

30<sup>th</sup> May 2014

## **PLANNING COMMITTEE - 11<sup>TH</sup> JUNE 2014**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 11<sup>th</sup> June 2014 in the Council Chamber, Town Hall, Rugby.

### **Site visit**

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

4.00pm      43 Bilton Road, Rugby.

Adam Norburn  
Executive Director

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

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

## **A G E N D A**

### **PART 1 – PUBLIC BUSINESS**

1. Minutes.

To confirm the minutes of the meetings held on 22<sup>nd</sup> May and 5<sup>th</sup> June 2014.

2. Apologies.

To receive apologies for absence from the meeting.

3. Declarations of Interest.

To receive declarations of –

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

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

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

4. Applications for Consideration.

5. Advance Notice of Site Visits for Planning Applications - no advance notice of site visits has been received.

6. Delegated Decisions – 25<sup>th</sup> April 2014 – 22<sup>nd</sup> May 2014.

## **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 2014/15 – 1) are attached.

### **Membership of the Committee:-**

Councillors Buckley, Butlin, G Francis, Gillias, Lewis, Pacey-Day, Ms Robbins, Sandison, Mrs Simpson-Vince, Helen Walton (plus two Labour councillors to be confirmed) (subject to confirmation at Annual Council Meeting on 5<sup>th</sup> June 2014).

***If you have any general queries with regard to this agenda please contact Claire Waleczek, Senior Democratic and Scrutiny 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 and Scrutiny 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 – 11<sup>th</sup> June 2014**  
**Report of the Head of Planning and Culture**  
**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

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
1	R14/0363	43 Bilton Road, Rugby Erection of a Coach House style two-bedroomed dwelling to the rear of no. 43 Bilton Road	3

### Recommendations for approval

<b>Item</b>	<b>Application Ref Number</b>	<b>Location site and description</b>	<b>Page number</b>
2	R13/2084	American Amusements, Unit 7, Junction One Retail and Leisure Park, Rugby Change of use from Leisure (Use Class D2) to Retail (Use Class A1) and associated external alterations.	11
3	R14/0208	60 Overslade Lane, Rugby Proposed two storey side and single storey rear extensions plus no. 3 new rear dormer windows.	21
4	R14/0262	Land adj to 60 Overslade Lane, Rugby Creation of a new dwelling.	26

**Reference number: R14/0363**

**Site address: 43 Bilton Road, Rugby**

**Description: Erection of a Coach House style two-bedroomed dwelling to the rear of no. 43 Bilton Road**

**Case Officer Name & Number: Owain Williams – 01788 533789**

### **Site Description**

The dwelling number 43 Bilton Road is located close to the town centre within the urban area of Rugby. The property itself is a detached two storey hipped roof dwelling with large rear garden which has a driveway accessed from the Bilton Road and also a private rear access which runs off Park Lane to the rear of the property.

The dwelling is located just outside of the Bilton Conservation Area and is located near to a Grade II Listed Building in form of the Woodville Nursing Home.

There has been recent development to the rear of the Woodville nursing home which consisted of a combination of conversions and new builds to form a residential development forming 4 dwellings. Access to this development is from Park Lane which is the same access utilised to gain access to the rear of the properties on Bilton Road. The access has been resurfaced up to a point to serve the newly built development then narrows and runs into a dirt track 'green lane' to the existing dwellings numbers 39 to 47 Bilton Road.

Between number 43 and the Woodville housing development there are two other neighbouring residential gardens which do have existing domestic structures in the form of garages and sheds.

The land beyond the rear gardens and access road is an open area of land which forms the Merrtens Playing fields.

### **Proposal Description**

The proposal is for the erection of a coach house style dwelling which is to be sited to the rear of number 43 Bilton Road.

The dwelling is to be a two bedroomed property which is designed in a scale and character similar to the dwellings to the rear of the Woodville nursing home which is accessed from Park Lane which runs to the rear.

The dwelling is to have gable ends to the front and rear with a half hipped roof to the side adjoining number 45 and small gable feature to the other side adjoining number 41 Bilton Road. The dwelling will stand approximately 7.2 metres to the ridge and 4.8 metres to the eaves.

The dwelling incorporates two archways at either side of the dwelling. The "coaching arch" to the side of the dwelling adjoining number 45 Bilton Road provides vehicular access to the plot which will be enclosed by a pair of iron gates. The archway would act as a covered car port arrangement and there will be space for two cars to be parked clear of the access. The second archway/covered way has been designed for pedestrian purposes which adjoins the boundary of number 41 Bilton Road.

The dwelling will have a single storey projection to the rear in the form of an orangery which will project further into the site leaving a rear garden area of 7 metres between the dwelling and rear boundary with number 43 Bilton Road.

