

21 December 2018

PLANNING COMMITTEE - 9 JANUARY 2019

A meeting of the Planning Committee will be held at 6.00pm on Wednesday 9 January 2019 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 5 December 2018.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –

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

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

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

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Delegated Decisions – 8 November – 28 November 2018.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2018/19 – 10) are attached.

Membership of the Committee:

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

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

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

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

Planning Committee – 9 January 2019

Report of the Head of Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

There are no applications recommended for refusal to be considered.

Recommendations for approval

Item	Application Ref Number	Location site and description	Page number
1	R18/1796	2 Main Street, Clifton-upon-Dunsmore Replacement Single Residential Dwelling (Amendment to approved application ref: R16/1488 for its repositioning).	3
2	R18/2022	The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore Conversion and extension of existing dwelling to form 4 dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit. (Variation of condition 2 of approved planning permission R14/2166 dated 10/02/2017 to substitute approved plans with amended plans to include the insertion of a new external door and removal of timber sliding door).	12

Reference number: R18/1796

Site address: 2 Main Street Clifton on Dunsmore

Description: Replacement Single Residential Dwelling (Amendment to approved application ref: R16/1488 for its repositioning).

Case Officer Name & Number: Erica Buchanan 01788 533789

Site and Surroundings

The application site comprises a partly built new dwelling located adjacent to the south-east corner of the Main Street/South Road junction, within the village of Clifton upon Dunsmore.

This part of Clifton is characterised by lower density development in landscaped settings. There are three notable areas of open space two on either side of the junction for South Road and Main Street and an open space at the junction for North Road and Main Street all 3 have a variety of semi-mature and mature trees. In addition the application property and those along the western side of South Road are characterised by wide grass verges.

The application property and the greens are located within the Clifton upon Dunsmore Conservation Area and also within the 'limits of development' to the village.

The boundary treatment to the application site comprise an existing 2m high brick wall along the western boundary, a wired fence along the eastern boundary and a panel fence along the rear. The plot itself is set back from the road frontage and the previous front boundary treatment was a low chain linked fence.

It should also be noted that whilst development has been taking place the grass verge to the front of the application property has been used for the storage and delivery of materials.

Proposal

The application is an amendment to the approved application for the erection of a replacement dwelling (R16/1488) which comprised a large two-storey dwelling containing 4 bedrooms with an overall height of 7.8m to the ridge. The building currently being constructed is exactly the same in height and design as that previously approved. The reason the application has been submitted is due to the location of the building in that it is being constructed 1m further forward than the originally approved scheme. As a result part of the building that is closest to the brick wall boundary is being constructed outside the red line. The remainder of the building is within the red line sitting slightly further forward than the originally approved application.

The dwelling has been designed around an oak frame which whilst primarily internal feature it is incorporated into the main gable feature facing Main Street. The side projection to the dwelling steps the height down closer to the Main Street/South Road junction which is also the approach taken with the front projection. The front projection will form a double garage with room above.

The proposal also includes a rear single storey conservatory.

As part of the original approval a number of trees (mainly fruit trees) were proposed to be removed and have subsequently been removed. In addition two of the larger trees in the front garden were felled without prior approval (this would have been required given they lie within the Conservation Area) and a condition was imposed for their replacement with semi-mature trees.

Vehicular access to the property would be from a new access off Main Street which was approved on the original application.

Relevant Planning History

R11/0131 - Remodelling of bungalow to form two storey dwelling with external alterations and extensions – Approved 10/11/11

R14/0085 - Remodelling of bungalow to form two storey dwelling with external alterations and extensions - Material Amendments to approval R11/0131 to include a driveway and access to the front of the property, relocation of garage doors to the front from the rear and increase in the size of 2 windows to the front – Approved 14/02/2014

R15/1915 - Alterations to approval R14/0085 (Remodelling of bungalow to form two storey dwelling with external alterations and extensions) dated 14th February 2014 to include the relocation of the garage and addition of a two storey extension to the front elevation – Approved 27/05/16

R16/1488- Replacement Single Residential Dwelling in lieu of extant approval to extend and remodel bungalow to form a two storey dwelling (ref R15/1915) – Approved 22/08/16

Technical Consultation Responses

WCC Highway Department - Objection property encroaches on adopted highway.

Environmental Health – No objections

Third Party Responses

Neighbours – No comments received

Parish Council – Objection

- the lack of vehicle tracking drawings, which would enable them to see whether there is sufficient space for car parking and vehicle movement within the property;
- the wall and hedge or brick pillars mentioned in the application are not shown. As no perimeter treatment is shown, the potential of hedges/fencing likely to take the boundary still further out; and
- the revised plans do not indicate where the tree required to replace the felled trees (within conservation area) will be sited.

Councillor Hunt

Requests the application be determined by the planning committee.

Objects in the strongest possible terms to this planning application. In order to explain my objections, it is necessary first to explain the differences between the drawings which were approved as part of application ref. R16/1488, and the new drawings that have been submitted in support of the current application:

Original drawing DS.016.002C

- Shows the north-west corner of the building coming in line with the original boundary wall
- Shows an existing tree close to the proposed driveway to the property
- Shows a replacement beech tree in the north-east corner of the property. This was a requirement to replace the tree that was illegally removed by the applicant in 2015 (for which the courts levied a £5,000 fine)

New drawing DS.016.002D

- Shows the northwest corner of the building at least 1m in front of the original boundary wall
- Shows no existing tree close to the proposed driveway to the property. On visiting site this tree has also been removed
- Shows no replacement beech tree in the north-east corner of the property

The effect of moving this building forward is:

What was already a very large building has now completely altered the street scene in a key part of the village

This has always been an open area with low-rise buildings framing grass and planting

The building in its new position is overbearing and out of keeping with this focal point of the village

The proposed building completely alters the historic building line

The original application showed space for 4 cars – 2 in the garage and 2 on the forecourt

The revised application also claims that there is parking for 4 cars, however the drawing does not even show enough space to drive a car onto the property and to turn into the garage

There is no turning space for even 1 car within the property. Therefore, cars will either be turning on the grass verge or will be reversing onto the main road

Any vehicles parked on the grass verge will create a visual obstruction for cars trying to exit South Road

Any cars waiting to exit the property will create a visual obstruction for cars trying to exit South Road

The grass verge which is now proposed to become part of the demise of this property is designated Highways land

Clifton Parish Council has refused permission for this land to cease its designation as Highways Land, therefore it is not possible to take this land into a private property or to build on it

The applicants have tried at every step to obfuscate the fact that the building is not in accordance with the approved drawings. At one point they tried to claim that part of the original wall had to be removed – even though it clearly has ivy growing around the outside of the edge where it had allegedly been cut

