

Land east of Rugby Road Clifton-Upon-Dunsmore

**Proof of Evidence of Abigail Murphy (Design) on behalf of Rugby Borough Council
(CD.10.1.3)**



Local Planning Authority Reference: R25/0565

The Planning Inspectorate Reference: 6003106

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1. Qualifications and experience

- 1.1 My name is Abigail Murphy. I have been a Senior Design Officer within the Development Strategy team at Rugby Borough Council since 2023 and am an Architect registered with the Architects Registration Board (ARB). I hold a BSc (Hons) in Architecture, MArch Master of Architecture and PGDip in Architecture: Professional Practice (RIBA/ARB Part 3).
- 1.2 I have worked in private architecture practice for over six years between the start of my studies in 2014 and starting at RBC in 2023. The majority of my time in practice has been spent on housing projects of varying scales and contexts, some of which have gone on to be nominated, shortlisted for, or win national or local design awards.
- 1.3 I was placed at Rugby Borough Council as a Senior Planning Officer (Urban Design), now Senior Design Officer, through the Public Practice programme. In my current role I provide design support for planning applications of all scales, contribute to planning policy, produce design-related policy and guidance and contribute my expertise to other departments including Communities and Homes.
- 1.4 I have further contributed to CPD sessions and written guidance for Urban Design Learning, as well as having held tutoring and reviewing roles in the architecture schools at both Cardiff University and the University of Bath across a range of year groups.
- 1.5 The evidence which I have prepared and provide for this appeal is true and has been prepared and is given in accordance with the guidance of my professional institution. I confirm that the opinions expressed are my true and professional opinions.

2. Summary

- 2.1 This Proof of Evidence addresses the Council's case in respect of non-determination of planning application reference R25/0565, for the development of land south east of Rugby Road, Clifton Upon Dunsmore.
- 2.2 At the time of submission of the appeal the Local Planning Authority had not yet determined the application as it had not received the relevant information to allow an informed decision-making process to be undertaken. The Local Planning Authority would have refused the application for four reasons as outlined in the Statement of Case (CD.6.1)
- 2.3 This proof addresses the first, second and fourth reasons for refusal within the Rugby Borough Council Statement of Case (CD.6.1):

The proposed development will have an adverse impact on the physical, visual and perceptual separation of, and contribute towards the coalescence of, Rugby and Clifton-upon-Dunsmore. It would have a significant urbanising impact on Clifton-upon-Dunsmore's individual settlement identity and character. The development is therefore contrary to policies SDC1 and NE3 of the adopted Rugby Borough Council Local Plan 2011-2031, policy EN4 of the emerging Rugby Borough Local Plan 2025-2042 and paragraph 135c of the National Planning Policy Framework (2024).

and

The proposed development will cause unacceptable harm to landscape character and visual impact due to urbanisation of the site, truncation of important views and will not relate well to local topography, built form and the existing settlement. As a result it will be contrary to policy NE3 of the adopted

Rugby Borough Council Local Plan 2011-2031 and Policy ENV7 of the Emerging Clifton-Upon-Dunsmore Neighbourhood Plan (2011-2041).

and

The proposed development is contrary to the adopted development plan taken as a whole. The adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in National Planning Policy Framework (2024) taken as a whole. There are no material considerations which indicate a determination of the appeal other than in accordance with the development plan.

- 2.3 The proposed development would not be an appropriate addition to Clifton-upon-Dunsmore in relation to its existing well-defined morphology and settlement identity.
- 2.4 The proposed development is not guaranteed to provide positive, functional connectivity into the village and this is likely to result in it being largely car-dependent.

3. Introduction

- 3.1 The proposed development sought outline permission with some matters reserved for the demolition of all buildings and the residential development of up to 160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking, landscaping, drainage features, open space, children's play area and associated infrastructure (all matters reserved except for vehicular access off Rugby Road).

- 3.2 The Local Planning Authority would have refused the application. This proof addresses the first, second and fourth reasons for refusal within the Rugby Borough Council Statement of Case (CD.6.1) .

