problems with construction vehicles, out of hours traffic and roads not being cleaned etc;
- Residents should not have to go through this again when an alternative access has been approved;
- Residents are frustrated this has not been resolved.

Petition signed by 305 residents Objection

- Temporary haul road should be built as agreed;
- Volume of traffic causes extra danger to people and animals;
- Excessive dust across development;
- Debris, mud and rocks left on roads;
- Lorries and cars speed through site;
- Unnecessary nuisance and disruption to residents;
- Bloors had agreed a temporary road and they should wait for that to be built.

Local Residents (19) Objection

- Residents were promised this road would not be used for construction;
- Construction traffic and deliveries should not use Lower Lodge Avenue;
- Approved construction access from Leicester Road should be used;
- Bloor should work with Warwickshire County Council to secure the approved access;
- Would have know consents were required so should have progressed this earlier;
- Use of Lower Lodge Avenue would be dangerous to road users and pedestrians;
- Proposal will lead to noise, dust, vibration and increased traffic affecting residents;
- There are more families with young children and pets in the area;
- People working from home will be disturbed;
- Cars park along Lower Lodge Avenue making this a hazardous route with poor visibility and restricting the width of the road;
- There have been numerous accidents and a pedestrian has been injured in the past due to poor visibility;
- This will eventually become a route for children to walk to school and is currently a route to catch school buses;
- Construction traffic will block the only way into the development;
- Construction traffic will damage infrastructure;
- Have had issues with deliveries and construction traffic arriving too early, blocking roads, speeding, turning in residential areas, mud on the road and damage to kerbs etc.
- Also issues with loud music and litter from drivers;
- Roads should be repaired and adopted by the Council;
- Lorries have been using Lower Lodge Avenue since 1st June;
- Spine road should be extended to allow traffic to use Rocherbie Heights;
- No respect is shown to existing residents;
- Housing development will lead to a loss of green space which will affect wildlife and the environment;

Local Residents (1) Comment

- Hedgerows should be retained

3.0 Assessment of proposals

3.1 As detailed above this is not an application for planning permission and the principle of the proposed development or the details of the development layout etc. cannot be reconsidered.

3.2 The only matter to assess is whether the proposal for construction traffic to access the site through the existing residential development, on a temporary basis, is acceptable.

3.3 Policy SDC1 states that proposals shall ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

3.4 As detailed above letters of objection and a petition have been received from local residents and local Councillors have been received which raise concerns including highway safety, noise, dust and disturbance and comment that the approved temporary haul road should be used as originally agreed.

3.5 It is accepted that houses which are bought in the early phases of a large development are likely to be affected to some extent by construction traffic. In some cases there are no alternative means of access and construction traffic using residential areas cannot be avoided. The roads within phase R1 were used for the construction of R2.

3.6 Environmental Services have commented on the application and have raised no objection to the temporary use of the roads through R1, subject to a range of additional measures being put in place. These include additional monitoring for dust and noise by an identified person such as the site manager, a letter drop or similar to the residents along the temporary road route advising residents of the short term necessity of using the roads on a temporary basis, vehicles being suitably covered to minimise dust blowing from loads or empty vehicles, vehicle speeds being managed to minimise noise and vibration which may involve travelling below the speed limit and the reiteration of instructions to delivery/collection contractors regarding consideration of residents and precautions to minimise risk of complaints being made.

3.7 The Highway Authority, Warwickshire County Council, commented on the application and advised that they have no objection to the proposals but have some concerns. They advised that Lower Lodge Avenue was designed as a bus route so is suitable for large vehicles and that the alignment and parked vehicles will have a traffic calming effect. Whilst they also accept that this could lead to difficulties in large vehicles passing other vehicles they do not consider that the use would be severely detrimental to road safety to such a level that would justify the proposed routing in principle. They recommend a Road Safety Audit be provided regarding the proposed routing although this cannot be insisted on as it is not yet public highway. They also raise concerns that approval would prevent the temporary haul road from being provided and suggest that a time limit of 3 months be applied which they consider would be a reasonable timescale for the required technical approval process for the temporary access.

3.8 However, whilst these measures could go some way to reducing the impacts of construction traffic the use of the previously approved haul road would eliminate the impacts on the living conditions of the existing occupiers caused by vehicles arriving and leaving the site.

3.9 Although construction traffic is often experienced by residents living in the early phases of large development there is a difference in this case as an alternative access route which removes

the traffic from residential areas has already been approved by Rugby Borough Council. The only impediment to this access being provided is the delay from Warwickshire County Council Highways in approving the technical details.

3.10 The impact on the living conditions of existing occupiers therefore carries weight against the proposals contrary to policy SDC1.

3.11 The Gateway site is allocated for housing development by policy DS3 and the approval of the temporary construction traffic route would enable the site to be developed prior to highways approval for the haul road being granted and this being constructed. This would allow the housing delivery slightly earlier which would contribute to the Council's 5 year housing land supply. This therefore carries some weight in favour of the proposals.

4.0 Planning Balance and Conclusion

4.1 As detailed above it is considered that the approval of the temporary construction access through phase R1 would have an adverse impact on the living conditions of existing occupiers.

4.2 As an alternative access point can be provided to this site in order to minimise these impacts it is considered this should be provided and utilised.

4.3 Although the temporary access would allow slightly earlier delivery of the development this is not considered to outweigh the harm to the living conditions of existing occupiers.

Recommendation

Refusal of submission in relation to condition 21 of R10/1272.

DRAFT DECISION

REFERENCE NO:

R22/0466

DATE APPLICATION VALID:

13-May-2022

APPLICANT:

Bloor Homes, 7 Calico Business Park, Sandy Way, Tamworth, B77 4BF

AGENT:

Kate Fell, Bloor Homes Bloor Homes, Bloor Homes Limited, 7 Calico Business Park, Sandy Way, Tamworth, B77 4BF

ADDRESS OF DEVELOPMENT:

Rugby Gateway, Leicester Road, Rugby

APPLICATION DESCRIPTION:

Approval of details in relation to Condition 21 - Construction Method Statement/Construction Environmental Management Plan of R10/1272 - In relation to phase R3 (R19/0976, 146 dwellings).

REASONS AND INFORMATIVES:

REASON FOR REFUSAL:

The proposed temporary access for construction traffic through existing constructed and occupied phases of residential development would lead to increased traffic, including large numbers of large and heavy vehicles, through residential areas which would have an adverse impact on the

living conditions of existing occupiers, contrary to policy SDC1 of the Rugby Borough Local Plan, 2019.

INFORMATIVE:

This decision relates to Construction Management Plan - MI136-SL-010S received by the Council on 13/05/2022.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Local Plan 2019: SDC1 & DS3

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

Reference: R20/0981

Site Address: NEW HAVEN, RUGBY ROAD, WITHYBROOK, COVENTRY, CV7 9LN

Description: Demolition of existing dwelling and erection of a replacement dwelling house, together with the erection of a triple garage with tack room, and first floor home office, erection of a stable block with feed store and wash down area and provision of a ménage, and associated landscaping. (resubmission of previously approved under R16/0299

Recommendation

Approval subject to conditions, informatives and referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

1. Background:

- 1.1. This application is being reported to Planning Committee for determination because the proposed needs to be referred to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

2. Description of site

- 2.1. The application site is located within an area of the countryside which is designated as Green Belt, and forms part of the wider West Midlands Green Belt. The site currently comprises of a 2-storey dwelling house with extensive areas of hardsurfacing equating to approximately 6600sqm and is surrounded by agricultural land. The application site is located towards north-west of the Rugby Urban Area and to the south-west of Withybrook which is identified within Policy GP2 as a Rural Village.
- 2.2. The former use of the site was as a scrapyards; however, this use has now been abandoned and the site outside of the residential curtilage is found to have a nil use.
- 2.3. A stream is present 10 metres to the south-east of the site boundary.

3. Description of proposals

- 3.1. This is for full planning permission and forms a resubmission of a previously approved planning permission reference R16/0299. The proposed scheme is identical that which was previously approved.
- 3.2. There are several proposals as part of the development proposed.

Dwelling House

- 3.3. The proposal includes the demolition of the existing dwelling and replacement with a new dwelling house. The proposed dwelling would be a 2 storey, four-bedroom dwelling house with an external footprint of 280sqm. The proposed dwelling house will be positioned west of the existing dwelling house and more centralised within the site. The ridge height of the proposed dwelling would be 9.8m with an eaves height of 6.4m.

Detached Outbuilding

- 3.4. The proposed detached outbuilding building would occupy a footprint of 142sqm and comprise at ground level of a triple garage and tack room at ground floor level. At first level is proposed a home office with kitchenette and w/c together with storage area above the triple garage.

Equestrian Development

- 3.5. The garage building will comprise of a gated through access leading to a proposed stable yard incorporating an all-weather ménage of 975sqm, together with a stable building of 150sqm, incorporating 2 stables, feed store, wash down area and through access leading to the paddock area.

Landscaping

- 3.6. The proposal also incorporates landscaping together with woodland planting to the southeast corner of the site.

4. Planning and Enforcement History

R77/1330/6917/EUC

Certificate of Lawfulness as a Scrap Metal Yard
Approved 01/02/1978

ENF/2011/0064

Without planning permission, change of use of land for the storage and sells of motor vehicles and operational development to include the unauthorised erection of a steel framed building.
Appeal dismissed and notices upheld 23/07/2009

R16/0299

Demolition of existing dwelling and erection of a replacement dwelling house, together with the erection of a triple garage with tack room, and first floor home office, erection of a stable block with feed store and wash down area and provision of a ménage, and associated landscaping.
Approval 20/09/2016

5. Technical Consultation Responses

WCC Highways	no objection subject to conditions
WCC Ecology	no objection subject to conditions
WCC Archaeology	no comments to make
Environment Services	no objection subject to conditions
RBC Tree/Landscape Officer	no objection

6. Third Party Responses

Withybrook Parish Council	no objection
---------------------------	--------------

7. Assessment of Proposal:

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

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

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

GP2: Settlement Hierarchy	complies
GP1: Securing Sustainable Development	complies
H5: Replacement Dwelling	complies
NE1: Protecting Designated Biodiversity and Geodiversity Assets	complies
SDC1: Sustainable Design	complies
SDC2: Landscaping	complies
D2: Parking Facilities	complies

7.4. Supplementary Planning Documents (SPDs)
Sustainable Design and Construction SPD (2012)
Draft Air Quality SPD (2020)

7.5. Other Material Consideration
National Planning Policy Framework, 2019 (NPPF)

7.6. Key Issues
Section 8 Settlement Hierarchy and Green Belt
Section 9 Landscape and Visual Impact
Section 10 Highway Safety and Parking Provision
Section 11 Ecology
Section 12 Contamination
Section 13 Air Quality
Section 14 Planning Balance and Sustainability of Development

8. Settlement Hierarchy and Green Belt

8.1. *Settlement Hierarchy*

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

8.3. *National Policy on Green Belts*

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

8.5. Paragraph 149 of the NPPF stipulates that the construction of new buildings should be regarded as inappropriate development within the Green Belt. Exceptions to this, which are relevant considerations as part of this application, include:

1. Provision of appropriate facilities for outdoor sports, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.
2. The replacement of a building provided the new building is in the same use and not materially larger than the one it replaces.

8.6. Stable Building

- 8.7. The stable building has a footprint of 150sqm incorporating 2 stables, feed store, wash down area and though access leading to the paddock area.
- 8.8. The size of the stable building is considered appropriate based on the acreage of the pasture, having regard for the British Horse Society's guidelines in relation to the keeping of horses. There is also clear justification for the building based on the applicant's daughter's having two horses, currently held at livery at Burbage, Leicestershire, to be stabled on the application site.
- 8.9. This proposed building, when viewed in isolation would impact upon the openness of the Green Belt. The design of the building with its open through access and open sided wash down area would help to reduce the impact upon the openness of the Green Belt and allow for views behind the building. In addition, when viewed in the context of the overall development of the site its location close to the proposed dwelling house, would reduce its impact upon the openness of the green belt, to a level where it would not be judged as significant. However, the proposal building would impact upon the openness of the Green Belt and therefore would constitute, by definition, inappropriate development within the Green Belt.

8.10. Replacement Dwelling

- 8.11. The replacement dwelling would comprise of 4 bedrooms and a footprint of 280sqm (cubic Volume 1185.65m³).
- 8.12. The NPPF stipulates that the replacement of a building within the Green Belt is appropriate, provided the new building is in the same use and not materially larger than the one it replaces.
- 8.13. Policy H5 as contained within the Local Plan sets out a list of criteria that needs to be applied to replacement dwellings with the Countryside and Green Belt.
- 8.14. These criteria are as follows:
1. The form and bulk of the new dwelling is not materially larger than that of the original dwelling or that which could be achieved as permitted development;
 2. The new dwelling is not more intrusive in the landscape than that which it replaces;
 3. The new dwelling has substantially the same siting as the existing; and
 4. The existing dwelling to be demolished is not of historic merit.
- 8.15. There is no definition of 'materially larger' in either the Local Plan or the NPPF. Therefore, assessing proportionality is primarily an objective test based on size. Some guidance as to the local general view is available in the form of previous decisions and a maximum figure generally supported is 30%. The proposed dwelling would be approximately 37% larger than the existing dwelling. Although this doesn't take into consideration any further extensions to the dwelling house which maybe permitted under permitted development. The height of the dwelling in term of ridge and eaves would only be slightly greater than the maximum height of the ridge and eaves of the existing dwelling house. Whilst this increase is in excess of the 30% guideline, it is not so

significant for the proposed to be judged as materially larger, in comparison to the existing dwelling house.

8.16. The proposed dwelling wouldn't be sited in the same location as the existing dwelling, which is a requirement of Policy H5. The proposed location would sit further back from the highway and as such would appear less intrusive within the landscape. Furthermore, its positioning close to the other proposed building would ensure the proposed buildings are viewed as a grouping of buildings, reducing the sprawl of built form across the site. It is therefore considered that the siting of the dwelling is considered acceptable.