The Applicant has stated at a parish council meeting that the building was repositioned because “there was a manhole in the way”. This is no reason to completely ignore planning rules

As above, I wish to object in the strongest possible terms to this application. However, if the committee is minded to approve the application, then the following conditions should be applied:

1. All 3 trees shown on the original drawing DS.016.002C should be replaced with mature specimens.
REASON: To shield the building and soften its lines when viewed from the road, and to maintain (as far as possible given the overbearing size of the building) this important open area at the heart of the village green
2. No fence, wall, hedge or other barrier to be erected in front of the property.
REASON: To prevent the mass of the building becoming even greater than can be seen at present. To maintain (as far as possible given the size of this development) the open aspect of this important open area in the heart of the village green
3. No cars to be permitted to be parked outside the approved curtilage of the property or on the grass verges:
REASON: To prevent the domestic use of the site from spilling onto this important open area at the heart of the village green. To prevent obstruction of the vision splay for vehicles exiting South Road

As previously, I have asked that this application is called before the Planning Committee, although this will not be necessary if your decision is to refuse the application.

Relevant Planning Policy

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

Rugby Borough Local Plan 2006

Saved Policies

E6 - Biodiversity

Rugby Borough Core Strategy 2011

CS1 – Development Strategy

CS16 – Sustainable Design

Rugby Borough Local Plan Main Modification to the Submission Local Plan 2011-2031:

The Main Modifications to the Submission Local Plan were agreed with the Inspector, subject to the Sustainability Appraisal and Habitats Regulation Assessments, and consulted upon. The consultation has concluded and the Inspector's report is awaited. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. The Examination is ongoing until the receipt of Inspector's final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.

GP1 –Securing Sustainable Development

GP2 – Settlement Hierarchy

NE1- Protecting Designated Biodiversity and Geodiversity Assets

SDC1-Sustainable Design

SDC3-Protecting and Enhancing the Historic Environment

Material Consideration

Sustainable Building SPD

Clifton-Upon-Dunsmore Parish Plan 2004

Clifton-Upon-Dunsmore Conservation Area

National Planning Policy Framework

Planning Practice Guidance.

Assessment of Proposals

The determining issues to take into account in this case are the principle of the development; whether the proposal is acceptable in terms of; its appearance and design and its impact on the character of the conservation area, its impact on the existing trees on the site, impact on the amenities of adjoining properties, highway access and parking.

Principle of Development

Policy CS1 and emerging Policy GP2 states that the location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. The development is within a main rural settlement which within policy CS1 and emerging Policy GP2 states that development will be

permitted within the existing village boundary and that local housing need is prioritised over market housing. The principle of residential development on the site has been established with the original bungalow and the principle of the replacement dwelling in terms of its size, massing and character has been established with the approved application R16/ 1488.

Appearance and Design - Impact on the Character of the Conservation Area (Bulk and Massing)

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.

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.

Policy CS16 states that all development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. This is reiterated within emerging Policy SDC1. Policy CS16 and emerging Policy SDC3 states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings.

The appearance of new development and its relationship with its surrounding built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance.

The application site lies within the Clifton upon Dunsmore Conservation Area, where it states within the character appraisal "Main Street commences with the school at the western end and contains a number of key landmark buildings including The Elms and the Bull Inn. These are interspersed by historic buildings of individual character along the northern side of Main Street which have a less imposing style and siting. On the southern side of Main Street the character is modern set in a landscaped environment."

It should be noted that the dwelling has been constructed 1m further forward within the site with only a small element located outside the redline boundary and once work has been completed the landscaped grass verge would be returned back to a green verge. The use of this frontage for storage of materials is temporary.

The green immediately to the west of the site is identified as local open space in the Core Strategy Inset Map. However this local open space does not include the green verge to the front of the application property.

The site is in a prominent location at the entrance to the main part of the village. The greens and the low density of development (containing a number of mature trees on the greens and in front gardens), contribute towards producing a low density landscape dominant character in this part of the village.

The original property onsite comprised a bungalow sited on a reasonably sized plot. It was considered in assessing the replacement dwelling that a suitably designed two-storey house could be located on this property. Whilst the two-storey house, is larger it was still considered to be of an appropriate scale and massing to adequately fit the site without over-dominating it. It was considered that a two-storey building in this location provides the opportunity for a 'landmark building' on this prominent corner. The lower projection to the side and front has also been

designed as a subservient element to the main building. It is considered that the repositioning 1metre forward would not result in a development that is so detrimental to character of the area in comparison to the approved scheme to warrant a refusal.

The new dwelling has been designed with double gables on both the front and rear elevations. On the front elevation, the eye will be drawn to the larger gable containing the timber frame which is considered to be a key element to the proposal.

The side projection to the dwelling steps the height down closer to the Main St/South Road junction which is also the approach taken with the front projection. The front projection will form a double garage with room above.

The use of plain roof tiles, red/orange bricks and wooden window frames will all assist in assimilating the new dwelling into its immediate surroundings.

The proposal is considered to have limited effect on the significance of the Conservation Area and would make a positive contribution to the character and local distinctiveness of the historic environment. The proposal is therefore considered to comply with policy CS16 of the Core Strategy, emerging Policy SDC3 and the National Planning Policy Framework.

Impact on the neighbouring amenities

Policy CS16 and emerging Policy SDC1 states that development would ensure that the amenities of existing and future neighbouring occupiers are safeguarded. The Positioning of the property is no closer to the neighbouring property at 4 Main Street and further away from no. 1 South Road. Its amended positioning is considered not to harm the amenities of the neighbouring's any further in terms of loss of light outlook, overlooking than that from the approved scheme.

It is considered therefore that the impact on the neighbouring amenities would be acceptable and the proposal complies with Policy CS16 of the Core Strategy 2011 emerging Policy SDC 1.

Impact on Existing Trees

Currently the only remaining tree on the site is a conifer tree in the eastern corner all other trees have been removed. Prior to the previous application being approved some trees located along the front boundary were removed without permission. This breach of planning was dealt with as a separate matter to the determination of the previous planning application and as result a conditioned for the replacement of the trees with semi-mature specimens (20-25cm circumference 5-6 metres in height). It is proposed to impose a similar condition and that their location would form part of the landscaping scheme and boundary treatment.

Highway Access and Parking

The main concerns raised regarding the scheme is the encroachment on the highway of the new dwelling.

There are no significant highways safety concerns relating to the relocation of the new dwelling and the new vehicular access from Main Street was previously approved subject to the existing access on South Road being stopped. This was conditioned as part of the original approval.

