

28 September 2018

PLANNING COMMITTEE - 10 OCTOBER 2018

A meeting of the Planning Committee will be held at 6.00pm on Wednesday 10 October 2018 in the Council Chamber at the Town Hall, Rugby.

Adam Norburn
Executive Director

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meeting held on 12 September 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. Diversion of part of Bridleway R216 Marton.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 9 August 2018 – 12 September 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 – 7) 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, Senior Democratic Services Officer (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 – 10 October 2018

Report of the Head of Growth and Investment

Applications for Consideration

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

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

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for refusal

| Item | Application Ref Number | Location site and description | Page number |
|-------------|-------------------------------|---|--------------------|
| 1 | R15/1310 | Yardleys Meadow, Stretton Road, Wolston Erection of a detached dwelling with car port, tack store and farm office. | 3 |

Recommendations for approval

| Item | Application Ref Number | Location site and description | Page number |
|-------------|-------------------------------|---|--------------------|
| 2 | R18/0847 | Land opposite 1-3 Avon Street, Clifton-upon-Dunsmore Erection of 2 dwellings. | 11 |
| 3 | R18/1365 | Stag and Pheasant, 27 Main Street, Newton Erection of two detached, two-storey dwellings, with ancillary car parking, and creation of a new vehicular access (resubmission of previously refused planning application ref: R18/0163 dated 25/04/2018). | 24 |
| 4 | R18/1214 | 7 Mitchell Court, Castle Mound Way, Rugby, CV23 0UY Proposed change of use from B1 (business) to A2 (financial and professional services) | 35 |

Reference number: R15/1310

Case Officer: Chris Davies 01788 533627

Site address: Yardleys Meadow, Stretton Road, Wolston

Description: Erection of a detached dwelling with car port, tack store and farm office.

This application has been referred to the Planning Committee for consideration at the request of Councillor Bragg.

Relevant History:

| | | |
|------------------|---|--------------------|
| R77/0943/7844/OP | Erection of 1 dwelling with outbuildings. | Refused 09/01/77 |
| R05/0887/07844/P | Construction of menage, ancillary stables, car park, new vehicular access and associated works. | Approved 19/10/05 |
| R10/1127 | Erection of general purpose storage building and 3no. attached isolation loose boxes, and retention of a vehicular access track. | Withdrawn 01/09/10 |
| R10/1644 | Retention and completion of a vehicular access track. | Approved 27/10/10 |
| R13/1421 | Erection of an agricultural building for the storage of hay and machinery, including the provision three holding/isolation stables. | Approved 29/01/14 |
| R15/1310 | Erection of a detached dwelling with car port, tack store and farm office. | Refused 05/11/15 |

Proposal:

The applicants seek planning permission to erect a temporary dwelling on the Yardley's Meadow site, to provide accommodation for a yard manager.

The proposal has been put forward as an essential needs dwelling, with the justification being that someone needs to be on site at all times in connection with a business they intend to develop for breeding horses on the site.

Setting:

The site lies South of and immediately adjacent to No.20 Stretton Road, in the village of Wolston. The settlement boundary stops after No.20, meaning that the proposal site is entirely within the West Midlands Green Belt.

The area is predominantly rural (excluding Wolston village).

Adjacent to the highway the site is served by a gated formal vehicular access and there is a vehicle turning/parking area within the site (immediately adjacent to a grassed area where the proposed dwelling would be sited). A purpose-built stable block, yard and ménage are situated on the opposite side of the parking area to the proposal site, approved in 2005.

The proposal site is currently grassed with a few immature trees sparsely planted across it. The rear boundary is currently marked by a 1m high post and rail fence. The front boundary is marked by a beech hedge, with a 2m+ high fence along the side boundary with No.20 Stretton Road.

Technical Consultation Responses:

- Rural Consultant - Not supportable due to proximity to Wolston village, availability of housing nearby, the fact that the horse breeding business could operate from the applicant's other site at Willow Farm (where there is already a dwelling), and that the business model put forward does not show significant gain for 6 years (well after the temporary period requested for the dwelling).
- Environment Agency - No objection but requested a condition re procedure for discovery of previously unidentified contamination. Also recommended an informative note re groundwater protection.
- WCC Highways - No objections. No conditions or informatives requested.
- WCC Ecology - Informative notes re lighting, native planting, and provision of bat and bird nesting boxes.
- Development Strategy - To be confirmed.

Parish/Ward Consultation Responses:

- Parish - Objection – inappropriate in Green Belt, negative environmental impact due to contamination (especially as septic tank would require excavation into the tip cap), no proven need for the dwelling, and if approved the development would set a precedent.
- Ward - **Councillor Bragg** called the application in to the Planning Committee on the grounds of residents' concerns over the sustainability and principle of development on the site, and the erection of a dwelling on the site.
Councillor Poole said that he could see no reason under the NPPF why the application should be refused, but that he was neither for or against the proposal.

Neighbour Consultation Responses:

- Objections (3) - History of contamination on the site arising from its former use for landfill and continued need to monitor gas emissions from this, noise nuisance arising from the vehicle and horse movements on the site, no-one has had to stay overnight on the site before so why would they now (sic), the small retirement venture previously proposed (see R15/1310) has now been escalated, why have applicants not started this building at their land in Bretford where they already live, no need for a dwelling on the site, doubt the horse breeding business will materialise, how could proposed soakaway be installed without breaking the cap over the tip waste, proximity to drainage ditch, if the occupation of the house related to a security concern then more than one person would be required to provide 24/7 cover, hard standing proposed would cause damage to the contamination cap, if approved then an application for a permanent dwelling will follow, proposal is not a special exceptional circumstance and so is inappropriate in the Green Belt, would set a precedent that would then be difficult to control, submitted supporting letter from vet casts doubt on applicant's ability to run a stud, No horse breeding has taken place on the site to date, access is dangerous, previously restricted operating hours have been ignored and these proposed ones would be too, siting of dwelling under overhead power lines would be dangerous to the occupants, no guarantees can be given that the stud business would be established if the dwelling was approved.

Planning Policy:

The National Planning Policy Framework July 2018 Conflicts

Rugby Borough Core Strategy 2011
CS1: Development Strategy Conflicts
CS16: Sustainable Design Conflicts

Rugby Borough Local Plan 2006 Saved Policies
E6: Biodiversity Conflicts

Rugby Borough Local Plan Draft Publication 2011-2031:
GP1: Securing Sustainable Development Conflicts
GP2: Settlement Hierarchy Conflicts
GP3: Previously Developed Land and Conversions Conflicts
SDC1: Sustainable Design Conflicts
NE1: Protecting Designated Biodiversity and Geodiversity Assets Complies

At the present time, the policies in the emerging Draft Local Plan carry some weight, although this is limited as the examination process has only recently ended and there will be another public consultation process on the proposed modifications prior to the receipt of Inspector's final report. Whilst emerging policies are a material consideration, the key document to determine planning applications remains the adopted 2011 Core Strategy and the NPPF. It is not considered any emerging policies in the Draft Local Plan conflict with the planning proposal for the reasons set out below.

Considerations:

Principle of Development

Policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011 states that only when national policy on Green Belt and countryside locations allows will development be permitted. This is reinforced in Emerging Policy GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031. Part 6 paragraph 55 of the National Planning Policy Framework March 2012 (NPPF) states that local planning authorities should avoid new homes in such locations unless there are special exceptional circumstances.

The applicant's case is that the breeding business to be established will mean that someone always needs to be on hand for security purposes and for the welfare needs of the animals. They put forward that this can only be done through the provision of on-site accommodation.

The reason given for needing the dwelling relates to a business venture that has not yet been established; although the applicants have used the site for equine purposes for some time, they had not diversified into a formal horse breeding operation to date. At present, horses are imported to the site by the applicants (mostly or exclusively from Ireland), and are stabled and cared for on the land before being moved to alternative sites (usually after being sold to a third party). They also stable local people's horses, and provide a menage facility for exercising and schooling the horses as well as grazing land.

The applicants have submitted information on the model for the business they intend to operate, but there is no significant indication that the process of starting up this business has begun in order to enable it to be established by the time the dwelling was ready. The bulk of the financial and commercial justification provided appears to relate to the existing on-site operations, which have already been identified (through the refusal of the dwelling application in 2015) as not being sufficiently justifiable to warrant on-site accommodation provision.

As regards a more general requirement for staff to have ease of access to the site in an emergency, the housing market in Wolston is active, with a property recently being advertised

for sale just a few hundred yards along on Stretton Road (No. 18). This property was a three bedroomed bungalow that would have met the accommodation needs and close proximity requirements the applicant has identified. Similar properties are regularly advertised in the village and neighbouring villages. The applicants have not submitted sufficient reasoning as to why such available properties could not meet their needs.

The Rural Consultant has assessed the proposal and has determined that there is no special exceptional circumstance that could justify approval in this instance. This is based on the site being close to the village of Wolston, the availability of housing in the locality, that the proposed business could be operated from their existing property at Willow Farm, and that the business model shows that there would be no profit until 6 years in.

Moving on to impact on Green Belt, the siting of a dwelling (be it temporary or permanent) in a part of the site that does not currently have a structure on it inarguably affects the openness of Green Belt land. When the building in question is not directly agricultural in use or intent (such as a barn or a grain silo) this also affects the rural character of the land and the reasoning for it having been included in the Green Belt designation in the first place.

The information submitted to support the proposal is insufficient to prove there is a special exceptional circumstance for development in this case. The development is therefore considered inappropriate and so would be harmful to the Green Belt.

The proposal therefore conflicts with the elements of policy CS1: Development Strategy of the Rugby Borough Core Strategy 2011 that relate to Green Belt and rural development, and with emerging policies GP1: Securing Sustainable Development and GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031. It also conflicts with guidance set out in the NPPF 2018.

It is acknowledged that the site would be considered to be previously developed land due to the established equine use. Emerging Policy GP3: Previously Developed Land and Conversions of the Rugby Borough Local Plan Draft Publication 2011-2031 is therefore relevant to this case. In its opening statement the policy states that:

“The Council will support the redevelopment of previously approved land where proposals are compliant with policies within this Local Plan.”

As detailed above, the principle of developing this site as proposed already conflicts with other emerging policies within the Rugby Borough Local Plan Draft Publication 2011-2031. It therefore, by definition, also conflicts with Emerging Policy GP3.

The other key considerations in determining this application are the impact of erecting a temporary dwelling on the site on a) the character and appearance of the site and the locality, b) neighbouring residential amenity, c) contamination and public health implications, d) highway safety and e) biodiversity.

Character and Appearance

The proposed dwelling would be sited on land immediately adjacent to existing dwellings that form a linear development leading from the village centre to the village boundary (namely Stretton Road). The proposed dwelling would effectively follow on this row of houses, and in so doing follow the established linear pattern of development along Stretton Road. However, the house would be set much further back than the adjacent property (20 Stretton Road). This would result in the proposed dwelling not relating to the pattern of development. The concept of an addition dwelling in terms of the characteristics of the streetscene may therefore be in keeping in principle, but in practice this new dwelling would not relate at all to the existing dwellings in terms of siting.

The presence of young trees on the site would not provide sufficient screening to the extent that the dwelling would be obscured from view from the adjacent highway (Stretton Road), and as they are only adjacent to the one elevation, would provide no screening at all for views from adjacent land or from Dyers Lane or John Simpson Close.

Now to turn the focus onto the proposed design of the dwelling. Given the fact that the dwelling is proposed to be sited for a temporary period, it is accepted that a modular prefabricated design is the more practical option. The applicants have chosen a design that suggests a log cabin type appearance, rather than something more akin to a modern park home or static caravan. This is realistically probably the best solution possible in the circumstances in terms of appearance and design.

Whilst the functional minimalist design may have been acceptable in planning terms given the intended use, the siting and lack of screening mean that the dwelling would appear incongruous and out of place within the contexts of the site, the setting and the locality. There is insufficient screening provision within the site to mitigate this, and no additional sufficient screening has been proposed as part of the development. Whilst it may have been possible to work with the applicants to improve on-site screening and possibly relocate the dwelling, the LPA did not think it reasonable to ask the applicants to invest in additional plans or commit to additional costs for screening when there is still an in principle objection to the development that cannot be overcome.

The scheme as proposed therefore conflicts with elements of policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to character and appearance, and with policies GP3: Previously Developed Land and Conversions and SDC1: Sustainable Design of the Rugby Borough Local Plan Draft Publication 2011-2031. It also conflicts with guidance set out in the NPPF 2018.

Residential Amenity

When considering new dwellings, we must consider not only the amenities of existing neighbouring residential properties, but also the amenities of the future occupants of the new dwelling.

Neighbouring amenity

As the proposed dwelling would be located at the end of a string of dwellings, and would face open land on the opposite side, the only existing properties likely to be materially affected by the siting and occupancy of the proposed temporary dwelling would be the adjacent dwelling on Stretton Road (No.20) and the adjacent properties on John Simpson Close (primarily No.'s 42 and 44).

As mentioned previously, the proposed siting of the dwelling places it well to the rear of No.20 Stretton Road, and 13.5m away from the boundary between the two properties at the closest point. The boundary between the two properties is screened by a 2m high fence that would protect privacy issues at ground floor level. This separation and screening, coupled with a lack of side windows facing towards No.20, means that there would be no detrimental loss of privacy or sense of overbearing as a result of siting the temporary dwelling.

As the boundary with the closest of the dwellings on John Simpson Close is some 17m away from the site of the proposed dwelling, it is not considered that its siting or use would have had any material impact on the amenities of the residents of these properties.