## **Relevant Planning History**

None

## **Technical Consultation Responses**

Environmental Services – No objections

WCC Ecology – No objections

WCC Highways – No objections

## **Third Party Responses**

Neighbours (2) – Objection

- Would affect the enjoyment of the garden due to the shadow affect it will create plus it would remove the open and natural outlook that is currently enjoyed.
- The development would result in a loss of privacy
- Part of the dwelling will abut the boundary, permission will not be given to come into garden to build or maintain this development
- The increase in traffic will have a damaging effect on the 'green lane' and could result in more parking blocking the access for the other residents
- The development would have a negative impact upon the character of the area.
- Park Lane and the "unmetted area feeding the rear of properties 39-47" are not one and the same as stated. They should be viewed as completely separate entities as they both have different characters.
- The new dwelling would be stood alone in a green lane at the bottom of a row of gardens separated by residential gardens from other development therefore out of character with the lane.
- Houses 39-47 Bilton Road stand in the grounds of the former Bridport House as can be seen on a map from 1913 to which the front and rear gardens have maintained the original character of the area as garden site so the proposal would affect the character of this area by introducing a dwelling within it.
- The development would result in the loss of trees and vegetation from the area affecting the overall character
- The development would have a negative impact in terms of noise and general disturbance as the rear gardens at present are quiet areas.
- Single track lane is not fit for further residential access
- It would not be adequate as front access to residential properties because it cannot provide access or parking for visitors, services and deliveries.

Neighbour (1) – Support

- With more activity in the newly named Park Lane there has been a marked decrease in noise and nuisance from the playing fields behind

## **Relevant Planning Policies and Guidance**

### Core Strategy

CS1 – Development Strategy

CS16 – Sustainable Design

## Saved Local Plan Policies

GP6 – Safeguarding development potential

E6 – Biodiversity

## Supplementary Planning Guidance

Sustainable Design and Construction SPD

Planning Obligations SPD

## National Guidance

National Planning Policy Framework

## **Assessment of Proposals**

The determining issues to take into account in this case would be the principle of the development in this location, the impact on the character and appearance of the surrounding area, the impact upon the neighbouring amenities and the impact upon biodiversity and highways safety.

## Principle of Development

Policy CS1 states that the location and scale of development must comply with the settlement hierarchy. It must be demonstrated that the most sustainable locations are considered ahead of those further down the hierarchy. The proposed dwelling is to be sited within the urban area of Rugby which is highlighted as the primary focus for meeting strategic growth targets therefore is the most sustainable location for a development of this kind. The development therefore in principle is acceptable in this location and complies with policy CS1 of the Core Strategy 2011.

Policy GP6, Safeguarding development potential, states that planning permission will not be granted for development which would prejudice the development potential of other land being realised, including the comprehensive development of a larger site. The proposed development for one detached dwelling is to be located in an isolated position divorced from the neighbouring development to the rear of the Woodville development which would the residential gardens between the two developments. The agent of the proposed development has provided an indicative plan to illustrate how the other two residential gardens could be developed to show that this development would not prejudice the infill development. Although these plans show how it could be developed as a comprehensive scheme to avoid prejudicing development potential of other land, developing the land in a piecemeal format as proposed would prevent the other neighbouring land being brought forward. For example the approval of 43 Bilton Road would prejudice the development of the land to the rear of numbers 41 and 39 Bilton Road if they were developed out individually as a new dwelling to either garden would further exacerbate the negative impact that would be had upon the amenity space of the remaining garden land as it would be banked either side by development. Taking this into account it is considered that the development of this individual new dwelling would prejudice other development potential of a similar ilk on neighbouring land contrary to saved policy GP6 of the Local Plan 2006.

## Character and Appearance

Policy CS16 of the Core Strategy states that all development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated.

The proposal can be easily described as 'backland development' as it is to be located in the rear garden 'greenfield land' of a dwelling house. The agent of the proposed development has placed a lot of emphasis upon the development to the rear of the Woodville Nursing Home to why this proposal would be acceptable in terms of its impact upon the character and appearance of the area. Although the Woodville development has improved the area it is located, by replacing a poor environment which contributed little to the character of the Conservation area or to the quality of the listed buildings' setting, the positioning of the new dwelling is in an isolated location separated by two residential gardens, set approximately 20 metres away from the Woodville development and along the access which no longer takes the form of a road, so would not be viewed in context with the Woodville development and therefore not in character with its immediate surroundings (garden land).

The character of the area at present when travelling along Park Lane does dramatically change from the hardsurfaced highway which is used to access the Woodville development to the narrow 'green lane' which continues to the small domestic garages and rear access of 39-47 Bilton Road. It is from the start of the 'green lane' to which the development should be viewed as the property would be completely detached from the other development and situated in this landscaped garden area. Even when viewed from Park Lane the dwelling would appear distant within the narrow lane from any development and again appear isolated.