4. Settlement identity

Historical development + morphology

- 4.1 Clifton-upon-Dunsmore has developed as a nucleated village on a hilltop, the extents of which remain well-defined and whose identity as such has been retained. The Clifton-upon-Dunsmore Conservation Area Appraisal (CD.5.49) states:

The settlement is situated on a small hill and retains its identity as a village.

and

Main Street, Church Street and Lilbourne Road comprise the historic spine with the heart of the village at the meeting point of these roads. Parts of North Road, South Road and Hillmorton Lane complete the Conservation Area. The remainder of the village generally comprises twentieth century expansion surrounding the linear form of the Conservation Area.

and

Overall the layout of the historic village core has not greatly altered for centuries. The roads approaching from Rugby, Lilbourne and Newton meet at the Y junction at the centre of the village with a rectangular pattern of roads around the centre formed by North Road and South Road.

- 4.2 The identity of Clifton as a well-defined, hilltop settlement is echoed in the Clifton-upon-Dunsmore Parish Neighbourhood Plan (Referendum version) (CD.5.27).
Nucleated villages are found to be a feature of the relevant landscape character area

in both the Warwickshire County Council Landscape Guidelines (CD.5.57) and Rugby Borough Council Landscape Character Assessment (CD.5.46), and as a feature of the borough in the Warwickshire Landscape Characterisation Project (CD.5.50).

- 4.3 Figure 2.1 of Mr Wakefield's Proof of Evidence Appendices (CD.10.1.3) demonstrates the development of the village over time, which reflects the Clifton-upon-Dunsmore Conservation Area Appraisal (CD.5.49) description above.
- 4.4 Ribbon development to Rugby Road and Station Road first appears in the 1951 map. The 1965 map shows additional built development to both sides of North Road and South Road, making more consistent that which was previously more piecemeal, as well as the completion of Shuttleworth Road and its dwellings. There has been subsequent infill development, including residential development to Robertson Close and Hadfield Close which site behind St Mary's Church and Clifton Manor.
- 4.5 Although built development in Clifton has expanded and intensified, its morphology largely remains defined by the historic street layout of North Road, South Road, Manor Lane, Buckwell Lane and Hillmorton Lane. These give the village its compact scale, relatively regular shape and well-defined edges.

Topography

- 4.6 Figure 2.4 of Mr Wakefield's Proof of Evidence Appendices (CD.10.1.3) demonstrates Clifton's position on a hilltop from all directions except the high point immediately to the south east.
- 4.7 Levels drop significantly to the west toward the River Avon and to the south toward Clifton Brook and Oxford Canal. These valleys separate Clifton-upon-Dunsmore from the Rugby urban area.

4.8 Built development within the village is contained within a small topographical range on the hilltop. As per Mr Wakefield's proof (CD.10.1.3) there is little to no built development on the surrounding slopes.

Rugby Road

4.9 Development to Station Road and Rugby Road sits apart from the morphology of the main village mass in both form and topography. Rugby Road is the primary focus of this section, being directly relevant to the appeal site.

4.10 Rugby Road is the main vehicular route between Rugby and Clifton. It has a linear arrangement of houses along its south side and open fields to the north. The majority of dwellings along Rugby Road are semi-detached, two-storey houses of a repeated type which appear to have been built at the same time, as shown in the historical maps in Figure 2.1 of Mr Wakefield's Proof of Evidence Appendices (CD.10.1.3).

There are only a handful of exceptions. This is in contrast with the village itself which has much greater variation in built form, reflecting its development over time.

4.11 On exiting the village south west via Rugby Road there is an immediate and perceptible level change. This is approximately 3-4 metres between the entrances to South Road and North Road, and 15 Rugby Road which is the first dwelling of the Rugby Road ribbon development.

4.12 The only other dwellings in the vicinity that sit at or below the level of 15 Rugby Road are those further along the same road, to Newall Close and some to Station Road.