Whilst neighbours have raised concerns over the noise and disturbance that may arise from the new business, planning considerations in this case must be restricted to the siting and use of

the temporary dwelling, as the new business would not require planning consent as it is within the same use as the existing land use.

Future amenity for residents of the proposed dwelling

The extents of the site shown within the red edge on the site location plan appear to indicate sufficient space to provide outside garden space for the occupants of the temporary dwelling, although this is not formally allocated as such within the proposal. Primary rooms are not overlooked or overshadowed.

With the exception of the boundary with No.20, the site is surrounded by the equestrian land belonging to the applicant. Privacy could therefore have been easily retained had it been approved.

For the reasons detailed above neither existing nor future residents would have experienced a detrimental loss of amenity should the application have been approved and the dwelling erected. The proposal therefore complies with the elements of policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011 that relate to residential amenity.

Contamination and public health implications

As the site is on historical landfill, the Environment Agency were consulted on the proposals.

Whilst the Environment Agency did *not* object, they did request a condition regarding what was to happen in the event that previously unidentified contamination was discovered. They also recommended including an informative note re groundwater contamination. The agent was made aware of the condition and agreed to the application of it in the event that the scheme was approved.

Had the principle of development been acceptable, these would have been included in the decision notice.

Highway Safety

The County Highways Engineer raised no objections to the proposals, and requested no conditions or informative notes be included in the event of an approval.

Highway safety is not therefore considered to be a reason for refusal in this case.

Biodiversity

WCC Ecology Unit raised no objections to the development, and did not request any restrictive or compensatory conditions relating to habitat protection or regeneration.

They recommended inclusion of advisory notes regarding lighting, native planting, and provision of bat and bird nesting boxes. These would have been included in the decision had the outcome been an approval.

The development would therefore have complied with Saved Policy E6 of the Rugby Borough Local Plan 2006, which seeks to preserve and protect habitats, and with emerging policy NE1: Protecting Designated Biodiversity and Geodiversity Assets of the Rugby Borough Local Plan Draft Publication 2011-2031. It also accords with guidance set out in the NPPF 2018.

Recommendation:

Refusal due to conflict with prevailing local and national policies.

DRAFT DECISION

APPLICATION NUMBER

R18/1041

DATE VALID

08/08/2018

ADDRESS OF DEVELOPMENT

Yardley's Meadow
Stretton on Dunsmore
Wolston
Rugby
CV8 3FR

APPLICANT/AGENT

Jennifer Whitton
Howkins And Harrison
7-11 Albert Street
Rugby
Warwickshire
CV21 2RX
On behalf of Mr & Mrs P Wilson

APPLICATION DESCRIPTION

Proposed siting of a temporary yard manager's dwelling.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL 1:

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to the NPPF not to grant planning permission except in very special circumstances, for new buildings other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, for the limited extension, alteration or replacement of existing buildings and for limited infill in specified villages.

Therefore the proposed temporary dwelling constitutes inappropriate development which is, by definition, harmful to the Green Belt and would have adverse impact on the openness of the Green Belt.

In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for a temporary dwelling on this site in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policy CS1 of the Rugby Borough Core Strategy 2011, emerging policies GP1: Securing Sustainable Development and GP2: Settlement Hierarchy of the Rugby Borough Local Plan Draft Publication 2011-2031, and the NPPF.

REASON FOR REFUSAL 2:

The proposed temporary dwelling, by virtue of its siting and insufficient screening provision, constitutes an incongruous feature within the streetscene of Stretton Road that is detrimental to the visual character of the locality.

The proposed development is therefore contrary to policy CS16: Sustainable Design of the Rugby Borough Core Strategy 2011, policies GP3: Previously Developed Land and Conversions and SDC1: Sustainable Design of the Rugby Borough Local Plan Draft Publication 2011-2031, and the NPPF.

STATEMENT OF POSITIVE ENGAGEMENT:

In dealing with this application Rugby Borough Council has actively sought to work with the applicant and agent in a positive and proactive manner, in accordance with paragraph 38 of the NPPF. Unfortunately it has not been possible to reach a positive conclusion for the applicant in this instance.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Core Strategy 2011 :

CS1: Development Strategy

CS16: Sustainable Design

Rugby Borough Local Plan 2006 Saved Policies:

E6: Biodiversity

Rugby Borough Local Plan Draft Publication 2011-2031:
GP1: Securing Sustainable Development
GP2: Settlement Hierarchy
GP3: Previously Developed Land and Conversions
SDC1: Sustainable Design
NE1: Protecting Designated Biodiversity and Geodiversity Assets

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

Reference number: R18/0847

Site address: Land opposite 1-3 Avon Street, Clifton-upon-Dunsmore

Description: Erection of 2 dwellings.

Case Officer Name & Number: Karen McCulloch, 01788 533623

Description of site

This application relates to a site located on Avon Street in Clifton-upon-Dunsmore.

The site is located between the defined settlement Clifton-upon-Dunsmore and the Rugby Urban Area and is located within the countryside.

The site consists of an area of former private allotments located opposite 1-3 Avon Street and to the rear of 10-17 Vicarage Hill. The site is currently overgrown and slopes up away from Avon Street towards the rear of the site. There is a timber garage/store building at the front of the site with the door facing into the site. At the rear of the site are the remains of a shed/storage building which is in a dilapidated condition. There are post and wire fences to the site boundaries.

Avon Street is a private cul-de-sac which has traditional terraced houses located on the southern side of the street only. The existing houses are two storey properties which are a mix of brick, render and cladding, porches have been added to many of the properties. The existing houses do not have off-street parking facilities and parking occurs along the length of Avon Street, the road leads to an informal turning area.

Avon Street is accessed from Vicarage Hill. This road also contains traditional terraced properties with semi-detached houses opposite the junction. Numbers 10-18 (inclusive) Vicarage Hill have a rear pedestrian access which is located adjacent to the application site. Number 10 is the corner property and this has a detached garage accessed from Avon Street. There are double yellow lines on Vicarage Hill close to the Avon Street junction.

The Oxford Canal is located to the south of Avon Street and the Houlton Link Road is being provided to the south of this.

Description of proposals

This application is for the erection of a pair of semi-detached houses. These will be designed to reflect nearby terraced properties with a pitched slate roof, chimneys and painted elevations. The south eastern side elevation will include a Juliet balcony looking over the adjacent agricultural land.

Each property will have two bedrooms. The ground floor will have a living room, kitchen and WC and a dining room which will be sited within a single storey rear projection.

The houses will be set further back from Avon Street than the existing building and the garage at 10 Vicarage Hill. Each property will have 2 car parking spaces to the front. Cycle and bin storage is shown in the rear gardens and a terrace area is shown immediately adjacent to the proposed dwellings with steps leading up to the remaining garden area.

Technical consultation responses

Original plans

| | | |
|------------------------|----------------------|---|
| WCC Highways | No objection | Subject to condition |
| WCC Ecology | No objection | Subject to informatives |
| Environmental Services | No objection | Subject to conditions & informatives |
| Inland Waterways | No objection | |
| Canal & River Trust | No comment | |
| Warks Fire & Rescue | No objection | Should comply with Building Regulations & maintain vehicular access |
| Works Services | No objection | |
| Severn Trent | No comments received | |

Amended plans

| | | |
|------|-----------|--|
| CPRE | Objection | Land is not previously developed, should be improved to become an amenity for the community or kept as an area of undeveloped land |
|------|-----------|--|

Third party comments

Original plans

Clifton-upon-Dunsmore Parish Council Objection

- Loss of existing parking spaces;
- Increased traffic using private road;
- Additional vehicle movements at Vicarage Hill junction;
- Overbearing on existing properties opposite and close to gardens on Vicarage Hill.

Councillor Hunt Objection

- If approval is recommended application should be determined by Committee and a site visit carried out to see traffic and parking issues and layout of the area;
- Access to Vicarage Hill is a on blind bend with fast traffic;
- Cars using the proposed parking would affect traffic leaving the main road;
- Volume and speed of traffic is predicted to increase, even with link road;
- Over-development of this small site;
- Site is elevated and there would be an overbearing impact on existing houses;
- Surface water drainage would affect existing houses.

Neighbours (14) Objection

- Not enough parking in the area, vehicles spill over onto Vicarage Hill;
- Occupiers may have 2 cars, where would second car park?
- Access to existing garage and gate are often blocked by parked vehicles;
- There are abandoned vehicles on Avon Street;
- Emergency vehicles would not be able to access properties;
- Turning area often blocked by parked vehicles, cars have to reverse onto Vicarage Hill;
- Lack of turning for proposed properties due to cars parked opposite;
- Increase in traffic, traffic congestion has worsened;
- There will be more damage to cars;
- Junction to Vicarage Hill is dangerous, cars speed on this road;
- Would cause problems for bin collections;
- Avon Street is a private road;
- New road to Houlton is very close to Avon Street;
- Residents have suffered major disturbance, vibration and construction traffic from nearby roadworks;
- Road surface has been damaged by construction vehicles;
- Noise and disturbance from works and lorries bringing materials;
- Loss of light, privacy and view;
- Will affect health of existing residents;
- Will affect beauty and character of Avon Street, properties are over 150 years old;
- Surface water must be addressed, there are no street drains and water would run towards existing houses;
- Would increase demand on existing sewers which are extremely old;
- Previous scheme refused as did not fit with Village Design Statement;
- Is next to agricultural land, this should not be developed;
- Loss of surrounding natural land and countryside which should be protected;
- Impact on wildlife through loss of habitat;
- No need for further housing development in the area, Houlton provides enough housing;
- This is not previously developed land, contains former allotment shed and garage, this was originally erected without consent and did not have a solid floor;
- Nothing has changed since previous refusal, should not be approved unless it can be proved that things have changed;
- This is a friendly area and the proposals will impact on village life;

Amended plans

Councillor Hunt – Objection

- Amendments do not overcome original objections;
- Not sure how amendment increases manoeuvring space as cars parked side by side

Neighbours (10) – Objection

- Does not overcome previous objections;
- Access to Vicarage Hill is dangerous and more vehicles would make this worse;
- Houlton link road will increase traffic and worsen issues;
- Will worsen parking problems in area by displacing parked vehicles;
- People will not be able to park near their homes leading to neighbour disputes;
- Provided photographs showing high levels of parking, loss of existing verge would remove existing parking spaces;
- Vehicles reversing from site would hit parked cars opposite, turning restricted by parked cars;
- Will provide plan showing that turning is not possible;
- Visibility will be restricted by parked cars;
- Site should be used to provide parking area;
- Poor street lighting makes driving dangerous;
- Road is in a poor condition with bumps and holes which have to be swerved round;
- Access for emergency vehicles is difficult;
- Junction is dangerous with poor visibility and speeding traffic;
- Turning area is often blocked and vehicles have to reverse onto the main road;
- Any additional properties will make accessing garage even more difficult;
- Will overlook relocated properties;
- Suffer vehicle damage from Houlton link road;
- Previous applications were refused;
- Will set a precedent for future development, no need for more development in Rugby;
- Should visit the site in the evening;
- Title deeds show applicant only owns to the edge of the garage;
- Deeds do not refer to vehicular access to the site, covenant also requires dwellings to be built close to the street;
- Could make decision unlawful and prevent properties being sold;
- Soakaways may not be suitable for surface water as soil does not percolate well;
- Paved area will be around 75 sq m which will not cope with the water flow;
- Water running onto the road will go towards properties opposite which are at a lower level;
- Will hold the Council responsible for any flooding;
- Fire brigade have visited street and raised concerns about access;

Relevant planning history

R05/0062 – Erection of a bungalow – Refused 02/03/2005

This application was refused for 4 reasons:

1. The site was in the Area of Restraint, the dwelling would be inappropriate development in the open countryside and would detract from the open character of the area;
2. The development involved the development of a green field site and there was sufficient previously developed land available to meet local housing needs;
3. The development was out of keeping with the character of the street scene and area to the detriment of visual amenity; &
4. The intensification of the use of a junction with inadequate visibility would be detrimental to highway safety.

R05/0685 – Erection of 3 private garages – Refused 15/08/2005

This application was refused for 3 reasons:

1. The site was in the Area of Restraint, the building would be inappropriate development in the open countryside and would detract from the open character of the area;
2. The development was out of keeping with the character of the street scene and area to the detriment of visual amenity; &

3. The intensification of the use of a junction with inadequate visibility would be detrimental to highway safety.

R07/1897 – Erection of a replacement building for use as storage – Approved 12/12/2007

This was subject to a condition restricting the use of the building to storage incidental to the use of the surrounding land as an allotment.

Relevant planning policies and guidance

Rugby Borough Core Strategy, 2011

| | | |
|------|----------|--|
| CS1 | Complies | Development Strategy |
| CS2 | Complies | Parish Plans |
| CS4 | Complies | Rugby Radio Station Urban Extension |
| CS11 | Complies | Transport and New Development |
| CS14 | Complies | Enhancing the Strategic Green Infrastructure Network |
| CS16 | Complies | Sustainable Design |

Rugby Borough Local Plan, 2006 – Saved policies

| | | |
|-----|----------|--------------------|
| GP2 | Complies | Landscaping |
| E6 | Complies | Biodiversity |
| T5 | Complies | Parking Facilities |

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

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.