However Highways have objected to the proposal solely because of encroachment on adopted highway. It should be noted that only a small corner of the dwelling encroaches onto the Highway due to the angle of the boundary. In terms of the dispute between the applicant and the Highway Authority over land ownership is in fact a civil matter and not a reason for refusing the application.

The Highways Authority also has separate statutory powers to enforce any encroachment on the adopted highway. This would fall outside the planning process.

It should be noted that paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. In planning terms there are no Highway Safety Reasons to refuse the application.

In terms of parking concern has been raised as to the fact that the dwelling in the new positioning would not provide parking for 4 cars. It should be noted that In terms of parking standards the requirements are for 3 spaces - as there are two garages and parking in front of the property for a third car they meet the required car parking standards in addition there are no parking restrictions on Main Street or South Road and thereby enabling on street parking.

Recommendation

It is considered that the dwelling is an acceptable form of development that would not harm the character of the area and that there are no Highway Safety reasons to refuse the application and therefore the application should be approved subject to conditions.

DRAFT DECISION

APPLICATION NUMBER

R18/1796

DATE VALID

16/10/2018

ADDRESS OF DEVELOPMENT

2 MAIN STREET
CLIFTON UPON DUNSMORE
CV23 0BH

APPLICANT/AGENT

Dean Sayer
The Old Rectory Stanford Road
Clay Coton
Northants
NN6 6JU

APPLICATION DESCRIPTION

Amendment to approved application ref: R16/1488 for the reposition of new dwelling.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

Within 30 days of the date of this permission no further 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: 2

Prior to occupation a comprehensive landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority and shall include boundary treatments and replacement trees (Beech and Laburum) which should be semi-mature specimens (20-25cm circumference 5-6 metres in height) staked and tied as appropriate . 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 10 years from

the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION:3

The vehicular access to the site shall have a width of 3.0) metres (with a gradient not steeper than 1 in 15 and hard surfaced in a bituminous material to the site boundary from the carriageway edge.

REASON:

In the interests of highway safety

CONDITION: 4

Within 30 days of the construction of the new access onto Main Street, all parts of existing accesses to South Road (D3121) (road name/number), not included in the proposed means of access, have been permanently closed and the highway features, (including the verge and kerblines) have been reinstated in accordance with details approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON:

In the interests of highway safety

CONDITION: 5

Other than those shown on the approved plans no new windows/rooflights shall be formed in the east elevation/roofslope of the proposed development, unless Otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION: 6

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, the double garages hereby approved shall not be converted to living accommodation.

REASON:

In the interest of highway safety and to provide adequate parking facilities.

CONDITION: 7

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, E and G 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: 8

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 dwelling without the prior written permission of the Local Planning Authority.

REASON:

In the interest of visual amenity.

CONDITION: 9

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

Drawing Nos. DS.016.002D; DS.016.003C; DS.016.004B; DS.016.005A, DS.016.006B and DS.016.007C received by the Local Planning Authority on 16th October 2018.

REASON:

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

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.

INFORMATIVE:1

Prior to occupation the grass verge to the front of the property shall be re-instated in accordance with the requirements of the Highway Authority

Reference number: R18/2022

Site address: The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore

Description: Conversion and extension of existing dwelling to form 4 dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit. (Variation of condition 2 of approved planning permission R14/2166 dated 10/02/2017 to substitute approved plans with amended plans to include the insertion of a new external door and removal of timber sliding door)

Case Officer Name & Number: Nathan Lowde 01788 533725

This application has been called in at the request of Cllr Leigh Hunt.

Description of Site and Proposal

The application site forms part of 'The Old Hall, 24 Lilbourne Road', which was recently granted permission to be subdivided into 4 separate units (R14/2166), together with consent to erect three dwellings within the curtilage (R18/0535).

The application seeks to vary condition 2 and substitute approved plans with amended plans.

These amendments are twofold.

1. The first amendments seeks the insertion of an external door, within the 1930's west extension to the main dwelling house, which is to be subdivided into a single residential unit as part of R14/2166. This will provide access onto the Lilbourne Road. The proposed door is a 17th century door that will be surplus to requirements once the conversion of the remainder of The Old Hall has been completed.
2. The second amendments seeks the removal of the timber sliding door.

The description of development has also been amended, in agreement with the application, to omit the 2 new dwellings that were approved as part of R14/2166, as this has been superseded by R18/0535.

Third Party Comments

Cllr Leigh Hunt objections

1. The application is less than clear about the impact of what is being applied for. When the original application was granted the Design and Access Statement and all drawings made it very clear that pedestrian and vehicular access to all of the units would be through the new entrance off Hillmorton Lane
2. No new access was to be provided to the Lilbourne Road frontage, in order to maintain the integrity of this important building in a key location in the village
3. The Old Hall is a key building in Clifton and is identified as such in the Parish Plan and Village Design Statement, and is located at one of the main entrances to the village
4. Inserting a door into the proposed location will fundamentally change the appearance of this key listed building, and the way in which it will be used
5. No Design and Access statement has been submitted with this new application, although the one that was submitted with the Listed Building application clearly stated that the door

was to “assist with deliveries and collections to and from the property”. This means that there is an intention for vehicles to be parked close to the new opening on what is already a dangerous junction

6. The opening will be right onto the Lilbourne Road/Hillmorton Lane/Buckwell Lane junction.
7. Drivers from Hillmorton look to the right (A5 direction) to see if there is any traffic coming, and just pull out without stopping. This means that if someone is getting into/out of a parked vehicle they will be out of sight and likely to be hit
8. Buckwell Lane is opposite this property, and traffic already has to turn right on a blind bend, with traffic coming from 3 directions. The only way to do this is to get across to the left-hand side of the road as quickly as possible. Vehicles parked at this location will force cars from Buckwell Lane into the middle of the road, and into the path of oncoming traffic

Technical Consultee

WCC Highways no objection

Relevant Planning Policy

RBC Core Strategy

CS16 Sustainable Design and Construction

Emerging Local Plan

SDC1 Sustainable Design

SDC3 Protecting and enhancing the Historic Environment

The Main Modifications to the Submission Local Plan have been agreed with the Inspector, subjected to Sustainability Appraisal and Habitats Regulation Assessments, and published for consultation. In accordance with paragraph 48 of the Framework, the policies are therefore at an advanced stage and have a degree of consistency to the Framework. They carry weight, subject to recognising that some individual policies will have unresolved objections which may have less weight as a result. Although hearings have concluded, the Examination is ongoing until the receipt of Inspector’s final report. Whilst each case should be determined on its own merits, the emerging policies are a material consideration and should be referred to in relevant cases, alongside the adopted 2011 Core Strategy, and the NPPF.