8.17. Ménage

8.18. The proposed ménage is an appropriate facility for the equestrian element of the proposed development, and it would retain the openness of the Green Belt and therefore would be an appropriate form of development within the Green Belt.

8.19. Garage building

8.20. The garaging element incorporates a triple garage, tack room and a first floor home office.

8.21. The proposed tack room is an appropriate facility in connection with the proposed equestrian development. It's positioning whilst away from the stable block opens out onto the ménage and therefore would be viewed in context to the other equestrian buildings and facilities.

8.22. The provision of outbuildings for residential purposes is not a form of development that falls within the limited forms of development outline within paragraph 149 of the NPPF. Therefore, by definition this building has to be regarded as inappropriate development within the green belt. It is noted that the existing dwelling house does have permitted developments in respect to outbuilding (Class E) intact and therefore outbuilding within the curtilage can be built. Whilst the curtilage is not noticeable on site it is reasonable to state that the curtilage of the dwelling house it that edged red on the planning application submitted relating to this site ref: R05/0925/06917/P. Whilst such an outbuilding constructed under permitted development would not to the scale of that proposed, this is nevertheless a material consideration in judging the impact of the garage building upon the openness of the Green Belt.

8.23. The proposed triple garage and home office is judged to constitute inappropriate development within the Green Belt and would impact upon the openness of the Green Belt. The through arch allow for views behind the building, retaining an element of openness, however, it is considered that the harm to openness is significant.

8.24. *Impact on Openness*

8.25. In regard to openness, paragraph 137 of the Framework states that the fundamental aim of Green Belt policy is to keep land permanently open with the essential characteristics being its permanence and openness. It is important to note that openness is a broad policy concept which has variously been defined by the Courts as "unbuilt on land" or "the state of being free from built development, the absence of buildings – as distinct from the absence of visual impact". The Courts have also established that the concept of openness can have a spatial aspect as well as a visual aspect. However, it is not a necessarily a statement about the visual qualities of the land. Equally, the absence of visual intrusion does not in itself mean that there is no impact on the

openness of the Green Belt as a result of the location of a new building there. In essence, even if new buildings have a limited visual impact they can still reduce openness.

8.26. In this case the application site comprises of a single detached dwelling house and significant areas of hardstanding. The proposed development on this land would clearly result in a permanent loss of that openness.

8.27. From a visual perspective the presence of the proposed development in this site would readily be observed from public vantage points including Rugby Road (B4112). The visual impact of this would be reduced through significant landscape planting proposed. When established this would help to screen and soften views of the buildings. Nonetheless, the visual impact arising from the proposed buildings and development would be significant compared to the currently open nature of the site.

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

8.29. *Other Harm*

8.30. Aside from the impact on openness, paragraph 134 of the Framework sets out that the Green Belt serves five purposes: (a) to check the unrestricted sprawl of large built up areas; (b) to prevent neighbouring towns merging into one another; (c) to assist in safeguarding the countryside from encroachment; (d) to preserve the setting and special character of historic towns; and (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

8.31. The amount of development proposed would increase exponentially. This would have a spatial and visual impact on the openness of the Green Belt as identified above. In turn, this would reduce the amount of open space on the site thus creating a notably denser and urban form of development across the site. This would contrast with the single building and significantly higher amount of open space on the site currently. As a result, the proposal would give rise to some limited harm to checking the unrestricted sprawl of large built-up areas and some moderate harm to assisting in safeguarding the countryside from encroachment.

8.32. Conversely, the contained nature of development on the site would ensure that it would not give rise to harm to prevent neighbouring towns merging into one another, preserving the setting and special character of historic towns, and assisting in urban regeneration.

8.33. *Other Considerations*

8.34. It has been established that the proposal would give rise to harm to the Green Belt by reason of inappropriateness, impact on openness and impact on two purposes of including land in the Green Belt. This harm must be given substantial weight in accordance with paragraph 144 of the Framework. Very special circumstances will not exist unless that harm is clearly outweighed by other considerations. Such considerations are set out in depth below and will be weighed up in the planning balance at the end of this report.

9. Landscape and Visual Impact

- 9.1. Section 12 of the Framework and policies NE3, SDC1 and SDC2 of the Local Plan set out the importance of good design and landscaping in new developments. They also set out the importance of considering the impact of development on the landscape.
- 9.2. The application site is set within the rural, agrarian landscape, with its extensive hard-surfacing and palisade fencing appears harsh within this environment. The dwelling house itself with its bay windows does not compliment this rural environment. However, the limited built form on the site results in a relatively open site allowing for views of the countryside beyond.
- 9.3. The proposed development would seek to remove the existing palisade fencing and incorporate landscaping to the frontage. This would remove this alien feature within the streetscene and given the site a softer frontage along the Rugby Road. The proposal development would also remove large area of hard landscaping with soft landscaping.
- 9.4. The proposed dwelling would be set further back within the site and therefore would be less visually prominent within the streetscene. The character and appearance of the dwelling house itself is more akin to a farmhouse and therefore would relate better to the surrounding, agrarian environment than the existing dwelling house.
- 9.5. The removal of a large amount of hard landscaping and replacement with soft landscaping will reduce the existing harsh appearance of the site within the landscape and assimilate the site better within the existing environment and street scene.
- 9.6. On balance, it is considered that the proposed development would have an acceptable impact on the landscape and visual amenities of this area. The scale and layout of the proposed development is such that this would invariably have a greater impact than was previously the case. However, in mitigation, the proposed development would enhance the character and appearance of the site and wider context. Over time the impact would be lessened as the proposed strategic landscape planting matures and thereby softens and filters views of the buildings. As a result, the proposal complies policies NE3, SDC1 and SDC2 of the Local Plan and guidance as set out within the NPPF.

10. Highways and Transport

- 10.1. Section 9 of the Framework and policies HS5, D1 and D2 of the Local Plan set out the need to prioritise sustainable modes of transport and ensure transport impacts are suitably mitigated. A safe and suitable access to the site is also necessary.
- 10.2. Vehicular access to the site is available from two access points (known as north and south) directly onto Rugby Road. The proposal seeks to utilise the existing two access onto Rugby Road, operating an in and out access arrangement.
- 10.3. It is considered that these accesses are below standards in terms of visibility places. However, taking into account the existing dwelling house on the site, on balance it is not considered that the proposal would have an adverse impact upon the highway safety, and as such WCC Highways have raised no objection subject to condition 17.

10.4. *Parking Provision*

10.5. The Council's car parking standards are set out within Appendix 5 of the Local Plan. This indicates a minimum requirement of 3 spaces to serve a 4-bedroom dwelling house. It is considered that this can be adequately provided within the application site.

10.6. *Conclusion*

10.7. In conclusion, it is considered that the proposal would have an acceptable impact on highway safety. The level of parking provision on site is considered acceptable. As a result, the proposal complies with the Framework and policies HS5, D1 and D2.

11. **Ecology**

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

11.2. *Habitats*

11.3. The application site itself supports a number of habitats of intrinsically low ecological value including areas of hardstanding, and boundary lined trees. Features of relatively higher ecological value (albeit limited) within the context of the site include a brook along the southern boundary.

11.4. The proposal would result in a net gain in biodiversity with a large area of hardstanding, and proposed landscaping including the proposed for woodland planting. Warwickshire County Council has raised no objection subject to conditions.

11.5. The Ecological Assessment submitted with the application acknowledges that habitats to be removed as part of the proposed redevelopment works is considered to be of relatively low intrinsic value and the removal of this habitat is considered to be not significant. The proposed site plans, shows illustratively, landscaping which includes amenity grassland, woodland planting, tree planting as well as ornamental shrub planting.

11.6. *Species*

11.7. The Ecological Assessment draws on data records and surveys which indicate that the development has the potential to have an impact on bats, reptiles, amphibians (Great Crested Newt), birds and invertebrates. A variety of measures incorporating a series of precautionary working principles are proposed to offset such potential impacts. Biodiversity enhancements across the site would include the installation of bird nesting boxes and bat boxes. WCC Ecology have assessed these and are satisfied that the potential impact to these species would be mitigated against.

11.8. *Ecology Conclusions*

11.9. It has been found that the findings of the Ecological Assessment are acceptable and form a robust basis for considering the ecological impacts arising from the proposed development. In the first instance it has been established that the proposed development would not give rise to detrimental and adverse impacts at statutory and non-statutory ecological sites. The biodiversity impact arising from this application, and any subsequent biodiversity gain, would be secured through the use of planning conditions. Similarly, the potential impact on species could be mitigated against

through conditions 8, 18, 20, 21 and 22. It is consequently considered that the proposed development would not have an adverse impact upon habitats and species whilst ensuring a net biodiversity gain. As a result, the proposal complies with the Framework and policies NE1 and NE2.

12. Contamination

- 12.1. Paragraphs 170, 178 and 179 of the Framework sets out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination.
- 12.2. A Ground Investigation Statement and Strategy has been submitted with this application. This Site Investigation Report has identified that the land is subject to contamination. This contamination is a result of its historical land use. The report identifies potential risks to current and future occupiers of the site and recommends remediation works be undertaken. This view is concurred with by colleagues in the Commercial Regulation Team (Environmental Health) and should be undertaken.
- 12.3. Environmental Health has considered this assessment and raised no objection to the proposed development subject to condition 5. This would require the submission of an investigation and risk assessment including a remediation scheme and measures to report unexpected contamination found on the site. It is therefore considered that this would ensure that contaminated land does not affect the health of the future occupiers of the proposed development. As a result, the proposal complies with the Framework.

13. Air Quality

- 13.1. Paragraph 181 of the Framework and policy HS5 of the Local Plan set out the need to consider the impact of the proposed development on air quality. The Council published a consultation draft Air Quality SPD in February 2020. Although this has not been adopted by the Council it can be afforded some weight in decision making.
- 13.2. The site is within an Air Quality Management Area. Whilst details haven't been submitted detailing how the proposed development would incorporate measures to assist in reducing their impact upon the Air Quality Management Area as part of this development, it is considered that such details can be secured via condition 19 and as a result, the proposal complies with the Framework and policy HS5.

14. Planning Balance and Conclusion

- 14.1. The existing site comprises of a detached dwelling house with associated residential curtilage, although not defined on site. The remaining land comprises of an area covered in hard-surfacing. The application site, having regard to the definition of previously developed land as contain within the NPPF, constitutes previously developed land. The contamination report undertaken by the applicant has identified the presence of elevated contaminant concentrations across the site, plus potentially elevated leachate/groundwater results. The area within the site, and outside of the residential curtilage, has a nil use, and therefore any use would require planning permission. It is acknowledged that the costs involved to remediate the land would be significant, and any potential for the site to be cleaned up by means other than through redevelopment is unlikely.
- 14.2. From a land use perspective the site seeks to retain the existing use for a single dwelling house, albeit increasing the define curtilage together with an equestrian element to it. Whilst the curtilage

would be increase, the removal of permitted development rights via condition would limit any development within the residential curtilage.

- 14.3. The benefits of the development are acknowledged. The proposed development presents an opportunity for remediation of the site which currently poses a risk to human health and controlled waters. This remediation would have significant benefits upon the local environment, biodiversity and improve conditions where people live, having regard to the existing dwelling house on site. This would be consistent with the NPPF which at paragraph 109 indicates that the planning system should contribute to and enhance the natural and local environment by, amongst other matters, remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. The site investigation identified contamination was present and would require remediation to make it suitable for the proposed use, the decontamination of the site would be of significant benefit and has therefore increases the weight that should be ascribed to this consideration.
- 14.4. The removal of a significant area covered in hardstanding and replacement with soft landscaping, would enhance the ecological value of the site, whilst improving natural drainage within the site. The scheme overall is considered to visually improving the appearance of the site assimilating it more into the surrounding environment.
- 14.5. Individually elements of this development are considered appropriate having regard to par. 149 of the NPPF. It is also acknowledged that there are elements which constitutes inappropriate development. Whilst the impact upon the openness of the Green Belt is significant, and elements of the development are considered harm to the Green Belt by definition, the benefits of the proposal, namely the removal of the existing concrete slab, decontamination, biodiversity enhancements, more sustainable drainage and enhanced landscaping together with the appropriateness of elements of the development within the Green Belt, outweigh the harm to the openness of the Green Belt. Accordingly, the proposal would not conflict with policy GP2 of the Local Plan and Green Belt policy in Section 13 of the Framework.
- 14.6. In view of the above, the propped development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. Indeed, the proposal would result in a number of positive economic, social and environmental benefits. These benefits would consequently outweigh the identified harm to the Green Belt. The proposal would also not result in any other significant and detrimental environmental harm. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with policy GP1.
- 14.7. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to conditions and informatives.

15. Recommendation

- 15.1. Planning application R20/0981 to be granted subject to:
 - a. The conditions set out in the draft decision notice appended to this report;
and
 - b. Referral to the Ministry of Housing, Communities and Local Government's Planning Casework Unit.

DRAFT DECISION

REFERENCE NO:
R20/0981

DATE APPLICATION VALID:
10-Dec-2020

APPLICANT:
R Guest New Haven, Rugby Road, Withybrook, CV7 9LN

AGENT:
Ian Gidley, IG Estates Ltd IG Estates Ltd, Northgate House, 42 Main Road, Crick, NN6 7TX

ADDRESS OF DEVELOPMENT:
NEW HAVEN, RUGBY ROAD, WITHYBROOK, COVENTRY, CV7 9LN

APPLICATION DESCRIPTION:
Demolition of existing dwelling and erection of a replacement dwelling house, together with the erection of a triple garage with tack room, and first floor home office, erection of a stable block with feed store and wash down area and provision of a ménage, and associated landscaping. (resubmission of previously approved under R16/0299)

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

- Stable Scheme (38-16-06B)
- Garage Scheme (38-16-05B)
- House Scheme (38-16-04B)
- Site Layout (38-16-02C)
- Existing Layout (P/G/WB/LP/1)

- Contamination Report Phase 2
- Ecological Impact Assessment (2021-01(06) dated 21st January 2022)
- Report on Phase 2 Site Investigation (20677)

REASON:

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

CONDITION: 3

No 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: 4

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: 5

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (A) to (D) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

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

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

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

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

as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- (C) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- (D) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (A), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (B), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (C).