The dwelling would appear more prominent than the low level garages and outbuildings that are situated in this well vegetated garden location due to the increase in height and massing therefore would result in an incongruous feature which due to it being divorced from any development would appear out of character with the locality.

It was explained to the agents of the application that a more comprehensive scheme including the land to the rear of 41 and 39 Bilton Road would be more appropriate and would form a more logical approach as this would be a clear continuation of the development into this part of the lane and it would not be seen as one individual backland plot within the residential gardens. However for various reasons the land could not be obtained for development resulting in this individual plot. Whilst the agent for the application has shown how the land could be developed in an indicative sketch there are no guarantees that the land would ever be brought forward for development which would result in the proposed development still appearing isolated and detached within the midst of residential gardens and therefore out of character contrary to policy CS16 of the Core Strategy.

Policy CS16 also states that new development should seek to complement, enhance and utilise where possible, the historic environment and must not have a significant impact on existing designated and non-designated heritage assets and their settings. The new dwelling will be located to the south west of the Woodville Nursing home which is a grade II listed building, however the dwelling will be located of sufficient distance away not to impact upon the character and appearance of the building or its setting.

In terms of the design and appearance of the dwelling itself the architecture picks up on features that are seen within the neighbouring developments and therefore would be acceptable.

#### Neighbouring Amenity

Policy CS16 continues to state that development ensure that the amenities of existing and future neighbouring occupiers are safeguarded.

The new dwelling will be sited to the bottom of the garden and will replace a single detached garage which has a shallow pitched roof. The new dwelling will fill the width of the plot with the vehicular access/car port and accommodation above abutting the boundary with number

45 Bilton Road and the pedestrian access with accommodation above abutting the boundary with number 41 Bilton Road. A large bulk of the new dwelling will sit against the boundary with number 45 Bilton Road with the main bulk of the property set approximately 1.2 metres away from the boundary with number 41 Bilton Road and will stand approximately 7.2 metres to the ridge and 4.8 metres to the eaves. The new dwelling will have a significantly larger impact on both neighbouring amenities than that of the garage it is to replace.

The agent of the application has referred the areas of the neighbouring gardens to which the new dwelling will sit against as secondary areas which are overgrown and are where outbuildings are sited. Whilst I can understand the logic to an extent of why the agent has referred to the areas in this way the whole of the garden to the properties would be the primary amenity space as they are not separated by an access or separated in any way from the dwelling.

With regards to number 45 Bilton Road the main bulk of the property will align with the garage which sits close to the boundary so the impact upon the amenity in this instance would not be as significant however the height of the half hipped elevation would still stand approximately 4 metres higher than that of the garage.

With regards to number 41 Bilton Road the garage and overgrown area to the rear is situated forward of the proposed dwelling in relationship to the rear access so therefore the new dwelling projects further inwards alongside the garden of number 41 Bilton Road. The area of neighbouring garden to which the dwelling will be positioned against is clearly not overgrown and does not have any garden structures and consists of a well mown lawn. The proposed dwelling would stand well above the boundary fence forming an unneighbourly form of development with regards to an overbearing impact upon the amenity space and also due to the orientation of the properties there will be an overshadowing effect on this area of the garden to the detriment of the amenities currently enjoyed.

By developing each rear garden individually as in this case it could easily exacerbate the negative impact upon the neighbouring amenities. For example if number 39 Bilton Road were to apply to build a dwelling house arguing number 43 has set a precedent for this kind of backland development the garden area of number 41 (whose occupier has stressed no intention of building to the rear) would be banked either side by two dwelling houses and the sense of enclosure and the impact and enjoyment of the amenity space further affected. This kind of scenario could be avoided by a comprehensive development involving all three neighbouring properties to which was suggested to the agent and his client at the pre application stage.

The new dwelling as stated will clearly stand above the boundary fences of the neighbours and will have accommodation at first floor level. The windows serving the accommodation at first floor level have all been positioned as not to overlook the neighbouring garden areas. It appears from the plans that there is a window at first floor to the rear elevation serving the study however this is a false window which has only been added to give architectural detail to the elevation to avoid having a blank wall. The only glazing at first floor level that will face towards neighbouring gardens would be that of rooflights. There are two facing towards number 41 Bilton Road however these would be at a height that would not allow any overlooking views. The other to the rooflight serving the bedroom would look towards the rear of the properties and would be at a height that potential overlooking views could be obtained, however as this is the only offending window it could be controlled via a planning condition to be obscure glazed and fixed at all times to avoid this overlooking aspect and would be enough overcome the issue.