National Planning Policy

National Planning Policy Framework 2018

Relevant Planning History

R14/2166

Conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit. Approved 10.02.2017

R16/0566

Listed building consent for internal and external alterations to facilitate the works proposed as part of planning application ref: R14/2166 which seeks the conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit. Approved 30.11.2016

R18/0535

Erection of three dwellings together with associated works
Approved 15.08.2018

R18/2005

Listed Building Consent for the substitution of house type of 'The Stables' plot of approved listed building consent R16/0566 dated 30/11/2016
Undetermined

Assessment of Proposal

As part of the previously approved planning application ref: R14/2166, it was considered that the principle of development was considered acceptable together with the impact upon the designated heritage assets, namely, the Grade II listed building and setting, curtilage listed buildings and Conservation Area. Since the grant of planning permission a revised version of the National Planning Policy Framework (NPPF) has been published and the Emerging Local Plan is at a more advanced stage. The principle of the development is still considered consistent with revised NPPF and relevant policies contained within the Emerging Local Plan.

This assessment, therefore, mainly considers the merits of the proposed amendments.

1. Heritage

1.1 *Policy background*

Policy CS16 also refers to the historic environment. It states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. Emerging policy SDC3 seeks to protect, sustain and enhance designed and non-designated 'heritage assets'.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Court of Appeal in *Barnwell Manor Wind Energy Limited v East Northamptonshire District Council and Others* (2014) made clear that special regard to the desirability of preservation means that avoiding harm to a listed building, or its setting, is a factor that is not only one of considerable importance, but also one that attracts considerable weight in any balancing exercise. Registered Parks and Gardens do not benefit from any statutory protection, but as a designated heritage asset it does fall to be considered under Section 12 of the Framework.

Historic England guidance indicates that setting embraces all of the surroundings from which an asset can be experienced or that can be experienced from or within the asset. Setting does not have a fixed boundary and cannot be defined, in perpetuity, as a spatially bounded area or as lying within a set distance of a heritage asset. The NPPF says that the significance of an asset is defined as its value to this and future generations because of its heritage interest. National Planning Policy Framework: Chapter 12 - Conserving and Enhancing Historic Environment is applicable. This advises that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed

building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.' Paragraph 131 of the National Planning Policy Framework (the Framework) states that in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets.

1.2 *Assessment*

The proposed external door would be inserted into the C20 addition, and as such would not impact upon the historical core of the listed building or any special historical or archaeological features. The historical internal layout has changed as a result of the approved subdivision of the property to form three dwelling houses. The proposed works would be sympathetic to the character and appearance of the listed building by virtue of the reuse of an existing external door. The proposed new entrance would appear subordinate to the main C20 porched entrance which currently existing and which provided access onto the Lilbourne Road. It is noted that historically the building was used as three cottages and had three entrances within the northern elevation, prior to its conversion into a single dwelling in the mid C20 and the erection of the C20 timber porch, and therefore multiple entrances off the Lilbourne Road is not uncharacteristic to the historical appearance of the building.

It is judged that the proposal would not have an adverse impact upon the character and appearance of the listed building, its setting and the character and appearance of the conservation area. It is therefore considered that the proposal accords with Core Strategy policy CS16, emerging policy SDC3 and guidance contained within the NPPF.

The footpath leading up to the proposed door has been constructed and comprises of small orange pavers constructed in a diagonal formation with blue edged pavers and a decorative kerb. Along the Lilbourne Road, footpaths leading up to properties are more simplistic in appearance and predominantly large grey concrete pavers. It is considered that whilst the footpath has not been designed in a manner which is typical to the Conservation Area, it is nevertheless considered by virtue of its design and appearance that it would provide an attractive, distinctive, feature within the Conservation Area, in accordance with Core Strategy policy CS16, emerging policy SDC3 and guidance contained within the NPPF.

The second element of this application seeks the removal of a timber sliding door within the rear elevation of the eastern wing, which is a C18 former brick barn, converted in the C20 to form a garage with a self-contained flat above. This element of the building has consent for conversion into a single dwelling house. The alterations include the removal of the sliding door and insertion of a new glazed screen. The current large sliding garage door was inserted, in place of the former full-height barn door, as part of its C20 conversion. Historical photos show its former appearance and how this opening has changed overtime to reflect the change in its use, and demonstrates the resilience of the building to change.

It is judged that the proposal would not have an adverse impact upon the character and appearance of the listed building, its setting and the character and appearance of the conservation area. It is therefore considered that the proposal accords with Core Strategy policy CS16, emerging policy SDC3 and guidance contained within the NPPF.

2. Access and Highways

WCC Highways has raised no objection to the proposal.

In response to Cllr Hunt's comments, WCC Highways comment as follows:

It is recognised that highway safety concern has been raised by the local Borough Councillor with regard to the potential for the proposed external door at Unit 1 to be used for deliveries and collections, and to the potential for this to lead to vehicles being parked at the junction of C29 Lilbourne Road and C30 Hillmorton Lane, and in the vicinity of the opposite junction with D3700 Buckwell Lane. This issue has been considered specifically by the Highway Authority in its assessment of the proposal.

The Highway Code states that road users must not park opposite or within 10 metres of a junction, except in an authorised parking space. Road users should be cognisant of this rule, and where followed this should prevent parking as indicated by the Borough Councillor.

It is noted that the existing dwelling The Old Hall has an existing pedestrian access to the footway at the junction, in close proximity to the access proposed, and that this access is proposed to be retained in respect of Unit 2 of the development allowed under planning permission R14/2166. A review of personal injury accidents in the vicinity of the junction does not show any accidents in the available period of data since 1990 where parked vehicles are indicated as a factor. It is considered unlikely that an additional such pedestrian access serving a smaller dwelling would lead to significant and unacceptable further detriment in this instance. Finally, the Highway Authority understands that the works to install the new external door may not require full planning permission if undertaken after the unit in question is completed and occupied, and that in such an instance Listed Building Consent only may be required. Given this, it is unclear whether a refusal on highway safety grounds in this instance could reasonably be defended.

