

3 August 2018

## **PLANNING COMMITTEE - 15 AUGUST 2018**

A meeting of the Planning Committee will be held at 6.00pm on Wednesday 15 August 2018 in the Council Chamber at the Town Hall, Rugby.

### **Site Visit**

A site visit will be held at the following time and location.

4pm 37 Lower Street, Hillmorton, CV21 4NP

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 18 July 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. Planning Appeals Update.
6. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
7. Delegated Decisions – 21 June 2018 to 18 July 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 – 5) 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](mailto: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](http://www.rugby.gov.uk/speakingatplanning)).*

**Planning Committee – 15 August 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

There are no applications recommended for refusal to be considered.

### Recommendations for approval

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
1	R18/0535	The Old Hall, 24 Lilbourne Road, Clifton-upon-Dunsmore Erection of three dwellings together with associated works.	3
2	R18/0847	Land opposite 1-3 Avon Street, Clifton-upon-Dunsmore Erection of two dwellings.	19
3	R17/2076	37 Lower Street, Hillmorton, CV21 4NP Demolition of existing outbuildings and erection of 3 proposed bungalows in rear garden.	30

**Reference number: R18/0535**

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

**Description: Erection of three dwellings together with associated works**

**Case Officer Name & Number: Nathan Lowde 01788 533725**

### **Introduction:**

This application is to be determined by members of the planning committee at the request of Cllr Leigh Hunt.

Cllr Hunt's concerns are as follows:

- Impact on the main building
- Impact on neighbouring premises
- Over-development of the site
- Highways impact
- Insufficient provision for amenities on site (i.e. bin storage)
- Layout of houses
- Overlooking of neighbours

### **Description of Site:**

The application site is located on the south side of Lilbourne Road and west of Hillmorton Lane on the eastern edge of Clifton-upon-Dunsmore, which is identified with the Local Development Framework as a main rural settlement. The site lies to the east of the Rugby Urban Area and approximately 0.8m from the urban edge. The application site is located within the Clifton-upon-Dunsmore Conservation Area and the existing dwelling house is a C17 grade II listed building. This dwelling house is a timber box framed building with brick noggin to the infill panels and a plain tiled roof, with 18<sup>th</sup> and 19<sup>th</sup> century extensions. The north elevation of this dwelling fronting the Lilbourne Road comprises of three dominant gables with bargeboards and ornamental ridge tiles. The dwelling is set within a large residential curtilage which comprises of two curtilage listed stable blocks, one immediately adjacent the dwelling (lower stables) and one further south (upper stables). In addition to this, the existing garden contains a tennis court, together with a large number of trees, one of which, a cedar tree, is statutory protected with a Tree Preservation Order. Residential properties are found to the south and west of the application site in varying layouts and styles. Specifically to the south of the site is the neighbouring property known as Kingston Garth which comprises of a large detached dwelling house with a large double garage.

The main dwelling house formerly comprised of three cottages, prior to its conversion into a single dwelling house.

### **Description of Proposal:**

The application seeks the erection of three detached dwellings within the curtilage of The Old Hall.

#### **Unit 6**

This is a two storey, 4 bedroom dwelling house, with an integral double garage with two car parking spaces in front of the garage. This dwelling house would have a maximum ridge height of 8metres and eaves height of 5m.

#### **Unit 7**

This is a two storey, 4 bedroom dwelling house, with an attached double garage with a further two car parking spaces provided along the eastern boundary of the site. This dwelling house would have a maximum ridge height of 8metres and eaves height of 5m.

## Unit 8

This is a two storey, 4 bedroom dwelling house, with an attached single garage with a further two car parking spaces provided along the eastern boundary of the site. This dwelling house would have a maximum ridge height of 8metres and eaves height of 5m.

## **Relevant Planning History**

### R12/2360

Provision of a new vehicular access off Hillmorton Lane, including demolition of part of the existing boundary wall and installation of 1.9m high double solid timber gates and 2no. 2.3m high brick pillars.  
Approved 08/07/2013

### R14/2166

Conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit.  
Approved 10/02/2017

### R16/0566

Listed building consent for internal and external alterations to facilitate the works proposed as part of planning application ref: R14/2166 which seeks the conversion and extension of existing dwelling to form 4 dwellings and erection of 2 new dwellings together with the conversion and alterations of lower stable into garages and conversion of upper stable to form a residential unit.  
Approved 30/11/2016

## **Technical Consultee Responses**

Historic England	Do not wish to offer any comments
WCC Archaeology	No objection subject to a condition relating to the submission of a WSI
WCC Highways	No objection subject to conditions
RBC Tree Officer	No objection subject to conditions

## **Third Party Comments**

### Clifton-upon-Dunsmore Parish Council

- Overdevelopment
- Impact upon the character and appearance of the village and listed building
- Increase vehicle movements
- No pedestrian footway
- Loss of green space
- Loss of amenities to neighbouring properties
- Loss of significant trees
- Collection of bins would result in traffic/pedestrian obstruction

### Neighbours (3 objections)

- Loss of trees within a conservation area
- Insufficient car parking spaces
- Increase in traffic along Hillmorton Lane and through the village
- Access would have poor visibility
- Bat within the locality
- No requirement for new dwellings in Clifton
- Increased noise and disturbance
- Collection of bins would result in traffic/pedestrian obstruction
- No pedestrian footpath
- Loss of trees/shrubs
- Disruption to Conservation Area
- Desolation of a Conservation Area

- Fail to preserve and conserve the Conservation Area
- Overdevelopment of the area
- Overlooking into neighbouring properties
- Visual impact from outside the application site due to the heights of the proposed dwellings

## **Relevant planning policies/guidance**

### Rugby Borough Core Strategy, 2011

- CS1 Development Strategy
- CS2 Parish Plans
- CS11 Transport and New Development
- CS16 Sustainable Design
- CS17 Reducing Carbon Emissions

### Rugby Borough Local Plan, 2006 – Saved policies

- GP2 Landscaping
- E6 Biodiversity
- T5 Parking facilities

### Emerging Local Plan

*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.*

### Other material considerations

Clifton-upon-Dunsmore Conservation Area Appraisal

### National Policy and Guidance

National Planning Policy Framework (NPPF) 2018

## **1 Assessment**

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.

The application site is located within the identified settlement boundary of Clifton-upon-Dunsmore which is designed as a Main Rural Settlement. Policy CS20 states that in Main Rural Settlements market housing will be permitted in line with policy CS1, but any development should seek to deliver any local need dwellings before market housing will be permitted. In the absence of a Local Need Housing Survey for Clifton-upon-Dunsmore, the principle of market housing on the application site as proposed is would be considered acceptable in accordance with policy CS1 and CS20.

However, as the Council is currently unable to demonstrate a five year supply of deliverable housing sites to meet the identified housing need within the Borough, it is considered, in the context of the NPPF that polices CS1 and CS20 which relate to the supply of housing are not up-to-date. The effect of this is not such that these policies should be ignored but rather that consideration should be given as to what weight it holds in the decision. This results in the balancing of material considerations within each individual case at the same time being mindful of the presumption in favour of sustainable development as defined by para 11 of the NPPF.

The assessment that the Council must therefore take would be whether the proposed development would give rise to any adverse impacts which would significantly and demonstrably outweigh the benefits of the scheme.

## 2 Heritage

### *Heritage Assets*

The application site is within the setting of The Old Hall which is a grade II listed building, together with its curtilage listed outbuildings.

The application site is within the Clifton-upon-Dunsmore Conservation Area boundary.

### *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.

In considering a proposal that may affect the setting of a heritage asset, the duty imposed by 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.

There is no statutory duty, equivalent to those imposed by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to the determination of planning applications for proposals affecting the setting of a Conservation Area, ancient monuments or other archaeological deposits. However any planning application should be determined in accordance with the development plan and all other material considerations. Government guidance set out in the Framework is clear that the effect of the proposed development on 'heritage assets' including scheduled monuments is material to the consideration of planning applications.

National Planning Policy Framework: Chapter 16 - 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 192 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.

### *Heritage Assessment*

The large garden makes a positive contribution to the setting of the Old Hall. This is further reinforced within the council's conservation area appraisal. The present garden layout was created in the interwar period, on what had previously been a paddock. It is therefore only a relatively recent aspect of the property's character and significance, although nonetheless attractive. More recently the southern part of the garden has been developed with a bungalow (Kingston Garth). This history serves to illustrate the fact that the setting of a heritage asset can change over time, and indeed the setting of this heritage asset has evolved overtime.

Permission has been granted for the conversion of the Old Hall to four units. This conversation resulted in changes to the garden layout. Furthermore, permission has been granted for the erection of two dwelling houses which would result in further subdivision of the existing garden and the introduction of substantial built development, not only as a result of the two new units, but associated hard surfacing to provide access to these units.