REASON:

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

CONDITION: 6

No above ground works shall commence in any phase unless and until full details of finished floor levels of all buildings have been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure the proper development of the site.

CONDITION: 7

No above ground works shall commence unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any non-material variations which do not give rise to additional or different likely significant effect.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

CONDITION: 8

The development hereby permitted, including ground clearance works, shall not commence until a protected species method statement for great crested newt (to include timing of works, supervision of habitat 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: 9

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

REASON:

In the interest of visual amenity.

CONDITION: 10

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

REASON:

In the interest of residential amenity.

CONDITION: 11

Prior to the commencement of development a Tree Protection Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved plan/statement.

REASON:

In the interest of visual amenity.

CONDITION: 12

The garage, hereby permitted, shall only be used for the accommodation of vehicles of persons of person residing in or calling at the premises.

REASON:

In the interest of highway safety.

CONDITION: 13

No vehicles shall be stored/parked/displayed within the site edged red in connection with any business or commercial activity.

REASON

In the interest of visual amenity and to restrict commercial activity within the site which is not considered to be a sustainable location.

CONDITION: 14

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the proposed layout of the roof floor to the garage scheme shall be as shown on amended plan dwg. No. 38:16:05B and shall not be altered in any manner at any time. This accommodation shall only be used in connection with a business undertaken by person(s) residing within dwelling.

REASON

To ensure that the development is acceptable, and given the unsustainable nature of site.

CONDITION: 15

Unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority the proposed stable shall only be used for the stabling of animals for private purposes and shall not be used for the holding of competitions, exhibitions, hiring of horses or other business activities.

REASON:

In the interest of the amenities of the locality.

CONDITION: 16

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998:2010 (Recommendations for Tree Work) and shall be carried out before the commencement of any works.

REASON:

In the interest of visual amenity.

CONDITION: 17

Prior to occupation of the proposed dwelling, the existing palisade and hoarding boundary fence fronting Rugby Road (B4112) shall be removed.

REASON

In the interest of Highway Safety

CONDITION: 18

The development hereby permitted shall not commence until a detailed schedule of habitats and species mitigation and enhancement measures (to include timing of works, protection measures for the watercourse, tree line, birds and mammals and enhancements where possible) has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation and enhancement measures shall thereafter be implemented in full.

REASON:

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

CONDITION: 19

No above ground works shall commence unless and until an air quality assessment has been submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of health and safety.

CONDITION: 20

The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in full accordance with such approved details. In discharging this condition, the Local Planning Authority expects lighting to be restricted close to bat mitigation on the and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

REASON:

In accordance with NPPF, ODPM Circular 06/2005

CONDITION: 21

The development hereby permitted, including site clearance, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for badger, bats (including tree), breeding birds, water voles and amphibians and reptiles and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

REASON:

To ensure that protected species are not harmed by the development

CONDITION: 22

The development hereby permitted shall not commence until a detailed Schedule of Bat Mitigation Measures (to include timing of works, replacement roost details, monitoring and further survey if deemed necessary) has been completed in consultation with a suitably qualified bat worker and submitted to and approved in writing by the Local Planning Authority. Such approved mitigation measures shall thereafter be implemented in full. The qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of loft installation and the supervised demolition to confirm correct mitigation.

REASON:

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

CONDITION: 23

No development, in respect to the proposed menage, shall commence until full details of the proposed surface treatment to the menage, including a scaled cross-section plan, has been submitted to and approved by the Local Planning Authority. The development shall not be carried out other than in full accordance with such approved details.

REASON:

To ensure that the details are acceptable in the interest of visual amenity, animal welfare and sustainable drainage.

CONDITION: 24

The menage hereby approved shall only be used for private purposes and shall not be used for the holding of competitions, exhibitions or other business activities.

REASON:

To ensure that the principle of development is acceptable, and in the interest of highway safety.

STATEMENT OF POSITIVE ENGAGEMENT

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the NPPF.

Reference: R21/0894

Site Address: 32 HIGH STREET
RUGBY
WARWICKSHIRE
CV21 3BW

Description: The renovation and conversion of the existing buildings at 30 and 32 High Street, and 15 Sheep Street (excluding most of the ground floor at 30-32) to provide residential accommodation consisting of 32 units, including rooftop penthouse extensions and alterations to the existing building facades.

Recommendation

Approve subject to Conditions

Description of site

The application site is the former Woolworths Building a 1950's infill development and a four storey structure within an Edwardian street, and has dual frontages onto both Sheep Street and High Street. of red brick with two levels of fenestration with a horizontal emphasis and mosaic infill located in the centre of Rugby Town. The application property includes a large retail unit with dual entrances from the High Street and Sheep Street.

The Sheep Street elevation is predominantly red brick, whilst the High Street Elevation is predominantly faced in Portland stone. Both facades incorporate two levels of fenestration with a horizontal emphasis, with mosaic infills. The building varies from its neighbours in age, style and scale.

The building height means it projects above the neighbouring properties.

Description of proposals

The application is for the conversion of the upper floors to provide 32 residential dwellings comprising of a mixture of 1 and 2 bedroom apartments and includes an extension on the roof top of the existing building. There are proposed some alterations to the external façade to provide new openings in place of the existing windows to form set back balcony areas to the apartments. The existing mosaic infills will be replaced with new hit and miss brickwork balustrades. The main alterations is to the openings for the existing third floor windows which are to be widened with set back windows to form new set back balconies. At street level it is proposed to retain the retail unit. The proposal includes cycle parking and bin storage in the basement.

Planning History

None Relevant

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development
GP2: Settlement Hierarchy
GP3: Previously Developed Land and Conversions
H1: Informing Housing Mix
H2: Affordable Housing Provision
TC1: Development in Rugby Town Centre
TC3: Primary Shopping Area and Shopping Frontages
HS1: Healthy, Safe and Inclusive Communities
HS4: Open Space, Sports Facilities and Recreation
HS5: Traffic Generation and Air Quality
SDC1: Sustainable Design
SDC3: Protecting and Enhancing the Historic Environment
SDC4: Sustainable Buildings
SDC9
D1: Transport
D2: Parking facilities
D4: Planning Obligations

National Planning Policy Framework, 2021 (NPPF)

Technical consultation responses

Environmental Health	No Objections subject to conditions
Lead Local Flood Authority	No Objections subject to conditions
Warwickshire County Council Ecology	No Objections
Warwickshire County Council Highways	No Objections subject to conditions
Warwickshire Police	No Objections

S106 Requests
Health
Warwickshire Infrastructure
Housing

Third party comments

None received

1 Assessment of proposals

- 1.1 The key issues to assess in relation to the proposal are the principle of the proposed development, the impact on heritage assets and visual amenity.
- 1.2 The impact in terms of highway safety, parking, neighbouring properties, noise and air quality must also be considered.

2 Sustainable Development

- 2.1 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.

- 2.2 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.
- 2.3 Policy GP2 sets out the settlement hierarchy with new development in the Rugby Town Area being considered the most sustainable location.
- 2.4 The application site is located within the Rugby Town Area, as defined in Policy GP2 and therefore is the primary focus for new development. As such there is a principle in favour of sustainable development, subject to all planning matters being appropriately addressed.
- 2.5 In addition Policy GP3 relates to previously developed land and conversions where it states that the Council will support proposal where they comply with the policies in the local plan and particular consideration will be given to: -
The visual impact on the surrounding landscape and properties:
the impact on existing services if an intensification is found and
the impact on any heritage assets.
- 2.6 Policy TC3 states residential development is encouraged in the town centre provided it does not harm the retail function, character, and its vitality and viability. As the proposal retains the retail aspect of the building the proposal is considered to conform with this policy.
- 2.7 The supporting text for Policy TC3 identifies that the use of upper floors for residential use would be supported. It is identified that an independent access to upper floors should be maintained to ensure that buildings may be fully utilised. This proposal for the partial conversion of the ground floor is compliant with this as it enables independent access to the upper floors whilst enabling the ground floor to be used separately. Furthermore, ground floor uses would not be restricted by the development of the former storage space on the upper floors. This is due to the basement providing the potential for storage to support future uses. It is also noted that the ground floor is accessible from two streets. This provides significant flexibility for potential layout options for future ground floor uses.
- 2.8 The proposal would be considered to make a significant contribution to the vitality and viability of the town centre. This is by virtue of the proposed residential population increasing footfall along High Street and Sheep Street to help sustain nearby businesses and support the wider town centre
- 2.9 The NPPF also states that planning policies should recognise the role of residential development in ensuring the vitality of centres and that residential development should be encouraged on appropriate sites.
- 2.10 Therefore, the principle of the proposed residential development is considered to be in accordance with Section 2 of the NPPF and Policy GP1, GP2 and TC3 of the Local Plan.
- 2.11 In terms of Policy GP3 this should be read in conjunction with Policy SDC3 as the property lies within the Conservation Area.

3 Conservation Area

- 3.1 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve and enhance the character or appearance of a conservation area.
- 3.2 With regards the NPPF, chapter 16 sets out the government's advice on conserving and enhancing the historic environment.
- 3.3 Paragraph 190 requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). This should be taken into account to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 3.4 Paragraph 193 advises great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification. Paragraph 195 states that where substantial harm to a designated heritage asset. Such cases should be weighed against the public benefit of the proposal.
- 3.5 Paragraph 195 sets out its guidance where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset.
- 3.6 Paragraph 196 advises on development proposals which will lead to less than substantial harm to the significance of a designated heritage asset. The paragraph goes on to say that the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 3.7 Paragraph 200 states that local planning authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 3.8 Paragraph 201 informs that not all elements of a conservation area will necessarily contribute to its significance.
- 3.9 The courts have held (*South Lakeland DC v Secretary of State for the Environment*, [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve.
- 3.10 Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.
- 3.11 The application property lies within the Town Centre Conservation Area and is part of the historic core of buildings and street patterns. The majority of the buildings in the Conservation Area are primarily terraced Edwardian buildings with twentieth century

development limited to infill. This includes the property (identified in the Conservation Appraisal as the former Woolworths building) which is a 1950's four storey structure of red brick with two levels of fenestration with a horizontal emphasis and mosaic infill.

- 3.12 In the Conservation Appraisal the site lies in Area 3 of the Character Areas which is the commercial hub and the property is identified as an important unlisted building in the Conservation Area.
- 3.13 Policy SDC3 relates to protecting and enhancing the historic environment where it states that development will be supported that sustains and enhances the significance of the Boroughs heritage assets including amongst other things conservation areas and townscape. It also goes on to state that development affecting the significance of a designated or non-heritage asset and its setting will be expected to preserve or enhance its significance. Policy SDC1 states that development must be of a high-quality design and must not cause harm to the character and amenity of the area. In addition, Policy TC1 states that within the Town Centre development must be high quality design which complements the existing townscape and contributes to its local distinctiveness.
- 3.14 As previously stated the property is identified in the Conservation Appraisal as an important unlisted building and the external alterations and proposed extension has been carefully designed so as to respect the features listed in the Conservation Appraisal in terms of the Horizontal fenestration and with the extension set in from the edge so as to have minimal visual impact it therefore considered that the proposal would enhance the external appearance of the building and reflect the existing townscape in accordance with policies SDC1, SDC3 and TC1 of the Local Plan..

4 Residential Amenity

- 4.1 The proposal sets the residential properties over four floors which includes the proposed penthouse extension and comprises a mix of 1 and 2 bedroomed apartments. Policy HS1 states development should consider the potential to develop healthy, safe and inclusive communities and it is considered the proposal to provide housing in a location with good access to services is in accordance with this requirement
- 4.2 Policy SDC1 states that the amenity of neighbouring occupiers must be safeguarded. The site is located within an area of predominantly commercial properties with some residential uses to upper floors.
- 4.3 The main impact on residential amenity to adjoining properties would be the penthouse extension however due to the height of the building compared to the adjoining buildings the proposed extension would not result in any harm to neighbouring properties in terms of overlooking.
- 4.4 It is therefore considered that the proposal is in accordance with Policies HS1 and SDC1

5 Highways

- 5.1 Policy D2 seeks to ensure adequate car, cycle and electric vehicle parking should be achieved on site in line with Appendix 5 of the Local Plan. The site is within the town centre and the high access parking standards zone.
- 5.2 No parking spaces are proposed due to the units sitting within a pedestrianised zone so is physically incapable of offering parking spaces. The unit is a former anchor unit in the

town centre. The notes in Appendix 5 for residential standards make it clear that they 'do not preclude zero or minimal parking close to major transport interchanges or for conversions of existing buildings'.

- 5.3 The unit is within the heart of the town centre and is therefore the most sustainable location in the Borough. The unit is within walking distance of employers in Rugby Town Centre, bus stops and is a 20 minute (0.9 miles) walk from the train station. Therefore buyers/tenants of these proposed apartments are less likely to own a car due to the accessibility this location offers. The proposal is very close to two surface car parks and an underground car park, with other car parks and on-street parking available nearby in the wider town centre for visitor parking. For these reasons the lack of parking provision is considered acceptable and does not conflict with Appendix 5 due to its central location.
- 5.4 The proposal falls below the threshold for providing electric vehicle charging points in terms of Policy D2. However, again as parking spaces can't physically be provided neither can electric vehicle charging points. There are electric vehicle charging points within walking distance of the unit.
- 5.5 Cycle parking standards require 32 cycle spaces for residents and cycle hoop spaces for visitors. Cycling parking provision is provided at basement level for the residents due to the limited space available at ground floor level. The secure cycle store will provide a total of 32 spaces. No visitor cycle spaces are being provided due to its town centre location and the fact that there is on street cycle parking hoops provided on Sheep Street and High Street (including literally outside of the unit). Collectively this provides the potential to accommodate a substantial number of bikes. Therefore the proposal is considered compliant with Policy D2.