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| GP2 | Complies | Settlement Hierarchy |
| GP5 | Complies | Neighbourhood Level Documents |
| NE1 | Complies | Protecting Designated Biodiversity and Geodiversity Assets |
| NE2 | Complies | Strategic Green and Blue Infrastructure |
| SDC1 | Complies | Sustainable Design |
| SDC2 | Complies | Landscaping |
| D1 | Complies | Transport |
| D2 | Complies | Parking facilities |

Planning Obligations Supplementary Planning Document, 2012

Sustainable Design and Construction Supplementary Planning Document, 2012

Clifton upon Dunsmore Parish Plan, 2004

National Planning Policy Framework, 2018 (NPPF)

Assessment of proposals

The key issue to assess in relation to this application is whether the principle of the proposed development is acceptable in this location. The impacts in relation to highway safety, car parking, visual amenity, impact on neighbouring properties and ecology must also be assessed.

Principle of development

As detailed above the site is located outside of the boundaries of Clifton-upon-Dunsmore and the Rugby Urban Area and is therefore located on land defined as countryside.

Policy CS1 sets out the settlement hierarchy for development within the borough, this seeks to direct development to the most sustainable locations such as Rugby Town Centre and Urban Area. Countryside locations are the fifth location within the hierarchy (out of six) and policy CS1 states that within the

countryside new development will be resisted and development will only be permitted where national policy allows. Draft policy GP2 contains a similar hierarchy and requirements for development in the countryside.

Paragraph 11 of the NPPF states that decision making should include a presumption in favour of sustainable development. The NPPF goes on to state that where a Local Planning Authority cannot demonstrate a five year supply of deliverable sites the development plan policies most important to the determination of the application will be considered out of date. In these cases the NPPF states development proposals should be granted unless policies within the NPPF provide a clear reason for resisting the development proposed, or any adverse impacts of doing so would be significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF as a whole.

At present the Council is unable to demonstrate a five year supply of deliverable housing sites to meet the identified housing need within the Borough and therefore as policy CS1 is considered to directly relate to the supply of housing it is deemed out of date. Nevertheless, this does not imply policy CS1 should be ignored but rather that consideration should be given as to what weight it holds in the decision making process whilst being mindful of the presumption in favour of sustainable development when the NPPF is considered as a whole.

The NPPF states that planning decisions should recognise the intrinsic character and beauty of the countryside and enable rural communities to grow and thrive. Para 79 of the NPPF states Local Planning Authorities should avoid isolated new homes in the countryside unless there are special circumstances such as re-use of redundant or disused buildings and enhance its immediate setting. The Court of Appeal Braintree District Council v SSCLG, 2017 stated the word 'isolated' should be given in its ordinary sense and on this basis the site is not considered to be isolated owing to its proximity to existing housing immediately to the north west and south west.

As stated within paragraph 59 of the NPPF is very clear that the Government's objective is to significantly boost the supply of homes. Therefore, whilst settlement boundaries, including Rugby urban edge, may play a role in steering development to particular locations the NPPF does not seek the protection of the countryside for its own sake and the context of a site needs to be considered in terms of whether a proposed scheme would constitute sustainable development. Para 38 of the NPPF states that decision makers at every level should seek to approve applications for sustainable development where possible.

As detailed above the site is located outside of the boundaries of Clifton-upon-Dunsmore and the Rugby Urban Area. However, consideration must be given to the accessibility of services from the site.

The Chartered Institute of Highways and Transportation published Guidelines for Providing Journeys on Foot. This states that 800m is an acceptable walking distance with 1.2km the preferred maximum walking distance to facilities.

The application site is around 480m from the Butlers Leap public house, around 800m from Clifton-upon-Dunsmore Church of England Primary School and around 965m from facilities in Clifton-upon-Dunsmore Village Centre. These are all within the preferred maximum walking distance.

In addition there is an hourly bus service to Rugby Town Centre and Clifton-upon-Dunsmore which runs along Vicarage Hill and the bus stops are around 50m from the site. The application site is also around 1.77m from Rugby Station and this is considered a reasonable cycling distance.

The NPPF refers to sustainable transport and states that opportunities to promote walking, cycling and public transport should be identified and pursued. It is considered that all services to meet the needs of future residents would be accessible from the site by foot, cycle or through public transport. In this respect the location of the site can be considered accessible and therefore sustainable.

However, whether a proposal constitutes sustainable development is not simply a matter of location and accessibility. The NPPF states that there are 3 dimensions to sustainable development: an economic objective, a social objective and an environmental objective. These objectives will be considered in relation to the overall balancing of the proposals later in this report.

The agent has referred to the proposals resulting in the reuse of a previously developed site which is encouraged by the NPPF.

However, the definition of previously developed land refers to land occupied by a permanent structure, including the curtilage of the structure but specifically excludes land that is occupied by agricultural buildings. As detailed above the planning permission for the storage building on the site included a condition which linked the use of the building to the use of the site as allotments. Case law has concluded that the use of land as allotments constitutes an agricultural use (*Crowborough Parish Council v Secretary of State and Weadon District Council*, 1981). As the lawful use of the building and site is for allotments and therefore agriculture, the site cannot be considered to constitute previously developed land.

The application site falls within an area identified by policy CS4 for the delivery of the Rugby Radio Station Development and is within an area indicatively shown as providing the link road and Green Infrastructure Corridor. However, the site was not included within the application site boundary for the Radio Station outline application (R11/0699) and the link road is being provided to the south of Avon Street. Therefore the current proposals would not have an adverse impact on the delivery of the Radio Station development.

Policy CS2 states that Parish Plans should be taken into account by the planning system and draft policy GP5 states these are material considerations in determining planning applications. The Clifton upon Dunmore Parish Plan, 2004, which includes a Village Design Statement, makes reference to the rear of Avon Street properties being prominent when approaching from Rugby. This document states that development should respect the style, scale and materials of existing buildings. The proposed dwellings include chimneys, slate tiles and multi-paned windows as recommended and this is considered in keeping with existing buildings.

The Parish Plan goes on to state that future development should be contained within the village boundaries and the proposals do not comply with this requirement.

However, policy CS2 and draft policy GP5 are clear that Parish Plans must be in conformity with the development plan in order to be taken into account. As the requirement to direct development to within the village boundaries is in conflict with the NPPF and therefore policy CS1 this requirement cannot be given weight in the determination of the application.

It is therefore considered that the proposal is in general accordance with the Parish Plan and policy CS2 and draft policy GP5 are complied with.

Highway Safety

As detailed above previous applications for the development of the site were refused on highway safety grounds due to the intensification in the use of the access to Vicarage Hill which has inadequate visibility.

Objections due to the impact on highway safety have also been raised by local residents and the Ward Councillor.

However, a traffic calming scheme is to be implemented at Vicarage Hill and Rugby Road which includes the provision of speed cushions and works at the Vicarage Hill / Avon Street junction.

These works include a “build out” at the junction of Avon Street and Vicarage Hill as shown on the extract from the submitted block plan.

This moves the Give Way marking forward within the carriageway which increases visibility at this junction.

The Highway Authority, Warwickshire County Council, commented on the application and advised that the proposed junction improvements will overcome their previous objections to the development of the site.



They have requested a condition restricting the occupation of the dwellings until the junction works have been completed and, subject to this condition, raise no objection to the application.

The impact on highway safety is therefore considered acceptable in accordance with policy CS11 and draft policy D1.

Parking Facilities

Objections received from the Ward Councillor and local residents refer to existing parking problems experienced in the area and raise concerns that the proposed development will lead to additional parking.

The proposed dwellings will each be provided with 2 car parking spaces to the front with cycle parking proposed in the rear gardens.

The Council's Parking Standards, contained within the Planning Obligations SPD require 1.5 car spaces for two bedroom dwellings in the low access area. The proposed development with 2 spaces per dwelling exceeds this requirement and therefore complies with saved policy T5 and draft policy D2.

Avon Street is a narrow road which is around 4.8m wide. The usual requirement for manoeuvring space behind car parking spaces is 6m and this cannot be achieved within the roadway. Amended plans have been received which set back the property within the site. These allow 1.5m manoeuvring space behind the spaces giving a total of 6.3m. This allows the turning movement to commence within the site and provides the necessary turning distance. Amended plans also removed the originally proposed planting area to increase the manoeuvring space within the site.

Residents have raised objections on the grounds that vehicles would not be able to reverse out of the site if cars are parked opposite. This point has been raised with the applicant who has provided plan showing that vehicles would be able to enter or exit the parking spaces with a car parked opposite the site.

Objections also refer to the proposed development reducing the amount of car parking available to existing residents as the area to the front of the site is currently used for parking. However, the existing properties do not have off-street parking and the area does not include specifically allocated spaces.

Whilst concerns have been raised regarding existing parking issues in the area the Highway Authority have not raised any objection in relation to parking and the existing situation is not considered grounds to refuse the application.

Design

The proposed dwellings have been designed to reflect nearby terraced properties with pitched slate roofs, chimneys and painted elevations. The south eastern side elevation will include a Juliet balcony looking over the adjacent agricultural land. It is considered that the properties would be of a high quality design and reflect the character of the nearby dwellings and the surrounding area.

The application site is currently developed, albeit with a smaller single storey building, and is seen in association with the existing dwellings on Avon Street and Vicarage Hill. It is therefore not considered that the development of the site would cause material harm to the amenity of the area.

The development therefore complies with the relevant part of policy CS16 and draft policy SCD1.

Residential Amenity

Concerns have been raised regarding the impact of the proposals in terms of the impact on amenity of neighbouring properties.

The side elevation of the proposed dwelling will be around 20m from the rear elevation of properties on Vicarage Hill. No windows are proposed in the side elevation and this level of separation is considered acceptable.

The front elevation of the proposed dwellings will be around 15.3m from the front elevations of the properties opposite which is a relatively small separation. This is due, in part, to the existing properties

being close to the road with limited amenity areas to the front. The properties are viewed across the publically accessible road and this level of separation is not unusual on roads of traditional terraced properties. It is therefore considered, in this case, that the level of separation is acceptable.

The application site is at a higher level than the existing properties on Avon Street and the land rises up towards the rear of the site. The submitted plans show parts of the building being provided within excavations and a condition is suggested requiring details of levels to be agreed.

The Council's Environmental Services team commented on the application and raised no objection subject to conditions relating to site investigation and the submission of a noise assessment and informatives.

Subject to conditions and informatives the impact on the residential amenity of neighbouring properties and future occupiers is considered acceptable in accordance with the relevant part of policy CS16 and draft policy SDC1.

Landscaping & Ecology

The site comprises overgrown former allotment land and it is not considered there are landscape features that are worthy of retention.

The submitted plans indicatively show limited planting to the front of the properties, planting will also be provided within the rear gardens. As the properties are to be private dwellings without public areas it is not considered necessary to impose a landscaping condition as this will be a matter for future occupiers therefore saved policy GP2 and draft policy SDC2 are complied with.

The site is located within the strategic Green Infrastructure network where policy CS14 and draft policy NE2 state appropriate suitable linkages should be provided as part of new development. It is considered that planting within the garden will provide linkages to the surrounding area as required by these policies.

The County Ecologist raised no objection to the application subject to a range of informatives relating to protected species. On this basis it is considered that the impact on biodiversity and protected species is acceptable in accordance with saved policy E6 and draft policy NE1.

Other matters

Works Services commented on the application and advised that the rear access to Vicarage Hill properties should be maintained and that bins should not be positioned on the footway. The proposed plans show the rear access maintained and there is no footway on this side of Avon Street, on this basis Works Services have no objection to the proposals.

Warwickshire Fire Service raised no objection to the application, but made comments that Building Regulations must be complied with and the access must not be obstructed. These are not controlled by planning however an informative is proposed bringing this to the applicants' attention.

A local resident has raised concerns regarding drainage and comments that it may not be possible to connect to the existing drainage system and that water does not percolate through the ground. The application form states the existing mains drainage system will be used and the applicant has indicated that surface water drainage could be addressed through a soakaway. However, a condition is suggested requiring drainage details to be submitted and agreed.

An objection also refers to the ownership of the site and comments that the land to the front of the existing garage is not within the applicant's ownership. They also refer to covenants attached to the deeds regarding the positioning of dwellings and access rights.

The applicant has completed an ownership certificate on the application form which states that they do not own all of the application site and has served notice on the relevant landowners. Landownership and restrictive covenants are private legal matters and do not impact on the planning process.

Planning Balance, Weight & Sustainable Development

As detailed above the application site lies within a countryside location and whilst this weighs against the proposal it is not considered to lie within an unsustainable location for development and the proposals would only be contrary to policy CS1 if national planning policy did not allow development.

The NPPF identifies three interdependent and overarching objectives to sustainable development. Firstly, an economic objective, jobs would be created during the construction phase and thereafter and the new residents would inject money into the local economy and support local shops and facilities and help maintain their viability. These factors carry weight in favour of the proposals. There would also be Council Tax revenues and the Local Planning Authority would potentially benefit from New Homes Bonus although these are considered to be given limited weight.

Secondly in terms of a social role, the scheme would provide a 2 homes in a sustainable location with accessible services. Based on the ongoing need for housing within the Borough the development would make a valuable contribution to supply and this would be a positive factor of significant weight.

Thirdly, from an environmental aspect, some day-to-day trips could be undertaken by alternative modes of transport to the car such as by public transport, walking and cycling. This would minimise pollution and is considered to carry weight in favour of the development.

The impact on the natural environment is considered to be minimal and the proposals would result in no net loss to biodiversity. Although the site does not constitute previously developed land it will involve the reuse of a site that is currently unused which will make the effective use of land. In addition, the position of the site adjacent to existing development means the harm to the character and appearance of the area is minimal.