The original proposal submitted as part of planning ref: R14/2166 sought the erection of 3 dwellings. This would have resulted in the proposed built form being positioned 20m away from the projecting west wing of The Old Hall. Following concerns expressed by Historic England the number of proposed dwellings was reduced to 2 dwellings, with a separation distance of 32m away from the projecting west wing of The Old Hall. Whilst the proposed scheme would result in the built form being brought closer to the listed building there would still be a separation distance of circa 30m which is considered an acceptable distance not to adversely impact upon the setting of the listed building or the character and appearance of it, when assessed against the permitted scheme. Furthermore Historic England have not raised concerns about the proposed scheme.

The Conservation Area Appraisal recognises the dwelling house together with the existing outbuilding and boundary wall as contributing positively to the character of the Conservation Area. This boundary wall is identified as a dominant red brick wall linking the two existing outbuildings together. This connectivity has been somewhat eroded by the previously consented vehicular access which has now been implemented.

The Conservation Area Appraisal also recognises the trees to the rear of The Old Hall contribute to that site but are also visible from other vantage points within the designation. The whole of the garden is highlighted as an important green and open space. As part of the proposal the most significant trees within the application site, which contribute towards the character and appearance of the Conservation Area, are to be retained.

Whilst the scale and massing of the proposed dwellings is larger than those previously approved, streetscene plans from Lilbourne Road have been submitted which illustrates that the views of the proposed dwellings would largely be obstructed by The Old Hall and retained trees.

Taking into consideration the consented development the proposal would not have an adverse impact upon the character and appearance of the Conservation Area in accordance with policy CS16.

#### *Heritage Assessment Conclusion*

The level of harm upon the Conservation Area and the setting of the listed building and associated outbuildings is not considered to be substantial, but would be assessed as having a less than substantial impact. When assessed against the development previously permitted it is not considered that the proposal would have an adverse impact upon the identified heritage assets.

#### *Archaeology*

The application site lies in an area of archaeological potential, within the probable extent of the medieval settlement at Clifton upon Dunsmore (Warwickshire Historic Environment Record MWA9507) and within the curtilage of The Old Hall; a 17<sup>th</sup> century, Grade II Listed (National List Entry No 1233481), timber framed house and associated buildings (MWA4160). Approximately 100m east of the application site complex of linear features and rectangular enclosures is visible as a series of undated cropmarks on aerial photographs (MWA6809). There is therefore a potential for the proposed development to disturb archaeological features associated with the medieval and later occupation of this area.

Warwickshire County Council Archaeology have reviewed the contents of the documents submitted and have raised no objection to the principle of development, subject to conditions relating to the implementation of a programme of archaeological work.

### **3. Character and Appearance**

Part 12 of the NPPF emphasises the importance of good quality design and 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.

The proposed dwellings would not be too dissimilar in appearance to those previously permitted, and whilst the scale and massing is greater than the dwellings approved, together with the additional dwelling, the submitted proposed site layout and streetscene plans demonstrates that they can be comfortably accommodated within the application site without having an adverse impact upon the visual amenities of the area in accordance with policy CS16.

### **4. Trees**

Paragraph 175 of the Framework sets out that permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Policy CS16 of the Core Strategy is consistent with this and requires proposals to not cause material harm to the qualities, character and amenity of the areas in which they would be situated. Policy GP2 of the Local Plan also sets out the need for proposals to retain and enhance the landscape character of an area, retain important site features and incorporate new landscape planting.

#### *Existing Trees and Hedgerows on Site*

The application site comprises a significant number of trees the majority of which are located around the site boundaries but there are also a smaller number of trees sporadically positioned within the application site. The most significant trees on the site are covered by Tree Preservation Orders. An Arboricultural Report submitted with the application includes a survey which identifies the arboricultural value of all existing trees, on and adjacent to the site. The results of this indicate a total of 42 individual trees, within the application site. Of the individual trees, 1 was considered to be of high quality, 21 were of moderate quality, 19 were low quality and 1 was considered to be very poor quality.

#### *Proposed Tree and Hedgerow Planting and Removal*

The development requires the removal of three moderate quality and eleven low quality trees. A landscaping condition would be attached to any permission to ensure that this loss is mitigated against.

#### *Assessment of Impact on Trees and Hedgerows*

The Council's Arboricultural Officer has assessed the Arboricultural Report and raised no objection to the impact the proposed development would have on existing trees on and immediately adjacent to the site. Whilst the tree losses within the site are proposed, these trees are relatively low quality and insignificant within the context of the surrounding area. A landscaping condition would be attached to any permission to ensure that this loss is mitigated against.

#### *Trees and Hedgerow Conclusion*

Whilst the proposed development would require the removal of a number of trees it is considered that this would be acceptable because the trees to be removed are relatively low quality and insignificant within the context of the surrounding area.

### **5. Ecology**

Policy E6 of the Local Plan seeks 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 section 15 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 170, 174, 175 and 177). It particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats. WCC Ecology are satisfied that the proposed would not have an adverse impact upon protected and priority species and habitats.

## **6. Highways and Parking**

### Parking

The provision of satisfactory car parking facilities is covered by Local Plan saved policy T5 and the standards set out in the Council's Planning Obligations SPD.

Each unit would accommodate 4 bedrooms and provided with 4 car parking spaces in accordance with the Council's car parking standards.

### Highways

WCC have commented on the proposal and raised no objection subject to conditions.

### Pedestrian link to the village centre

A pedestrian access would be formed in the location of the existing entrance to allow for a pedestrian link to the village centre.

## **7. Residential Amenity**

Policy CS16 of the Core Strategy 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 commercial building within close proximity to residential dwelling houses. Paragraph 127 of the Framework is also relevant and sets out the need for planning to deliver a high standard of amenity for all existing and future users.

### *Impact to Existing Properties*

To the south of the application site is a neighbouring residential dwelling house known as Kingston Garth. Proposed units 6 and 7 would be positioned approximately 22 metres from the boundary with this neighbouring property. The positioning of these dwelling houses to this boundary, together with the retained landscaping particularly the large Copper Beech will assist in reducing any loss privacy, or overbearing impact to may be created. This is therefore considered that the proposed development would not have an adverse impact upon the amenities of this neighbouring property.

To the west of the application site lies properties within The Heathlands. Units 7 and 8 would be positioned 8 metres from the western boundary and that shared with these neighbouring properties. Taking into consideration the positioning of the proposed dwellings away from the boundary, existing trees along this boundary that would be retained, together with the large garage associated with no. 2 The Heathlands it is not considered that the proposal would have an adverse impact upon the amenities of these neighbouring properties in terms of loss of privacy.

### *Living conditions for future occupiers*

Consideration is given to the impact of the retained trees upon the living conditions of future intended occupiers of the proposed dwelling houses, and the effect of the trees to be retained, with regard to overshadowing and loss of sunlight and daylight, and whether this would create unacceptable living conditions for future occupiers. Any potential overshadowing would be more acute in respect to Unit 7

given the number of retained trees surrounding this property. Therefore this assessment is primarily focused on this unit. It is considered that this plot is substantial in size with a significant area of private amenity space. Whilst elements would be shaded at certain times of the day, there are areas which are not completely covered with trees. The house has also been designed with large glazing sections to ensure maximum light intake. Furthermore interior lighting can be specially designed to ensure a high quality living environment.

### *Conclusions*

It has been concluded that the proposed development would not have an adverse impact upon the amenities of occupiers of existing properties and future occupiers of the proposed dwellings in accordance with policy CS16.

## **8. Bin Storage/Collection**

As part of the original proposal concerns were expressed by third parties relating to bin collection. The Highway Authority assessed the application and considered if any highway implication would result from bin collections being undertaken from the highways. At the time the Highway Authority raised no objection to the collections taking place on the highway. Such practice is common across both Rugby Borough and the wider County. In addition, such collections would only take place once a week as a maximum and one refuse waggon will only be collecting 7 bins on each occasion and are able to load two bins at a time. As such the time in which collections would take place on the highway would only be for a short period. The additional dwelling as proposed would not material impact upon the times in which collections would take place on the highway and therefore is unlikely to cause a significant impact on the operation of the highway network to the detriment of highway safety.

## **9. Planning Balance**

The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes “sustainable development” is not simply a matter of location; it involves a wide variety of other considerations such as the three dimensions of sustainability.

The NPPF at paragraph 8 identifies the three objectives to sustainability, those being economic, social and environmental. Paragraph 8 goes on to advise that these objectives are interdependent and need to be pursued in mutually supportive ways.

It is acknowledged that the scheme would make a positive contribution towards the economic role in terms of those derived from the economic and employment opportunities from building three dwellings. It is also envisaged that future occupiers of the dwellings would provide a positive economic benefit to existing services within the village.