6 Air Quality

- 6.1 The urban area of Rugby town and Dunchurch was designated as an Air Quality Management Area (AQMA) under the Environment Act 1995 on 16th December 2004 due to air quality and not being able to meet government standards for nitrogen dioxide (NO₂). The AQMA designation map is contained within appendix 8 of the Local Plan.
- 6.2 Policy HS5 sets a threshold for developments differentiating the requirements in terms of air quality mitigation. These are defined as:
- Development throughout the Borough of 10 units or more, or if above 1000 square metres.
 - All development within the Air Quality Management Area that would generate any new floorspace:
- 6.3 The proposal will create some floorspace and given that the site lies within the AQ management area the proposal would therefore need to :
1. Achieve or exceed air quality neutral standards; or
 2. Address the impacts of poor air quality due to traffic on building occupiers, and public realm or amenity space users by reducing exposure to and mitigating their effects, proportionate to the scale of the development.
- 6.4 The application has been submitted with an AQ management plan which states that the development is car-free, and the residential properties would have electric heating and hot water. Combined with the proposed installation of solar photovoltaic panels on the

roof and bicycle storage, it is considered that the proposal would meet the policy HS5 air quality neutral/mitigation condition

- 6.5 Environmental Health are satisfied with the proposed mitigating measures and have recommended a condition to ensure the measures are met (condition XX)
- 6.6 Policy HS5 also requires that any adverse impact of noise and vibration on existing and future occupiers and users of the public realm are addressed.
- 6.7 The application was submitted with a Noise assessment and addresses and provides mitigating measures to reduce the impact of noise in accordance with the Policy. Environmental Health are satisfied with these measures and have recommended that the document is conditioned to ensure the measures are met (condition xx)

7 Ecology

- 7.1 Policy NE1 seeks to protect designated areas and species the application was submitted with an ecology report which concluded that the building had Negligible suitability to support roosting bats.
- 7.2 Additionally no evidence of nesting birds was observed inside the building, but feral pigeons were using the outside for roosting.
- 7.3 WCC Ecology are satisfied of the findings and have recommended informative relating to Bats and Birds.

8 Drainage

- 8.1 Policy SDC5 states development should be steered to areas with the lowest risk of flooding. The site is located within Flood Zone 1 which is the area with the lowest risk of flooding.
- 8.2 Policy SDC6 requires development to provide Sustainable Drainage Systems should be incorporated in the scheme where possible. The applicants have provided details in the existing and proposed drainage areas that the existing impermeable area is to remain unchanged given that the surface water is already connected to the drainage network the Lead Local Flood Authority are satisfied that the proposal would not change the existing surface water management scheme and have recommended a condition to ensure mitigating measures are met (Condition xx)

9 S106 Contributions

- 9.1 As the proposal meets the requirements for S106 Contributions the following would be considered as part of the application.
- 9.2 Housing
Policy H2 sets out the requirements for affordable housing which would be 20% on brownfield land. Housing have request that starter flats would be appropriate for affordable housing.
- 9.3 Open Space
Policy HS4 states that within the urban area residential developments must make provision for open space in accordance with the standards

Due to the constrained nature of the site it is not possible to provide on-site open space and contributions for off-site provision would be sought.

9.4 Education

As the proposal is for primarily one bedroom units no contributions have been sought for education.

9.5 Health

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

9.6 Highways

There has been requests for a contribution for sustainable travel packs and a contribution for road safety initiatives within the community associated within the development. Road safety initiatives include road safety education for schools and training/education for other vulnerable road users within the area.

9.7 Libraries

Contributions are being sought to improve, enhance and extend local library although no defined library or project has been listed.

10 Viability

10.1 In terms of the above likely requests for financial contributions Policies H2 and D4 refer to the impact on the financial viability of the development being a consideration.

10.2 This reflects paragraph 58 of the NPPF which states it is for the applicant to demonstrate the need for a viability assessment at the application stage and this assessment would need to be submitted with the other documents listed below.

10.3 A viability assessment has been made and independently assessed and it has been determined that any financial contributions including the provision of affordable housing would make the scheme unviable.

10.4 It is therefore considered, on balance, that to provide affordable housing or s106 contributions would unduly threaten the viability of the scheme and therefore the delivery of the proposal. As detailed above existing and emerging policies and the NPPF allow for viability to be taken into consideration when considering requirements for contributions and affordable housing.

10.5 It is therefore considered, on balance, that the s106 requirements can be removed in this case and the proposals will comply with the NPPF and relevant policies.

11 Planning Balance and Conclusion

11.1 The NPPF identifies three interdependent and overarching objectives to sustainable development

- 11.2 Firstly, an economic objective; jobs would be created during the construction phase and thereafter and the proposed residential use would be considered to make a significant contribution to the vitality and viability of the town centre, especially on High Street and Sheep Street. These factors carry weight in favour of the proposals. There would also be Council Tax revenues with the residential properties.
- 11.3 As detailed above it is considered that the payment of s106 contributions would affect the viability of the development. Therefore the development will not contribute to the provision of infrastructure in the area and this carries some weight against the proposals.
- 11.4 Secondly in terms of a social role, the scheme would provide 32 apartments in a highly sustainable town centre location with accessible services. The development would make a valuable contribution to the supply of housing being a windfall site. This would be a positive factor of significant weight.
- 11.5 Thirdly, from an environmental aspect, the proposal would not have an adverse impact on the important unlisted building in the Conservation Area nor the character and appearance of the area.
- 11.6 The lack of parking provision does not conflict with Appendix 5 of the Local Plan and is considered appropriate given the highly sustainable location with accessibility to employers, bus stops and Rugby railway station.
- 11.7 The impact on the natural environment is considered to be minimal and the proposals would result in no net loss to biodiversity. In addition the development will make the effective use of an existing developed site.
- 11.8 Therefore, the development of the site would result in social and economic benefits as well as environmental benefits. The collective weight that the identified benefits would bring, as well as making use of an empty building, means the proposal would represent sustainable development in terms of the NPPF and is considered to accord with the Development Plan and the NPPF.

DRAFT DECISION

REFERENCE NO:
R21/0894

DATE APPLICATION VALID:
13-Sep-2021

APPLICANT:
Rowland Johnson, PDR Investment Property Ltd c/o agent.

AGENT:
Tom Adams GWP Architecture, Bracken House, 1 Lidgett Lane, Gledhow, Leeds, LS81PQ

ADDRESS OF DEVELOPMENT:
32 HIGH STREET
RUGBY
WARWICKSHIRE
CV21 3BW

APPLICATION DESCRIPTION:
The renovation and conversion of the existing buildings at 30 and 32 High Street, and 15 Sheep Street (excluding most of the ground floor at 30-32) to provide residential accommodation consisting of 32 units, including rooftop penthouse extensions and alterations to the existing building facades.

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Plans

M2414-BPL-00-XX-DR-C-0021 P01 Drainage Layout
M2414-BPL-00-XX-DR-C-0022_P01_Drainage_Areas
M2414_30-32_Street_Drainage_Strategy_-_Rev_0[2]
0022_Demolition F1 M1 First Floor and Mezzanine Plan-P01
0023_Demolition 02 Second Floor Plan-P01
0024_Demolition 03 Third Floor Plan-P01
0020_Demolition B1 Basement Floor Plan-P01
0021_Demolition GF Ground Floor Plan-P01
0025_Demolition RF Roof Plan-P01
0045_Demolition E-01 Sheep Street Elevation-P02
0046_Demolition E-02 High Street Elevation-P02
0047_Demolition E-03 South Elevation-P01
0048_Demolition E-04 North Elevation-P01

0049_Demolition Side Elevations-P01
0055_Demolition S-01 West Section-P01
0056_Demolition S-02 East Section-P01
0057_Demolition S-03 South Section-P01
0058_Demolition S-04 North Section-P01
0059_Demolition S-05 and S-06 Annex Sections-P01
0032_Proposed F1 M1 First Floor and Mezzanine Plan-P04
0033_Proposed 02 Second Floor Plan-P04
0034_Proposed 03 Third Floor Plan-P04
0030_Proposed B1 Basement Floor Plan-P04
0031_Proposed GF Ground Floor Plan-P04
0031_Proposed GF Ground Floor Plan-P04
0035_Proposed PH Penthouse Floor Plan-P04
0036_Proposed RF Roof Plan-P04
0040_Proposed E-01 Sheep Street Elevation-P01(1)
0041_Proposed E-02 High Street Elevation-P01(1)
0042_Proposed E-03 South Elevation-P01(1)
0043_Proposed E-04 North Elevation-P01(1)
0044_Proposed Side Elevations-P01(1)
0050_Proposed S-01 West Section-P01
0051_Proposed S-02 East Section-P01
0052_Proposed S-03 South Section-P01
0053_Proposed S-04 North Section-P01
0054_Proposed S-05 and S-06 Annex Sections-P01
0001_Location Plan-P02
0002_Site Plan-P02

Reports

Air Quality Consultants, Air Quality Assessment 30-32 High Street, Rugby, July 2021, job number J10/12562A/10, 13 July 2021 status Final
The 'Auditive Ltd, PDR Investment Property Ltd, 30-32 High Street Rugby Planning Stage Noise Assessment A0141-REP01 10 September 2021 A0141-REP01'
Design and Access Statement
228312 Bat Survey Report
228309 High Street Heritage Statement
21-139-001-02 Transport Statement
17322-HYD-XX-XX-RP-ME-0001 Energy Statement

Received by the Local Authority 13 September 2021

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 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:4

The renovation and conversion development, permitted by this planning permission shall follow the following mitigation measures:

No changes to the existing building or the surrounding hardstanding that could result in an increase in impermeable area shall be implemented.

No change to the existing surface water flows discharging to the Severn Trent Water system are implemented.

The performance of the existing surface water system is the responsibility of the site owner who must carry out any necessary maintenance.

Existing overland flows must be maintained, therefore no changes that results in alterations to the external levels shall be carried out.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme and shall be maintained in perpetuity.

REASON:

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

CONDITION:5

The development hereby permitted shall not be occupied until a sustainability pack has been submitted in writing to, and approved by, the Local Planning Authority (in consultation with Warwickshire County Council). Each residential unit hereby permitted shall not be occupied for the first time, until a sustainability pack has been provided to the occupier of that residential unit.

REASON:

In the interest of sustainability.

CONDITION:6

Prior to the commencement of any works, a Construction Management Plan shall be submitted in writing to, and approved by, the Local Planning Authority. This shall include details relating to:

the control of noise and vibration emissions from construction activities including groundworks and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase

the control of dust including arrangements to monitor dust emissions from the development site during the construction phase measures to reduce mud deposition offsite from vehicles leaving the site.

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

The Construction Management Plan should identify any scaffolding or other structures or compounds required for the construction, suitable areas for the parking of contractors and visitors, and the unloading and storage of materials, is submitted to and approved by the Local Planning Authority (in consultation with WCC Highways)

REASON:

in the interests of residential amenity, to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

CONDITION:7

The on-site measures relating to air quality to meet the mitigation requirements of policy HS5 as detailed in the supporting statement titled Air Quality Consultants, Air Quality Assessment 30-32 High Street, Rugby, July 2021, job number J10/12562A/10, 13 July 2021 status Final submitted to the Local Planning Authority on 13 September 2021 shall be implemented prior to occupation and maintained in perpetuity unless non-material variations which do not give rise to additional or different likely significant effect are agreed in writing with the Local Planning Authority.

REASON:

In the interests of air quality.

CONDITION:8

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Council on 13 September 2021 and on plans GWP-01-ZZ-DRA-0041, 0043, 0044-0042, 0040 received by the Council on 13 September 2021.

REASON:

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

CONDITION:9

Prior to the first occupation of each dwelling broadband infrastructure shall be provided to that dwelling to allow broadband services to be provided.

REASON:

To provide broadband connectivity for future occupiers.

CONDITION:10

The development shall not be occupied until space has been provided within the site for the parking of bicycles in accordance with drawing number (448)2017- GWP-01-GF-DR-A-(PA)-0031 revision P04 and the cycle parking spaces hereby approved shall be maintained in perpetuity.

REASON:

In the Interest of Highway safety

INFORMATIVE:1

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and roosts are protected under the 1981 Wildlife and Countryside Act, the Countryside and Rights of Way Act 2000, and The Conservation of Habitat and Species Regulations 2017 (as amended). 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 02080 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.

INFORMATIVE:2

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:3

Consideration should be given to the provision of suitable bat and bird boxes within the new build or adjacent trees in order to increase opportunities for wildlife. Many bat and bird populations have declined dramatically in recent years due to loss of roost, nest and foraging sites as a result of development. However, a variety of bat and bird species use boxes and they can be particularly useful in the built environment, where natural nesting places can be scarce. Please ensure that the boxes are appropriately sited and not lit at night in the case of bat boxes. Further advice and information can be obtained from the Bat Conservation Trust (BCT), and the Royal Society for the Protection of Birds (RSPB). WCC Ecological Services (tel: 01926 418060) would be pleased to advise further if required, in particular regarding which type of boxes to use

INFORMATIVE:4

In accordance with National Planning Policy Framework para 91(b) and para 95(a)(b) the security requirements for dwellings as set out in Part Q of Schedule 1 to the Building Regulations it is recommended that all doors meet PAS 24:2016 standard and are third party certified such as companies that achieve 'secured by design' accreditation

INFORMATIVE:5

This permission does not authorise the construction or placement of any hoarding, compound, structure or scaffolding on or over the public highway, and before any works are commenced the developer must obtain from the Highway Authority a licence granted under Section 169 of the Highways Act 1980 for any such works. Details of how to apply for such licenses may be found at <https://www.warwickshire.gov.uk/tempstructures>

Reference: R22/0219

Site Address: RUGBY CRICKET CLUB, WEBB ELLIS ROAD, RUGBY, CV22 7AU

Description: Retrospective application for the refurbishment and extension of existing Cricket nets and extension of astroturf to the cricket square.