Therefore, the development of the site would result in significant social and economic benefits as well as environmental benefits. Whilst the site is in a countryside location the collective weight that the identified benefits would bring, as well as contributing to the Council's lack of 5 year housing land supply, means on balance the proposal would represent sustainable development in terms of the NPPF and is considered to accord with the Development Plan and the NPPF.

Recommendation:

Approval, subject to conditions and informatives.

Report prepared by: Karen McCulloch

DRAFT DECISION

APPLICATION NUMBER

R18/0847

DATE VALID

04/06/2018

ADDRESS OF DEVELOPMENT

LAND OPPOSITE 1-3 AVON STREET
AVON STREET
CLIFTON UPON DUNSMORE

APPLICANT/AGENT

Mr Richard Palmer
HB Architects
The Old Telephone Exchange
Albert Street
Rugby
CV21 2SA
On behalf of Electrafix Ltd

APPLICATION DESCRIPTION

Erection of 2 dwellings.

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:

| Plan/Document | Reference | Date Received |
|-----------------------------|------------|---------------|
| Design and Access Statement | 30-18 | 19/04/2018 |
| Location Plan (only) | 30-18-01/A | 04/06/2018 |
| Sketch Scheme | 30-18-02/D | 29/08/2018 |
| Block Plan (only) | 30-18-01/A | 02/08/2018 |

REASON:

For the avoidance of doubt.

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 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

Notwithstanding the details shown on the approved plans, no development shall commence unless and until full details of finished floor levels of the approved dwellings and ground levels of the parking areas and gardens 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: 6

The dwellings hereby approved shall not be first occupied unless and until the proposed traffic calming works on Rugby Road/Vicarage Hill have been completed and the visibility improvements to the Avon Street/Vicarage Hill junction have been carried out.

REASON:

In the interest of highway safety.

CONDITION: 7

The accommodation for car parking shown on the approved plan shall be provided before the first occupation of the development and shall be retained permanently for the parking of vehicles.

REASON:

In order to ensure that satisfactory parking facilities are maintained.

CONDITION: 8

No above ground development shall commence unless and until a full noise survey and assessment, including detail of any mitigation works 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 residential amenity.

CONDITION: 9

Unless otherwise agreed in writing by 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: 10

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.

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

Should your development require a new address or an amendment to an existing address please complete an application form for Postal Naming and Numbering. This can be found on-line at rugby.gov.uk Alternatively, you can contact the Street Naming and Numbering Team for an application form at: servicedesk@rugby.gov.uk or by ringing 01788 533456.

INFORMATIVE: 2

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

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

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

No work on Sundays & Bank Holidays.

INFORMATIVE: 3

The noise assessment required by condition 8 must take into account road noise emitted from the local road network and the new Houlton Link Road. Any proposed mitigation must ensure that the internal noise climate for each habitable room achieves compliance with noise levels contained within BS8233:2014.

INFORMATIVE: 4

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

INFORMATIVE: 5

Warwickshire Fire and Rescue advise that the development must comply with Building Regulations Approved Document B, Volume 2, Section B5 - Access and Facilities for the Fire Service. In addition the access to the site, during construction and once completed, must be maintained free from obstructions to allow access for emergency vehicles.

INFORMATIVE: 6

The applicant is respectfully advised that as additional planting is proposed for the site, indigenous tree and shrub 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 pleased to provide further advice regarding which species to use (Tel: 01926 418060).

INFORMATIVE: 7

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

INFORMATIVE: 8

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. 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: 9

In view of the nearby hedgehog record(s) and or suitable habitat, 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.

INFORMATIVE: 10

In view of the suitable habitat nearby, care should be taken when clearing the ground prior to development, and 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 Warwickshire County Council Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) 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 2017 (as amended).

INFORMATIVE: 11

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

Reference number: R18/1365

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

Description: Erection of two detached, two-storey dwellings, with ancillary car parking, and creation of a new vehicular access (resubmission of previously refused planning application ref: R18/0163 dated 25/04/2018).

Case Officer Name & Number: Nathan Lowde 01788 533725

Introduction

The application is to be determined by members of the planning committee given the number of household objections received.

Description of site and proposal

The application site is located within Newton, which is identified within the Core Strategy as a local needs settlement, and is situated towards the north-east of the Rugby Urban Area.

The application seeks the erection of 2 no. detached, 3 bed dwelling houses, 2-storey in height, within the curtilage of the Stag and Pheasant Public House which is a grade II listed building. These dwellings would be accessed off The Paddock and would be served by 3 car parking spaces, one of which would be accommodated within an integral garage. This application forms a resubmission of a previously refused planning application ref: R18/0163.

Relevant Planning History

R18/0165

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

Approved 04/04/18

R18/0166

Listed building consent for external alterations to the existing buildings.

Approved 06/04/18

R18/0163

Erection of two detached, two-storey dwellings, with ancillary car parking, and creation of a new vehicular access

Refused 25/04/18

Third Party Comments

Neighbours (18 objections)

- Impact upon the car parking for the pub
- Houses not in keeping with houses in The Paddocks
- No need for 3 bedroom detached houses in Newton
- Loss of grassed area connected with the pub which is also used for outdoor village functions
- Increase in traffic
- The lack of services, facilities and bus provisions means that Newton is not a sustainable location for new houses
- The success of the pub should be based on it being a self-sustaining business and not on the sale of these two houses
- Impact upon the village community
- Over-development of the site
- Set a precedent for more housing on the pub car parking area
- Proposed access would impact upon neighbouring properties
- Impact upon biodiversity with loss of trees and hedges
- Insufficient on-site car parking spaces serving the proposed dwellings
- Proposal doesn't include the provision of SuDS
- Loss of light to 8 The Paddocks

- Loss of screening would result in increased noise and car park lighting from the Stag and Pheasant pub.

Parish Council comments

- No objection to the revised design
- Concerned about highway impact along The Paddocks
- Request conditions relating to the retention of the on-site parking spaces and no garage conversions
- In the event that the a future planning application being received to change the use of the pub the LPA is asked to bear in mind that the loss of the garden was instigated by the owner and therefore should be disregarded from any consideration of viability.

Technical consultation responses

| | |
|-----------------|--------------------------------------|
| WCC Ecology | no objection subject to informatives |
| WCC Highways | no objection subject to conditions |
| WCC Archaeology | no objection subject to conditions |

Relevant Planning Policy

Core Strategy

| | |
|-------------|----------------------|
| Policy CS1 | Development Strategy |
| Policy CS16 | Design and Access |
| Policy CS20 | Local Housing Needs |

Saved Local Plan Policies

| | |
|----|--------------------|
| E6 | Biodiversity |
| T5 | Parking Facilities |

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

| | |
|------------|--|
| Policy GP2 | Settlement Hierarchy |
| Policy SD1 | Sustainable Design |
| Policy D1 | Transport |
| Policy D2 | Parking Facilities |
| Policy NE1 | Protecting Designated Biodiversity and Geodiversity Assets |

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.

Other Material Consideration

RBC Planning Obligations SPD

National Planning Policy

National Planning Policy Framework 2018

Assessment of Proposal

Principle of Development

Policy CS1 addresses locational strategy and indicates that most new development will be accommodated in the Rugby Town Centre and Rugby Urban Area. This is in accordance with sustainable principles whereby homes, employment and other uses are directed to places where there is the best infrastructure, facilities and services to support them. The policy does though also recognise that a proportion of this

development should go to Main Rural Settlements, in order to maintain the vitality of the local communities. These basic principles are in accordance with the Framework. This policy as well as directing development to the most sustainable locations, seeks to safeguard countryside resources from unwarranted development. Emerging policy GP2 contains a similar hierarchy and requirements for development in the countryside.

The application site is located within the identified settlement boundary of Newton which is designated within the Core Strategy as a Local Needs Settlement. Policy CS1 permits small scale development to meet local housing needs within existing village boundaries. Such local need would be identified through a Housing Needs Survey or where it is proven to meet the identified needs of local people. The emerging Local Plan identifies Newton as being a Rural Village. Policy GP2 provides greater restrictions for new development within the settlement boundaries of Rural Villages, given the limited level of services.

Paragraph 11 of the NPPF states that decision making should include a presumption in favour of sustainable development. The NPPF goes on to state that where a Local Planning Authority cannot demonstrate a five year supply of deliverable sites the development plan policies most important to the determination of the application will be considered out of date. In these cases the NPPF states development proposals should be granted unless policies within the NPPF provide a clear reason for resisting the development proposed, or any adverse impacts of doing so would be significantly and demonstrably outweigh the benefits when assessed against the policies within the NPPF as a whole.

At present the Council is unable to demonstrate a five year supply of deliverable housing sites to meet the identified housing need within the Borough and therefore as policy CS1 is considered to directly relate to the supply of housing it is deemed out of date. Nevertheless, this does not imply policy CS1 should be ignored but rather that consideration should be given as to what weight it holds in the decision making process whilst being mindful of the presumption in favour of sustainable development when the NPPF is considered as a whole. The NPPF states that there are 3 dimensions to sustainable development: an economic, objective, a social objective and an environmental objective. These objectives will be considered in relation to the overall balancing of the proposals later in this report.

Design, Layout and Visual Amenity

Policy CS16 of the Core Strategy sets out that 'All development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated'. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. This is consistent with emerging policy SDC1 which seeks to ensure that development responds to the character of the area in which they are situated and add to the overall quality of the area. Paragraph 127 and Chapter 12 of the NPPF are also relevant and set out the importance of good design in relation to new development.

The previous planning application was refused as it was considered that the proposed dwellings by virtue of their character and appearance would not respond positively to the local character of the area. The proposed dwellings have been revised, and when compared against the previously refused dwellings, the key changes are the omission of the timber cladding and introduction of bricked headers and cills. These revisions seek to ensure that the proposed dwellings are more responsive to the local surroundings.

Should planning permission be granted conditions relating to materials and boundary treatments would be imposed.

The proposals are therefore acceptable in terms of the impact on visual amenity in accordance with policy CS16, emerging policy SDC1 and guidance contained within the NPPF.

Residential amenity

Policy CS16 of the Core Strategy, together with emerging policy SDC1 requires new development to safeguard the amenities of existing neighbouring occupiers. Paragraph 7.4 of the Core Strategy allows for consideration of the Sustainable Design and Construction SPD which further expands on this policy. Paragraph 3.2 of this SPD refers to Appendix B – Residential Extension Design Guide (REDG), which at paragraph 4, provides guidance on the way buildings relate to each other and the consequential impact of

this on levels of acceptable amenity for both existing and future occupiers. Although directed at householder extensions, the principles of this SPD can equally be applied to applications for new houses. Paragraph 17 of the NPPF is also relevant and sets out the need for planning to deliver a good standard of amenity for all existing and future occupants of buildings.

The main impact of the proposed development would be in respect of plot 1 upon No. 8 The Paddock. The proposed two storey element of the proposed dwelling house would surpass the rear elevation of this neighbouring property by 1.5m and thereafter it steps in and drops down to a single storey element which extends for a further 5 metres. This single storey element would have a height of 3m.

The 45° guideline as contained within the SPD provides a useful tool in assessing loss of daylight to neighbouring properties and their gardens. The proposed two storey element of the proposed dwelling would not breach the 45° guidance in respect to habitable windows within the first floor of this neighbouring property. In respect to the single storey element, the proposal would marginally breach the 45° guideline, in respect to the door within the ground floor rear elevation of this dwelling closest to the boundary. However, any loss of light would be limited to the morning, and therefore on balance it is not considered that the proposal would have an adverse impact upon the amenities of this neighbouring property in accordance with policy CS16 and emerging policy SDC1.

Heritage

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-designed '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.

Whilst the proposal dwellings would be formed within the curtilage of the listed building it would not harm the character or appearance of the listed building, its understanding and appreciation within the setting, nor would it obscure views of this heritage asset or diminish its appreciation within its setting. It is therefore

considered that the proposal would not harm the identified heritage asset in accordance with policy CS16 and emerging policy SDC3.

Highway Safety and Parking Provision

WCC Highways have raised no objections subject to conditions.

Saved policy T5 and emerging policy D2 state that planning permission will only be granted for development which incorporates satisfactory parking facilities as set out within the Planning Obligations SPD. For the purposes of assessing car parking standards the site is located within an area of low access. The Council's SPD indicates that a minimum of 2 spaces is required for a 3 bedroom dwelling house. The proposed site layout plan shows the provision of 3 spaces in accordance with these minimum standards and therefore complies with saved policy T5 and emerging policy D2.

Ecology

Saved policy E6 and emerging policy NE1 seek to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. This policy is consistent with one of the core planning principles outlined within paragraph 17 of the Framework which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The Framework further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this where possible (paragraphs 109, 113, 114, 117 and 118). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.

WCC Ecology have assessed the proposed and raised no objection. Furthermore it is considered that the development is an opportunity to enhance the site for biodiversity in line with policy E6 and emerging policy NE1. This can be achieved through the introduction of native planting and provision of bat and bird boxes.

Planning Balance

The NPPF is a key material consideration in determining planning proposals. In this case this national policy establishes an approach to dealing with certain matters and/or circumstances.

The NPPF identifies three interdependent and overarching objectives to sustainable development. Firstly, an economic objective, jobs would be created during the construction phase and thereafter and the new residents would inject money into the local economy and support local facilities and help maintain their viability. These factors carry weight in favour of the proposals. There would also be Council Tax revenues and the Local Planning Authority would potentially benefit from New Homes Bonus although these are considered to be given limited weight.