Recommendation

Approval subject to conditions

APPLICATION NUMBER

R18/2022

DATE VALID

06/11/2018

ADDRESS OF DEVELOPMENT

THE OLD HALL
24 LILBOURNE ROAD
RUGBY
CV23 0BD

APPLICANT/AGENT

Mr Mark Shimwell
Middlemarch Construction Ltd
2b Chapel Orchard
Kilsby
CV23 8XF

APPLICATION DESCRIPTION

Conversion and extension of existing dwelling to form 4 dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit. (Variation of condition 2 of approved planning permission R14/2166 dated 10/02/2017 to substitute approved plans with amended plans to include the insertion of a new external door and removal of timber sliding door)

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Original Plans/Documents submitted as part of R14/2166

- Amended Plan Proposed Site Plan Drawing No. 212014DWG002 Rev K received by the LPA on the 15/11/2016 (proposed new dwellings superceded)
- Amended Plan Proposed Site Plan with Tree Constraints & Level Drawing No. DWG212014-217 Rev E received by the LPA on the 17/10/2016 (proposed new dwellings superceded)
- Amended Plan Main House Proposed Floor Plans Drawing No. 212014DWG121 Rev C
- Stable Block Existing Plans and Elevations Drawing No.212014DWG114 Rev B
- Conversion of Outbuildings Existing/Proposed Plans and Elevations Drawing No. 212014DWG115 Rev B
- Arboricultural Report: Arboricultural Impacts Assessment Received by the LPA on the 19/09/2016
- Internal and External Bat Survey received by the LPA on the 18/09/2016
- Main House Elevations Drawing No. 212014DWG122 Rev A
- Stable Block Proposed Plans and Elevations Drawing No. 212014DWG124 Rev B
- Existing Floor Plans - Main House Showing Proposed Alterations Drawing No. 212014DWG116 Rev B

Plans submitted as part of R18/2022

- Unit 4 - Elevations - DWG No 0374/201_REV_A
- DWG No. 0374/202

REASON:

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

CONDITION: 3

All external materials to be used on all external surfaces including bricks, roof tiles, window design, doors, velux windows, guttering, mortar mix shall not be carried out other than in accordance with the details approved as part of Listed Building Consent application R16/0566 dated 30/11/2016 and details pursuant of conditions 3, 4, 5 and 6 of this decision notice.

REASON:

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

CONDITION: 4

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

REASON:

In the interest of visual and residential amenity.

CONDITION: 5

No development shall commence unless and until details of all proposed walls, fences and gates 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: 6

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

REASON:

To ensure the proper development of the site.

CONDITION: 7

No development shall commence unless and until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented no later than the first planting season following first occupation of the development. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variations.

REASON:

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

CONDITION: 8

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

REASON:

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

CONDITION: 9

The development hereby permitted shall proceed in accordance with the detailed mitigation measures for swallows as set out in the document 'Preliminary ecological appraisal (Internal/External Bat Survey) Old Hall and Barns, Clifton on Dunsmore (Revised Sept 2016)' prepared by Dr. Stefan Bodnar and received by the Local Planning Authority on 18/09/2016. The approved mitigation measures shall be implemented in full.

REASON:

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

CONDITION: 10

The development hereby permitted shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists – Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

REASON:

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

CONDITION: 11

No development shall commence unless and until:

- a) A Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.
- b) The programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork shall be submitted to the Local Planning Authority.
- c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

REASON:

In the interest of archaeology.

CONDITION: 12

The development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access has been closed and the kerb and verge have been reinstated in accordance with the standard specification of the Highway Authority. A pedestrian access point shall be created at this location where the existing access is, and details of this pedestrian access shall be submitted to and approved by the LPA and shall be implemented prior to the occupation of any of the dwellings and retained thereafter.

REASON

In the interest of highway safety and sustainability

CONDITION: 13

Access for vehicles to the site from the public highway (Lilbourne Road) shall not be made other than at the position identified on the approved drawing number Drawing No. 212014DWG002 Rev k received by the LPA on the 15/11/2016

REASON

In the interest of highway safety

CONDITION: 14

The development shall not be occupied until an access for vehicles has been provided to the site not less than 5 metres in width for a minimum distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 15

The access to the site for vehicles shall not be used unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority.

REASON

In the interest of highway safety

CONDITION: 16

The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for a minimum distance of 7.5 metres as measured from the near edge of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 17

The gradient of the access for vehicles to the site shall not be steeper than 1 in 20 for a minimum distance of 7.5 metres, as measured from the near edge of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 18

The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

REASON:

In the interest of highway safety

CONDITION: 19

The development shall not be occupied until visibility splays have been provided to the vehicular access to the site passing through the limits of the site fronting the public highway with an 'x' distance of 2.4 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 20

Gates/barriers/doors erected at the entrance to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 21

The development shall not be commenced until space has been provided within the site for the parking and loading/unloading] of construction vehicles in accordance with details to be approved in writing by the Local Planning Authority.

REASON

In the interest of highway safety

CONDITION: 22

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

REASON:

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

CONDITION: 23

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, and 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: 24

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, 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: 25

Prior to occupation a car parking layout plan shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons residing in or calling at the dwellings and shall not be used for any other purpose.

REASON:

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

CONDITION: 26

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

REASON:

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

CONDITION: 27

The proposed garages all remain open and no garage doors inserted, until such details have been submitted to and approved by the LPA. The development shall be carried out in accordance with details hereby permitted.

REASON

In the interest of visual amenity

STATEMENT OF POSITIVE ENGAGEMENT:

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

INFORMATIVES:

ECOLOGY

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.

The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).

In view of the nearby hedgehog records, care should be taken when clearing the ground prior to development, particularly piles of deadwood /leaves /bonfire mounds. If a hedgehog is found, work should stop until WCC Ecological Services is contacted. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC Act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.

In view of the existing garden habitat, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services (01926 418060) or Natural England (0300 060 3900) are contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

INFORMATIVES:

Highways

Certain conditions require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

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

Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 8th November 2018 to 28th November 2018

Name of Committee: Planning Committee

Date of Meeting: 9 January 2019

Report Director: Head of Growth and Investment

Portfolio: Please select

Ward Relevance: All

Prior Consultation: None

Contact Officer: Dan McGahey 3774

Public or Private: Public

Report Subject to Call-In: No

Report En-Bloc: No

Forward Plan: No

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

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

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

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

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

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

Ensure that the council works efficiently and effectively (CR)

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

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

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

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

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

Protect the public (EPR)