The social role of sustainability includes supporting strong, vibrant and healthy communities. The services provided within the village are outlined within the applicants planning statement. These services would be readily accessible to future occupiers of these dwellings by foot, and would therefore make a positive contribution towards the social dimension of sustainable development.

The third dimension of sustainability includes the environmental role and seeks to ensure that development contributes towards protecting and enhancing our natural, built and historic environment. The ‘less than substantial harm’, weighs against the development and the environmental role of sustainability. When assessed against the previously permitted scheme it is not considered that the proposal would result in an adverse impact upon the identified heritage assets and acceptable in terms of policy CS16 which seeks to ensure that any new development does not have a significant impact upon heritage assets and their settings.

The weighing of the benefits of the scheme against the identified harm is quintessentially a matter of judgement for the LPA. Whilst harm has been identified, it is nevertheless considered to be an acceptable harm and the benefits of the scheme further outweigh this identified harm.

The economic, social and environmental benefits of the scheme are acknowledged, creating a presumption in favour of sustainable development and the grant of planning permission, with no adverse impact being created to suggest against the grant of planning permission.

**Recommendation**

Approval subject to conditions

**APPLICATION NUMBER**

R18/0535

**DATE VALID**

03/04/2018

**ADDRESS OF DEVELOPMENT**

THE OLD HALL  
24 LILBOURNE ROAD  
RUGBY  
CV23 0BD

**APPLICANT/AGENT**

Mr Gordon Innes  
Conceptworld Ltd  
8 Main Road  
Bilton  
Rugby  
CV22 7NB

On behalf of Richard Morgan, Clifton Old Hall  
Developments Ltd

**APPLICATION DESCRIPTION**

Erection of three dwellings together with associated works

**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:

Site Layout Plan Dwg. No. 1067\_A\_09E  
Proposed Elevation Dwg. No. 1067\_A\_10E  
Proposed Elevation Dwg. No. 1067\_A\_12E  
Proposed Floor Plans Dwg. No. 1067\_A\_11B  
Design and Access Statement 2018\_02\_27  
Tree Report M.2344\_ASAIA\_PEB\_FEB2018

**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 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**

Notwithstanding any indication given on the approved drawings, full details of the design, materials and finishes of all windows, including the reveal depths [as well as the type and size of the proposed rooflights,] and external doors shall be submitted to and approved in writing by the Local Planning Authority before any development commences. Development shall not be carried out other than in accordance with the approved details and the approved design, materials and finishes shall not thereafter be maintained or replaced other than with identical materials and finishes without the prior written permission of the Local Planning Authority.

**REASON:**

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

**CONDITION: 5**

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

**REASON:**

In the interest of visual and residential amenity.

**CONDITION: 6**

No development shall commence unless and until details of all proposed walls, fences and gates have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

**REASON:**

In the interest of visual amenity.

**CONDITION: 7**

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

**REASON:**

To ensure the proper development of the site.

**CONDITION: 8**

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

**REASON:**

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

**CONDITION: 9**

No works or development shall take place until a final arboricultural method statement/tree protection plan shall be submitted to the LPA prior to commencement of any works on site. Tree protection and installation of any “no-dig” surfacing should be undertaken in accordance with the specific arboricultural method statement/tree protection plan relating to the approved design details. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the LPA.

**REASON:**

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

**CONDITION: 10**

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.
- d) 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: 11**

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

**REASON**

In the interest of highway safety and sustainability

**CONDITION: 12**

Access for vehicles to the site from the public highway (Lilbourne Road) shall not be made other than at the position identified on the approved Site Layout Plan Dwg. No. 1067\_A\_09D.

**REASON**

In the interest of highway safety

**CONDITION: 15**

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

**REASON**

In the interest of highway safety

**CONDITION: 16**

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

**REASON**

In the interest of highway safety

**CONDTION: 17**

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

**REASON**

In the interest of highway safety

**CONDITION: 18**

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

**REASON**

In the interest of highway safety

**CONDITION: 19**

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

**REASON:**

In the interest of highway safety

**CONDITION: 20**

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

**REASON**

In the interest of highway safety

**CONDITION: 21**

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

**REASON**

In the interest of highway safety

**CONDITION: 22**

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

**REASON**

In the interest of highway safety

**CONDITION: 23**

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

**REASON:**

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

**CONDITION: 24**

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

**REASON:**

In the interest of residential amenity.

**CONDITION: 25**

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

**REASON:**

In the interest of visual amenity.

**CONDITION: 26**

The accommodation for car parking, shown on the approved plan drawing no Site Layout Plan Dwg. No. 1067\_A\_09D shall be provided before the occupation of the development hereby permitted and shall be retained permanently for the accommodation of vehicles of persons residing in or calling at the dwellings and shall not be used for any other purpose.

**REASON:**

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

**CONDITION: 27**

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

**REASON:**

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

**CONDITION: 28**

Notwithstanding an indication of the approved plans, prior to the conversion of the existing outbuilding to form garages, details of the proposed garage doors shall be submitted to and approved by the LPA.

**REASON**

In the interest of visual amenity

## **STATEMENT OF POSITIVE ENGAGEMENT:**

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

## **INFORMATIVES:**

### ECOLOGY

- Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.
- The applicant is respectfully advised that if additional planting is proposed for the site, indigenous tree and shrub species or fruit/berry bearing species should be used, preferably of local provenance. Such plants have a far higher value for local wildlife than cultivated, non-native plants. WCC Ecological Services would be happy to provide further advice if required (01926 418060).
- In view of the nearby hedgehog records, care should be taken when clearing the ground prior to development, particularly piles of deadwood /leaves /bonfire mounds. If a hedgehog is found, work should stop until WCC Ecological Services is contacted. Hedgehogs are of high conservation concern and are a Species of Principal Importance under section 41 of the NERC Act. Habitat enhancement for hedgehogs can easily be incorporated into development schemes, for example through provision of purpose-built hedgehog shelters. More details can be provided by the WCC Ecological Services if required.
- In view of the existing garden habitat, care should be taken when clearing the ground prior to development and when storing materials on site. If evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services (01926 418060) or Natural England (0300 060 3900) are contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species under the Conservation of Habitats and Species Regulations 2010.

## **INFORMATIVES:**

### HIGHWAYS

Condition numbers 1-7 require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.

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

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

Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and

deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

**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**

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	

### **Third party comments**

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;

### **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
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 Draft Publication 2011-2031:

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.

Planning Obligations Supplementary Planning Document, 2012

Sustainable Design and Construction Supplementary Planning Document, 2012

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.

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 that 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.

### 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.

### 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 meets this requirement and therefore complies with saved policy T5.

Avon Street is a narrow road which is around 4.5m wide. The usual requirement for manoeuvring space behind car parking spaces is 6m and this cannot be achieved in this case. Amended plans have been received which set back the property within the site. These allow 1.5m manoeuvring space behind the spaces. This allows the turning movement to commence within the site and provides the necessary turning distance.

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.

### 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.

### 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 and between the parking areas for the dwellings, 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 policy GP2 is complied with.

The site is located within the strategic Green Infrastructure network where policy CS14 states 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 this policy.

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.

#### 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. The application form states the existing mains drainage system will be used. No comments have been received from Severn Trent and this is controlled by other legislation, such as Building Regulations. If it is not possible for surface water to connect to the mains drainage system other solutions, such as soakaways could be considered.

Clifton-upon-Dunsmore does not have a Parish Plan.

#### 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/C	01/08/2018
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.

#### 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](http://rugby.gov.uk) Alternatively, you can contact the Street Naming and Numbering Team for an application form at: [servicedesk@rugby.gov.uk](mailto: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: R17/2076**

**Site address: 37 Lower Street, Hillmorton, CV21 4NP**

**Description: Demolition of existing outbuildings and erection of 3 proposed bungalows in rear garden**

**Case Officer Name & Number: Lucy Davison 01788 533 696**

### **Introduction**

This application seeks full planning permission for the demolition of the outbuildings at the rear of 37 Lower Street and the garage adjacent to the main dwelling and the erection of three new residential dwellings. The proposal includes the erection of three bungalows to the rear of the site and a bin store adjacent to 37 Lower Street. The three bungalows proposed are two bedroom provided with two parking spaces.

### **Relevant Planning History**

No planning applications have been submitted at this site since 1985.

### **Technical Consultations**

Warwickshire County Council Ecological Service: No objection subject to conditions and informatives.

Severn Trent Water: No comments received

Rugby Borough Council Environmental Health: No objection subject to conditions and informatives.

Warwickshire County Council Highways: Initial objection's regarding bin storage distances and parking space sizes and turning space area. After submission of revisions and further information the Highways Authority has no objection subject to conditions and informatives.