4.13 Along with the planted boundary alongside Mayo Court and the gap in built development provided by the Rugby Road entrance to the recreation ground, the topographical differences further reinforce the distinction between Clifton village and linear development to Rugby Road. This is illustrated in Figure 2.3 of the appendix to this proof.

The appeal scheme

4.14 Paragraph 135 of the NPPF (CD.5.32) states that:

“Planning policies and decisions should ensure that developments: c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)”

4.15 Item C1 of the National Design Guide (CD.5.34) states:

“Well-designed new development responds positively to the features of the site itself and the surrounding context beyond the site boundary. It enhances positive qualities and improves negative ones.”

and

“Well-designed new development is integrated into its wider surroundings, physically, socially and visually. It is carefully sited and designed, and is demonstrably based on an understanding of the existing situation”

4.16 Policy SDC1 of the RBC Local Plan (CD.5.1) states that:

“...New development will only be supported where proposals are of a scale, density and design that responds to the character of the areas in which they are situated. All developments should aim to add to the overall quality of the areas in which they are situated.”

4.17 The proposed appeal scheme would place a significant built form mass behind the ribbon development on Rugby Road and on the slope of the Clifton Brook and Oxford Canal valley. This would extend towards the east, almost meeting built development on Shuttleworth Road with which this site shares a boundary.

- 4.18 This would introduce an incongruous form of development which would relate poorly to and significantly compromise the morphological integrity of the contained, hilltop mass of Clifton and in turn the distinct linear, hillside development to Rugby Road.
- 4.19 It would also effectively merge the two distinct settlement forms from viewpoints on the ground. In subsuming Rugby Road into the village mass and introducing significant built development to the valley side, the compound impact is one of overall, unprecedented sprawl down the slope toward the Rugby urban area. This can be seen in AVRs 7, 17 and 18 (CD.3.17). As stated in Mr Wakefield's Proof of Evidence (CD.10.1.3), the physical and perceptual separation of the borough's villages from the town are a significant part of their value and identity.
- 4.20 The morphological impacts of the proposed scheme are demonstrated in Figures 1.1-1.3 of the appendix to this proof, which contains figure ground plans of the current built footprint of the area, the potential footprint if the appeal scheme was allowed and the existing built footprint with outlines of the sites proposed for allocation in the Proposed Submission Rugby Borough Local Plan (CD.5.25).
- 4.21 From within Clifton itself, the harm to its identity and containment would be clearly perceived from the recreation ground. This view is identified in Clifton-upon-Dunsmore Neighbourhood Plan (Referendum version) (CD.5.27) in Policy ENV5 as View 9 of 11 important views which are "important to the setting and character of the village". In its existing state this view allows sight of the edge of the Rugby urban area, as demonstrated in Figures 2.1 and 2.2 of the appendix to this proof. This view includes Rugby Town Football Club, residential development to either side of Clifton Road, recent development to Navigation Way and church towers further in the distance. As well as providing sight of the built form of the Rugby urban area itself, its position as separate to Clifton is clear due to the expanse of landscape to the valley sides between. AVRs 1, 2 and 20 (CD.3.17) demonstrate the complete loss of this view and with it the loss of Clifton's defined identity as experienced from this position.

- 4.22 The proposed development could therefore not be considered to provide the positive and sympathetic response to its surroundings required by the NPPF (CD.5.32), National Design Guide (CD.5.34) and RBC Local Plan (CD.5.1). The appeal scheme would instead represent poor design at a settlement scale.

The alternative sites

- 4.23 It is considered that the sites proposed for allocation in the Proposed Submission Rugby Borough Local Plan (CD.5.25) would relate much more comfortably to the existing identity of Clifton as a nucleated, hilltop settlement.
- 4.24 The two larger sites (129 and 202) sit at levels comfortably within the range of the rest of the village. These sites are importantly on the other side of the village from the Rugby urban area. The smaller site (307) sits at a lower level, however its small size, close relationship with surrounding built form and its position within the existing established development pattern mean that it does not present the same negative impacts as the proposed appeal site.
- 4.25 All three sites would be defined by the historic streets North Road, Manor Lane and Buckwell Lane. This arrangement and association with the historic street network reflects the current morphology of the village and further reinforces a more positive relationship with it.