Case Officer Name & Number: Sam Green – 01788 533795

Recommendation

Approval subject to conditions and informatives.

1. Introduction

- 1.1. This application is being reported to Planning Committee in accordance with the Scheme of Delegation, as the application site land is leased from Rugby Borough Council as confirmed by Rugby Borough Councils Corporate Property Officer.

2. Proposal:

- 2.1. This application is a retrospective application for the refurbishment and extension of the existing practice nets and addition of astro turf to the cricket square.
- 2.2. The development to the practice nets has increased the width of the structure to make provision for two further lanes, with the height remaining the same at 3.66 metres and the subdivision into bays also remaining at 3.66 metres wide per each bay (as was approved under R11/1807 for a two bay scheme). The additional two new practice bays therefore have a further footprint of 7.2 meters and the same length of 18 meters. The practice nets consist of a steel frame with netting and have been resurfaced with an artificial playing surface.
- 2.3. The new astro turfed surface has been added to the centre of the site and measures 2.6 meters x 24.5 meters and would function as a further cricket surface

3. Site Description:

- 3.1. The application site is the Rugby Cricket Club (RCC) which is located off of Web Ellis Road. The proposal would take place entirely within the Cricket Clubs Grounds and extends the existing practice nets which are sited in a northern position within the grounds and also adds astro turf to a central position within the site. The surrounding character is of a mixed use with further sports facilities including tennis, a gymnasium and football pitches, as well as a primary school located to the east of the site. The rest of the surrounding area is residential with the dwellings on Glebe Crescent sited at the northern boundary of the RCC site and close to the Cricket nets.

4. Planning History:

Application No	Description	Decision	Date
R/93/0131/2691/OP	Use of land for the erection of two, two storey buildings, comprising of eight flats and erection of extension to existing clubhouse	Approval	07-April-1992
R/97/0060/02691/P	Erection of replacement 20 metre high mast and cabinet	Approval	20-March-1997

R03/0889/02691/P	Retention of cricket practice wicket and 2.75metre high chain link fence enclosure	Approval	10- November- 2003
R11/1807	External alterations to existing pavilion and the installation of new cricket nets and associated groundworks.	Approval	30- December- 2011

5. Technical Consultation Responses:

- 5.1. WCC Ecology: No objection, Subject to informative

6. Third Party Consultation Responses:

7. No written representations received

8. Development Plan and Material Considerations:

- 8.1. 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.

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

8.3. Rugby Borough Council Local Plan (2011-2031) – June 2019

Policy GP1: Securing Sustainable Development

Policy GP2: Settlement Hierarchy

Policy SDC1: Sustainable Design

Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets.

Policy NE3: Landscape protection and enhancement

Policy HS1: Healthy, Safe and Inclusive Communities

8.4. Supplementary Planning Documents (SPDs)

Sustainable Design and Construction SPD – 2012

8.5. Material Considerations

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

National Planning Practice Guidance (NPPG)

9. Assessment of Proposal:

- 9.1. The main considerations in respect of this application are:

Section 10 Principle of Development

Section 11 Character and Design

Section 12 Impact on Residential Amenity

Section 13 Planning Ecology

Section 14 Sports Facilities and Recreation

Section 15 Other Matters

Section 16 Planning Balance and Sustainability of Development

10. Principle of Development

- 10.1. Policy GP2 of the Local Plan states that development will be allocated and supported in accordance with the Settlement Hierarchy.

- 10.2. The application site is located within the Rugby Urban Area which is the main focus for all development in the Borough. Development is permitted within existing boundaries and as part of allocated Sustainable Urban Extensions.
- 10.3. The application is therefore considered to comply with Policy GP2 of the Local Plan and Section 2 of the NPPF.

11. Character and Design

- 11.1. Policy SDC1 of the local plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of a scale, density and design that responds to the character of the areas in which they are situated.
- 11.2. This proposal is largely an extension of facilities which already exist within the site and therefore can be considered in character with the existing features which are appropriate for the functional purposes of a cricket club.
- 11.3. The materials, design and siting of the developments are all considered to be acceptable and appropriate for the functional purposes.
- 11.4. This application is therefore considered to be in accordance with Policy SDC1 of the Local plan.

12. Impact on Residential Amenity

- 12.1. Section 12 of the NPPF states that planning should always seek a high standard of amenity for existing and future users of developments.
- 12.2. The proposed astro-turfing would have no significant impact on residential amenity.
- 12.3. The proposed nets are in a close proximity to where they may have an impact on the residential properties which feature on Glebe Crescent. In assessment of this, the proposed nets are located at a distance and at a scale which would not be considered to have a significantly detrimental impact to the rear elevations or amenity spaces of the residential dwellings on Glebe Crescent. This is further alleviated by the fact the net does not block a significant amount of light to these properties.
- 12.4. This application would therefore not cause any significant harm to the surrounding residential amenity and is therefore considered to be in accordance with Section 12 of the NPPF and Policy SDC1 of the local plan.

13. Planning Ecology

- 13.1. Paragraph 40 of the Natural Environment and Rural Communities Act, under the heading of 'duty to conserve biodiversity' states "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity." The NPPF at chapter 15 'conserving and enhancing the natural environment' sets out government views on minimising the impacts on biodiversity, providing net gains where possible and contributing to halt the overall decline in biodiversity. Policy NE1 seeks to safeguard priority habitats/species of conservation concern and requires developers to take mitigating measures for their protection.
- 13.2. Warwickshire County Ecologists highlighted that the development will result in a small loss to biodiversity. The Technical Consultee therefore recommends the applicant uses the development as an opportunity to enhance the site for biodiversity in line with NPPF and ODPM Circular 2005/06.

13.3. Therefore, Warwickshire County Ecologists have no objection to the proposal subject to a biodiversity enhancement note being attached to any permission granted.

14. Sports Facilities and Recreation

14.1. Policy HS1 of the Local Plan states that the potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals. 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.

14.2. As the development already carried out has increased the facilities within the Rugby Cricket Club including further practice nets and playing surfaces, the capacity for informal and formal physical activity, exercise and recreation have all been increased.

14.3. Therefore, the development can be considered to be in accordance with Policy HS1 of the Local Plan.

15. Other Matters

15.1. The applicant did receive pre application advice from the planning officer where it was explained that the development did require planning permission and the application would be required to be decided at planning committee before development.

"This application would be required to go to committee under our scheme of delegation paragraph 5.2.3 (f) which refers to Applications submitted by or on behalf of:

- 1. The council; or*
- 2. Current Councillors or officer of the Council.*

It is understood from your query that the council is not the applicant but may be viewed as beneficiary and therefore would be required to be decided at planning committee."

Email Response from Planning Officer Sam Green 22-Feb-2022

15.2. The development (in which this application seeks retrospective permission) was still completed without permission beginning on the 1st of March (as stated in the application form).

16. Planning Balance and Sustainability of Development

16.1. This retrospective planning permission is suitable in principle and would not be considered to significantly impact the neighbouring residential amenity due to the distance from the residential dwellings and the scale and materials of the development. The technical consultee Warwickshire County Council Ecology have no objection to the development subject to an informative being added to any permission granted. The development has both refurbished and increased the capacity within the site and therefore can be determined as in accordance with Policy HS1.

16.2. Due to the reasons above, the application is considered to be in accordance with the NPPF and Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the NPPF, it is considered that this retrospective application should be approved subject to conditions.

17. Recommendation:

17.1. Approval subject to conditions and informatives.

DRAFT DECISION

REFERENCE NO:

R22/0219

DATE APPLICATION VALID:

11-Apr-2022

APPLICANT:

Tim Caven, Rugby Cricket Club Rugby Cricket Club, Rugby Cricket Club Webb Ellis Road, Bilton, Warwickshire, Rugby, CV22 7AU

ADDRESS OF DEVELOPMENT:

RUGBY CRICKET CLUB, WEBB ELLIS ROAD, RUGBY, CV22 7AU

APPLICATION DESCRIPTION:

Retrospective application for the refurbishment and extension of existing Cricket nets and extension of astroturf to the cricket square.

CONDITIONS, REASONS AND INFORMATIVES:**CONDITION 1**

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

Received by Council 17-Mar-2022

RCC plan TQRM22075180630970.pdf

(Site Location Plan)

Received by Council 10-June-2022

Evidence_RCC_Practice_Nets.pdf

(Built Practice Nets)

REASON:

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

CONDITION 2

This permission shall be deemed to have taken effect on the 1st-April-2022.

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.

INFORMATIVE:

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Enhancements could include bat and bird boxes which may be used by a variety of species, native species planting and enhancement of existing of hedges and wild flower planting, habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates are also welcomed. The WCC Ecological Services (tel:01926 418060) would be pleased to advise further if required.

Reference: R22/0226

Site Address: CARAVAN AT ROSE FIELD, HINCKLEY ROAD, WOLVEY, HINKLEY, LE10 3HQ

Description: Change of use of the land for the siting of one residential gypsy and traveller pitch

Recommendation

Approval subject to conditions (3 year consent)

This application has been brought to the committee following call in by Cllr Maoudis on the grounds of the application being contrary to the NPPF and inappropriate development in the green belt.

Description of site

The site is located within an area of the countryside designated within the Local Development Framework as Green Belt, which forms part of the wider West Midlands Green Belt. The site lies approximately 10 miles to the north-west of the Rugby urban edge, and approximately 900km from the north edge of Wolvey which is designated within the Local Development Framework as a main rural settlement. Along the western side of Hinckley Road and eastern side of Temple Hill is a footpath which provides pedestrian access into Wolvey.

The site lies on the eastern side of Hinckley Road, with direct access off it, and comprises a parcel of land located between residential properties Rosedene Cottage and Rosemere. This part of Hinckley Road is characterised by small isolated groups of houses separated by small paddocks and fields. The opposite side of Hinckley Road is more open, comprising larger agricultural fields.

The site is fairly flat with limited features. Low level fencing and landscaping borders the site.

Description of proposals

This application seeks the change of use of the land for the siting of one residential gypsy and traveller pitch.

Planning permission was granted in September 2014 for the continued use of land for the siting of a temporary mobile home and the siting of a temporary building containing WC, shower and utility area for mobile home and stable for a temporary period of 3 years for a specified family. Subsequent application (R18/0553) was granted in October 2018, for the change of use of land for the siting of one residential gypsy and traveller pitch for a temporary period of 3 years. This temporary period has now lapsed, and this application has been submitted to try and obtain further consent at the site. Both application R18/0553 and this proposal relate to the same applicant.

Statutory declaration of personal circumstances and confirmation that the applicant is a gypsy have been submitted. The applicant has been unable to find alternative accommodation and loss of the base would impact on access to employment and health provisions.

Planning History

R09/0704/PLN	Change of Use of Land for the siting of a mobile home.	
Approval		07/07/2010
R14/1383	Continued use of land for the siting of a temporary mobile home and the siting of a temporary building containing WC, shower and utility area for mobile home and stable for a temporary period of 3 years.	
Approval		02/09/2014
R16/0446	Continued use of land for the siting of a temporary mobile home and the siting of a temporary building containing WC, shower and utility area for mobile home and stable for a temporary period of 3 years. (Removal of Condition 4 of planning permission R14/1383 dated 02/09/2014 which restricts to occupation of the site to Mr. & Mrs. Aaron Smith and their dependant children)	
Refusal		15/07/2016
R18/0553	Change of use of the land for the siting of one residential gypsy and traveller pitch	
Approval		30/10/2018
R19/1201	Construction of a new stables building including tack and feed room with an open shelter (temporary)	
Refusal		20/02/2020

Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

DS2: Sites for Gypsy, Travellers and Travelling Showpeople

GP2: Settlement Hierarchy

GP1: Securing Sustainable Development

NE1: Protecting Designated Biodiversity and Geodiversity Assets

SDC1: Sustainable Design

D2: Parking Facilities

National Planning Policy Framework, 2021 (NPPF)

Technical consultation responses

WCC Ecology No objection informative suggested biodiversity enhancements

WCC Highways No objection

RBC Environmental Health No objection subject to condition and informatives

Third party comments

Parish Council Objection: harmful to Green Belt and contrary to NPPF, cumulative impact of surrounding sites, lack of very special circumstances, no SPD, should be targeted at another location however suggested 12month temporary consent.

Assessment of proposals

1 Principle of Development

1.1 The National Planning Policy Framework (July 2021) states in paragraph 4 that:

“The Framework should be read in conjunction with the Government’s planning policy for traveller sites.” Known as the PPTS, this also sets out how Gypsy and Travellers’ housing needs should be assessed.

1.2 A key issue to assess in relation to this application is whether the principle of the development is acceptable in this Green Belt location.

1.3 Policy GP2 sets out the development hierarchy for the borough and state that in Green Belt locations, such as this, development will only be permitted if allowed by national policy.

1.4 Paragraph 147 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

1.5 In relation to new buildings paragraph 149 of the NPPF states that the construction of new buildings should be regarded as inappropriate in the Green Belt. This then sets out a range of exceptions to this:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

1.6 The proposed gypsy traveller pitch does not comply with the exceptions detailed within the NPPF. This therefore constitutes inappropriate development which should not be approved except in very special circumstances.