With regards to the noise and disturbance created from the new dwelling at the rear potentially affecting the neighbours I consider that whilst it may increase the noise and disturbance it will not be significant to warrant a reason for refusal as the outbuildings currently located in the gardens could be used for a purpose incidental to the enjoyment of the dwelling which could easily increase the noise and disturbance in this area. Furthermore the fact that cars can and do use the access already would not significantly alter the current situation.

Taking into account the above it is considered that the proposed dwelling will result in an unneighbourly form of development in terms of an overbearing and overshadowing affect to the detriment of the neighbouring amenities enjoyed within the rear garden area contrary to policy CS16 of the Core Strategy 2011.

### Biodiversity

Saved Policy E6 of the Local Plan 2006 seeks to safeguard maintain and enhance features of ecological and geological importance, in particular priority habitats/species and species of conservation concern. The policy continues to state that developers will be required to take measures during the development process to prevent the disturbance of wildlife and to make provision for the protect and subsequent retention of natural features and necessary supporting habitats, such as ponds, hedgerows, ditches and trees which are to be retained. Where loss of habitat is unavoidable, adequate mitigation measures should be undertaken and only where this is not possible, adequate compensation measures should be implemented. The ecology department at the County Council have assessed the proposal and deemed it unnecessary to undertake any surveys with regards to protected species. They have however indicated that notes highlighting the protected status of bats and nesting birds be attached to any approval given.

### Highway Safety

The proposed new dwelling will utilise the existing rear access to number 43 Bilton Road which is also used to access the properties 39-47 Bilton Road. This section of the access is a narrow 'green lane' which consists of earth and grass.

With regards to parking the proposal does provide sufficient parking to comply with the parking standards as there are three parking spaces available to the front of 43 Bilton Road and two parking spaces to the rear to support the new dwelling house.

As the highway serving the development is a private access up to Merttens Drive the Warwickshire County Council have no objections to the scheme. I can understand the concerns of the local residents in the fact that this dwelling would increase the amount of traffic up and down the lane to which currently exists and there may be circumstances when the access is blocked by a service delivery lorry or vehicle. However this is an access which is used by vehicles coming to and from the rear of the properties and there may circumstances at present, as it is a single track, when the access is blocked, so introducing a dwelling along this lane would not significantly alter the situation enough to warrant refusal. The applicants have indicated that the access will be improved in areas which would leave parts of the access still of a substandard surface and could lead issues of the access becoming unpassable if constantly used especially in the winter months. I would suggest if the application is approved that the applicant looks to continue the surfacing in front of the proposed property up to the hard surfaced area on Park Lane to help prevent further issues.

### **Recommendation**

Refuse Permission

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R14/0363

### **DATE VALID**

26/03/2014

### **ADDRESS OF DEVELOPMENT**

43 BILTON ROAD

RUGBY

CV22 7AN

### **APPLICANT/AGENT**

Mr Richard Palmer  
Hb Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH

On behalf of Mr Michael Pawsey

### **APPLICATION DESCRIPTION**

Erection of a Coach House style two-bedroomed dwelling to the rear of no. 43 Bilton Road

### **CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES**

#### **RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

Policies CS1 and CS16 of the Rugby Borough Core Strategy and saved policies GP6 and E6 of the Rugby Borough Local Plan 2006

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

#### **REASON FOR REFUSAL: 1**

The proposed dwelling would result in a piecemeal development that would prejudice other development potential neighbouring land contrary to saved policy GP6 of the Rugby Borough Local Plan 2006

#### **REASON FOR REFUSAL: 2**

The proposed dwelling would be located to the rear of no.43, Bilton Road and would form a 'backland' development. Having regard to the isolated positioning of the development amongst the residential gardens which characterise this area, the proposed dwelling is considered, by virtue of its siting, to be unsympathetic to the character and appearance of the locality. Furthermore the development due to its location, size and height would form an unneighbourly form of development impacting in terms of an overbearing and an overshadowing impact upon the neighbouring rear gardens to the detriment of the amenities currently enjoyed within. The proposal is therefore considered contrary to policy CS16 of the Rugby Borough Core Strategy 2011.

**STATEMENT OF POSITIVE ENGAGEMENT:**

In dealing with this application Rugby Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraphs 186 and 187 of the NPPF. Due to the siting of the proposed dwelling, it was not possible in this case for the scheme to be amended so as to be satisfactory to the Local Planning Authority..

**Reference number: R13/2084**

**Site address: American Amusements, Unit 7, Junction One Retail and Leisure Park, Rugby**

**Description: Change of use from Leisure (Use Class D2) to Retail (Use Class A1) and associated external alterations**

**Case Officer Name & Number: Owain Williams – 01788 533789**

This application has been brought to committee due to its status as a major application and due to the significant community interest

### **Site Description**

Junction One Retail Park is an established out of centre shopping destination located off the Leicester Road approximately half a mile to the north of Rugby town centre.