Rugby Borough Council Work Services: No comments received

### **Third Party Responses**

Councillor Lawrence called in the application for a site visit and determination by committee due to the narrow nature of Lower Street, traffic flow and parking issues

Neighbours notified and four letters of representation have been received to the first set of plans. The representations raised the following:

- 1) Access road to bungalows will require proper drainage
- 2) Request that delivery of materials is undertaken on site not from Lower Street
- 3) Fear that parking spaces provided will not be used and increase parking on Lower Street
- 4) Concern that access from the main road to the site will provide access to the rear of properties adjoining the site
- 5) Query if street lighting will be provided and the trees on the site
- 6) Objection to the application for the reasons of loss of light, loss of privacy, noise and disturbance and traffic generation and access

No representations were received to the amended plans.

### **Relevant Planning Policies and Documents**

National Planning Policy Framework – 2018

Policy 12: Achieving well-designed places

Core Strategy – 2011

Policy CS1: Development Strategy  
Policy CS16: Sustainable Design  
Policy CS17: Sustainable Buildings

## Saved Local Plan Policies – 2011

### Policy T5: Parking Facilities

## Supplementary Planning Document – 2012

### Planning Obligations

#### Rugby Borough Local Plan Draft Publication 2011-2031:

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.

### **Determining Considerations**

The main considerations in respect of this application are the principle of development, design and character of the dwelling, impact on residential amenity and highway and parking standards.

#### Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy and must be demonstrated that the most sustainable locations have been considered.

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.

Since the adoption of the Core Strategy, the Government published the National Planning Policy Framework (NPPF) and updated the way in which local planning authorities can apply their local policy if they cannot demonstrate a five year housing land supply which has been reiterated in the new NPPF. That is the case here and in such circumstances the housing supply policies in the Core Strategy are not up-to-date, including those relating to the location of housing such as policy CS1. The weight to be given to the policy conflict is therefore reduced. In such circumstances the relevant policy comes from Paragraph 11 of the Framework.

The NPPF paragraph 11 sets out a presumption in favour of sustainable development, stating permission should be granted for proposals unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or where specific policies in the NPPF indicate development should be restricted. The NPPF is clear that the policies taken as a whole constitute the Government's view of what sustainable development is and a balance must be weighed against the proposal in question.

#### Character and Design

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 area.

Part 12 of the National Planning Policy Framework (NPPF) states that high quality buildings and good design is a key factor in making places better for people in terms of quality and character of the environment and private amenity. Paragraph 127 also mentions that proposals should add to the overall quality of the area, not just for the short term but over the lifetime of the development and be sympathetic to local character.

The new dwellings have been designed in conjunction with the application site offering amenity space for the future occupants and set back from the access road and neighbouring properties. The immediate surrounding properties are two storeys or bungalow in nature and vary in style ensuring that the proposal would not be out of keeping with the surrounding area. In the surrounding area of the site there is backland

development which are linear in form including Landseer Close and Fox Close. The proposed dwellings are similar in scale and massing to surrounding bungalow developments, the proposed site layout plan demonstrates that they can be accommodated within the application site without having an adverse impact upon the visual amenities of the area in accordance with Policy CS16.

The style of dwellings proposed was amended to provide a higher quality of design introducing features to the proposal. Design features such as a mixture of brick and render, stone plinths, entrance porches and living space bays are considered acceptable and create an attractive design that will promote a high quality development. A condition will be attached to any permission granted requiring a full schedule of materials to be submitted to the LPA. This will ensure the materials used are sympathetic to the immediate and wider surroundings and are visually acceptable.

It is therefore considered that this proposal is in accordance with Policy CS16 of the Core Strategy.

#### Impact on Residential Amenity

Policy CS16 states that development will ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The screening from the boundary fence/wall, trees and overall height of the proposed dwellings ensures that there will be minimal adverse impacts on the occupants of the neighbouring properties in terms of loss of light, overlooking or by causing a sense of enclosure. It is therefore considered that the amenity of neighbouring residents is maintained.

Between the proposed Unit 3 on the site plan and the existing dwelling 37 Lower Street there is a minimum of 10metres between the elevations of the existing and proposed properties. As the proposed Unit 3 is a bungalow and the windows on the side elevation facing towards 37 Lower Street are secondary windows to the rooms they cater for or are a bathroom window it is considered that there will not be a detrimental impact on the amenity of the residents of each property.

This application is therefore considered to be in accordance with Policy CS16 of the Core Strategy.

#### Highway Safety

Saved Local Plan Policy T5 along with the SPD on Planning Obligations states that planning permission will only be granted for development incorporating satisfactory parking arrangements.

For a dwelling consisting of 2 beds unit a minimum of 1.5 parking spaces are required. The proposal indicates parking for 6 vehicles to be parked, as such; it is therefore considered that there will not be an adverse impact on parking within the vicinity.

Following initial objections received from Warwickshire County Council (Highways) regarding bin storage distances and width of access/egress. After submission of revisions including addressing the width and provision of bin storage area the Highways Authority has no objection subject to conditions and informatives.

This application is therefore considered to be in accordance with Saved Local Plan Policy T5.

#### Ecology

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard maintain and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern. In addition, Part 15 of the NPPF (Conserving and Enhancing the Natural Environment) states that the planning system should contribute to and enhance the natural and local environment by minimising impacts and providing net gains for on biodiversity.

WCC Ecology has no objection to the proposal subject to informatives. It is therefore considered that this proposal will not have an adverse impact on biodiversity.

This application is therefore considered to be in accordance with Saved Local Plan Policy E6.

## Planning Balance

Located within the Rugby Urban Area, with a range of services and facilities such as shops, schools, cultural services etc. within walking distance from the application site, the site is considered to be sustainably located. Furthermore, Hillmorton also benefits from a regular bus service into Rugby town centre.

The NPPF sets out a presumption in favour of sustainable development and advises decision-takers to approve a development proposal that accords with the development plan without delay. The question of whether or not a particular proposal constitutes “sustainable development” is not simply a matter of location; it involves a wide variety of other considerations such as the three objectives of sustainability. The NPPF at paragraph 8 identifies the three objectives to sustainability, those being economic, social and environmental. Paragraph 9 goes on to advise that in order to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

In terms of the economic objective, the NPPF places significant weight on the need to support economic growth through the planning system, and the government has made clear its view that house building plays an important role in promoting economic growth. The NPPF does not, however, identify a straightforward correlation between the construction of houses and ensuing economic growth. Rather, in describing the “economic objective” that is to be played by the planning system, paragraph 8 identifies the need to identify and coordinate development requirements, including the provision of infrastructure.

The proposed development would seek to provide high quality homes within the area and the additional residents that this proposal would generate would seek to support local services and facilities. The proposal would therefore seek to promote positive economic and social benefits. This site is in an excellent location from accessibility standpoint where the need to travel can be minimised and the use of sustainable transport modes can be maximised. The sustainability of the site reduces the reliance of future occupiers on the private car which encourages reductions in greenhouse gas emissions, which in turn has a positive environmental benefit.

Paragraph 11 of the Framework sets out a presumption in favour of sustainable development. For decision making this means approving development proposals that accord with the development plan without delay. In this case it has been found that the proposed development would comply with the Development Plan and no material considerations have been identified which indicate that the development should not be approved. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal should be approved subject to conditions.

## Conclusion

The proposal would respect the scale and character of the surrounding area, would not adversely affect the amenities of the occupiers of neighbouring properties, and would not impact upon highway safety. Accordingly, the application is to be considered to be in accordance with the National Planning Policy Framework and the Core Strategy and is therefore recommended for approval subject to conditions.

Report prepared by: Lucy Davison

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R17/2076

### **DATE VALID**

08/03/2018

### **ADDRESS OF DEVELOPMENT**

37 LOWER STREET  
HILLMORTON  
RUGBY  
CV21 4NP

### **APPLICANT/AGENT**

Mr P Godden  
Park Cottages  
9 Harborough Road  
Rugby  
Warwickshire

**APPLICATION DESCRIPTION**

Demolition of existing outbuildings and erection of 3 proposed bungalows in rear garden

**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
- Proposed site plan rev B Dwg No. 122/2A/C
- Unit 1 proposed plans Dwg No. 122/U2
- Unit 2 proposed plans Dwg No. 123/U2
- Unit 3 proposed plans Dwg No. 124/U3
- Proposed bin store Dwg No. 122/BD

**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, render colour 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:**

Prior to first occupation, the access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its 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.

**REASON:**

In the interest of highway safety

**CONDITION 5:**

Prior to first occupation, an access for vehicles has been provided to the site not less than 5.0 metres in width at any point as measured from the near edge of the public highway carriageway.