Secondly in terms of a social role, the scheme would provide a 2 homes in Newton which is within a short driving distance to main rural settlements such as Brownsover and Clifton-upon-Dunsmore, where new occupants can access educational, cultural and shopping facilities. Newton itself has a limited bus service running through the village together with a daily school bus. Based on the ongoing need for housing within the Borough the development would make a valuable contribution to supply and this would be a positive factor of significant weight.

Thirdly, from an environmental aspect, some day-to-day trips in the private car would be short journeys and could be undertaken by alternative modes of transport to the car such as by public transport, or cycling. This would minimise pollution and is considered to carry weight in favour of the development.

The impact on the natural environment is considered to be minimal and the proposals would result in no net loss to biodiversity, and conditions would be attached to ensure that opportunities to enhance the site for biodiversity is secured. The site does constitute previously developed land which will make the effective use of land. In addition, the position of the site adjacent to existing development, together with the character and appearance of the dwellings means the harm to the character and appearance of the area and designated heritage assets is minimal.

Therefore, the development of the site would result in significant social and economic benefits as well as environmental benefits. Paragraph 8 of the NPPF is clear that the 3 roles should not be taken in isolation but that to achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. The identified benefits would bring, as well as contributing to the Council's lack of 5 year housing land supply, means on balance the proposal would represent sustainable development in terms of the NPPF and is considered to accord with the Development Plan and the NPPF.

Recommendation

Approval subject to conditions

APPLICATION NUMBER

R18/1365

DATE VALID

27/07/2018

ADDRESS OF DEVELOPMENT

Stag and Pheasant
27 Main Street
NEWTON
CV23 0DY

APPLICANT/AGENT

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

APPLICATION DESCRIPTION

Erection of two detached, two-storey dwellings, with ancillary car parking, and creation of a new vehicular access (resubmission of previously refused planning application ref: R18/0163 dated 25/04/2018).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

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

CONDITION: 2

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

Proposed Site Layout - Dwg. No. SA678-P111C
Proposed Residential Plans - Dwg No SA678-P112B
Proposed Residential Elevations Dwg No SA678-P113B

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

Full details (including elevations) of the proposed wall, fence and gates, shall be submitted to and approved in writing by the Local Planning Authority before any development is commenced. Details agreed in accordance with this condition shall be carried out prior to the date on which the development is first occupied.

REASON:

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

CONDITION: 5

No above ground development shall commence unless and until a scheme for the provision of bat and bird boxes within the new dwellings or adjacent trees has been submitted to and approved by the Local Planning Authority.

REASON

To enhance biodiversity

CONDITION: 6

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: 7

No structure, tree or shrub shall be erected, planted or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

In the interest of highway safety

CONDITION: 8

The development shall not be occupied until an access for vehicles has been provided to the site not less than 5 metres in width at any point.

REASON

In the interest of highway safety

CONDITION: 9

The accesses to the site for vehicles shall not be used in connection with the development until they have been surfaced with a bound material for their whole length as measured from the near edge of the public highway carriageway in accordance with details to be approved in writing by the Local Planning Authority in consultation with the Highway Authority.

REASON

In the interest of highway safety

CONDITION 10

The accesses 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 11

The accesses to the site for vehicles shall not be used unless public highway crossings have been laid out and constructed in accordance with the standard specification of the Highway Authority.

REASON

In the interest of highway safety

CONDITION: 12

No gates or barriers are to be erected at either proposed dwelling.

REASON

In the interest of highway safety

CONDITION: 13

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, 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 and protect retained trees

CONDITION: 14

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 garages serving plots 1 and 2 shall not be converted to living accommodation.

REASON:

In the interest of highway safety.

CONDITION: 15

A noise assessment should be undertaken by a suitably qualified person and submitted for approval by the LPA. It should assess the existing noise levels, with particular regard to noise from plant/machinery, any entertainment noise and noise from the use of any external areas of the public house, to determine any potential adverse effect upon the proposed development. The report should include recommendations for any necessary acoustic mitigation works. The assessment should consider any likely change in the aural environment should permission be granted for R18/0165 for guest accommodation at the rear of the public house.

REASON

In the interest of residential amenity

CONDITION: 16

No works or development shall take place until a specification of all proposed tree planting has been approved in writing by the LPA. This specification will include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified. If within a period of 10 years from the date of planting of any tree/shrub/hedge that tree/shrub/hedge, or any tree/shrub/hedge planted in replacement for it, is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/shrub/hedge of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations. Reason: to maintain and enhance continuity of tree/shrub/hedge cover.

REASON

In the interest of visual amenity

CONDITION: 17

Other than those shown on the approved plans, no new windows/rooflights shall be formed in the west side elevation/roofslope of the proposed plot 1, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

INFORMATIVE: 1

ECOLOGY

In view of the nearby records, 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 (02080 261089) 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 2017.

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while WCC Ecological Services or Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 02080 261089. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

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).

INFORAMTIVE: 2

HIGHWAYS

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

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of

S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

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

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

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.

Reference number: R18/1214

Site address: 7 Mitchell Court, Castle Mound Way, Rugby, CV23 0UY

Description: Proposed change of use from B1 (business) to A2 (financial and professional services)

Case Officer Name & Number: Lucy Davison 01788 533 696

Introduction

This application is being reported to Planning Committee, as this proposal is a departure from the Rugby Borough Council Core Strategy.

Proposal Description

Planning permission is sought for the proposed change of use from B1 (business) to A2 (financial and professional services).

Site Description

The application site is located on Central Park industrial estate, Coton. The property is a semi-detached B1 unit with office provisions over two floors, the gross internal floor area measures 207.07 sq. metres (2,229 sq. feet). The application site has nine allocated parking spaces.

Relevant Planning History

No previous planning applications.

Technical Consultation Responses

| | |
|--------------------------|--------------|
| RBC Environmental Health | No objection |
| WCC Highways | No objection |
| RBC Development Strategy | No objection |

Third Party Responses

| | |
|------------|------------------------------------|
| Cllr | No comments or objections received |
| Parish | No observations |
| Neighbours | No comments or objections received |

Relevant Planning Policies and Guidance

National Planning Policy Framework (NPPF)

Core Strategy

| | |
|------|----------------------|
| CS1 | Development Strategy |
| CS16 | Sustainable Design |

Saved Local Plan Policies

| | |
|-----|--|
| T5 | Parking Facilities |
| ED5 | Retention of existing strategically significant employment sites |

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

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.

Emerging Local Plan (2011-2031)

| | |
|-------------|---------------------------------------|
| Policy GP2 | Settlement Hierarchy |
| Policy SDC1 | Sustainable Design. |
| Policy ED1 | Protection of Rugby's Employment Land |

Assessment of Proposals

In the assessment of this application, the determining factors are the impact of the proposed development on:

- principle of development
- the amenity of neighbouring properties
- the qualities, character and amenity of the area,
- highway safety
- employment land

These factors will be discussed in more detail below.

Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy. Policy GP2 of the emerging new Local Plan states that development will be allocated and supported in accordance with the settlement hierarchy.

The application site is located within the Rugby Urban Area as defined in Policy CS1 of the Core Strategy; as such there is a principle in favour of development subject to all planning matters being appropriately addressed.

This application is therefore considered to comply with Policy CS1 of the Core Strategy and the emerging new Local Plan Policy GP2.

Impact on the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. New Local Plan Policy SDC1 states that 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. Section 12 of the NPPF require all development proposals to be of a high quality design.

The property is a semi-detached building with office provision over two floors. There are no proposed alterations to the external of the building or parking area provision. Therefore the proposal will not impact on the character and design of the area and considered to be in accordance with Policy CS16 of the Core Strategy and the emerging local plan Policy SDC1.

Impact on the amenity of neighbouring properties

Policy CS16 states that development should ensure that the amenities of existing and future neighbouring occupiers are safeguarded. Policy SDC1 of the new local plan states that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded.

The neighbouring buildings to 7 Mitchell Court are subdivided or wholly occupied units with assigned parking spaces. The proposed change use will not have an impact of the occupants of neighbouring units. It is therefore considered that proposal is in accordance with Policy CS16 of the Core Strategy and emerging local plan Policy SDC1.

Impact on parking

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Policy D2 of the new local plan states that planning permission will only be granted for development incorporating adequate and satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development.

The proposal is for A2 (financial and professional services). The A2 low access parking standards requirements are for 1 space/ 30 sq.metres. The maximum requirement for parking spaces therefore for this type of proposal is 7 spaces and the application site has 9 spaces meeting the correct threshold. WCC Highways has no objection to the proposal.

It is therefore considered that this proposal will not have an adverse impact on highway safety and complies with parking standards.

Employment land

Saved Local Plan Policy ED5 states that Site Ref. ED5.4 Central Park, Coton as defined on the proposals map, will be retained for employment purposes for the use classes indicated (B1, B2, B8). Development for other purposes will not be permitted.

Policy ED1 of the emerging local plan outlines that for proposals that would involve the change of use or loss of any land used for employment purposes, evidence must be provided to demonstrate that the land or unit under consideration is no longer viable for a B-use class. The evidence provided should consider the tests outlined to a sufficient level that market signals indicate that there is no reasonable prospect of the site being used for employment purposes and/or that an alternative land use would support sustainable local communities.

The applicant business has been renting business premises in Kenilworth for over 17 years but wish to expand the business and own their own premises to facilitate expanding. In moving the business from Kenilworth to Rugby this would provide the provision of additional jobs within the area and business rates to Rugby Borough Council.

Initially there was limited evidence of locations which had been viewed and why they were unsuitable:

6 Tom Brown Street- too small

1 North Street- next to busy pub, not suitable for professional service business with HNW clients

Subsequently additional supporting information illustrating the units within Rugby that had been reviewed by the applicant and why they do not meet the requirements for the business was provided: *(extract from applicant submission)*

In addition to the plots named in the original proposal, please find a list of the current properties on sale (freehold) in Rugby Centre and Edge of Centre that are not fit for requirements:

- *Craven Road, formally Wash 'n' Go Launderette. £222,000 – No Parking available / Nearest town car park 0.5 miles walk / Permits Required on busy residential street / Too small for existing and proposed levels of staff / Would hinder prospective business levels as most clients will attend meetings in house.*
- *22-24 Lawford Road Investment Property - George and Company – £220,000 – More suitable for a showroom business, we do not need frontage or footfall generated / Extensive work would need to be carried out on the property*
- *1 North Street – George and Company - £495,000 – Too Expensive / Consent Currently for A4 (Drinking Establishment)*
- *40 Church Street, Rugby – Howkins and Harrison - £95,000 – Premises is too small to allow us to expand and grow.*
- *27 Church Street – Thornton Robson - £300,000 - Commercial Property mixed retail and commercial – All units are occupied.*

To aid this application I have attached the following property guides:

- *Howkins and Harrison: Commercial Property Guide June-September 2018*
- *George and Company: 22-24 Lawford Road Sale Particulars & North Street Sale Particulars*
- *Thornton Robson: Property Details for Church Street.*

In addition to receiving the available locations from the respective agents in Rugby, I also asked Jake Heaton of George and Company on the 28th August 2018 if there were any suitable locations for freehold purchase for our specification, to which his response was no.

Sufficient evidence has been provided to demonstrate that the business will contribute to the local economy and no other suitable alternative sites are available within the Rugby Town Centre or surrounding area.

This application is therefore considered that although it is not in accordance with the Core Strategy there is sufficient evidence and justification as detailed in Paragraph 86 of the NPPF and emerging Local Plan Policy ED1 to be considered on planning balance acceptable.

Conclusion

The proposal is considered to respect the scale and character of the surrounding business, it would not adversely affect the amenities of the occupiers of neighbouring properties and would not impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and Core Strategy. The proposal conflicts with the Saved Local Plan Policy ED5 and the emerging new Local Plan Policy ED1, however there has been sufficient evidence provided that this proposal is considered sustainable development. Therefore this application is recommended for approval subject to conditions and informatives.

Recommendation:

Approve subject to appropriate conditions.

Report prepared by: Lucy Davison

DRAFT DECISION

APPLICATION NUMBER

R18/1214

DATE VALID

24/07/2018

ADDRESS OF DEVELOPMENT

7 MITCHELL COURT
CASTLE MOUND WAY
RUGBY
CV23 0UY

APPLICANT/AGENT

Mr Richard Sidaway
Bromwich Hardy
1
The Cobalt Centre
Coventry
CV3 4PE
On behalf of Mr Matthew Martin

APPLICATION DESCRIPTION

Proposed change of use from B1 (business) to A2 (financial and professional services)

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:

- Application form
- Site location plan
- Block plan

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:

The applicant is advised that separate advertisement consent may be required from the Local Planning Authority for signage.

AGENDA MANAGEMENT SHEET

Report Title: Diversion of part of Bridleway R216 Marton

Name of Committee: Planning Committee

Date of Meeting: 10 October 2018

Report Director: Head of Growth and Investment

Portfolio: Growth and Investment

Ward Relevance: Leam Valley

Prior Consultation:

Contact Officer: Marian Allen, Senior Legal Officer 01788 533556 or marian.allen@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):

(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)
- This report does not specifically relate to any Council priorities but

Statutory/Policy Background: Town and Country Planning Act 1990

Summary: Confirmation of public path order

Financial Implications: N/A

Risk Management Implications: N/A

Environmental Implications: N/A

Legal Implications: N/A

Equality and Diversity: N/A

Options:

Recommendation: The Borough of Rugby (Part of Bridleway R216 Marton) Public Path Order 2018 be confirmed.