The existing retail and leisure park comprises 14 A1 and A3 units (currently occupied by Laura Ashley, Carphone Warehouse, Dreams, Maplin, Currys, The Range, Sports Direct, Boots, O2, McDonalds, KFC, Frankie and Benny's and Subway), 3 leisure units (currently occupied by Virgin Active, American Amusements and Cineworld) and 896 car parking spaces.

The River Avon bounds the retail and leisure park to the north and east and beyond the river to the north is a large Tesco Supermarket and Elliott's Field Retail Park both which are accessed from the roundabout on the Leicester Road. The Leicester Road connects Rugby town centre and Junction 1 of the M6 motorway and is situated directly to the east of the site.

The land to the west and south of the site comprises a large development site in the ownership of St Modwens which has been allocated as residential and employment land to which phases have already been complete and are currently under construction

Unit 7 is located in the corner of the retail park adjoined either side by the Cinema and Virgin Active.

### **Proposal Description**

The proposals seek the change of use of an existing bowling alley to an open A1 non-food retail unit for occupation by Matalan. The proposals will also include alterations to the elevations of the building.

There will be some alterations to the elevations of the unit however this will consist mainly to the side and rear with the introduction of new doors and windows. There will no alterations to the façade of the building expect the obvious change of the signage.

The proposed change of use was to include the introduction of a mezzanine to the retail unit however and was being dealt with through the application ref R13/2141. However during the process of this application to change the use of the unit the mezzanine application was withdrawn. This meant the overall floor space of the unit associated with the use reduced from 2602sqm to 2246sqm. The implications of this, which are highlighted further on in this report, led to the deferral of the application at the last committee.

As part of the on-going alterations to the application further information in the form of an amended sequential test has been submitted.

## **Relevant Planning History**

R94/0718/19723/OP – Use of land for the erection of buildings to be used for A1 (non-food) retail, B1 business, A3 to be used as a hot food takeaway, a car showroom and for leisure purposes – Approved 7<sup>th</sup> November 1994

R01/0881/19723/P – Erection of 2 retail units and use for purposes within Class A1 – non-food retail of the Town and Country Planning (Use Class) Order 1987 – Approved 7<sup>th</sup> March 2002

R02/0738/19723/P – Erection of an additional non-food unit – Approved 2<sup>nd</sup> October 2002

E2E 691 – Erection of A1 Retail Unit, Car Park alterations and associated works – Approved 26<sup>th</sup> January 2010

E2E 125 – Erection of three flexible-use A3/A5 units (restaurants and cafes/hot food takeaways), car parking alterations and associated works – Refused 29<sup>th</sup> January 2010 but allowed at Appeal on the 20<sup>th</sup> September 2010

R12/0820 - Change of use from Class A3/A5 use to a Flexible Class A1/A3 and A5 use – Approved on 4<sup>th</sup> July 2012

R13/2141 - Installation of a storage mezzanine of 356sqm (GIA) in relation to the proposed retail (A1) use of the site - Withdrawn

## **Technical Consultation Responses**

Environmental Protection – No objections

WCC Highways – No objections

Rugby Bid – Object

- The unit will be open A1 which means it would compete directly with the Town Centre for comparison goods
- Both central government and Rugby Borough Council have a policy of Town Centre First
- This could be easily be accommodated within the CBRE development
- Would there be sufficient car parking capacity to accommodate all these extra units

Stagecoach – Initial objections now withdrawn

## **Third Party Responses**

### Comments before amendments

Residents and local businesses – Objection

- There are very few other leisure facilities in Rugby
- The bowling centre offers a vital service to many people on a regular basis as well as to many others on a more casual basis
- There are regular bowling leagues and regional competitions which use the centre bringing people from outside the town into the town.
- There are also many youth groups and children's parties which use the facilities
- The proposal would be have significant detriment to Rugby, how does this proposal fit in with the commitment to the 2012 Olympic legacy and sport for all?