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

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

Planning Committee - 9 January 2019

Delegated Decisions - 8th November 2018 to 28th November 2018

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

1. BACKGROUND

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

Name of Meeting: Planning Committee

Date of Meeting: 9 January 2019

Subject Matter: Delegated Decisions - 8th November 2018 to 28th November 2018

Originating Department: Please select

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

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

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 08.11.2018 TO 28.11.2018

A. APPLICATIONS – DELEGATED

Applications Approved		
<i>R18/1208 Approved 15.10.2018</i>	2 Humphrey Close Butterfield Gardens Rugby CV21 1FQ	Material amendment to planning permission reference R17/0341 (Conversion of existing integral garage to a dining room and erection of a brick shed in the rear garden, dated 19 April 2017) to alter the front window and enlarge the brick shed.
<i>R18/1843 Approved 08.11.2018</i>	38 The Green Long Lawford CV23 9BL	Alterations to detached garage (amendments to previously approved application R18/1184)
<i>R18/1826 Approved 08.11.2018</i>	78 Constable Road Hillmorton Rugby CV21 4DA	Demolition of existing garage and erection of single storey side extension
<i>R18/1727 Approved 08.11.2018</i>	Barn off Frankton Lane Frankton CV23 9PP	Section 73 application for the variation of condition 4 of planning permission R16/0391 to allow the commencement of development prior to submitting the full details of the design, materials and finishes of all windows including reveal depths and external doors.
<i>R18/1753 Approved 09.11.2018</i>	84 Magnet Lane Bilton Rugby CV22 7NJ	Demolition of existing conservatory and erection of single storey rear extension
<i>R18/1496 Approved 09.11.2018</i>	61 Rugby Road Dunchurch Rugby CV22 6PG	Erection of a single storey rear extension and the re-roofing of the existing single storey extension (conservatory).
<i>R18/1550 Approved 09.11.2018</i>	Sentrum Rugby Limited 2-3 Pelham Road Rugby CV23 0PB	Change of use to B8: Storage and Distribution, including retention of mezzanine.
<i>R18/0592</i>	Potford Dam Farm	Conversion and extension of existing

<i>Approved</i> 09.11.2018	Coventry Road Cawston Rugby CV23 9JP	outbuildings into a single dwelling house and erection of garage
<i>R18/1148</i> <i>Approved</i> 12.11.2018	1 Cornwallis Road Bilton Rugby CV22 7HL	Erection of proposed two storey side and rear extension.
<i>R18/1622</i> <i>Approved</i> 12.11.2018	6 Fawsley Leys Rugby CV22 5QX	Erection of two storey front/side extension and single storey rear extension.
<i>R18/1331</i> <i>Approved</i> 12.11.2018	Richard Utley Limited Unit 8 Europark Watling Street Newton CV23 0AL	Demolition of existing warehouse. Partial demolition of existing offices (3 bays of the existing office are proposed to be demolished). Erection of new warehouse building, incorporating existing offices as ancillary offices and associated parking.
<i>R18/1884</i> <i>Approved</i> 13.11.2018	8 Anderson Avenue Rugby CV22 5PE	Erection of single storey rear extension and first floor side extension
<i>R18/1706</i> <i>Approved</i> 13.11.2018	41 Rugby Road Clifton Upon Dunsmore CV23 0DE	Single-storey extension to front/side, single-storey rear extension and internal alterations to ground floor layout.
<i>R18/1671</i> <i>Approved</i> 13.11.2018	71 Bawnmore Road Bilton Rugby CV22 6JN	Erection of two storey side extensions, a single storey front extension and a single storey rear extension together with a new porch.
<i>R18/1756</i> <i>Approved</i> 15.11.2018	238 Rugby Road Binley Woods CV3 2BD	Alterations to existing roof to provide a loft conversion including dormers to front elevation
<i>R18/1543</i> <i>Approved</i> 15.11.2018	Dunroamin 33 Coventry Road Wolvey LE10 3LD	Erection of a two storey dwellinghouse with associated external garage. Additionally, creation of a new vehicular access for existing and new dwelling
<i>R18/1414</i> <i>Approved</i> 15.11.2018	24 Willoughby Place Rugby CV22 5JE	Erection of a two storey rear extension together with replacement outbuilding
<i>R18/1842</i>	Rugby West Indian	Variation of Condition 2 of planning permission

<i>Approved</i> 16.11.2018	Association St Peters Road Rugby CV21 3QP	R17/1726 to allow for amendments to car parking and access positioning.
<i>R18/1859</i> <i>Approved</i> 16.11.2018	76 Chapel Street Long Lawford Rugby CV23 9BE	Erection of two storey front extension and first floor extension to side of dwellinghouse (Resubmission of R18/0562) (Part retrospective)
<i>R18/1881</i> <i>Approved</i> 16.11.2018	104 Pytchley Road Rugby CV22 5NF	Single storey rear extension
<i>R18/1730</i> <i>Approved</i> 16.11.2018	6 Orchard Way Stretton-on-Dunsmore CV23 9HP	Erection of two storey rear extension and alterations to side elevation.
<i>R18/1339</i> <i>Approved</i> 20.11.2018	Kingsley Cottage 26 Bond End Monks Kirby Rugby CV23 0RD	Variation of Conditions 2 and 3 of planning permission reference R13/2099 (Proposed first floor extension to provide bathroom and construction of ground floor oak framed extension to create studio space, dated 02/01/14) to regularise the use of alternative facing bricks and roof tiles.
<i>R18/1788</i> <i>Approved</i> 20.11.2018	41 Oliver Street Rugby CV21 2ET	Proposed change of use of existing shop to a flat and side extension
<i>R18/1875</i> <i>Approved</i> 20.11.2018	Temple Reading Rooms Barby Road Rugby CV22 5DW	Removal of 2 (no) brick plinths
<i>R18/1874</i> <i>Approved</i> 21.11.2018	Sheriff House 7 Barby Road Rugby CV22 5DU	Replacement of windows
<i>R18/1873</i> <i>Approved</i> 21.11.2018	168 Rugby Road Binley Woods CV3 2AX	Extension and alterations to dwelling.
<i>R18/1793</i> <i>Approved</i> 21.11.2018	Land rear of Applewell House 36A Bulkington Road Shilton CV7 9JT	Outline Application for a Detached Bungalow to the Rear of 38 Bulkington Road, Shilton