Reasons for Recommendation: No objections

Planning Committee - 10 October 2018

Diversion of part of Bridleway R216 Marton

Public Report of the Head of Growth and Investment

Recommendation

The Borough of Rugby (Part of Bridleway R216 Marton) Public Path Order 2018 be confirmed.

On 15 March 2018 the Council granted planning permission R17/2078 for the demolition of existing two agricultural buildings and construction of one single storey agricultural building and associated plant and ancillary structures including highway access works. Part of the development requires the diversion of part of bridleway R216.

On 5 September 2018 an Order under the provisions of Section 257 of the Town and Country Planning Act 1990 was made and advertised. The effect of the Order is to stop up part of bridleway R216 and create a replacement bridleway as shown on the plan attached at Appendix 1.

No objections were received. The Committee is therefore asked to confirm the Public Path Order, attached at Appendix 2, unopposed.

Name of Meeting: Planning Committee
Date of Meeting: 10 October 2018
Subject Matter: Diversion of part of Bridleway R216 Marton
Originating Department: Corporate Resources

DO ANY BACKGROUND PAPERS APPLY YES NO

LIST OF BACKGROUND PAPERS

| Doc No | Title of Document and Hyperlink |
|--------|---------------------------------|
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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 |
|--------|------------------------------------|
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Appendix 1

The information on this drawing is for information only and must not be relied upon without the consent of the company.
 Figures dimensions only to be taken from this drawing. DO NOT SCALE.
 All contractors must visit the site and be responsible for checking all settings and holding the architect of any discrepancies prior to any manufacture or construction work.

NOTES

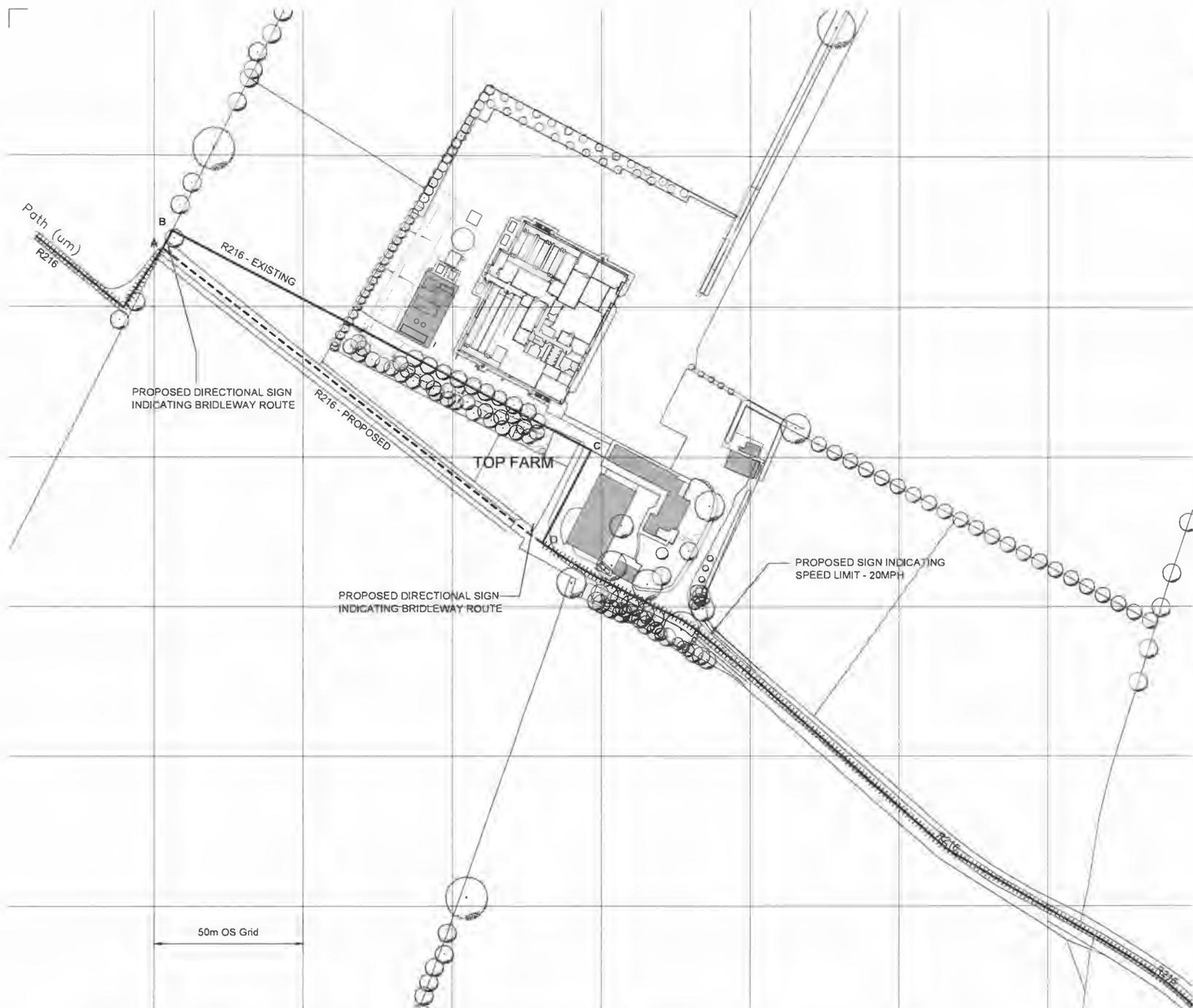
LEGEND

-  EXISTING RETAINED BUILDINGS
-  PUBLIC BRIDLEWAY - R216
-  EXISTING (LEGAL MAP) ROUTE OF R216 TO BE STOPPED UP
-  PROPOSED NEW LEGAL ROUTE OF R216 (AS CURRENT LAYOUT ON SITE)



| MAP POINT | NORTH | EAST |
|-----------|------------|------------|
| A | N267819476 | E441802914 |
| B | N267825276 | E441806074 |
| C | N267752400 | E441946485 |
| D | N267721144 | E441930168 |

| MAP POINTS | DISTANCES (METRES) |
|------------|--------------------|
| A-B | 6.669 |
| B-C | 158.230 |
| C-D | 35.259 |
| A-D | 160.819 |



PROPOSED DIRECTIONAL SIGN INDICATING BRIDLEWAY ROUTE

PROPOSED DIRECTIONAL SIGN INDICATING BRIDLEWAY ROUTE

PROPOSED SIGN INDICATING SPEED LIMIT - 20MPH

50m OS Grid



| | |
|---------------|--|
| Client | AVIAGEN |
| Project | DEVELOPMENT AT TOP FARM LONG ITC-HINGTON ROAD BIRDINGBURY, RUGBY |
| Drawing Title | PROPOSED PLAN SHOWING PROPOSED DIVERSION TO BRIDLEWAY R216 |
| Drawn | PO |
| Checked | EB |
| Project No | 17594 |
| Scale | A3 1:1250 |
| Date | JULY 2018 |
| Rev | P-00 |

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RUGBY BOROUGH COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
THE BOROUGH OF RUGBY
(PART OF BRIDLEWAY R216 MARTON)
PUBLIC PATH ORDER 2018

This Order is made by the Rugby Borough Council (“the Council”) under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to stop up part of footpath R216 and create a new footpath to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by the Council for demolition of two agricultural buildings and construction of one single storey agricultural building Reference number R17/2078

BY THIS ORDER

1. The bridleway at Marton shown by a continuous black line on the attached map and described in Part 1 of the Schedule to the Order (“the Schedule”) shall be stopped up as provided below
2. There shall be created to the reasonable satisfaction of the Council an alternative footpath for use as a replacement for the said part of bridleway R216 as provided in Part 2 of the Schedule and shown by black dashes on the attached map
3. The stopping up of the footpath shall have the effect on the date on which the Council certify that the terms of Article 2 above have been complied with
4. Where immediately before the date on which the footpath to be stopped up there is apparently under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they had

5. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule

The footpath will have a width of 2 metres wide consist of tarmacadam between concrete pin kerbs the developer being responsible for the costs of carrying out such works

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATH Between Points A-B-C-D on the Order Plan

Stop up part of Bridleway R216 from Point A (Grid Reference 267819, 441802914) running northerly for approximately 7 metres to Point B (Grid Reference 26782576, 441806074) turning easterly for approximately 158 metres to Point C (Grid Reference 267752400,441946485) and then turning southerly for approximately 35 metres to point D (Grid Reference 26772114,441930168)

PART 2

DESCRIPTION OF SITE OF NEW FOOTPATH Between Points A--D on the Order Plan

Create a new footpath from Point A (Grid Reference 267819, 441802914) south easterly for approximately 161 metres to Point D (Grid Reference 2772114,441930168)

THE COMMON SEAL OF
RUGBY BOROUGH COUNCIL
was hereunto affixed
the 5 day of September 2018
in the presence of

Executive Director

DATED 5 September 2018

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

THE RUGBY BOROUGH COUNCIL
(PART OF BRIDLEWAY R216 MARTON)
PUBLIC PATH ORDER 2018

Adam Norburn
Executive Director
Town Hall
Rugby
CV21 2RR

AGENDA MANAGEMENT SHEET

Report Title: Delegated Decisions - 9th August 2018 to 12th September 2018

Name of Committee: Planning Committee

Date of Meeting: 10 October 2018

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)

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| 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 - 10 October 2018

Delegated Decisions - 9th August 2018 to 12th September 2018

Public Report of the Head of Growth and Investment

Recommendation

The report be noted.

1.1 BACKGROUND

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

Name of Meeting: Planning Committee

Date of Meeting: 10 October 2018

Subject Matter: Delegated Decisions - 9th August 2018 to 12th September 2018

Originating Department: Please select

DO ANY BACKGROUND PAPERS APPLY **YES** **NO**

LIST OF BACKGROUND PAPERS

| Doc No | Title of Document and Hyperlink |
|---------------|--|
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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 |
|---------------|---|
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DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER
DELEGATED POWERS FROM 09.08.2018 TO 12.09.2018

A. APPLICATIONS – DELEGATED

| | | |
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| Applications Refused | | |
| <i>R14/0050 Refused 17.08.2018</i> | Rear of 24 Hillmorton Road Rugby CV22 5AA | Erection of a new dwelling in the rear garden |
| <i>R18/1134 Refused 22.08.2018</i> | Kilmore House Coventry Road Wolvey LE10 3LD | Demolition of ancillary buildings and the erection of one new dwelling and garage |
| <i>R18/0588 Refused 29.08.2018</i> | Land to rear of 101 Lentons Lane Lentons Lane Shilton Aldermans Green | Construction of new two bedroom dwelling with associated car parking and including the demolition of an existing garage [Cross Boundary Application] |
| <i>R17/1497 Refused 30.08.2018</i> | Storage World London Road Thurlaston CV23 9LF | Retrospective application for a temporary dwelling for security staff at Storage World, London Road, Dunchurch, CV23 9LF |
| <i>R18/0854 Refused 30.08.2018</i> | Highwood Farm Coventry Road Brinklow Rugby CV23 0NJ | Erection of extensions to form a double garage with a room over and enclosing and linking of the existing detached swimming pool area. |
| Applications Approved | | |
| <i>R18/1168 Approved 10.08.2018</i> | Nelsons Wharf Rugby Road Southam CV47 8AA | Erection of extension to the existing accommodation block and use of all this and existing guest accommodation (approved by R16/2154) to provide flexible accommodation space in association with Willow Wren Training and/or the existing canal moorings and/or for use as independent holiday accommodation. |
| <i>R18/0065 Approved</i> | 22 The Green Bilton | Proposed demolition and rebuilding of part of side elevation including a 2 storey side |

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| 10.08.2018 | Rugby CV22 7LY | extension and new roof. Proposed replacement porch to the side elevations and general alterations to the elevations. |
| <i>R18/0273 Approved 10.08.2018</i> | Oak House Burnthurst Lane Princethorpe CV23 9QA | Demolition of a summerhouse and erection of a single storey side extension |
| <i>R18/1089 Approved 10.08.2018</i> | 111 Hillmorton Road Rugby CV22 5AT | Erection of a two storey side extension and single storey rear extension with alterations to the existing rear flat roof to gable |
| <i>R18/0810 Approved 10.08.2018</i> | 115 Overslade Lane Rugby CV22 6EE | Erection of a two storey side extension and a single storey side and rear extension (resubmission of planning permission reference number R17/1122, dated 18 April 2018). |
| <i>R18/1255 Approved 13.08.2018</i> | 18 Park Road Rugby CV21 2QH | Erection of a single storey rear extension (resubmission of previously approved planning application R18/0504) |
| <i>R18/0856 Approved 14.08.2018</i> | Land adjacent to 61 Shenstone Avenue Rugby CV22 5BL | Erection of one new dwellinghouse |
| <i>R18/1259 Approved 14.08.2018</i> | Britvic Soft Drinks Ltd Aventine Way Brownsover Rugby CV21 1HA | New canopy to existing production facility with amendment to road line and new retaining wall. |
| <i>R18/0732 Approved 14.08.2018</i> | 4 High Street Hillmorton Rugby CV21 4EE | Retrospective application for the erection of a single storey rear extension to dwellinghouse |
| <i>R18/1141 Approved 14.08.2018</i> | 201 Alwyn Road Bilton Rugby CV22 7RD | Erection of a two storey side and rear extension |
| <i>R18/0227 Approved 15.08.2018</i> | 2 Badby Leys Rugby CV22 5RB | Alterations to existing vehicular access and formation of new access to Badby Leys together with erection of three dwellings comprising one bungalow and one pair of semi-detached dwellings |