**REASON:**

In the interest of highway safety

**CONDITION 6:**

The access to the site shall not be reconstructed 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 7:**

Prior to first occupation, the access to the site for vehicles shall not be used unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

**REASON:**

In the interest of highway safety

**CONDITION 8:**

No gates or barriers are to be erected across the vehicle access.

**REASON:**

In the interest of highway safety

**CONDITION 9:**

Full details (including elevations) of the proposed wall, fence and gates to individual plots, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation. 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 10:**

The development hereby permitted shall be undertaken in the presence of a qualified bat worker appointed by the applicant to check all suitable features of the buildings and associated structures to be demolished immediately prior to works commencing. This also includes any trees on site which may have potential roosting features. All roofing material is to be subsequently removed carefully by hand. Appropriate precautions must be taken in case bats are found, such as the erection of at least one bat box on a suitable tree or building. Should evidence of bats be found during this operation, then work must cease immediately while Natural England and WCC Ecological Services are consulted for further advice. Any subsequent recommendations or remedial works will be implemented within the timescales agreed between the bat worker and the WCC Ecology/Natural England. Notwithstanding any requirement for remedial work or otherwise, the qualified bat worker's report shall be submitted to the local planning authority within 1 month following completion of the supervised works to summarise the findings.

**REASON:**

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

In order to discharge the condition above a brief report from the bat worker must be submitted to and approved by the Local Planning Authority (with advice from WCC Ecological Services).

**CONDITION 11:**

Any fruit tree removed to accommodate the proposed new dwellings in pursuance of this permission shall be replaced by trees of a similar size and of the same species in a nearby place within the site unless otherwise agreed in writing by the Local Planning Authority. If within a period of 5 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LPA seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the LPA gives its written consent to any variations.

**REASON:**

In accordance with the NPPF.

**CONDITION 12:**

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-H of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

**REASON:**

In the interest of residential amenity.

**CONDITION 13:**

Prior to any above ground works full details of finished floor levels of all buildings (and ground levels of all access roads, parking areas and footways) shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved details.

**REASON:**

To ensure proper development of the site.

**CONDITION 14:**

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 15:**

No loading or unloading of vehicles either calling at the premises or being in the control of the occupiers of the site shall be carried out other than within the curtilage of the site. No vehicles which have been left with or are in the control of the occupier or their employees, shall be stored or parked on the highway [Lower Street] unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

In the interest of highway safety.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

Environmental Services advise that in order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during external 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 2:**

The development hereby permitted shall either:

a.) Be timetabled and carried out to avoid the bird breeding season (March to September inclusive) to prevent possible disturbance to nesting birds.

B.) Not commence until a qualified ecologist has been appointed by the applicant to inspect the buildings and vegetation to be cleared on site for evidence of nesting birds immediately prior to works. If evidence of nesting birds is found works may not proceed in that area until outside of the nesting bird season (March to September inclusive) or until after the young have fledged, as advised by the ecologist.

Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub.

Nesting birds are protected under the 1981 Wildlife and Countryside Act.

**REASON:**

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

**INFORMATIVE 3:**

A full asbestos survey of the buildings to be demolished should be undertaken prior to demolition works commencing. These works fall under the remit of the Health and Safety Executive.

**INFORMATIVE 4:**

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.

**INFORMATIVE 5:**

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

**INFORMATIVE 6:**

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).

**INFORMATIVE 7:**

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](http://rugby.gov.uk) Alternatively, you can contact the Street Naming and Numbering Team for an application form at: [servicedesk@rugby.gov.uk](mailto:servicedesk@rugby.gov.uk) or by ringing 01788 533456.

**INFORMATIVE 8:**

Condition numbers 4-7 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.

**INFORMATIVE 9:**

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

**AGENDA MANAGEMENT SHEET**

**Report Title:** Planning Appeals Update

**Name of Committee:** Planning Committee

**Date of Meeting:** 15 August 2018

**Report Director:** Head of Growth and Investment

**Portfolio:** Growth and Investment

**Ward Relevance:** All wards

**Prior Consultation:**

**Contact Officer:** Nick Freer, Development and Control Manager  
01788 533767 or nick.freer@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)

<b>Statutory/Policy Background:</b>	The Planning Appeals procedure which came into effect on 6th April 2009
<b>Summary:</b>	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 01/04/2018 to 30/06/2018.
<b>Financial Implications:</b>	Increases the scope for related costs claims within the Planning Appeals process.
<b>Risk Management Implications:</b>	There are no risk management implications arising from this report.
<b>Environmental Implications:</b>	There are no environmental implications arising from this report.
<b>Legal Implications:</b>	Advice/support with regard to Cost Claims and any subsequent Costs awards.
<b>Equality and Diversity:</b>	Equality and Diversity: No new or existing policy or procedure has been recommended.
<b>Options:</b>	N/A
<b>Recommendation:</b>	The report be noted.
<b>Reasons for Recommendation:</b>	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

**Planning Committee - 15 August 2018**

**Planning Appeals Update**

**Public Report of the Head of Growth and Investment**

**Recommendation**

The report be noted.

This report provides information to update the Planning Committee on the position with regard to planning appeals. It is intended that this will continue to be produced on a quarterly basis.

**1.1 Appeals determined**

During the last quarter from 1<sup>st</sup> of April to 30<sup>th</sup> of July a total of 7 planning appeals were determined, of which 3 were allowed, 4 were dismissed and 0 was withdrawn. A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

**1.2 Appeals outstanding/in progress**

As at 30<sup>th</sup> July 2018 there were 3 planning appeals and 0 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

**Name of Meeting:** Planning Committee  
**Date of Meeting:** 15 August 2018  
**Subject Matter:** Planning Appeals Update  
**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**       YES       NO

**LIST OF BACKGROUND PAPERS**

Doc No	Title of Document and Hyperlink

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

---

Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

**APPENDIX A**

**PLANNING APPEALS DETERMINED FOR THE PERIOD: 1<sup>st</sup> April 2018 – 30<sup>th</sup> June 2018**

<b>Appeal Site Location</b>	<b>Description of Development</b>	<b>Case Officer Planning Ref No. Planning Inspectorate Ref No.</b>	<b>Date of Refusal and Type of Appeal</b>	<b>Appeal Outcome</b>
Fairview Smeaton Lane Brinklow Rugby CV23 0PS	Retention of a timber clad shipping container	Chris Davies R17/1163 APP/E3715/W/17/3187121	Refusal 08/09/2017 <b>Written Reps</b>	<b>Dismissed 04/04/2018</b>
2 Orson Leys Rugby CV22 5RQ	Erection of new dwelling	Lucy Davison R17/1153 APP/E3715/W/17/3190219	Refusal 25/09/2017 <b>Written Reps</b>	<b>Dismissed 05/04/2018</b>
Unit 14 Tripontium Business Centre Newton Lane Newton Rugby CV23 0TB	Change of use to garage and offices for the maintenance of own fleet of coaches and administration of a coach hire business (retrospective) including the use as a training office.	Jo Orton R17/0037 APP/E3715/W/17/3179747	Refusal 13/04/2017 <b>Written Reps</b>	<b>Dismissed 23/04/2018</b>
Land East of Church Road and North of Sawbridge Road Grandborough CV23 8DH	Erection of four detached two storey dwellings with associated works including access, parking and landscaping.	Brian Slater R17/1079 APP/E3715/W/17/3189586	Refusal 28/09/2017 <b>Written Reps</b>	<b>Allowed 03/05/2018</b>
165 Rugby Road Binley Woods CV3 2AY	Outline planning application for the demolition of existing bungalow to front of site ,and erection of 4 No dwellings [matters to be reserved - appearance]	Brian Slater R17/0866 APP/E3715/W/17/3191081	Refusal 29/09/2017 <b>Written Reps</b>	<b>Dismissed 25/05/2018</b>

Appeal Site Location	Description of Development	Case Officer Planning Ref No. Planning Inspectorate Ref No.	Date of Refusal and Type of Appeal	Appeal Outcome
Land South of Coventry Road and North East of Cawston Lane Coventry Road Cawston Rugby CV22 7SW	Retention of electricity substation.	Karen McCulloch R17/1336 APP/E3715/W/18/3193652	Refusal 10/10/2017 <b>Written Reps</b>	<b>Allowed 14/06/2018</b>
50A Adkinson Avenue Rugby CV22 6RQ	Delete Condition 11 (minimum garden length of 10m) of Planning Permission R17/0494 - Erection of a 1.5 storey dwelling and demolition of existing garage on land to the rear of 50a Adkinson Ave.	Nigel Reeves R17/1868 APP/E3715/W/18/3194257	Refusal 22/12/2017 <b>Written Reps</b>	<b>Appeal Allowed and awards of costs allowed 14/06/2018</b>