- Have centred our league at Rugby for the last 4 seasons having originally been based in Coventry and Nuneaton and have currently 17 members
- Ten pin bowling is an activity openly accessible to all children and meets the needs of a significant clientele with varying disabilities and nearly half of the YBC league members are specifically on the autistic spectrum.
- J1 is a retail and leisure park by increasing the retail elements and withdrawing the leisure elements the balance between retail and leisure is one sided.
- This will not serve the diverse needs of the local residents, nor will it attract customers from other localities.
- Loss of a facility that has been a source of vital support for many families with children who cannot access other sports activities due to their very different and diverse needs.
- There is a structured league programme at Rugby Superbowl and the bowl's closure will affect hundreds of local residents
- Given the units proximity to the local cinema, it makes a strong hub of the area of the Retail Park for those not wishing to travel to do both.
- The Rugby Bowl over the last year played host to several national tournaments and this brought a lot of people into Rugby who filled the local hotels and boosted sales at restaurants and shops. It is also earmarked to be the future home of the English Open – a prestigious and flagship event run by the British Tenpin Bowling Association.
- The loss of the bowling alley will have a negative impact on the local population and also impact the other sites on the retail park that will lose trade that comes their way from the visitors to the bowling alley.
- If this closes the closest bowling hall would be Coventry or Leamington and this is too far to travel especially for elderly groups.
- The proposal will undermine adopted Local Plan Policy and is contrary to the 'town centre first' approach to retail development.
- The cumulative impact of the proposed scheme alongside the others recently granted planning permission would have a significant negative impact on Rugby Town Centre, jeopardising the vitality and viability of the centre.
- The proposal would have on going negative effects on investment in Rugby Town Centre
- An impact assessment as required by the Framework has not been satisfied
- The proposal does not satisfy the requirements of the sequential test.

#### Comments after amendments

- The proposals will result in additional retail floor space (open A1) above that identified in policy and this will have adverse impact on the Town Centre investment
- There is no identified need for further retail and in any event there is an alternative site within JORLP
- The unsustainability of offering Rugby Bowl a reduced rent is not a material planning consideration and should not be used to justify the grant of planning permission
- The comments made in the assessment with regards to the suitability, availability and viability of the Evreux Way site are speculative. Each of these measures should be judged on their own merits. The Evreux Way site is sequentially preferable.
- The assertion that recent Government guidance no longer considers a 10-15 year timeframe for availability is incorrect. Timeframes for major town centre schemes should be assessed on their merits.

## **Relevant Planning Policies and Guidance**

### Core Strategy

CS1 – Development Strategy	Conflicts
CS6 – Development in Rugby Town Centre	For Information
CS7 – Retail Frontages	For Information
CS8 – Town Centre Retail Allocations	For Information
CS11 – Transport and New Developments	Complies
CS13 – Local Services and Community Facilities	Complies
CS16 – Sustainable Design	Complies

### Saved Local Plan Policies

T5 – Parking Facilities	Complies
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### Supplementary Planning Documents

Planning Obligations SPD	Complies
Sustainable Design and Construction SPD	Complies

### National Policy

National Planning Policy Framework (NPPF)	Conflicts
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## **Assessment of Proposals**

The determining issues to take into account in this case would be the principle of the change of use from D2 to A1 in this out of town location including the impact upon the vitality and viability of the town centre, the impact upon the character and appearance of the building and surrounding area and the impact upon the highway network.

### The Principle of Development

The proposed conversion site is located on an existing retail park outside of the town centre. Policy CS1, Development Strategy, of the Rugby Borough Core Strategy 2011 defines the settlement hierarchy for the Borough with Rugby town centre stated as the preferable location for facilities and services. Paragraph 2.4.1 of the supporting text to Policy CS1 states: "Proposals for new services and facilities that aim to serve more than a local community or neighbourhood must demonstrate that they cannot be located within or on the edge of the town centre before alternative locations will be considered." This has introduced the basic concept of the sequential test for development such as that proposed. Beyond this, however, the Core Strategy has nothing to say about the sequential approach or about the assessment of the likely impacts of proposed out of centre development on the economic health of the town centre. Therefore it is necessary, at this point, to refer to the content of the NPPF and newly released National Planning Policy Guidance (NPPG) when considering this application.

There are many parts of the NPPF that are relevant to the deciding of this planning application. Of most significance are the sections that relate to ensuring the vitality and viability of town centres.

Paragraph 23 of the NPPF states the need for planning policies to be positive and promote competitive town centre environments. It also sets out policies for the management and growth of centres over the Plan period and states the importance of meeting retail need in full without being compromised by limited site availability.

Paragraph 24 requires a sequential impact assessment for proposals that are not located in a town centre and not in accordance with an up to date development plan. The overall principles of the sequential impact assessment have continued from the previous Planning Policy Statement 4; the NPPG requires both applicants and developers to demonstrate a flexible approach.

Paragraph 26 specifies the circumstances in which an impact assessment must be submitted. Applications for retail, leisure and office development outside of town centres which are not in accordance with an up to date development plan must be supported by an impact assessment where the development is over a default threshold of 2,500 sqm (this is in the absence of a locally set threshold). This should include the assessment of:

- The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and
- The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and wider area, up to five years from the time the application is made – for major schemes where the full impact will not be realised in five years, the impact should be assessed up to ten years from the time the application is made.