1.7 The agent has provided information regarding very special circumstances:

- In terms of the need for gypsy and traveller sites, it was assessed that a further 24.4 pitches were required before the end of 2022-23 in order to meet the need identified in the 2017 GTAA. It was noted that unmet need alone is not likely to be enough to constitute very special circumstances;
- The Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study (2017) suggests a preference for smaller sites;
- The site is in compliance with the broad sustainability principles as set out within the National 'Planning Policy for Traveller Sites' document (2015);
- There was considered to be only minor harm to the openness of the Green Belt and purposes of including land within it, due to the site coverage of the development and the buildings which surround it;

- The proposal was considered compliant with Policy CS16 (Sustainable Design and Construction) of the Council's Core Strategy, which is no longer adopted. This has been replaced by Policy SDC1 of the Local Plan, which is considered complied with;
- The site is only 800m from Wolvey which is a main rural settlement. There is also a footpath which connects the site to Wolvey;
- During the 'Call for Sites' process of the Local Plan, no suitable sites were submitted.

1.8 Whether it is considered that these circumstances do or do not outweigh the harm to the Green Belt by way of inappropriateness will be discussed in the planning balance later in this report.

1.9 The NPPF notes that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics of Green Belts are their openness and permanence; the purposes of including land in Green Belts include assisting in safeguarding the countryside from encroachment.

1.10 The proposal would cause a net loss of openness within the Green Belt. It would also result in encroachment into the countryside. A judgement Samuel Smith Old Brewery (Tadcaster) v North Yorkshire CC March 2018, held that when assessing impact upon openness it's not purely on a spatial basis but needs to consider whether its visual impact is harmful to openness. Given the site coverage of development, surrounding buildings, it is not considered that this impact would be significant.

1.11 As set out within the NPPF substantial weight is given to any Green Belt harm.

2 Character and Design

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

2.2 The layout of the site with the mobile home to the rear and set behind a large paddock area (outside application boundary) along the road frontage ensures that the proposal would not be unduly prominent within the streetscene. It is therefore considered that the site will continue to maintain a fairly open appearance, particularly along the road frontage. The siting of a mobile home of the site which reflects the character, scale and appearance of a small bungalow, and as such would not appear out of keeping within the streetscene given the surrounding neighbouring properties and in particular the neighbouring property Rosedene.

2.3 It is considered that the development that it would not have an adverse impact upon the visual amenity of the area in accordance with Policy SDC1.

3 Need for sites and 5 year supply

3.1 Policy DS2: Sites for Gypsies, Travellers and Showpeople sets out the required pitch provision for gypsies and travellers in the Borough up to 2032. The pitch provision was identified by the Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study (GTAA) 2017 and was published in August 2017. It was produced in line with the definitions of gypsies and travellers as set out in the 2015 PPTS. The assessment took into account current pitch need and

demand, as well as future need, and was based on the modelling of data as advocated by the 'Gypsy and Traveller Accommodation Assessment Guidance' (DCLG, 2007). The GTAA assessed the need for the period 2017-2037. The base date for the need figures is 1 April 2017.

3.2 Policy DS2 states that the Council will allocate land in a separate Gypsy and Traveller Site Allocations Development Plan Document (DPD) to meet the requirements as identified by the Gypsy and Traveller Accommodation Assessment (GTAA) 2017. Production of the DPD has been delayed. The current timetable expects the DPD to be adopted in June 2024. Part of the process involves updating the evidence base which includes revising the GTAA. Until that is completed, the 2017 GTAA remains the most up to date evidence base available.

3.3 The requirements identified in the GTAA 2017 and subsequently set out in Policy DS2 are as follows:

Figure 1 - Local Plan Policy DS2 - Additional Gypsy and Traveller residential pitches required 2017-2032 (Source: Rugby Borough Local Plan 2011-2031, adopted June 2019)

<u>Timeframe</u>	<u>Total required pitch provision</u>
2017 to 2022	35
2022 to 2027	12
2027 to 2032	14
Total	61

3.4 The Council has undertaken work on producing the evidence base for the emerging Borough Gypsy and Traveller Site Allocations Development Plan Document. Data on the identified need for Gypsy and Traveller pitches in Rugby Borough, the provision of pitches since 2017 and the remaining need compared with the adopted Local Plan pitch requirements to 2032.

3.5 Between 1 April 2017 and 31 October 2021 planning permission was granted for 24 permanent pitches, and permission for 1 temporary pitch (which has now expired).

3.6 The 2017 GTAA includes a total of 4 pitches at two sites in the authorised permanent sites which were granted planning permission after 1 April 2017: three pitches at Land at rear of Marisburn House and one pitch at Land at Gypsy Lane. The pitches at these sites were included in the baseline to calculate the need for permanent residential site pitches 2017-2022. In order to ensure there is no double-counting in terms of meeting the need identified in the 2017 GTAA and Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031 it is considered that these two sites should not be counted as permissions since 1 April 2017, as they have already been counted in the baseline in the 2017 GTAA.

3.7 This means that 20 permanent residential pitches that have been granted planning permission since 1 April 2017 can be counted as contributing to the 61 permanent residential pitches required between 2017/18 and 2031/32 in Policy DS2 of the adopted Rugby Borough Local Plan 2011-2031.

3.8 Therefore, the remaining requirement for permanent residential pitches at 1 November 2021 is 41 pitches.

3.9 Paragraph 10 of the Planning Policy for Traveller Sites (PPTS, 2015) requires that '*Local planning authorities should ... identify and update annually, a supply of specific deliverable sites sufficient to provide 5 years' worth of sites against their locally set targets.*'

3.10 As at 31 March 2021, when comparing permissions against the policy requirements set out in Policy DS2, the Council had an undersupply of 8 pitches. Between 1 April 2017 – 31 March 2021 28 pitches were required but only 20 pitches were granted planning permission – a shortfall of 8 pitches.

3.11 15 more pitches would be required between 1 April 2021 and 31 March 2022 to meet the requirement for 35 pitches between 2017-2022 as set out in Policy DS2. No further planning permissions have been granted for pitches since 1 April 2021.

3.12 For the 5 year period 1 April 2021 to 31 March 2026, the annualised requirement equates to an unmet need for an additional 16.6 permanent pitches. Together with the existing undersupply from the period 1 April 2017 to 31 March 2021 of 8 pitches, a total of 24.6 pitches are therefore required over the next 5 years.

3.13 As noted above, no planning permissions have been granted for pitches since 1 April 2021 that would contribute to the 5 year supply in the period 1 April 2021 to 31 March 2026. Furthermore, there are no allocated sites to contribute to the 5 year supply. Given the lack of identified deliverable sites at this time, the Council has no supply and is therefore reliant on individual applications coming forward to meet the required need until the Gypsy and Traveller Site Allocations DPD has progressed.

3.14 The development of sites for Gypsies & Travellers is contrary to Green Belt policy and should only be approved if very special circumstances can be demonstrated.

3.15 There is a shortfall in provision. Approving this scheme would contribute to an identified need and help towards the total required as identified in Policy DS2. It is considered that there is insufficient land to meet the Councils existing need for pitches. This carries significant weight in favour of the proposal.

4 Suitability of site

4.1 Policy DS2 of the Local Plan states in assessing the suitability of sites for allocation for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, and for the purposes of considering planning applications for such sites, proposals will be supported where the following criteria are met:

4.2 • *The site affords good access to local services such as schools and health facilities;*

Wolvey main rural settlement which can be accessed by the private car and the public footpath has both a school and doctors surgery. The proposal would provide a settled base for members of the travelling community to access health service.

4.3 • *The site satisfies the sequential and exception tests for flood risk and is not adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land;*

The application site is outside of the floodplain and adjacent uses are residential properties.

4.4 • *The development is appropriate in scale compared with the size of the existing settlement or nearby settlements;*

The development is appropriate in scale including one pitch similar to the single dwellings along this road stretch.

4.5 • The development will be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby;

The development is set back in the site furthest from the road and provides adequate separation distances to the neighbouring dwellings to provide visual and acoustic privacy.

4.6 • The development has appropriate vehicular access;

The site has an approved and implemented vehicular access to the highway.

4.7 • The development will comply with Policy SDC1 in respect of design and impact on the surrounding area and amenity of existing residents;

The development is considered to comply with Policy SDC1.

4.8 • The development will be well-laid out to provide adequate space and privacy for residents;

The location of the pitch is set back from the main road side at the furthest point to provide privacy to residents. The size of the site provides adequate space for the proposal.

4.9 • The development will include appropriate landscape measures to mitigate visual impacts and to ensure adequate levels of privacy and residential amenity for occupiers and adjacent occupiers but which avoids enclosing a site with an inappropriate amount of hard landscaping, high walls or fences;

The development does not propose any hard landscaping that is not already in situ. No site enclosure is proposed. Low level open fencing exists around the site boundary.

4.10 • The development should not accommodate non-residential uses that may cause, by virtue of smell, noise or vibration, significant adverse impact on neighbouring business or residents;

The development does not include any non-residential uses and could be further controlled by condition subject to the granting of any approval.

and

4.11 • Adequate provision for on-site services for water supply, power, drainage, sewage and waste disposal facilities.

The site is connected for water supply, power, drainage and sewerage and is serviced by Rugby Borough Council for bin collection.

5 Alternate sites

5.1 It is considered that there are no suitable, available and affordable alternative sites for the proposed development within the borough. This attracts significant weight in favour of the proposal.

6 Personal need

6.1 The applicant's agent submits that the occupation of the site would be for Daryl Taylor, as a member of the Gypsy and Travelling Community and seeks to continue to reside on the site in order to have a base to gain access to healthcare and employment.

6.2 The Planning Policy for Traveller Sites states:

For the purposes of this planning policy "gypsies and travellers" means:

Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.

6.3 The applicant has submitted a Statutory Declaration confirming his previous nomadic habits of life, reason for ceasing this nomadic life due to ill health, lack of other suitable sites and COVID-19 cumulating in the reasoning for requesting consent to remain at the site.

6.4 It is therefore considered that applicant led a nomadic life and for the purposes of planning policy meets the definition of being a traveller.

6.5 Other than the applicant's nomadic lifestyle and health implications, there are limited personal circumstances.

7 Impact on Highway Safety

7.1 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, based on the Borough Council's Standards.

7.2 The site has been used for one residential gypsy pitch since at least 2017 and the vehicular access has been constructed in accordance with the previously recommended conditions. There have also been no reported collisions fronting the site within the last 5 year period to suggest the use has been detrimental to the highway.

7.3 Based on the appraisal of the development proposals and the supporting information in the planning application the Highway Authority has no objection. The proposal is therefore considered to comply with Policy D2.

8 Ecological Considerations

8.1 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.
- Promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species.

8.2 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.

8.3 Warwickshire County Council Ecological Services department had no detailed ecological comments regarding the proposal. However, they have suggested a biodiversity enhancements note are attached to any permission granted.

8.4 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.

9 Planning Balance and Conclusion

9.1 It is acknowledged that gypsy and traveller sites, whether temporary or permanent, are inappropriate development within the Green Belt. Policy E of the PPTS states that subject to the best interest of the child, personal circumstance and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstance. The inappropriateness of the development within the Green Belt weighs against the development. It is clear within the application documents that the application would be specific to the applicant Mr Taylor.

9.2 There is no particular need for the applicant to live on the site and there are also very limited personal circumstances. That said, the applicant is in need for accommodation and there are no suitable, available alternative sites within the borough.

9.3 The case of very special circumstances are as follows:

- The 2017 GTAA suggests a preference for smaller sites;
- Its compliance with the principles as set out within Policy DS2 of the Local Plan.
- Limited harm to the openness of the Green Belt and purposes of including land within it
- Compliance with Policy SDC1
- The latest position shows that a further 24.6 pitches are required before the end of 2022-23 in order to meet the need identified in the 2017 GTAA. However, unmet need alone is not likely to be enough to constitute very special circumstances;
- As well as being situated in the Green Belt the site is 800m from Wolvey which is a main rural settlement
- No suitable sites available within the Borough.

9.4 The weighing of these matters is quintessentially a matter of judgement of the Local Planning Authority. On balance it is considered, whilst there is a lack of personal circumstance, given the need and lack of suitable and available, alternative sites within the borough, temporary planning permission is appropriate for the reasons set out above.

Recommendation

Approval subject to conditions

DRAFT DECISION

REFERENCE NO:
R22/0226

DATE APPLICATION VALID:
18-Mar-2022

APPLICANT:

Daryl Taylor Land Adjacent to Rosefields, Hinckley Road, Wolvey, LE10 3HQ

AGENT:

George Smith, Marrons Planning Marrons Planning, Bridgeway House, Bridgeway, Stratford-upon-Avon, CV37 6YX

ADDRESS OF DEVELOPMENT:

CARAVAN AT ROSE FIELD, HINCKLEY ROAD, WOLVEY, HINKLEY, LE10 3HQ

APPLICATION DESCRIPTION:

Change of use of the land for the siting of one residential gypsy and traveller pitch

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

This permission shall be deemed to have taken effect on XX/XX/XXXX.

REASON:

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

CONDITION 2:

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

- Application form
- Site location plan Dwg No. B18/01/L01A
- Block plan Dwg No. B18/01/BLE01
- Marrons Planning Cover Letter
- Statutory Declaration of Daryl Taylor dated 14th March 2022 received by the Local Planning Authority on 18th March 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 use of the land for the siting of one residential gypsy and traveller pitch, hereby permitted, shall be for a limited period of 3 years from the date of this decision. At the end of this period the use of the land for the siting of a pitch shall cease, and all materials and equipment brought on to the land in connection with that use shall be removed.

REASON:

As the development within the Green Belt is only acceptable due to the applicants' circumstances.

CONDITION 4:

The development hereby permitted shall only be occupied and used for purposes linked to the operational use of the residential gypsy and traveller pitch by Mr Daryl Taylor and residential dependants and for no other purpose.

REASON:

As the development within the Green Belt is only acceptable due to the applicant's personal circumstances.

CONDITION 5:

The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 of Planning Policy for Traveller Sites (Department for Communities and Local Government, August 2015) or any replacement guidance.

REASON:

The proposal is only considered acceptable within the Green Belt as a Gypsy and Traveller Site.

CONDITION 6:

There shall be no more than 1 pitch on the site and, no more than 1 static caravan or touring caravan, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, shall be stationed at any time.