**APPENDIX B**

PLANNING APPEALS OUTSTANDING/IN PROGRESS as at 30.06.2018

<b>Appeal Site Location</b>	<b>Description of Development</b>	<b>Case Officer Planning Ref No. Planning Inspectorate Ref No.</b>	<b>Date of Refusal</b>	<b>Type of Appeal</b>
Continental Tyres Unit 5 Castle Mound Way Rugby CV23 0WB	Advertisement consent for 2 internally illuminated signs	Paul Varnish R17/1565 APP/E3715/H/17/3188284	Delegated Refusal 12/10/2017	<b>Written Reps</b>
Land rear of 16 Crick Road Hillmorton Rugby CV21 4BB	Certificate of Lawfulness for existing use of land as private amenity space for flats 1-4 Sovereign Close, Rugby falling within use Class C3 (dwelling houses) of the Town and Country Planning (Use Class) Order 1987.	Nathan Lowde R16/1965 APP/E3715/X/17/3187581 APP/E3715/X/17/3187594	Delegated Refusal 02/12/2016	<b>Hearing</b>
Broadwell Road Grandborough Rugby CV23 8BA	Erection of an agricultural building, slurry store and feed bins with associated access, hardstanding and attenuation ponds.	Joanne Orton R17/0937 APP/E3715/W/18/3198388	Committee Refusal 27/02/2018	<b>Hearing</b>

**AGENDA MANAGEMENT SHEET**

**Report Title:** Delegated Decisions - 21<sup>st</sup> June 2018 to 18<sup>th</sup> July 2018

**Name of Committee:** Planning Committee

**Date of Meeting:** 15 August 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)

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

**Planning Committee - 15 August 2018**

**Delegated Decisions - 21<sup>st</sup> June 2018 to 18<sup>th</sup> July 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 him during the above period are set out in the Appendix attached.

**Name of Meeting:** Planning Committee

**Date of Meeting:** 15 August 2018

**Subject Matter:** Delegated Decisions - 21st June 2018 to 18th July 2018

**Originating Department:** Growth and Investment

**DO ANY BACKGROUND PAPERS APPLY**  YES  NO

**LIST OF BACKGROUND PAPERS**

<b>Doc No</b>	<b>Title of Document and Hyperlink</b>

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:

<b>Doc No</b>	<b>Relevant Paragraph of Schedule 12A</b>

DECISIONS TAKEN BY THE HEAD OF GROWTH AND INVESTMENT UNDER  
DELEGATED POWERS FROM 21.06.2018 TO 18.07.2018

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R18/0997 Refused 18.07.2018</i>	Sherwood 309 Rugby Road Binley Woods CV3 2BE	Erection of a two storey rear extension.
<b>Applications Approved</b>		
<i>R18/0375 Approved 09.05.2018</i>	125 Bilton Road Bilton Rugby CV22 7AS	Erection of a single storey front, side and rear extension.
<i>R18/0784 Approved 07.06.2018</i>	15 Colledge Close Brinklow Rugby CV23 0NT	Erection of a single storey rear extension.
<i>R18/0630 Approved 12.06.2018</i>	New Ash Tree Farm Leicester Road Churchover Rugby CV23 0EZ	Erection of New Steel Framed Barn
<i>R18/0091 Approved 14.06.2018</i>	British Petroleum PLC Petrol Station Coventry Eastern Bypass Binley Woods Rugby CV3 2ZZ	Demolition of existing vacant cafe building (former Little Chef) and construction of new drivethru cafe with parking on land adjacent to existing service station
<i>R18/0093 Approved 15.06.2018</i>	British Petroleum PLC Petrol Station Coventry Eastern Bypass Binley Woods Rugby CV3 2ZZ	Construction of new forecourt with canopy and forecourt shop, and demolition of existing
<i>R18/0408 Approved</i>	94 Main Street Long Lawford	Demolition of existing garage and erection of a two storey side and single storey side and rear

21.06.2018	Rugby CV23 9BB	extension
<i>R18/0916</i> <i>Approved</i> 21.06.2018	109 Heather Road Binley Woods CV3 2DB	Erection of a single storey side & rear extension
<i>R18/0373</i> <i>Approved</i> 21.06.2018	13 Burnside Rugby CV22 6AX	Erection of a single storey side extension.
<i>R18/0688</i> <i>Approved</i> 22.06.2018	Bayton Lodge Withybrook Road Wolvey CV12 9JW	Demolition of existing ancillary buildings and the erection of four new dwellings with associated access and parking.
<i>R18/0945</i> <i>Approved</i> 22.06.2018	2 Sheridan Close Rugby CV22 5RL	Erection of single storey front extension
<i>R18/0522</i> <i>Approved</i> 22.06.2018	4 St Michaels Close Brownsover Rugby CV21 1AS	Detached garden annexe to rear of property.
<i>R18/0768</i> <i>Approved</i> 25.06.2018	17 Gentian Way Brownsover Rugby CV23 0XH	Erection of a two storey side extension and a single storey rear extension
<i>R18/0885</i> <i>Approved</i> 25.06.2018	36 North Street Rugby CV21 2AL	Proposed extension to an existing ramp to comply with part M
<i>R18/0866</i> <i>Approved</i> 25.06.2018	77 Beswick Gardens Rugby CV22 7PR	Erection of a single storey rear and side extension
<i>R18/0822</i> <i>Approved</i> 26.06.2018	3 Hillfort Close Cawston Rugby CV22 7YP	Proposed two storey rear extension
<i>R18/0950</i> <i>Approved</i> 26.06.2018	Newbarn House Station Road Clifton Upon Dunsmore Rugby CV23 0BT	Erection of a single storey rear extension with a pitched roof

<i>R17/1566 Approved 26.06.2018</i>	Land adjacent to 5 Northcote Road New Bilton Rugby CV21 2EJ	Erection of a tandem garage to replace existing.
<i>R18/0914 Approved 27.06.2018</i>	Kurli JS Unisex Hairdressers Unit 5 Hollowell Way Brownsover Rugby CV21 1LT	Erection of a single storey ground floor extension.
<i>R16/0741 Approved 27.06.2018</i>	3 McKinnell Crescent Rugby CV21 4AZ	Erection of a first floor extension above the existing single storey side extension and alterations to the single storey rear extension
<i>R18/0733 Approved 28.06.2018</i>	Dunroamin 33 Coventry Road Wolvey LE10 3LD	Erection of a two storey dwellinghouse with associated external garage. Additionally, creation of a new vehicular access for existing and new dwelling
<i>R18/0968 Approved 28.06.2018</i>	Bridge Farm Draycote Road Bourton & Draycote CV23 9RB	Erection of an orangery
<i>R18/0733 Approved 28.06.2018</i>	Dunroamin 33 Coventry Road Wolvey LE10 3LD	Erection of a two storey dwellinghouse with associated external garage. Additionally, creation of a new vehicular access for existing and new dwelling
<i>R18/0980 Approved 28.06.2018</i>	9 Lawrence Road Rugby CV21 3SA	Erection of a two storey side and rear extension, including the demolition of existing conservatory
<i>R18/0970 Approved 28.06.2018</i>	35 Dunsmore Avenue Rugby CV22 5HD	Erection of a part two storey part single storey side/rear extension including provision of a front porch.
<i>R18/0341 Approved 29.06.2018</i>	139 Clifton Road Rugby CV21 3QN	Erection of one new dwelling.
<i>R18/0908 Approved 29.06.2018</i>	1 Stocking Meadow Monks Kirby Rugby	Erection of a rear extension

	CV23 0RF	
<i>R18/0800 Approved 29.06.2018</i>	The Smithy Birdingbury Road Leamington Hastings Rugby CV23 8DZ	Erection of a single storey rear extension.
<i>R18/0971 Approved 02.07.2018</i>	The Old Barn Flecknoe Village Road Wolfhampcote Rugby CV23 8AT	External alterations including removal of two rooflights and installation one new rooflight (retention of) and one new window
<i>R18/0940 Approved 03.07.2018</i>	27A Albert Street Rugby CV21 2SG	Proposed change of use of the 1st and 2nd floors from residential accommodation C3 to B1 office and external alterations.
<i>R18/0783 Approved 03.07.2018</i>	Unit B Junction One Retail Park Leicester Road Rugby CV21 1RW	Formation of paved area with both hard and soft landscaping to accommodate external seating on existing car park circulation area alongside the siting of external seating on privately owned land.
<i>R18/1004 Approved 04.07.2018</i>	39 Langton Road Rugby CV21 3UA	Erection of a two storey side and rear extension, plus a single storey rear extension
<i>R18/1003 Approved 04.07.2018</i>	91 Lower Hillmorton Road Rugby CV21 3TN	Erection of front garden wall
<i>R18/1008 Approved 04.07.2018</i>	16 Fareham Avenue Hillmorton Rugby CV22 5HS	Erection of proposed single storey rear extension
<i>R17/1727 Approved 05.07.2018</i>	40 Sandford Way Dunchurch Rugby CV22 6NB	Erection of a single storey rear extension
<i>R18/0700 Approved 05.07.2018</i>	165 Grosvenor Road Rugby CV21 3LB	Conversion of dwelling to 5no. Flats and erection of single storey extension to the rear
<i>R18/0512</i>	11 Townsend Road	Extensions and alterations to dwelling.