Paragraph 27 states that where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.

The applicant did undertake an impact assessment in accordance with the NPPF paragraph 26 which is explained above however the withdrawal of the mezzanine floor application (R14/2141) reduced the floor space below the default threshold of 2500sqm which triggers the requirement for an impact assessment to be undertaken.

As this is the case there is no requirement to assess the proposal in respect of the impact upon the vitality and viability of the Town Centre within this report.

Whilst policies ensuring the vitality of town centres are the most relevant to this application there are other parts of the NPPF that must also be considered. Paragraphs 6 and 7 emphasise the Government's commitment to sustainable development by stating that the achievement of this is the purpose of the planning system. The three stated dimensions of sustainable development are economic, social and environmental. The building of a strong and competitive economy is also an important part of the NPPF. Paragraph 19 states that planning should act to encourage growth and not act as an impediment. Significant weight should therefore be attributed to the need to support economic growth in the planning system when deciding planning applications. Paragraph 70 also states "...decisions should ensure that shops, facilities and services are able to develop and modernise in a way that is sustainable and retained for the benefit of the community".

The National Planning Practice Guidance (NPPG) sets out further guidance on the sequential test, providing a checklist for how the sequential approach should be considered in plan making and how the sequential test should be used in decision taking.

### Sequential Assessment

The checklist within the NPPG provides two considerations in determining whether a proposal complies with the sequential test. The first consideration is with due regard to the requirement to demonstrate flexibility and consider the suitability of more central sites to accommodate the proposal. Where the proposal is located in an out of centre location, preference should be given to accessible sites that are well connected to the town centre. The second is to consider the scope for flexibility in the format and/or scale of the proposal. The guidance states that it is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed but rather to consider what contributions more central sites are able to make individually to accommodate the proposal. Should there be no suitable sequentially preferable locations then the sequential test is passed.

The guidance also sets out that locational requirements can be considered in the sequential test, with certain main town centre uses having particular market and locational requirements which mean that they may only be accommodated in specific locations. Robust justification must be provided where this is the case.

The applicant's amended sequential test now refers to the new guidance as set out in the NPPG and has assessed the same 10 sites as previously assessed using the key factors as explained above. It should be noted that the NPPG states that viability of a site should be considered in the plan making process whilst in the decision making section it states that local planning authorities need to be realistic and flexible in terms of their expectations of promoting new development on town centre locations which can be more expensive and complicated than building elsewhere.

The applicant has indicated that 9 of these sites were addressed in the previous sequential assessment to which the findings were accepted by officers and the assessments made upon availability and suitability remain unaffected and therefore are valid. The summary of the sites against the new guidance has been assessed and there are found to satisfy the sequential test.

With regards to the requirement to demonstrate flexibility, the applicants have stated that the proposal is for large retail warehousing and that none of the site assessed are capable of accommodating even a highly compromised version of the proposed scheme. They are either too small, or are simply not available for the type of development proposed.

The remaining site to be examined is the Evreux Way site which is allocated for retail development through policy CS8 of the Core Strategy and has outline permission for a 5,667sqm anchor store, 6,949sqm floor space for additional retail units and a 6 screen cinema (circa 2,611 GIA) and 4,171sqm of office space. The sizes of the units are flexible with the permission being with all matters reserved. Nevertheless the applicants have indicated that there are considerable doubts to whether the scheme on the site would be brought forward and in their view the site would clearly not available now and for many years to come. The reasons given for these doubts are as follow:

- It is an outline consent only, with no reserved matters approved
- It has no committed tenants and so is at present not viable
- Even if it is progressed (which is not certain), it will take many years to clear the site, secure tenants and finish construction.

- The viability of the scheme is questionable at best. The scheme is not viable without tenants

The owners of the Clock Towers who are heading up the proposed application at Evreux Way have responded to the doubts cast over their proposals by indicating that they are in discussions with national retailers which could act as anchor tenants and that every effort is being made to progress the Evreux Way site and every out of centre permission granted undermines these efforts.

As part of the formation of the new NPPG certain sections have been omitted from the old practice guidance most notably paragraph 4.10 which indicated timescales that might constitute reasonable for town centre development which puts the emphasis now more so upon the individual merits of each case. Paragraph 012 of the NPPG states the sequential test seeks to deliver the Government's "town centre first" policy. However as promoting new development on town centre locations can be more expensive and complicated than building elsewhere; local planning authorities need to be realistic and flexible in terms of their expectations. With this in mind the Council approached the applicant of the Evreux Way scheme, following the Planning Committee's deferral of the proposal, to request clarification upon the availability of the site. Information was also requested as to any agreement on Heads of Terms (for a potential lease) and crucially, what the timeframes for development of the site. The purpose of this approach was to assist officers in understanding the prospects of development of the Evreux Way in order to make a fair assessment of it as a potentially sequentially preferable site. At the time of writing there has been no response to these questions.