5. Connectivity + non-vehicular movement

- 5.1 The DAS (CD.1.34) states that:

“The development is designed to promote sustainable travel by encouraging walking, cycling, and the use of nearby canal paths where accessible. A network of safe, direct pedestrian and cycle routes will run through the site, connecting key areas within the development and linking to the wider village.”

- 5.2 The reality of the proposed scheme is that it is in effect a large cul-de-sac with poor connectivity to Clifton village. There is only one guaranteed proposed access to the site which is from Newall Close. This is located at the southern end of Rugby Road.
- 5.3 Clifton Village Stores is located centrally within the village, near the junction of Main Street, Church Street and Lilbourne Road. Most other amenities, including the pub, village hall and church are also located around this junction.
- 5.4 The distance from the dwelling nearest to the site entrance, according to the proposed illustrative masterplan, to Clifton Village Stores is approximately 750 metres when measured along the actual walking route of Rugby Road. The CIHT recommends that 800m is the distance most people are willing to walk to services, beyond which the car is likely to be the mode of choice (CD.5.52). Only the six dwellings closest to the site entrance (out of the up to 160 proposed dwellings) are within 800m of Clifton Village Stores along this route.
- 5.5 The likelihood that people will walk to local services is not only defined by distance but by quality of the route and perceived barriers. The CIHT (CD.5.52) includes gradient, condition of footways (including width), accessibility of the route (including whether there are places to rest) and the attractiveness of the route (including relationship with vehicles) as considerations beyond distance for the likelihood of a non-vehicular route being utilised.
- 5.6 These considerations are reflected in other design guidance including M2 of the National Design Guide (CD.5.34), which says:

“Prioritising cyclists and pedestrians means creating routes that are safe, direct, convenient and accessible for people of all abilities.”

- 5.7 Rugby Road is the main route between the village and the Rugby urban area, is therefore relatively busy, and covers a level change of 10-13 metres between the

proposed site entrance and the main amenities on Main Street. The footway is; directly adjacent to the road; relatively narrow, at points narrowing to 1.25 metres (Manual for Streets [CD.5.51] and the Warwickshire Design Guide [CD.5.55] recommend a minimum clear width of 2 metres); and features frequent dropped kerb crossovers along its length, which can present accessibility challenges for a wide range of users including for example those with reduced mobility, wheelchair users and people pushing prams or pulling shopping trolleys. There does not appear to be any rest stops along the main, uphill section of the route.

Non-vehicular access through Clifton recreation ground

- 5.8 The parameter plan (CD.1.31) and DAS (CD.1.34) suggest a “potential access/egress for pedestrians only” at the north east corner of the site, which would connect into the recreation ground. It is understood at this time that there is no guarantee of this being implemented due to third party ownership of the recreation ground.
- 5.9 There is no further information on how a route through the recreation ground would be implemented. The recreation ground is currently a grass field, with no formal surfacing and there appears to be no lighting. The edge adjacent to Shuttleworth Road is lined with trees and hedges, meaning that a route inside the recreation ground would have limited overlooking from dwellings on Shuttleworth Road. This is illustrated in Figures 2.4 and 2.5 of the appendix to this proof.
- 5.10 There is a gate onto Shuttleworth Road from the south eastern corner of the recreation ground. While in theory this could connect to a better overlooked route outside the recreation ground, there is currently no footpath on this side of Shuttleworth Road and no crossing to the other side where there is a footpath.
- 5.11 In order to provide functional connectivity and make journeys to services practical to undertake on foot rather than by car, routes need to be useable, safe and pleasant at

all times of day and year. These routes are important in their distinction from recreational routes, the use of which is optional and which provide a leisure function.

5.12 It is further noted that in the DAS (CD.1.34) this route is currently proposed to travel through the car park of the “potential sports pitches” and “potential community facilities”.