<i>R18/1844 Approved 21.11.2018</i>	Barnaby Brockhurst Lane Monks Kirby Rugby CV23 0RA	Addition of three Velux rooflights to north facing roof slope.
<i>R18/1911 Approved 21.11.2018</i>	25 Barton Road Bilton Rugby CV22 7PT	First floor extension to side, single storey extensions to rear and alterations to front porch.
<i>R18/1924 Approved 21.11.2018</i>	161 Clifton Road Rugby CV21 3QN	Demolition of rear single storey store / WC and replacement with single storey rear extension to provide enlarged kitchen and family area along with internal alterations to provide WC and utility room.
<i>R18/1850 Approved 22.11.2018</i>	18 Langton Road Rugby CV21 3UA	Variation of condition 2 of planning permission R16/2368 dated 3/5/2017 for the Erection of part two storey side and rear extensions, conversion of part of roof space, part single storey rear extensions, new entrance canopy feature and alterations to front elevation
<i>R18/1824 Approved 22.11.2018</i>	Carpet Warehouse Ltd 329 Clifton Road Rugby CV21 3QZ	Retention of two storage containers
<i>R18/0830 Approved 22.11.2018</i>	76 Buchanan Road Bilton Rugby CV22 6AZ	Erection of a 2.5 storey apartment block to provide 8 (no) 1 bedroom apartments; with associated parking.
<i>R18/1750 Approved 22.11.2018</i>	Fouracres Lutterworth Road Wolvey LE10 3HW	Change of use of part of the storage building to virtual flight experience and erection of porch to entrance of building (Retrospective)
<i>R18/1068 Approved 23.11.2018</i>	341 Hillmorton Road Rugby CV22 5EZ	Erection of a dwelling (Resubmission of previously approved planning application R16/1949)
<i>R18/1725 Approved 23.11.2018</i>	Ashmoor Coventry Road Long Lawford CV23 9ED	Variation of Condition 2, 6 and 7 of planning permission R17/0438 revising the site layout and approved elevations.

<i>R18/1592 Approved 26.11.2018</i>	2 Dyson Close Hillmorton Rugby CV21 4LG	Outline planning permission all matters reserved for two semi-detached dwellings
<i>R18/1960 Approved 26.11.2018</i>	7 Loverock Crescent Rugby CV21 4AJ	Demolition of existing garage/office and erection of two storey side extension with part first floor extension over existing ground floor accommodation (amendments to previously approved application R18/1639)
<i>R18/1958 Approved 26.11.2018</i>	14 Buccleuch Close Dunchurch CV22 6QB	Side dormer extension
<i>R18/1942 Approved 26.11.2018</i>	Warren Warehousing & Distribution LTD Unit B Swift Point Rugby CV21 1PX	Single storey office extension
<i>R18/1519 Approved 26.11.2018</i>	Beehive Cottage Southam Road Leamington Hastings CV23 8AA	Erection of an outbuilding
<i>R18/1295 Approved 26.11.2018</i>	Bungalow Farm Smeaton Lane Coombe Fields CV23 0PS	Change of Use from an existing agricultural building to Storage and Distribution depot (Use Class B8) - Retrospective.
<i>R18/1919 Approved 27.11.2018</i>	193 Norton Leys Bilton Rugby CV22 5RY	Proposed first floor side extension to dwellinghouse
<i>R18/1187 Approved 27.11.2018</i>	Land South of Technology Drive Rugby	Erection of 12 dwellings together with open space, earthworks, balancing pond, site remediation, landscaping, car parking and other ancillary and enabling works. Re-plan of housing layout following planning approval reference R17/0036.
<i>R18/1900 Approved 27.11.2018</i>	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby	Erection of 4 dwellings with detached garages and parking bays (amendment to the design, number of units and layout approved by R16/0984 & R11/1521 to replace 2 Detached Dwellings with 4 Detached Dwellings.)

	CV22 7SW	
<i>R18/1901 Approved 27.11.2018</i>	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	Erection of 7 dwellings with detached garages and parking bays (amendment to the design, number of units and layout approved by R16/0984 & R11/1521 to replace 4 Detached Dwellings with 5 Detached Dwellings & 2 Semi-Detached Dwellings.) Amendments to the siting and parking of previously approved plots 57 & 58.
<i>R18/1825 Approved 27.11.2018</i>	Avon Valley School Newbold Road Rugby CV21 1EH	Renewal of temporary planning permission Ref R15/0720 dated 28/5/2015 for the retention of a refurbished temporary classroom
<i>R18/1479 Approved 27.11.2018</i>	Manor House Farm Kings Newnham Lane Kings Newnham CV23 0JT	Use of the land to provide a vehicle parking area for a haulage business
<i>R18/0890 Approved 27.11.2018</i>	Land adjacent to Rose Cottage Lower Green Woolscott Rugby CV23 8DD	Creation of an equestrian sand school and training menage, with associated fencing and works.
<i>R18/0858 Approved 27.11.2018</i>	12 Macbeth Close Bilton Rugby CV22 6LP	Erection of single storey side and rear extension.
<i>R18/0135 Approved 28.11.2018</i>	Brackenside Hinckley road Wolvey LE10 3HQ	Alterations to existing front porch and construction of additional dropped kerb access
<i>R18/1109 Approved 28.11.2018</i>	50A Adkinson Avenue Dunchurch Rugby CV22 6RQ	Erection of a detached bungalow (previously approved under R17/0494).
<i>R18/1853 Approved 28.11.2018</i>	3 The Elms Paddock Clifton Upon Dunsmore Rugby CV23 0TD	Erection of a single storey rear extension, alterations to fenestrations to the front elevation and erection of canopy to new front entrance
Advertisement Consent		

<i>R18/1611 Advertisement Consent 16.11.2018</i>	Coventry Building Society 17 Regent Street Rugby CV21 2PE	Advertisement consent for 1 no. fascia sign and 1 no. hanging sign.
<i>R18/1146 Advertisement Consent 16.11.2018</i>	Motor Fuel Group Binley Woods Service Station Coventry Eastern Bypass Binley Woods CV3 2ZZ	Various illuminated and non- illuminated advertisements comprising 4 Fascia signs, 1x 5.5m totem sign, 2x directional signs, 1x clearance bar, 1x preview menu board, 1x order canopy, 1x menu board and 1x thank you/no entry sign
<i>R18/1839 Advertisement Consent 19.11.2018</i>	Brownsover Medical Centre Bow Fell Brownsover Rugby CV21 1JF	Erection of two fixed lettering wall signs and two adhered vinyl lettering signs.
<i>R18/1713 Advertisement Consent 23.11.2018</i>	Denbigh Arms Inn Main Street Monks Kirby CV23 0QX	Advertisement Consent for 1 no. hanging sign, 1 no. fascia sign, 3 no. sign boards and 2 no. Illuminated Sign Written Displays to the Denbigh Arms PH plus 6 no. lanterns and 10 no. LED lights.
Listed Building Consent		
<i>R18/1338 Listed Building Consent 19.11.2018</i>	Kingsley Cottage 26 Bond End Monks Kirby Rugby CV23 0RD	Variation of Conditions 2 and 3 of planning permission reference R13/2214 (Listed Building Consent for the erection of a first floor extension to provide a bathroom and construction of a ground floor oak framed extension to create studio space, dated 30/12/13), to regularise the use of alternative facing bricks and roof tiles.
<i>R18/1340 Listed Building Consent 20.11.2018</i>	Kingsley Cottage 26 Bond End Monks Kirby Rugby CV23 0RD	Retrospective Listed Building Consent for repairs to render, brickwork and timbers.
<i>R18/1879 Listed Building Consent 20.11.2018</i>	Temple Reading Rooms Barby Road Rugby CV22 5DW	Listed Building Consent for the Removal of 2 (no) brick plinths
Prior Approval		