REASON:

To preserve the openness of the Green Belt and the character and appearance of the area.

CONDITION 7:

No commercial activities shall take place on the land including the storage of materials and, other than 1 horsebox, no vehicle over 3.5 tonnes shall be stationed, parked or stored on the land.

REASON:

In the interest of visual and residential amenity.

CONDITION 8:

No external generators shall be used unless and until details of their enclosure and siting are submitted to and approved in writing by the Local Planning Authority. Generators shall not be installed other than in accordance with the approved details.

REASON:

In the interests of visual amenity.

CONDITION 9:

No structures or outbuildings shall be erected on the site.

REASON:

In the interest of visual and residential amenity.

INFORMATIVE:

Where possible enhancements should be incorporated into the development to improve the habitats and opportunities for the local wildlife and increase biodiversity. Enhancements could include bat and bird boxes which may be used by a variety of species, native species planting

and enhancement of existing of hedges and wild flower planting, habitat piles of rubble, logs and earth which can be used by reptiles, amphibians and invertebrates are also welcomed. Warwickshire County Council Ecological Services (tel: 01926 418060) would be pleased to advise further if required.

DRAFT

Agenda No 6

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 5 May to 8 June 2022
Name of Committee:	Planning Committee
Date of Meeting:	22 June 2022
Report Director:	Chief Officer - Growth and Investment
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Dan McGahey Search and Systems Officer 01788 533774, daniel.mcgahey@rugby.gov.uk
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Forward Plan:	No
Corporate Priorities:	This report relates to the following priority(ies): <input type="checkbox"/> Rugby is an environmentally sustainable place, where we work together to reduce and mitigate the effects of climate change. (C) <input type="checkbox"/> Rugby has a diverse and resilient economy that benefits and enables opportunities for all residents. (E) <input type="checkbox"/> Residents live healthy, independent lives, with the most vulnerable protected. (HC) <input type="checkbox"/> Rugby Borough Council is a responsible, effective and efficient organisation. (O) Corporate Strategy 2021-2024 <input type="checkbox"/> This report does not specifically relate to any Council priorities but
Summary:	The report lists the decisions taken by the Head of Growth and Investment under delegated powers.
Financial Implications:	There are no financial implications for this report.
Risk Management Implications:	There are no risk management implications for this report.

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

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

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

Options:

Recommendation: The report be noted.

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

Planning Committee - 22 June 2022

Delegated Decisions - 5 May to 8 June 2022

Public Report of the Chief Officer - Growth and Investment

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 22 June 2022

Subject Matter: Delegated Decisions - 5 May to 8 June 2022

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Delegated

8 Weeks Advert

Applications Refused

R22/0165 8 Weeks Advert Refusal 23/05/2022	ADVERTISING BOARD, NEWBOLD ROAD, RUGBY	Upgrade existing advertisement billboard to a digital led advertisement
---	---	---

R22/0233 8 Weeks Advert Refusal 25/05/2022	Land adjacent to 84 NEWBOLD ROAD, RUGBY, CV21 2NQ	Advertisement consent for upgrade of existing 48 sheet advert to support digital poster.
---	--	--

Applications Approved

R22/0272 8 Weeks Advert Approval 10/05/2022	RUGBY RADIO STATION, WATLING STREET, CLIFTON UPON DUNSMORE, RUGBY, CV23 0AS	Advertisement consent for the installation of a V Post Sign, flagpoles and flags & roadside leaders associated with the development on the site. The proposal is intended to be in-situ until 2030.
--	--	---

R22/0281 8 Weeks Advert Approval 10/05/2022	7A, MARKET PLACE, RUGBY, CV21 3DY	Signage associated with Proposed Alterations to Shopfront
--	--------------------------------------	---

Delegated

8 Weeks Advert Applications Approved

R22/0274
8 Weeks Advert
Approval
26/05/2022

UNIT 9, JUNCTION ONE,
LEICESTER ROAD, RUGBY,
CV21 1RW

Advertisement consent for
replacement signage

R22/0305
8 Weeks Advert
Approval
31/05/2022

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

Land between Houlton Way and
Crick Road (A428), Clifton Upon
Dunsmore- Application for
Advertisement consent for six
external signs.

8 Weeks PA Applications Applications Refused

R22/0179
8 Weeks PA
Refusal
11/05/2022

1, MANOR DRIVE, STRETTON-
ON-DUNSMORE, RUGBY, CV23
9LZ

Alteration to the front and rear
roof dormers from flat to a hipped
roof

R21/1065
8 Weeks PA
Refusal
19/05/2022

20, Main Street, Clifton Upon
Dunsmore, Rugby, CV23 0BH

Loft conversion to form bedroom
and first floor front extension to
form en-suite.

70, LOVEROCK CRESCENT,

Delegated

8 Weeks PA Applications Applications Refused

R21/1246 8 Weeks PA Refusal 19/05/2022	RUGBY, CV21 4AS	Proposal for a new 3-bedroom dwelling on land situated to the rear of 70 Loverock Crescent, along with associated access, dropped kerb and parking.
---	-----------------	---

R22/0134 8 Weeks PA Refusal 19/05/2022	HIGHWOOD FARM, COVENTRY ROAD, BRINKLOW, RUGBY, CV23 0NJ	Extensions and Alterations to Highwood Farm (revisions to approval R20/0142)
---	---	--

R21/1162 8 Weeks PA Refusal 20/05/2022	41A, KENSINGTON, PARK ROAD, RUGBY, CV21 2QU	Erection of an additional storey to the dwellinghouse (Class C3)
---	---	--

Applications Approved

R22/0203 8 Weeks PA Approval 05/05/2022	FERRY FARM, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9HY	Proposed garage extension on existing hardstanding.
--	--	---

R22/0224 8 Weeks PA Approval 05/05/2022	10, NEWTON LANE, NEWTON, RUGBY, CV23 0DZ	A proposed single storey rear extension, along with a single storey wrap around extension to the front elevation and associated internal alterations.
--	--	---

Delegated

8 Weeks PA Applications Applications Approved

R22/0277 8 Weeks PA Approval 05/05/2022	63, SHENSTONE AVENUE, RUGBY, CV22 5BL	Proposed two storey side extension and single storey rear extension to existing semi-detached dwelling.
R21/0222 8 Weeks PA Approval 06/05/2022	FOUR OAKS, WOLSTON GRANGE, RUGBY, CV23 9HJ	Removal of Condition 4 under planning application R18/1250 to allow for the reinstatement of permitted development rights
R22/0167 8 Weeks PA Approval 06/05/2022	15, WESTGATE ROAD, RUGBY, CV21 3UD	Two storey side extension to the dwelling in order to provide a garage at ground floor and an additional bedroom at first floor level.
R22/0177 8 Weeks PA Approval 09/05/2022	39, COURT LEET, BINLEY WOODS, COVENTRY, CV3 2JQ	Retrospective consent for the erection of a garage
R22/0206 8 Weeks PA Approval 09/05/2022	THE BEAR, BILTON LANE, RUGBY, CV23 9DU	Retrospective application for external covered structure

Delegated

8 Weeks PA Applications Applications Approved

R22/0208 8 Weeks PA Approval 09/05/2022	46, SOUTH ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BZ	PROPOSED TWO STOREY SIDE AND SINGLE STOREY REAR EXTENSIONS
R22/0295 8 Weeks PA Approval 09/05/2022	1 PLANTAGENET DRIVE, BILTON, RUGBY, CV22 6LB	Single storey side extension and internal modifications.
R22/0161 8 Weeks PA Approval 10/05/2022	5-7 CLIFTON ROAD, RUGBY, CV21 3PY	First and second floor extension to existing retail unit to provide 2 x 1 bed apartments
R22/0293 8 Weeks PA Approval 10/05/2022	33, RICHMOND ROAD, RUGBY, CV21 3AB	Single storey rear extension, new roof lights in existing rear extension and removal of outbuilding
R22/0184 8 Weeks PA Approval 11/05/2022	7, PARK ROAD, RUGBY, CV21 2QU	Loft conversion with flat roof dormer to the rear elevation with a pitched roof dormer and 2x rooflights to the front elevation.

Delegated

8 Weeks PA Applications Applications Approved

R21/1189 8 Weeks PA Approval 12/05/2022	256, HILLMORTON ROAD, RUGBY, CV22 5BQ	Installation of a modular self-service launderette facility and associated works (retrospective).
R22/0251 8 Weeks PA Approval 13/05/2022	40, MAIN STREET, WILLOUGHBY, RUGBY, CV23 8BH	Erection of a free standing wooden Gazebo with pitched roof in rear garden.
R22/0358 8 Weeks PA Approval 13/05/2022	27, Kingsley Avenue, Rugby, CV21 4JX	Proposed Single Storey Rear Extension to Existing Semi-Detached Dwelling.
R22/0176 8 Weeks PA Approval 16/05/2022	68, Heather Road, Binley Woods, Coventry, CV3 2DD	Retrospective application for a Rear garden wooden shed with sloping flat roof.
R21/0566 8 Weeks PA Approval 17/05/2022	2, HILLMORTON WHARF, CRICK ROAD, RUGBY, CV21 4PW	Erection of one new dwelling.

SATELLITE MEDIA SERVICES,

Delegated

8 Weeks PA Applications Applications Approved

R22/0169 8 Weeks PA Approval 18/05/2022	LAWFORD HEATH LANE, LONG LAWFORD, RUGBY, CV23 9EU	Change of use of agricultural land to extend the existing satellite communications teleport with the erection of 7 new antennas and road
R22/0285 8 Weeks PA Approval 18/05/2022	4, LANCUT HILL, RUGBY, CV23 0JR	Garage Conversion to Gym Room
R21/1067 8 Weeks PA Approval 19/05/2022	41, WORDSWORTH ROAD, RUGBY, CV22 6HY	Proposed Extensions consisting of two-storey side extension, and ground floor rear extension
R21/1121 8 Weeks PA Approval 19/05/2022	69, LUTTERWORTH ROAD, BRINKLOW, RUGBY, CV23 0LL	Proposed garage to rear of garden (Seeks to replace the proposed Lawful Development application R21/0027 with an alternative development)
R22/0217 8 Weeks PA Approval 19/05/2022	6, ARNOLD VILLAS, RUGBY, CV21 3AX	Erection of a single storey side extension (resubmission of planning permission reference R21/0554, approved 11 November 2021).

Delegated

8 Weeks PA Applications

Applications Approved

R22/0306

8 Weeks PA

Approval

20/05/2022

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

Application submitted on behalf of David Lloyd Leisure LTD for the construction of a canopy cover on the site of the previously approved tennis padel courts at Land Between Houlton Way and Crick Road (A428), Rugby, CV23 0AB.

R22/0367

8 Weeks PA

Approval

20/05/2022

8, HART CLOSE, RUGBY, CV21
3TP

Full planning application for a hip to gable end roof conversion along with a dormer extension to the rear elevation of the roof slope. This proposal also seeks the replacement of existing roof tiles. This application follows on from previously approved application R21/0604.

R22/0234

8 Weeks PA

Approval

23/05/2022

71, Main Street, Long Lawford,
Rugby, CV23 9BB

Replacement of existing garage for new granny annex

R22/0244

8 Weeks PA

28, Myers Road, Rugby, CV21
4BY

Change of use of part of utility room to dog grooming space

Delegated

8 Weeks PA Applications Applications Approved

Approval
23/05/2022

<p>R21/0832 8 Weeks PA Approval 24/05/2022</p>	<p>1, OAKDALE ROAD, BINLEY WOODS, COVENTRY, CV3 2BL</p>	<p>Formation of an attached annexe including extension and alterations of the existing dwelling, a loft conversion and a new roof.</p>
--	---	--

<p>R22/0238 8 Weeks PA Approval 24/05/2022</p>	<p>DISUSED TELEPHONE EXCHANGE, COVENTRY ROAD, PAILTON, RUGBY, CV23 0QB</p>	<p>Conversion of the old Telephone Exchange to a single dwelling - Amendments to approved proposal</p>
--	--	--

<p>R22/0265 8 Weeks PA Approval 24/05/2022</p>	<p>10 ELMDENE CLOSE, COVENTRY, CV8 3JN</p>	<p>Part single, part two storey rear extension, and first floor side extensions to the property. The proposed alterations will be above existing structures to provide 2 additional bedrooms, WC and utility room.</p>
--	--	--

<p>R22/0317 8 Weeks PA Approval 24/05/2022</p>	<p>64, WARREN ROAD, RUGBY, CV22 5LG</p>	<p>Single storey rear extension</p>
--	---	-------------------------------------

55, OPHELIA CRESCENT,

Delegated

8 Weeks PA Applications Applications Approved

R22/0322 8 Weeks PA Approval 24/05/2022	RUGBY, CV22 7UU	Provision of a porous surfaced driveway to the front to replace the existing tarmacked driveway and grassed area.
R22/0347 8 Weeks PA Approval 24/05/2022	36, ELIZABETH WAY, LONG LAWFORD, RUGBY, CV23 9DJ	Boundary wall to perimeter of site
R21/0943 8 Weeks PA Approval 25/05/2022	6, MARKET PLACE, RUGBY, CV21 3DY	Replacement Shopfront and associated sign
R21/1202 8 Weeks PA Approval 25/05/2022	122, TENNYSON AVENUE, RUGBY, CV22 6JE	PROPOSED SINGLE STOREY FRONT EXTENSION, PART 2 STOREY PART SINGLE STOREY REAR EXTENSION, INTERNAL AND EXTERNAL WORKS TO DWELLING
R21/0860 8 Weeks PA Approval 26/05/2022	27, BIRDINGBURY ROAD, MARTON, RUGBY, CV23 9RY	Side and rear extensions and alterations

Delegated

8 Weeks PA Applications Applications Approved

R22/0291 8 Weeks PA Approval 26/05/2022	15, Old Farm Close, Rugby, Warwickshire, CV22 7NY	Single and two storey rear extension
R22/0336 8 Weeks PA Approval 26/05/2022	35, EDYVEAN CLOSE, RUGBY, CV22 6LD	Front Porch Extension and roof alterations
R22/0363 8 Weeks PA Approval 26/05/2022	41 , Lancut Hill, Rugby, Warwickshire, CV23 0JR	Partially Retrospective - Rear extension to form Kitchen and Lounge extension
R22/0389 8 Weeks PA Approval 26/05/2022	148, BAWNMORE ROAD, RUGBY, CV22 6JT	Erection of a double storey side extension
R22/0023 8 Weeks PA Approval 27/05/2022	BROADWAY, COVENTRY ROAD, RUGBY, CV22 7RY	Outline planning application for a proposed new dwelling, with all matters reserved except for access
	110, THE COTTAGE,	

Delegated

8 Weeks PA Applications Applications Approved

COVENTRY ROAD, RUGBY,
CV22 7RY

R22/0290
8 Weeks PA
Approval
27/05/2022

Retrospective application for an annex built as a result of previously approved application R20/0594. The location of the annex has been built circa 800mm from the boundary with the neighbouring property.