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| <i>R17/0867 Approved 15.08.2018</i> | 18 Coventry Road Pailton CV23 0QB | Proposed widening of existing access to the site, plus a new wrought iron railing fence with pedestrian gate plus new railing gates with iron pillars |
| <i>R18/0284 Approved 16.08.2018</i> | Lodge Farm Bilton Lane Long Lawford Rugby CV23 9DU | Change of use of the application site from a mixed use to C3 Residential Use – to include 2 (no) C1 Holiday Lets to ancillary C3 Residential use and the caravan site to an agricultural paddock. |
| <i>R18/1097 Approved 16.08.2018</i> | 99 Pytchley Road Rugby CV22 5NG | Demolition of the existing garage and erection of a detached dwelling (resubmission of a previously approved scheme for the demolition of the existing garage and erection of a detached dwelling granted under R13/2191) |
| <i>R18/1216 Approved 16.08.2018</i> | 1 Saxon Close Binley Woods CV3 2BH | Two storey side and rear extension, porch extension and the demolition of garage, store and conservatory |
| <i>R17/0495 Approved 16.08.2018</i> | 2 Tee Tong Road Long Lawford CV23 9DD | Erection of a two storey side extension |
| <i>R18/0334 Approved 16.08.2018</i> | 6 Silverdale Gardens Paddox Rugby CV22 5BU | Loft conversion with two dormer windows to the rear, addition of new rooflight to the rear and rooflight relocated at the front of dwellinghouse. |
| <i>R18/0613 Approved 17.08.2018</i> | Hillcrest Pailton Fields Farm Lutterworth Road Pailton Rugby CV23 0QJ | Erection of detached carport. |
| <i>R18/0802 Approved 17.08.2018</i> | 16B The Green Bilton Rugby CV22 7LY | Change of use from A1 (Retail) to Sui Generis (Beauty salon) |
| <i>R18/1230 Approved 17.08.2018</i> | 7 Rugby Lane Stretton on Dunsmore Rugby CV23 9JH | Erection of log cabin to rear garden |
| <i>R18/1092</i> | 1 Kareen Grove | Variation of Condition 2 of the previously |

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| <i>Approved</i> 20.08.2018 | Binley Woods CV3 2BN | approved planning permission R17/0933 to remove the requirement that the development shall only be carried out in accordance with the plans and documents - Grouped Plans & Elevations 4485/01 - to be replaced with a proposed amended scheme. |
| <i>R18/1183</i> <i>Approved</i> 20.08.2018 | Land off Hill Road Grandborough Rugby CV23 8DL | Retention of horse stables and ménage. |
| <i>R18/1233</i> <i>Approved</i> 20.08.2018 | 19 Hillmorton Road Rugby CV22 5DF | Retrospective application for three-car garage with loft space |
| <i>R18/1246</i> <i>Approved</i> 20.08.2018 | 5 Lancut Hill Rugby CV23 0JR | Erection of single storey rear extension. |
| <i>R18/1300</i> <i>Approved</i> 20.08.2018 | Westbury Lodge Lilbourne Road Clifton Upon Dunsmore CV23 0BB | Erection of single storey rear extension with first storey dormer window |
| <i>R18/1210</i> <i>Approved</i> 21.08.2018 | 15 Brand Road Rugby CV21 1AF | Erection of single storey rear extension to provide sun lounge. |
| <i>R18/0895</i> <i>Approved</i> 21.08.2018 | 24A Coventry Road Brinklow Rugby CV23 0NE | Conversion of integral garage. |
| <i>R18/1145</i> <i>Approved</i> 22.08.2018 | 2 Main Street Long Lawford CV23 9AY | Erection of a single storey rear extension and loft conversion including raising the roof. |
| <i>R18/0898</i> <i>Approved</i> 23.08.2018 | 25 Southam Road Dunchurch Rugby CV22 6NL | Erection of single storey rear extension. |
| <i>R18/1313</i> <i>Approved</i> 23.08.2018 | Units A,C and D Junction One Leicester Road Rugby CV21 1RW | New cladding and glazed entrances to front elevations |

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| <i>R18/1271 Approved 23.08.2018</i> | 33 Yates Avenue Newbold Rugby CV21 1DQ | Proposed erection of two storey side extension, single storey rear extension, new front porch & insulation & render to external façade. |
| <i>R18/1324 Approved 24.08.2018</i> | Lilac Cottage Easenhall Road Harborough Magna Rugby CV23 0HX | Proposed single storey side extension to existing dwelling |
| <i>R18/1312 Approved 28.08.2018</i> | 19 Great Orme Close Cawston Rugby CV22 7RT | Erection of two storey rear extension and additional boundary treatment |
| <i>R18/1307 Approved 28.08.2018</i> | 74 Bilton Road Rugby CV22 7AL | Erection of two storey side and rear extension and use for two Flats [including the retention of existing dwelling] |
| <i>R18/0632 Approved 29.08.2018</i> | Old Orchards Post Office Road Leamington Hastings Rugby CV23 8DZ | Erection of a single storey extension forming an open porch, rendering of external walls and replacement of roof tiles to dwellinghouse |
| <i>R18/1315 Approved 29.08.2018</i> | Land South of Coventry Road and North of Limetree Avenue Coventry Road Cawston Rugby | Creation of temporary vehicular access to facilitate residential development under Outline Planning Permission R15/1816 |
| <i>R18/0598 Approved 30.08.2018</i> | Laburnum Lodge Biggin Hall Lane Thurlaston Rugby CV23 9LD | Variation of Condition 2 of planning permission R17/0450 to allow for the addition of new windows and a chimney. |
| <i>R18/1306 Approved 30.08.2018</i> | 16 Cedar Avenue Ryton on Dunsmore CV8 3QB | Erection of a single storey side extension, porch , garage conversion and extend vehicle hardstanding and extend dropped kerb |
| <i>R16/2262 Approved 30.08.2018</i> | 69 Cromwell Road Hillmorton Rugby CV22 5LZ | Erection of a single storey rear extension |
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| <i>R18/1305 Approved 31.08.2018</i> | 21 Waverley Road Hillmorton Rugby CV21 4NN | Erection of single storey side and rear extension. |
| <i>R18/1352 Approved 31.08.2018</i> | 3 Newall Close Clifton Upon Dunsmore Rugby CV23 0DF | Erection of a single storey rear/side extension |
| <i>R18/1322 Approved 31.08.2018</i> | 216 Lawford Road New Bilton Rugby CV21 2HS | Refurbishment of existing food store including a single storey rear and side extension, incorporating an existing adjacent retail unit |
| <i>R18/1299 Approved 31.08.2018</i> | 23 Percival Road Paddock Rugby CV22 5JT | Erection of a single storey rear extension |
| <i>R18/1140 Approved 31.08.2018</i> | 20 Main Street Monks Kirby Rugby CV23 0QX | Erection of a rear single storey infill extension to a Grade II Listed Building. |
| <i>R18/0340 Approved 31.08.2018</i> | Cala Levante Vicarage Hill Clifton Upon Dunsmore Rugby CV23 0DG | Erection of two storey side extension, single storey front extension to dwellinghouse, erection of gym complex in the rear garden with a walkway link from the dwellinghouse |
| <i>R17/1942 Approved 31.08.2018</i> | Newnham Lodge Farm Newnham Paddock Monks Kirby Rugby CV23 0RX | Formation of new vehicular access and associated works off Coalpit lane to serve Newnham Lodge Farm |
| <i>R18/0920 Approved 31.08.2018</i> | The Royal Oak 62 Dunchurch Road Rugby CV22 6AE | Proposed change of use of vacant public house and HMO (sui generis use) to 9 flats |
| <i>R17/1986 Approved 03.09.2018</i> | 8 Browning Road Hillmorton Rugby CV21 4BT | Erection of a single storey rear and first floor side extension. |
| <i>R18/1025 Approved</i> | 36 Regent Place Rugby | Change of use of building from Class A2 (offices) to Class C3 (residential) of the Town |

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| 03.09.2018 | CV21 2PN | and Country Planning (Use Classes) Order 1987 as amended (retrospective). |
| <i>R18/1431 Approved 04.09.2018</i> | 3 Aqua Place Rugby CV21 1BY | Erection of a two storey rear extension (Resubmission of previously approved scheme under R18/1130 granted on 23/07/18 for the erection of a two storey rear extension to include alterations to various windows). |
| <i>R18/1240 Approved 04.09.2018</i> | Brambles Barn Bilton Fields Farm Lane Rugby CV22 6RU | Erection of garage block |
| <i>R18/1387 Approved 05.09.2018</i> | 102 Grove Road Ansty CV7 9JE | Proposed conversion of integral garage to living room and creation of new porch (resubmission of previously approved application R18/0116 on 15th June 2018) |
| <i>R18/0144 Approved 05.09.2018</i> | Land rear of Co-Operative Store 36-38 Overslade Lane Rugby CV22 6DY | Erection of 5 new dwellings with associated access. |
| <i>R18/1321 Approved 05.09.2018</i> | Toft House Southam Road Toft Rugby CV22 6NR | Change of use from guest house to self-contained flat |
| <i>R18/1319 Approved 05.09.2018</i> | 4 Knob Hill Stretton on Dunsmore Rugby CV23 9NN | Increase in roof pitch and convert existing garage to ancillary accommodation for the existing dwelling |
| <i>R18/1351 Approved 05.09.2018</i> | 27 Done Cerce Close Dunchurch CV22 6NZ | Rear two storey extension |
| <i>R18/1282 Approved 06.09.2018</i> | Witherslack Group Avon Park School St Johns Avenue Rugby CV22 5HR | Retention of 2 no timber clad storage containers |
| <i>R18/1264 Approved 06.09.2018</i> | Princethorpe College Leamington Road Princethorpe | Provision of a new car parking area. |

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| | CV23 9PX | |
| <i>R18/1409 Approved 06.09.2018</i> | The White House London Road Thurlaston Rugby CV23 9LF | Proposed two storey extension to provide an annex and garage; to include a link to the main dwelling. |
| <i>R18/0225 Approved 06.09.2018</i> | 29A Dunsmore Avenue Rugby CV22 5HD | Demolition of the existing and erection of a replacement detached dwelling (resubmission of a previously approved scheme under R14/2032 granted 19th May 2015 for the demolition of the existing and erection of a replacement detached dwelling) |
| <i>R18/1184 Approved 06.09.2018</i> | 38 The Green Long Lawford CV23 9BL | Erection of a double storey side and single storey rear extension, porch extension and erection of a detached garage |
| <i>R18/1219 Approved 06.09.2018</i> | 32 Hart Close Rugby CV21 3TP | Erection of a single storey rear extension and two storey side extension |
| <i>R18/1418 Approved 06.09.2018</i> | Willow Wren Training Nelsons Wharf Rugby Road Leamington Hastings CV47 8AA | Erection of timber field shelter. |
| <i>R18/1348 Approved 07.09.2018</i> | Rugby Theatre Henry Street Rugby CV21 2QA | Provision of a retractable umbrella type canopy over the main front entrance door. |
| <i>R18/1296 Approved 07.09.2018</i> | Garden Cottage Leicester Road Wolvey Heath Wolvey LE10 3HJ | Alterations to existing garage and erection of a first floor side extension to the existing dwelling house (Re-submission of previously approved planning permission ref: R18/0531 to include amendments to the previously approved garage) |
| <i>R18/1446 Approved 07.09.2018</i> | 66 High Street Ryton-on-Dunsmore Rugby CV8 3FH | Erection of single storey rear extension. |
| <i>R18/0750 Approved 07.09.2018</i> | Fridge Xpress Limited The Acre Lawford Heath Lane | Erection of a detached workshop building. |

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| | Long Lawford Rugby CV23 9EU | |
| <i>R18/1454 Approved 11.09.2018</i> | Little Haven Fair Close Frankton CV23 9PL | Erection of a single storey side and rear extension |
| <i>R18/0449 Approved 11.09.2018</i> | 61 Overslade Lane Rugby CV22 6DY | Retention of a two storey side and first floor rear extension, and a single storey rear extension. Retention of a raised rear patio. |
| <i>R18/1005 Approved 11.09.2018</i> | Old Konstructa Site Accommodation Hire Midland Trading Estate Sparta Close Brownsover Rugby CV21 1PS | Proposed single storey prefabricated reception/office building and the relocation of associated car parking area, boundary fencing and site entrance gates. |
| <i>R18/1014 Approved 12.09.2018</i> | North Lodge 12 Rugby Road Dunchurch CV22 6PL | Erection of single storey rear extension |
| <i>R18/1250 Approved 12.09.2018</i> | The Grange Cattery The Cottage Wolston Grange CV23 9HJ | Demolition of existing buildings and their replacement with a bungalow |
| Listed Building Consent | | |
| <i>R17/0800 Listed Building Consent 15.08.2018</i> | 18 Coventry Road Pailton CV23 0QB | Listed Building Consent for the proposed widening of existing access to the site, plus a new wrought iron railing fence with pedestrian gate plus new railing gates with iron pillars |
| <i>R18/0979 Listed Building Consent 22.08.2018</i> | Avon Lodge Coventry Road Long Lawford Rugby CV23 9BW | Replacement of existing perimeter fencing |
| <i>R18/1220 Listed Building Consent 31.08.2018</i> | 20 Main Street Monks Kirby Rugby CV23 0QX | Listed Building Consent for the erection of a rear single storey infill extension to a Grade II Listed Building. |