<i>Approved</i> 06.07.2018	Rugby CV21 3SB	
<i>R18/0241</i> <i>Approved</i> 06.07.2018	38 Rugby Lane Stretton on Dunsmore Rugby CV23 9JH	Demolition of existing dwelling and erection of a replacement dwelling
<i>R18/0871</i> <i>Approved</i> 06.07.2018	Stonemarket Oxford Road Ryton-on-Dunsmore CV8 3EJ	Planning application to erect and operate a second mortar and screed batching plant, a portable office and use of existing aggregate bays, washout pits and waste bays
<i>R18/0454</i> <i>Approved</i> 09.07.2018	9 Mellor Road Hillmorton Rugby CV21 4BP	Demolition of existing side extension and proposed erection of single storey side extension
<i>R17/1545</i> <i>Approved</i> 09.07.2018	Sunrise Park Oxford Road Ryton on Dunsmore Rugby CV8 3JY	Demolition of existing utility rooms, barn and building along with the erection of two utility and disability blocks.
<i>R18/0815</i> <i>Approved</i> 10.07.2018	33 Heather Road Binley Woods CV3 2DE	Erection of a single storey rear extension
<i>R18/0984</i> <i>Approved</i> 10.07.2018	Priory Court Leamington Road Princethorpe Rugby CV23 9PU	Proposed extension to garage, provision of hardstanding and 2 (no) concrete sumps
<i>R18/0745</i> <i>Approved</i> 10.07.2018	Loudons Retreat Vicarage Lane Dunchurch Rugby CV22 6QP	Erection of a two storey rear extension, change of use of garage into living accommodation and erection of two storey garage with annex on first floor
<i>R18/0002</i> <i>Approved</i> 11.07.2018	Overstone Lodge Overstone Road Withybrook CV7 9LU	Erection of entrance gates
<i>R18/0369</i> <i>Approved</i> 11.07.2018	1 Kings Newnham Lane Bretford Rugby CV23 0JU	Erection of a part two storey part single storey rear extension, and a loft conversion.

<i>R18/1069 Approved 12.07.2018</i>	19 Beech Drive Rugby CV22 7LT	Erection of a single storey side extension with external alterations to the garage and the front of the property.
<i>R18/0911 Approved 12.07.2018</i>	Little Harborough Farm Part of Manor Farm Rugby Road Harborough Magna	Barn conversion to create one new dwelling, including erection of extension to existing building
<i>R18/0792 Approved 12.07.2018</i>	1 The Crescent Brinklow Rugby CV23 0LG	Re-build of existing outbuilding to form granny annexe ancillary to host dwelling
<i>R18/0717 Approved 13.07.2018</i>	105 Sidney Road Hillmorton Rugby CV22 5LD	Erection of a single storey rear extension
<i>R18/0638 Approved 13.07.2018</i>	17 Lyndhurst Road Paddox Rugby CV21 4HL	Erection of a two-storey side and part two storey and part single storey rear extension
<i>R18/0812 Approved 16.07.2018</i>	7 Kalfs Drive Cawston Rugby CV22 7FD	Erection of a single and two storey rear extension.
<i>R18/0845 Approved 16.07.2018</i>	Our Lady's RC Primary School Leamington Road Princethorpe Rugby CV23 9PU	Erection of an outbuilding to be used as a classroom
<i>R18/0923 Approved 17.07.2018</i>	Land at Junction of Birdingbury Road and Stockton Road Birdingbury CV23 8EE	Conversion of stables to form one residential dwelling.
<i>R18/0190 Approved 17.07.2018</i>	92 Magnet Lane Bilston Rugby CV22 7NJ	Erection of proposed first floor rear extension

<i>R18/1028 Approved 17.07.2018</i>	24 Crackthorne Drive Rugby CV23 0GL	Erection of proposed single storey rear orangery and associated works.
<i>R18/0558 Approved 17.07.2018</i>	The Trossachs Parrotts Grove Shilton CV2 1NR	Change of use of land to open storage for use class B8.
<i>R18/1093 Approved 17.07.2018</i>	14 Ecton Leys Bilton Rugby CV22 5SL	Erection of a two storey front/side extension (Resubmission of previously approved scheme under R18/0746 granted on 25/05/18 for the erection of a two storey front/side extension to include an additional Juliet Balcony to the side elevation).
<i>R18/1067 Approved 17.07.2018</i>	6 Grange Terrace Main Street Long Lawford CV23 9AW	Retrospective erection of a garden shed
<i>R18/0758 Approved 17.07.2018</i>	110-112 Murray Road Rugby CV21 3JP	Internal alterations to reposition existing staircase and external alterations to install new windows and doors
<i>R18/0533 Approved 18.07.2018</i>	The Trossachs Parrotts Grove Shilton CV2 1NR	Demolition of four commercial units, removal of storage containers, wire pens and outside storage and the erection of two modern industrial units (outline - access and layout only)
<i>R18/1118 Approved 18.07.2018</i>	55 Lawford Lane Bilton Rugby CV22 7JS	Erection of a single story extension to side and rear
<i>R18/0757 Approved 18.07.2018</i>	111 Addison Road New Bilton Rugby CV22 7DA	Erection of a two storey side extension and a single storey rear extension. Extension of the existing garage to form a double garage with a pitched roof.
<b>Listed Building Consent</b>		
<i>R17/1998 Listed Building Consent 31.05.2018</i>	21 Brook Street Wolston CV8 3HD	Listed Building Consent to remove existing wrought iron gates and railings and replace with a low brick wall and wooden gate.
<i>R18/0874</i>	Building H, Plot 70	Listed building application for the conversion

<i>Listed Building Consent</i> 26.06.2018	7 Coombe Road Coton House Estate Churchover Rugby CV23 0FW	and extension of curtilage listed building to form one residential dwelling, including demolition and reconstruction of both gable walls (resubmission of listed building application R16/2258).
<i>R18/0972 Listed Building Consent</i> 02.07.2018	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>R18/1062 Listed Building Consent</i> 11.07.2018	24 Leicester Road Wolvey LE10 3HJ	Replacement of timber patio doors and eight windows
<i>R18/0793 Listed Building Consent</i> 12.07.2018	1 The Crescent Brinklow Rugby CV23 0LG	Listed Building Consent for re-build of existing outbuilding to form granny annexe ancillary to host dwelling
<b>Prior Approval Applications</b>		
<i>R18/0579 Prior approval not required</i> 17.05.2018	A W Precision LTD Cosford Lane Brownsover Rugby CV21 1QN	Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and notice in accordance with the Electronic Communications Code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the installation of a 20m lattice tower supporting 6 no. antennas and 4 no. dishes, 4 equipment cabinets at ground level and ancillary development to include compound fencing
<i>R18/0789 Prior approval not required</i> 31.05.2018	21 Alicia Close Cawston Rugby CV22 7GT	Single storey "orangery" attached to the rear of the current dwelling. Approx 6.2 metres long x 3.3 wide. Brick construction with glazing: approx 5 metres bi-fold doors on the long side and either bi-fold doors or sliding doors on the rear side. Hip roof design made of concrete roof tiles and roof windows on side of roof furthest away from nearest neighbour. Eaves: 2.4 metres height and Ridge: 3.5 metres in height