R22/0302
8 Weeks PA
Approval
27/05/2022

8, PARK WALK, RUGBY, CV21
2QP

Single storey side & rear extension

R22/0319
8 Weeks PA
Approval
27/05/2022

17 EASTLANDS ROAD, RUGBY,
CV21 3RP

Single storey rear extension and internal alterations.

R21/1238
8 Weeks PA
Approval
30/05/2022

4, ABBOTTS WAY, RUGBY,
CV21 4AP

Two storey side and rear extension and single storey rear extension (Retrospective alteration to previously approved application R19/0026) (AMENDED PLANS)

R21/1259
8 Weeks PA

LAND ADJACENT TO 341,
HILLMORTON ROAD, RUGBY

Erection of a dwelling house

Delegated

8 Weeks PA Applications Applications Approved

Approval
31/05/2022

R22/0307 8 Weeks PA Approval 31/05/2022	24, Steeping Road, Long Lawford, Rugby, CV23 9SS	First floor rear extension
R22/0312 8 Weeks PA Approval 31/05/2022	2 , Brand Road, Rugby, Warwickshire, CV21 1AF	Single storey rear extension
R20/0690 8 Weeks PA Approval 01/06/2022	BROTHERHOOD HOUSE, GAS STREET, RUGBY, CV21 2TX	Change of use from a nightclub (Sui Generis) to 9 dwellings (C3) and associated alterations.
R21/0706 8 Weeks PA Approval 01/06/2022	Land Rear of 321-327, HILLMORTON ROAD, RUGBY, CV22 5EZ	Proposal for 6 new build flats on land to the rear of 321-327 HILLMORTON ROAD.
R22/0426 8 Weeks PA Approval 01/06/2022	HOME FARM, THURNMILL ROAD, LONG LAWFORD, RUGBY, CV23 9BX	Demolition of an existing brick- built garage along with the removal of two smaller detached outbuildings and the erection of a double sized steel framed garage

Delegated

8 Weeks PA Applications Applications Approved

containing a floor plan of 6x8m
reaching a total height of 3.5m.

R22/0304
8 Weeks PA
Approval
06/06/2022

BYWAYS, CHURCH WALK,
RUGBY, CV22 7NA

Material alterations to planning
permission reference R16/2317
(Erection of first floor and a single
storey side extension, approved
on 22 December 2016) to change
the external materials for the first
floor extension. Use of the same
material to clad the exterior of the
first floor of the existing dwelling.

R21/1223
8 Weeks PA
Approval of Reserved
Matters
07/06/2022

15, CHURCH ROAD, SHILTON,
COVENTRY, CV7 9HX

Application for reserved matters
approval of access, appearance,
landscape, layout and scale, for
the construction of 4no. dwellings
with associated access, parking
and turning with all matters
reserved other than access and
appearance pursuant to outline
planning permission ref. no
R18/1641 dated 25/01/2019.

R22/0313
8 Weeks PA
Approval
07/06/2022

HEATHWAY, COVENTRY
ROAD, RUGBY, CV22 7RY

Proposed single storey side and
rear extension

Delegated

8 Weeks PA Applications Applications Approved

R22/0314 8 Weeks PA Approval 07/06/2022	53 , Ophelia Crescent, Cawston, Rugby, Warwickshire, CV22 7UU	Single storey rear extension
--	--	------------------------------

R22/0315 8 Weeks PA Approval 07/06/2022	5, Bradley House, Barby Road, Rugby, CV22 5DT	Proposed window upgrade and new roofing
--	--	--

R22/0369 8 Weeks PA Approval 07/06/2022	RUGBY BUSINESS CENTRE, 2123, CLIFTON ROAD, RUGBY, CV21 3PY	Extension of shop front in line with No 25 Clifton Road
--	--	--

Certificate of Lawfulness Applications Applications Approved

R22/0321 Certificate of Lawfulness Approval 06/05/2022	55, OPHELIA CRESCENT, RUGBY, CV22 7UU	Certificate of proposed lawful use or development for a garage conversion and single storey rear extension.
--	--	--

R21/0775 Certificate of	11, ASHLAWN ROAD, RUGBY, CV22 5ET	
----------------------------	--------------------------------------	--

Delegated

Certificate of Lawfulness Applications Applications Approved

Lawfulness
Approval
12/05/2022

Erection of a building incidental to the enjoyment of the existing dwellinghouse comprising a games room, gym and a home office

R22/0387
Certificate of
Lawfulness
Approval
19/05/2022

FIELD HOUSE FARM,
BROADWELL LANE,
BROADWELL, RUGBY, CV23
8HP

Certificate of lawful development for the proposed resurfacing of a driveway with porous asphalt with natural drainage

R22/0266
Certificate of
Lawfulness
Approval
25/05/2022

70, Boughton Road, Rugby,
Warwickshire, CV21 1BJ

Application for a Certificate of Lawfulness for existing use of an independent residential first floor flat

R22/0267
Certificate of
Lawfulness
Approval
25/05/2022

70 Boughton Road, Brownsover,
Rugby, Warwickshire, CV21 1BJ

Existing use of an independent residential ground floor flat

LAND EAST OF THE BEECHES,
SMEATON LANE, COOMBE

Delegated

Certificate of Lawfulness Applications Applications Approved

FIELDS

R22/0162
Certificate of
Lawfulness
Approval
26/05/2022

Certificate of lawful development (existing use) for the stationing of one static caravan for residential use and one touring caravan, the construction of one timber and metal shed and one timber shed and the installation of one septic tank.

Conditions Applications Approved

R22/0396 27, WESLEY ROAD, RUGBY,
Conditions CV21 4PG
Approval
11/05/2022

Discharge of Condition 6 of planning permission reference R19/0990 (Erection of two storey side extension with an increase of rear dormer and single storey rear extension, dated 23 July 2019).

R22/0404 73A, VICTORIA STREET,
Conditions RUGBY, CV21 2HN
Approval
11/05/2022

Approval of details in relation to condition 9 (external materials) attached to R13/1703 (Erection of new dwelling house with associated parking)

R22/0420 6, ARNOLD VILLAS, RUGBY,
Conditions CV21 3AX

Delegated

Conditions

Applications Approved

Approval

19/05/2022

Approval of details in relation to Condition 4 of R21/0648 (Listed Building Consent for a proposed single storey side extension to dwelling house, approved 11 November 2021).

R22/0464
Conditions
Approval
25/05/2022

LAWRENCE SHERIFF
SCHOOL, CLIFTON ROAD,
RUGBY, CV21 3AG

Discharge of condition 3 of
R21/0737

R22/0487
Conditions
Approval
26/05/2022

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

Approval of details in relation to condition 11 - Tree Retention of R13/2102 to allow removal and replacement of diseased Ash tree (T42). Infrastructure & landscaping phase of development (R19/0854).

R22/0355
Conditions
Approval
30/05/2022

LAND ADJACENT 99,
PYTCHLEY ROAD, RUGBY,
CV22 5NG

Approval of details in relation to Condition 4 of R21/0033 (Proposed new building dwelling)

Approval of details in relation to condition 9 - bat survey of

Delegated

Conditions Applications Approved

R22/0513 Conditions Approval 31/05/2022	LAWRENCE SHERIFF SCHOOL, CLIFTON ROAD, RUGBY, CV21 3AG	R21/0737
R22/0310 Conditions Approval 01/06/2022	ROLLS ROYCE, ANSTY AERODROME, COMBE FIELDS ROAD, COOMBE FIELDS, COVENTRY, CV7 9JR	Application to discharge condition B - roof-mounted photovoltaic (PV) panels and rainwater harvesting system of R21/0784 (Erection of three commercial units (Use Class 82).
R22/0527 Conditions Approval 01/06/2022	41, WESTFIELD ROAD, RUGBY, CV22 6AS	Discharge of condition 3 of R21/0838 (6M Ground Floor Extension with 3M First Storey Extension at Rear with side extension)

Discharge of Conditions Applications Approved

R21/0838 01/06/2022	41, WESTFIELD ROAD, RUGBY, CV22 6AS	6M Ground Floor Extension with 3M First Storey Extension at Rear with side extension
----------------------------	--	--

Delegated

Listed Building Consent Applications

Applications Approved

R22/0366
Listed Building Consent
Approval
20/05/2022

COOMBE ABBEY COUNTRY
PARK, BRINKLOW ROAD,
COOMBE FIELDS, COVENTRY,
CV3 2AB

Further Repairs to a section of the HaHa Wall in conjunction with the repair and rebuild of Wall A approved on the 11/02/2022 (Ref: R21/1225).

R22/0316
Listed Building Consent
Approval
07/06/2022

5, Bradley House, Barby Road,
Rugby, CV22 5DT

Listed Building Consent for proposed window upgrade and new roofing

Major Applications

Applications Approved

R21/0930
Major Application
Approval
12/05/2022

1620, LAWFORD ROAD,
RUGBY, CV21 2DY

Variation of condition 3 of planning permission reference R15/1520 (Demolition of the existing building and erection of a 4 storey building comprising 10no. 1 bed apartments and associated works, dated 24 June 2015) to enable a four-storey extension to the previously approved apartment building and provision of second bedrooms to some of the apartments, together with associated amendments to the development description.

Delegated

Major Applications

Applications Approved

R21/0664 Major Application Approval 16/05/2022	LAND OFF PARKFIELD ROAD, PARKFIELD ROAD, RUGBY	Erection of a steel clad portal frame building as a storage facility falling within Use Class B8, with associated ancillary two storey offices with external works, yard and vehicle parking, including roof mounted photo- voltaic panels.
---	---	--

R21/0790 Major Application Approval of Reserved Matters 01/06/2022	EASTERN PART OF ZONE D - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON	Erection of a building within Class B8 with ancillary office; ancillary structures; with associated landscaping & landscape bund, access roads; servicing yard; car parking and cycle shelter and compound; external plant; acoustic fencing; security fencing. Approval of reserved matters (access, appearance, landscaping, layout and scale) relating to R16/2569. (Alternative scheme).
--	--	--

Committee

Non Material Amendment Applications

Non Material Amendment Applications**Applications Approved**

R19/1528 BUTLERS LEAP, CLIFTON
ROAD, RUGBY, CV21 3TX

Non-Material
Amendment agreed
11/05/2022

Demolition of the existing structures and erection of a new 78-bedroom care home (Use Class C2) with associated access, car and cycle parking, structural landscaping and amenity space provision

R20/1026 UNITS 1 & 2 TRITAX
SYMMETRY SITE - LAND
NORTH OF COVENTRY ROAD,
11/05/2022 COVENTRY ROAD,
THURLASTON

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

Delegated

Non Material Amendment Applications**Applications Approved**

R15/2329 RUGBY GATEWAY PHASE R4,
LEICESTER ROAD, RUGBY,

Non-Material
Amendment agreed
13/05/2022

Erection of 132 dwellings with associated open space, playing pitches, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning permission R10/1272.)

R19/0117 60 South Road, Clifton Upon
Dunsmore, CV23 0BZ

Non-Material
Amendment agreed
17/05/2022

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

R21/0850 13, GENTIAN WAY, RUGBY,
CV23 0XH

Non-Material
Amendment agreed
01/06/2022

PROPOSED 2 STOREY SIDE EXTENSION TO DWELLING TO CREATE AN ANNEX AND NEW DETACHED DOUBLE GARAGE

Prior Approval Applications**Prior Approval Applications**

R22/0258 18, Skipwith Close, Brinklow,
Rugby, CV23 0NW

Extension
Not Required
05/05/2022

Proposed single storey rear extension (Larger Home Extension Prior Approval)

Agricultural Building, MONTILO

Prior Approval Applications**Prior Approval Applications**

LANE, HARBOROUGH MAGNA

R22/0268
 Prior Approval change
 of use
 Required and Approved
 16/05/2022

Prior approval change of use of
 agricultural building to 1
 no.dwellinghouse (Class Q)

R22/0318
 Prior Approval
 Extension
 Required and Refused
 16/05/2022

91, Pytchley Road, Rugby, CV22
 5NG

Single storey rear kitchen
 extension

R22/0261
 Prior Approval
 Extension
 Not Required
 25/05/2022

The Old Dairy, TUCKEYS FARM,
 CATHIRON LANE,
 HARBOROUGH MAGNA,
 RUGBY, CV23 0JH

Proposed single storey rear
 extension (Larger Home
 Extension Prior Approval)

R22/0365
 Prior Approval
 Extension
 Not Required
 25/05/2022

35, TOWNSEND ROAD,
 RUGBY, CV21 3SB

PAX - Single storey rear
 extension to existing dwelling
 house

R22/0374
 Prior Approval
 Extension
 Not Required
 30/05/2022

61, LAWRENCE ROAD, RUGBY,
 CV21 3SA

Prior Approval for Proposed
 Larger Home Extension