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| R18/1015 <i>Listed Building Consent</i> 12.09.2018 | North Lodge 12 Rugby Road Dunchurch CV22 6PL | Erection of single storey rear extension |
| Prior Approval Applications | | |
| R18/1232 <i>Prior Approval not required</i> 14.08.2018 | 77 Beswick Gardens Bilton Rugby CV22 7PR | Single storey extension at re |
| R18/1260 <i>Prior Approval not required</i> 15.08.2018 | 17 Macbeth Close Bilton Rugby CV22 6LP | Single storey extension at rear, projecting 5.0 metres from the back of the house with a dual pitched tiled roof, max height 3.5 metres (amendment to application: R18/0601) |
| R18/0935 <i>Prior Approval not required</i> 24.08.2018 | Commercial 16B Spring Street Rugby CV21 3HH | Prior approval application for the change of use of the building from office use (use class B1a) to 1no. 2 bed house and 3no. 1 bed apartments (use class C3) with provision of four parking spaces and a cycle shed. |
| R18/1437 <i>Prior Approval not required</i> 06.09.2018 | 1 Westfield Road Rugby CV22 6AS | Prior Approval Application for the erection of a single storey rear extension (alteration to existing extension - flat roof to pitched roof) projecting 3.3 metres from the original rear elevation of the dwelling, 2.3 metres to the eaves height, with a maximum height of 3.35 metres. |
| R18/1129 <i>Prior Approval required and granted</i> 07.09.2018 | Gibraltar House Farm Gibraltar Lane Leamington Hastings Rugby CV23 8EX | Prior Approval determination – Change of use of agricultural building on the northern part of the farm complex into 1 no. dwellinghouse |
| Certificate of Lawful Use or Development | | |
| R18/1268 <i>Certificate of Lawful Use or Development</i> 13.08.2018 | 7 Cornflower Drive Brownsover Rugby CV23 0UG | Certificate of lawfulness proposed development for a single storey rear extension. |
| R18/0256 <i>Certificate of Lawful Use or Development</i> 12.09.2018 | 8 Charles Lakin Close Shilton CV7 9LB | Certificate of Lawful Development for the installation of a flat roof dormer window to rear roof slope and installation of roof lights in front roof slope to serve a loft conversion. |

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| Prior Notification | | |
| <i>R18/1390 Prior notification of agriculture or forestry development not required 23.08.2018</i> | West Side Birdingbury Road Marton Rugby CV23 9RX | Prior Notification - Building for agricultural building (Agricultural/Forestry) |
| <i>R18/1483 Prior notification of agriculture or forestry development not required 29.08.2018</i> | Toft Barn Southam Road Toft Rugby CV23 8AD | Prior approval for the erection of one new storage barn and an extension to open-fronted storage barn |
| Approval of Details/ Materials | | |
| <i>R13/2165 Approval of Details 09.08.2018</i> | Land on west side of A5 Watling Street Clifton upon Dunsmore Rugby CV23 0AJ | Erection of two buildings and use for purposes of an alcohols distillery and alcohols and hydrocarbon warehouse (Use Classes B2 and B8) together with ancillary offices (Class B1); erection of associated energy centre building with flue, botanicals building and external tank farms; access, parking and servicing including weighbridge, earthworks and landscaping, drainage, fencing, demolition of existing buildings and diversion of public right of way R107. |
| <i>R13/2165 Approval of Details 09.08.2018</i> | Land on west side of A5 Watling Street Clifton Upon Dunsmore Rugby CV23 0AJ | Erection of two buildings and use for purposes of an alcohols distillery and alcohols and hydrocarbon warehouse (Use Classes B2 and B8) together with ancillary offices (Class B1); erection of associated energy centre building with flue, botanicals building and external tank farms; access, parking and servicing including weighbridge, earthworks and landscaping, drainage, fencing, demolition of existing buildings and diversion of public right of way R107. |
| <i>R16/1625 Approval of Details 10.08.2018</i> | Land off Alfred Green Close Rugby CV22 6ND | Erection of 9 no. dwellings and associated access. |
| <i>R17/0080 Approval of Details 10.08.2018</i> | Barn at Manor Farm Draycote Road Draycote | Prior notification of intention to convert existing brick agricultural building to a single dwelling house. |

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| | Rugby CV23 9RB | |
| <i>R18/0972 Approval of Details 17.08.2018</i> | The Old Barn Manor Farm Flecknoe Road Wolfhampcote Rugby CV23 8AT | External alterations including removal of two rooflights and installation one new rooflight and one new window |
| <i>R12/1947 & R16/2295 Approval of Details 21.08.2018</i> | Grange Farm Cottage Coventry Road Cawston Rugby CV22 7RZ | Outline application for the erection of up to 10 dwellings including new access onto Coventry Road (all matters reserved) including the demolition of Grange Farm Cottage and outbuildings. |
| <i>R16/1721 Approval of Details in relation to Section 106 agreement (William Davis part of site only) 22.08.2018</i> | (Northern part of) Cawston Extension Site Coventry Road Cawston Rugby | Erection of 184 dwellings and associated infrastructure: Approval of reserved matters related to R11/0114 {Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).} |
| <i>R15/0565 Approval of Details 23.08.2018</i> | Leamington Road Garage Leamington Road Ryton on Dunsmore CV3 3EL | Outline Permission for the demolition of the existing sui generis buildings and existing dwelling house and the erection of 14 dwelling houses (comprising 4no. Two bedroom semi-detached dwellings, 6no. Three bedroom detached dwellings and 4no. Four bedroom detached dwellings) and associated works with only appearance and landscaping reserved. |
| <i>R14/2149 Approval of Details 24.08.2018</i> | Land rear of 16-32 Deane Road Hillmorton Rugby CV21 4NZ | Erection of 2no. dwellings (semi-detached) with detached garages and associated works. |
| <i>R17/1337 Approval of Details 24.08.2018</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>R17/1713 Approval of Details 24.08.2018</i> | Land adj to Merlin Field Farm Gibraltar Lane Broadwell | Conversion and alterations of the existing barn to a new dwelling house. |

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| | Rugby CV23 8EX | |
| <i>R17/2110 Approval of Details 29.08.2018</i> | Punch Taverns Land adjacent to Blacksmith Arms 19 High Street Ryton on Dunsmore CV8 3EY | Erection of 2 dwelling houses and associated works |
| <i>R16/1033 Approval of Details 30.08.2018</i> | Rugby Radio Station (Key Phase 2) Crick Road Hillmorton Rugby | Key Phase 2 Parcel B and Parcel C (part) - Submission of reserved matters comprising access, appearance, landscaping, layout and scale for the erection of 183 dwellings together with associated highways, landscaping, pocket parks and ancillary works pursuant to outline planning permission ref.no R11/0699 dated 21st May 2014. |
| <i>R14/1658 Approval of Details 30.08.2018</i> | Land East of Newton Lane Newton CV23 0EA | Outline planning permission for up to 40 dwelling house, together with the creation of a new vehicular access, and provision of play area and amenity space together with associated works (all matters with the exception of access reserved) |
| <i>R17/1742 Approval of Details 04.09.2018</i> | 34 Church Road Church Lawford Rugby CV23 9EG | Partial change of use of residential dwelling (C3) and field for the use as a dog breeding business (Sui Generis). |
| <i>R18/1168 Approval of Details 04.09.2018</i> | Nelsons Wharf Rugby Road Leamington Hastings Southam CV47 8AA | Erection of extension to the existing accommodation block and use of all this and existing guest accommodation (approved by R16/2154) to provide flexible accommodation space in association with Willow Wren Training and/or the existing canal moorings and/or for use as independent holiday accommodation. |
| <i>R15/1702 Approval of Details 04.09.2018</i> | Land at Wharf Farm Crick Road Hillmorton Rugby | A Hybrid Planning Application consisting of: 1/ Outline planning permission for the erection of up to 380 new homes including a new access from A428 Crick Road; a spine road from Crick Road to northern boundary of the site; a local centre; associated infrastructure including storm water balancing arrangements on land between Moors Lane and the Oxford Canal and the demolition of redundant farm buildings, (all matters except access are reserved) and 2/ Full planning permission for the erection of 88 dwellings including access, appearance, layout and scale. Landscaping is reserved. (phase 1). |

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| <i>R15/1892 Approval of Details 06.09.2018</i> | Land at Coton House Lutterworth Road Churchover Rugby CV23 0AA | Substitution of two houses and erection of further 6 dwellings with associated garaging, works and formation of an acoustic bund. |
| <i>R15/1892 Approval of Details 06.09.2018</i> | Land at Coton House Lutterworth Road Churchover Rugby CV23 0AA | Substitution of two houses and erection of further 6 dwellings with associated garaging, works and formation of an acoustic bund. |
| <i>R18/0211 Approval of Details 10.09.2018</i> | 122 Hillmorton Road Rugby CV22 5AL | Change of use of the first floor from an A2 (Financial and Professional services office) to a C3 (Residential Dwelling Flat); a single storey rear extension to the ground floor retail premises; and replacement shop front and other external alterations. |
| <i>R16/0626 Approval of Details 10.09.2018</i> | Town Thornes Barns Barn adjacent to Boat Cottage off Cathiron Lane Easenhall Rugby CV23 0JE | Prior approval for the change of use of existing fodder store to residential dwelling. |
| <i>R14/0011 Approval of Details 11.09.2018</i> | Warren Field Warren Close Ryton on Dunsmore CV8 3JZ | Erection of 29 affordable dwellings with access, landscaping and associated works. |
| Approval of reserved matters | | |
| R18/0981 Approval of reserved matters 28.08.2018 | Land at Zone One Airfield Drive Airfield Drive Coombe Fields Rugby CV7 9DR | Erection of a large two storey Class B1 business building with associated research and development, including external service yard, 2 no. gas generators, car parking and landscaping. - Approval of Reserved Matters against Outline Planning Permission No. R09/0035/MEIA dated 15th May 2009. |
| R18/1254 Approval of reserved matters 04.09.2018 | Rugby Gateway Phase R2 Off Leicester Road Rugby | Approval of reserved matters for landscaping for the erection of 7 dwellings, amendment to layout approved by R10/1286. (Approval of Reserved Matters in relation to outline planning permission R10/1272 associated with reserved matters approval R17/1337.) |

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| Approval of Non Material Changes | | |
| <i>R17/1428 Approval of non-material changes 09.08.2018</i> | 60 and 62 Benn Street Rugby CV22 5LR | Erection of an adjoining single storey rear extension to 60 and 62 Benn Street. |
| <i>R16/2397 Approval of non-material changes 10.08.2018</i> | 62 Lime Tree Avenue Bilton Rugby CV22 7QT | Erection of a triple bay garage. |
| <i>R17/0800 Approval of non-material changes 15.08.2018</i> | Land Adjacent Existing Doctors Surgery Bow Fell Brownsover Rugby CV21 1JF | Erection of new primary care facility along with attached community facility with associated parking and landscaping. |
| <i>R18/0293 Approval of non-material changes 23.08.2018</i> | 5 Montrose Road Rugby CV22 5PB | Erection of a single storey front/side and a single storey rear/side extension |
| <i>R17/0036 Approval of non-material changes 28.08.2018</i> | Land South of Technology Drive Technology Drive Rugby | Erection of 231 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 R15/2074. |
| <i>R17/1349 Approval of non-material changes 29.08.2018</i> | The Stables Wood Lane Shilton CV7 9LA | Erection of amenity block associated with the existing use as a gypsy site and replacement stables and store in association with the keeping of horses. |
| <i>R16/1721 Approval of non-material changes 06.09.2018</i> | (Northern part of) Cawston Extension Site Coventry Road Cawston Rugby | Erection of 184 dwellings and associated infrastructure: Approval of reserved matters related to R11/0114 {Outline application for residential development (up to 600 dwellings, use class C3), new accesses to Coventry Road and Trussell Way, open space, associated infrastructure and ancillary works (access not reserved).} |
| <i>R10/1286 Approval of non-material changes 06.09.2018</i> | Rugby Gateway Phase R2 Leicester Road Rugby | Erection of 230 dwellings with associated open space, infrastructure and ancillary works, provision of spine road; (Approval of Reserved Matters in relation to outline planning |

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| | | permission R10/1272.) |
| Withdrawn | | |
| <i>R18/1263 Withdrawn 13.08.2018</i> | Land North West of Autumn Farm Easenhall Road Harborough Magna | Prior approval for the change of use of an agricultural building to 1 (no) residential dwelling house (Part Class Qa only) |
| <i>R18/1274 Withdrawn 13.08.2018</i> | 57 Ashlawn Road Rugby CV22 5ET | Erection of second storey front extension |
| <i>R14/1739 Withdrawn 13.08.2018</i> | Land to the North of the Old Dairy Coton House Lutterworth Road Churchover Rugby CV23 0AA | Erection of five detached dwellings with associated garaging |
| <i>R18/0993 Withdrawn 20.08.2018</i> | 294 Hillmorton Road Rugby CV22 5BW | Change of use of existing building from mixed uses under Classes A1 (retail) and C3 (residential) to solely Class C3 (residential) of the Town and Country Planning (Use Classes) Order 1987 as amended. |
| <i>R16/2446 Withdrawn 03.09.2018</i> | Café Gnosh 1 Eastfield Place Rugby CV21 3AT | Conversion of restaurant to 5 flats and elevation changes to front and rear |