<i>R18/0949 Prior approval not required 25.06.2018</i>	77 Beswick Gardens Bilton Rugby CV22 7PR	Extension projecting 6.0 metres from the rear wall of the bungalow. Height of 2.5 metres to eaves (same height of existing pitch roof eaves) total height including lantern lights on the flat roof of 2.9 metres. Addition of velux window to provide light & ventilation to enclosed rooms.
<i>R18/0955 Prior approval required and granted 06.07.2018</i>	Manor Farm Main Street Frankton Rugby CV23 9PB	Prior notification class Q(a) only – Change of use of existing agricultural buildings to 5 no. dwellings
<i>R18/0175 Prior approval not required 09.07.2018</i>	240 Lower Hillmorton Road Hillmorton Rugby CV21 4AF	Prior Approval Application for the erection of a single storey rear extension projecting 5.5 metres from the original rear elevation of the dwelling, 2.3 metres to the eaves height, with a maximum height of 4 metres.
<i>R18/1050 Prior approval not required 10.07.2018</i>	63 Eastlands Road Rugby CV21 3RR	Single story extension to the rear 9.0m x 5.2m from existing external wall.
<i>R18/0952 Prior approval required and granted 12.07.2018</i>	Calcutt Heights Calcutt Heights Farm Calcutt Lane Leamington Hastings CV23 8HY	Prior Notification class Q(a) only – Change of use of existing agricultural building to 1 no. dwelling
<i>R18/1114 Prior approval not required 18.07.2018</i>	17 Slade Road Rugby CV21 3AD	Single Storey rear extension projecting 5.0 metres across the rear of the house. A pitched roof with eaves height of 2.4 metres and a ridge max height of 4.0 metres.
<i>R18/0985 Prior approval required and refused 18.07.2018</i>	Waldon Telecom Site 98858 High Street Hillmorton Rugby	Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and notice in accordance with the Electronic Communications Code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the installation of a 20m high monopole , painted green 3 no shrouded antennas, 4 no equipment cabinets painted green and

		development ancillary works thereto
<i>R18/0986 Prior approval required and refused 18.07.2018</i>	Waldon Telecom Site 94928 School Street Hillmorton Rugby CV21 4BN	Application for prior determination under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended by the Town and Country Planning (General Permitted Development) (England) (Amendment) (no.2) Order 2016 and notice in accordance with the Electronic Communications Code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003 for the installation of a 20m high monopole , painted green 3 no shrouded antennas, 4 no equipment cabinets painted green and development ancillary works thereto
<b>Prior Notification</b>		
<i>R18/0918 Prior notification of agriculture or forestry development 21.06.2018</i>	Tuckeys Farm Cathiron Lane Harborough Magna Rugby CV23 0JH	Prior notification for the laying out and construction of a new agricultural private access track.
<b>Advertisement Consents</b>		
<i>R18/0529 Advertisement Consent 20.06.2018</i>	The Car Finance Company 352 London Road Stretton on Dunsmore Rugby CV23 9HX	Retention of an illuminated fascia sign, 12 advertisement flags and 20 posters and notices
<i>R18/0879 Advertisement Consent 22.06.2018</i>	Brooklyn Pizza Unit C3 / Unit 15 Elliotts Field Shopping Park Leicester Road Rugby CV21 1SR	Advertisement consent for the installation of 2no. illuminated fascia signs and 1no. Illuminated fixed wall sign
<i>R18/1085 Advertisement Consent 18.07.2018</i>	Unit D, Unit 15 And 16 Swan Centre Chapel Street Rugby CV21 3EB	Advertisement consent for 2 no. fascia signs and 1 no. projecting sign
<b>Approval of Details/ Materials</b>		

<i>R16/1939 Approval of Details 21.06.2018</i>	Former GOJI Restaurant 424 London Road Stretton on Dunsmore Rugby CV23 9HN	Demolition of former GOJI restaurant building and erection 7 detached new dwellings including blocking up existing site access points, re-establishment of existing redundant site access with associated external works and landscaping.
<i>R17/0730 Approval of Details 21.06.2018</i>	Newnham Fields Farm Coal Pit Lane Monks Kirby Rugby CV23 0SL	Demolition and Replacement of Existing Farmhouse.
<i>R17/0036 Approval of Details 21.06.2018</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>R11/0114 &amp; R16/1780 Approval of Details 21.06.2018</i>	Southern part of Cawston Extension Site Coventry Road Cawston Rugby	Erection of 245 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>R17/0841 Approval of Details 21.06.2018</i>	Land East of Newton Lane Newton Rugby CV23 0EA	Erection of 40 dwelling houses, together with the creation of a new vehicular access, and provision of play area and amenity space together with associated works (Approval of Reserved Matters pursuant of outline planning permission ref: R14/1658 dated 02/02/2017) together with the submission to discharge conditions 4 (programme of archaeological works), 7 (proposed materials), 25 (Bat Survey) and 26 (Great Crested Newt Survey).
<i>R16/1910 Approval of Details 29.06.2018</i>	Land adj Cawston House Lime Tree Village Polo Field Off Thurlaston Drive Cawston Lane Cawston Dunchurch CV22 7SE	Proposed construction of 25 extra care dwellings (Class C2) and the erection of ground mounted solar panels (partial revised scheme to application 665)
<i>R18/0877 Approval of Details 05.07.2018</i>	Garden Cottage Leicester Road Wolvey Heath	Erection of a three bay timber framed carport

	Wolvey LE10 3HJ	
<i>R17/0011 Approval of Details 06.07.2018</i>	New Ash Tree Farm Leicester Road Churchover Rugby CV23 0EZ	Demolition of existing farm building. Construction of new Motorway Service Area ("MSA") to comprise: Amenity Building, Lodge (use class C1), Drive Thru Coffee Unit, associated car, coach, motorcycle, caravan, HGV and abnormal load parking and a Fuel Filling Station with retail shop, together with alterations to the adjacent roundabout on the M6 to form an access point and works to the local highway network. Provision of landscaping, signage, infrastructure and ancillary works including diversion of bridleway.
<i>R17/1643 Approval of Details 10.07.2018</i>	G G Batchelor and Sons 61 Lower Hillmorton Road Rugby CV21 3TD	Erection of six flats (previously approved under R15/1412).
<i>R16/1367 Approval of Details 16.07.2018</i>	Elliotts Field Retail Park Leicester Road Rugby CV21 1SR	Demolition of Unit D (Halfords), construction of a replacement Class A1 retail unit and associated reconfiguration of the car park.
<i>R18/0700 Approval of Details 16.07.2018</i>	165 Grosvenor Road Rugby CV21 3LB	Conversion of dwelling to 5no. Flats and erection of single storey extension to the rear
<i>R17/1169 Approval of Details 18.07.2018</i>	24 Church Road Shilton CV7 9HW	Demolition of existing bungalow and attached double garage, replacement with a part two storey and part single storey dwelling and attached garage, and associated works.
<b>Approval of reserved matters</b>		
<i>R18/0785 Approval of reserved matters 25.06.2018</i>	Rugby Radio Station Watling Street Clifton Upon Dunsmore Rugby CV23 0AS	Urban extension to Rugby under ref. no R17/0022 approved on 28th June 2017 - Application for reserved matters approval (outside of a Key Phase) of appearance, landscaping, layout, access and scale in respect of strategic green infrastructure and associated works in the vicinity of C Station.
<i>R18/0339 Approval of reserved matters 12.07.2018</i>	Rugby Gateway Phase R4 Leicester Road Rugby	Erection of 15 dwellings (amendment to layout approved by R15/2329 resulting in addition of 2 dwellings); (Approval of Reserved Matters in relation to outline planning permission

		R10/1272.)
<b>Approval of Non Material Changes</b>		
<i>R16/0337 Approval of non-material changes 28.06.2018</i>	Rugby Radio Station Watling Street Clifton Upon Dunsmore Rugby CV23 0AS	Key Phase1 Parcels G(part), J and L(part) - Submission of reserved matters comprising access, appearance, landscaping, layout and scale for the erection of 104 dwellings together with garages, access roads, parking and associated works pursuant to outline planning permission ref.no R11/0699 dated 21st May 2014.
<i>R16/0226 Approval of non-material changes 02.07.2018</i>	36 Newland Street New Bilton Rugby CV22 7BJ	Conversion of existing garage/workshop to 2no.one bedroom apartments
<i>R17/0815 Approval of non-material changes 18.07.2018</i>	20A Clifton Road Rugby CV21 3QF	Erection of single storey rear extension with new flat roof to existing extension
<b>Withdrawn</b>		
<i>R18/0779 Withdrawn 29.06.2018</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) - Variation of condition 26 of approved planning permission ref: R15/1702 dated 11/07/2017
<i>R18/0906 Withdrawn 29.06.2018</i>	Land rear of 136 and 138 Hillmorton Road Rugby	Outline application for erection of 2 detached bungalows, access and layout to be considered.
<i>R17/2017 Withdrawn 04.07.2018</i>	Britvic Soft Drinks Britvic Soft Drinks LTD Aventine Way Brownsover Rugby CV21 1HA	Demolition of existing Office Block and erection of an industrial/distribution facility (Use Class B8) including offices and roof plant areas

<i>R18/1007 Withdrawn 05.07.2018</i>	166 Railway Terrace Rugby CV21 3HN	Erection of two storey rear extension
<i>R18/0605 Withdrawn 10.07.2018</i>	15 Crowsfurlong Rugby CV23 0WD	Erection of a single storey rear extension
<i>R18/0104 Withdrawn 12.07.2018</i>	104-106 Railway Terrace Rugby CV21 3HE	Retention of a single storey front extension.