Applications		
<p><i>R18/1770</i> <i>Prior approval not required</i> 15.11.2018</p>	<p>Waldon Telecom Site 98858 High Street Hillmorton Rugby CV21 4EU</p>	<p>Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (No.2) Order 2016 and notice in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 The installation of a 15m high monopole, painted green, supporting 3No. Shrouded antennas, 4No. Equipment cabinets, painted green, and development ancillary works thereto at highways land on High Street, near junction of Watts Lane, Rugby, Warwickshire, CV21 4EU (NGR: 453648, 273602).</p>
<p><i>R18/1774</i> <i>Prior approval not required</i> 15.11.2018</p>	<p>Waldon Telecom Site 94928 School Street Hillmorton Rugby CV21 4BN</p>	<p>Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and notice in accordance with the Electronic Communications Code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the Installation of:- A 15m high monopole, painted green, supporting 3No. Shrouded antennas, 4No. Equipment cabinets, painted green, and development ancillary works thereto at land on School Street, opposite junction to Brindley Road, Rugby, Warwickshire, CV21 4BN (NGR: 453402, 274215</p>
<p><i>R18/1283</i> <i>Prior approval not required</i> 15.10.2018</p>	<p>41 King Edward Road Rugby CV21 2TG</p>	<p>Prior Approval for the Change of Use of a Building from Office Use (Class B1(a)) to a Dwellinghouse (Class C3)</p>
<p><i>R18/1787</i> <i>Prior approval required and granted</i> 20.11.2018</p>	<p>Hill House Farm Birdingbury Road Leamington Hastings Rugby CV23 8DX</p>	<p>Prior approval application for the change of use from pens/stores and shelter to 1 no. dwelling (Under Class Qb).</p>
<p>Prior Notification</p>		

<i>R18/1967 Prior notification of agriculture or forestry development not required 20.11.2018</i>	Grange Farm Sawbridge Road Grandborough CV23 8DN	Prior Notification - Building (Agriculture/Forestry) for alteration to existing building
Approval of Details/ Materials		
<i>R18/0395 Approval of Details 08.11.2018</i>	Rugby School Barby Road/Horton Crescent Rugby CV22 5DW	Listed Building Consent for the formation of a pedestrian walkway, to include new fencing and access gates, associated landscaping and new openings to existing boundary walls - (Resubmission of previously approved planning application R13/2222).
<i>R17/1337 Approval of Details 08.11.2018</i>	Rugby Gateway Phase R2 Leicester Road Rugby	Erection of 7 dwellings, amendment to layout approved by R10/1286. (Approval of Reserved Matters in relation to outline planning permission R10/1272.)
<i>R17/1886 Approval of Details 08.11.2018</i>	Hollybank Farm Southam Road Leamington Hastings Rugby CV23 8DX	Prior Approval for the change of two existing agricultural buildings to 2 no. dwellings under Class Qa and Qb
<i>R17/1876 Approval of Details 08.11.2018</i>	40 Percival Road Rugby CV22 5JT	Erection of a first floor extension above an existing car port with alterations to the front elevation
<i>R16/0984 Approval of non-material changes 09.11.2018</i>	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	Erection of 250 dwellings with associated works: Approval of reserved matters in relation to outline planning application R11/1521 (development of up to 250 dwellings (Use Class C3), with means of access from Coventry Road and an emergency access from Cawston Lane, together with drainage and flood attenuation measures, the creation of public open space and hard and soft landscaping and associated infrastructure.)
<i>R16/1724 Approval of Details 09.11.2018</i>	Pool House Rugby Road Brandon CV8 3GJ	Erection of three dwellings with associated access and parking.
<i>R18/1145 Approval of Details 15.11.2018</i>	2 Main Street Long Lawford CV23 9AY	Erection of a single storey rear extension and loft conversion including raising the roof.

<i>R17/1008 Approval of Details 16.11.2018</i>	Land rear of The Crow Pie Public House 192 Bilton Road Bilton Rugby CV22 7DX	Erection of 7 No. residential dwellings and associated parking, access and landscaping.
<i>R09/0035/MEIA Approval of Details 19.11.2018</i>	Ansty Park Land East of the A46 (Coventry Eastern Bypass) and South of the M6 Ansty	Use of land for the construction of 124,484 sq.m. of floor space for use as a High Technology Park for purposes within Class B1 of the Town and Country Planning (Use Classes) Order 1987, as amended, and associated infrastructure, car parking and landscaping.
<i>R15/1676 Approval of Details 27.11.2018</i>	73 Oxford Street Rugby CV21 3NE	Erection of 9no new build flats including demolition of existing workshop.
<i>R16/0096 Approval of Details 28.11.2018</i>	Land at Lower Hillmorton Road (part of former college) Lower Hillmorton Road Rugby	A housing (use class C3) development consisting of 17 no. self-contained dwellings for adults with learning and/or physical disabilities and/or sensory impairment, and/or mental health issues, incorporating communal area, shared gardens, staff office, parking area and all associated works.
Approval of reserved matters		
<i>R18/1275 Approval of reserved matters 09.11.2018</i>	Rugby Gateway Phase R2 Off Lower Lodge Avenue Rugby	Approval of reserved matters for access, appearance, scale, landscaping and layout for the erection of 46 dwellings, amendment to layout approved by R10/1286. (Approval of Reserved Matters in relation to outline planning permission R10/1272)
Withdrawn		
<i>R18/1256 Withdrawn 19.11.2018</i>	Princethorpe Service Station Oxford Road Princethorpe Rugby CV23 9PT	Erection of new workshops and three-bay car servicing area including a customer reception facility.
<i>R18/1697 Withdrawn 18.10.2018</i>	8-10 Unit Webb Ellis Industrial Estate Woodside Park Rugby	Certificate of lawfulness for conversion works to Block C, Units 8-10

	CV21 2NP	
<i>R18/1740 Withdrawn 27.11.2018</i>	Church Farm 1 The Locks Hillmorton Rugby CV21 4PP	Demolition within a conservation area of existing dwelling house together with other ancillary farm buildings, and associated ground works
<i>R18/0696 Withdrawn 28.11.2018</i>	Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	Erection of 15 dwellings with detached garages and parking bays (amendment to design, number of units and layout approved by R16/0984 & R11/1521 resulting in 7 additional dwellings.)