5.13 Paragraph 117 of the NPPF (CD.5.32) states that:

“...applications for development should:

a) Give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas...

c) Create places that are safe, secure and attractive...”

5.14 M2 of the National Design Guide (CD.5.34) states:

“In well-designed places, people should not need to rely on the car for everyday journeys, including getting to workplaces, shops, schools and other facilities, open spaces or the natural environment. Safe and direct routes with visible destinations or clear signposting encourage people to walk and cycle.”

5.15 Based on the information provided, the safety, attractiveness and legibility of this part of the route is questionable. The currently proposed arrangement presents; potential pedestrian-vehicle conflict in the car park; potential poor activation of the space from the proposed recreational uses depending on their use throughout the day and year; and poor overlooking from only a small handful of dwellings at a distance across the car park. There are details currently unknown, such as security measures and lighting around the recreational uses, which may further render the route unattractive, unsafe or unusable.

- 5.16 Several private drives with no onward non-vehicular connectivity indicated are introduced at the eastern end of the site, which are not generally reflective of the connected street network suggested in the DAS (CD.1.34). The co-location of these, the car park for potential community facilities and the potential non-vehicular route as currently proposed presents a lack of appropriate status and legibility of the potential non-vehicular route with the rest of the scheme. As currently presented it appears as an informal cut-through at the rear of the site, rather than a key non-vehicular connection to village services and amenities.
- 5.17 There is no indication that the route to the north can be implemented and further no indication that it would be appropriate for the use necessary to address the overall connectivity concerns regarding the appeal scheme. I do not have confidence that this would be resolved at a later stage as a well-designed route that would be safe, usable and attractive at all times of day and year.
- 5.18 It is of note that potential poor pedestrian connectivity is one of the key reasons this site was omitted from the proposed residential site allocations in the Proposed Submission Rugby Borough Local Plan (CD.5.25). The Stage Two Site Assessment (CD.5.48) states:
- “There are significant concerns about how the site would integrate with the village and provide pedestrian connectivity given that it is not contiguous with the built form.”*
- 5.19 The appeal proposal does not appease this concern and in my opinion appears extremely likely to become a car-dependent development.
- 5.20 While some of the above factors may be outside the immediate control of this scheme, placement of development in this location with the above connectivity constraints and where there are alternative sites available without the same issues, would represent poor design at a settlement scale.

Alternative sites

- 5.21 As explained in the Proof of Evidence of Neil Holly (CD.10.1.4), all three other sites currently proposed for allocation in the Proposed Submission Rugby Borough Local Plan (CD.5.25) are considered to relate better to the village, including in connectivity terms. These sites are located more closely to the village centre, are located on the hilltop level and will be able to positively integrate with the existing street network to the village centre.

6. Summary and conclusion

- 6.1 The proposed development would not be an appropriate addition to Clifton-upon-Dunsmore in relation to its existing well-defined morphology and identity as a nucleated hilltop settlement. The appeal scheme would present an incongruous relationship with and compromise the integrity of the respective settlement patterns of both the village proper and the ribbon development to Rugby Road. It would give an overall impression of sprawl down the Clifton Brook and Oxford Canal valley side toward the Rugby urban area. It would therefore not relate well to its context and would not represent well-sited and well-integrated built development.
- 6.2 The proposed development as currently illustrated would not provide positive, functional connectivity into the village. Via the main site entrance, the vast majority of the proposed dwellings would be further from the main local amenities than the recommended distance that people are generally willing to walk. Further the characteristics of the route alongside Rugby Road may make it unattractive to many potential users. There is no guarantee of a second non-vehicular route and its potential

as a safe, attractive and usable route is doubtful. These factors mean the appeal scheme would likely become a largely car-dependent development.

- 6.3 Overall, the above factors mean that the appeal scheme would not relate well to its context and would represent poor design at a settlement scale. This is contrary to key policy and guidance within the NPPF (CD.5.32), National Design Guide (CD.5.34) and RBC Local Plan (CD.5.1).