The proposed change of use of the Bowling Alley to Matalan would not require a full redevelopment of a site such as the Evreux Way site to enable development to occur. The change would be almost immediate as the unit is already in existence with only refurbishment of the unit required to make it available.

As there has been no clarity given upon the availability of the Evreux Way site the Council would share the doubts stated by the applicants that the site realistically might not be available for up to 10-15 years, if at all, therefore rendering the site currently unavailable. Taking this into account along with the fact that Matalan could be trading from the unit before the year is out it is considered that it would be unreasonable to expect Matalan to wait 10 to 15 years for a town centre site to be developed, especially when the government guidance has changed to prevent economic development being frustrated by such long delays.

To conclude, the Evreux Way site cannot be realistically considered available, therefore as there are no other sites for this development the sequential test is passed.

With regards to the issue raised by the Turley Associates acting on behalf of the Clock Towers of there being another alternative site within JORLP this can be discounted for a couple of reasons. The suggested unit would not be large enough to accommodate the 2246sqm of floor space that this application involves and the site would not be in a sequentially preferable location therefore should not be taken into consideration as part of the sequential assessment.

#### Other policy considerations - Principle of Change of Use

The NPPF refers to the role of the planning system in providing strong communities with accessible local facilities. This goes on to state that authorities should promote the retention of local services and community facilities and that local authorities should guard against the unnecessary loss of valued facilities and services particularly if this would reduce the communities ability to meet day to day needs.

Policy CS13 also refers to local services and community facilities and states these should be retained unless it can be demonstrated that:

- there is no realistic prospect of the existing use continuing,
- the site has been actively marketed of a similar or alternative type of community use, and
- the service can be provided in a different manner or on a different site in the area

Both of the above policies look for retention of local services and community services which in the spirit of the policies is guided towards the facilities that form the hub of a community i.e. a public house, a social club, a sports club, or local superstore etc. that meet the day to day needs of that community/local area. The bowling alley is a large commercial outfit on a retail park that has a larger catchment area and does not meet the day to day needs so this should not be accounted for as a local service or community facility and assessed against these policies.

However if you were to consider the bowling alley as a local service or community facility the change of use to a retail unit would not conflict with policy CS13 as a shop is also noted as a local service and as they would be of the same large scale it would be a straight swap which further highlights the fact that the bowling alley and retail unit would not be classed as a community facility or local service for the purposes of policy CS13.

#### Character and Appearance

As set out in the NPPF, the Government attaches great importance to the design of the built environment. One of the core planning principles within paragraph 17 states that planning should “always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings”. Paragraph 56 of the NPPF indicates that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to make places better for people.

The emphasis put on good design by the Framework has been highlighted and picked up on within the Core Strategy 2011. Policy CS16, Sustainable Design, states that “all development will demonstrate high quality, inclusive and sustainable design and will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated”.

The proposed change of use will result in little or no change to the front elevation therefore not impacting upon its appearance with the overall aspect of the retail park. There will be small alterations in respect of the elevations and rear elevations with some windows removed and new fire doors installed. This again would have little impact on the visual aspects of the building and wider retail park as they will not be viewed in the public domain. The proposed change of use will therefore comply with policy CS16 of the Core Strategy 2011.

#### Parking and Highway Safety

With regards to the parking allocation the change of use from the Bowling Alley to Matalan would differ as the parking standards are judged upon lanes for the bowling alley but floor space for the retail unit leading to approximately 40 more parking spaces being required by for the retail unit. Although there is a specified increase in the parking standards between the two uses the parking standards are maximum standards and therefore a judgement has to be made to whether extra parking standards have to be provided. As this is a change of use of an existing unit and the car park of the retail park as a whole provides adequate parking provision and has sufficient spare capacity it would be unreasonable to request further additional parking spaces from this change of use.

The transport assessment submitted with the application concluded that the proposed change of use from leisure to retail will result in marginally more total trips to the site during the weekday PM peak. However this is considered to be well within the daily fluctuation of traffic flows already passing the site on the A426. The report concludes that the overall net impact is within acceptable levels and that there would not be an unacceptable impact on the local highway and transport network. The County Council Highways department have assessed the transport assessment for the proposed change of use and have no objections to the scheme.

**Recommendation**

Grant Permission Subject to Conditions

**DRAFT DECISION**

**APPLICATION NUMBER**

R13/2084

**DATE VALID**

06/11/2013

**ADDRESS OF DEVELOPMENT**

UNIT 7 JUNCTION ONE  
LEICESTER ROAD  
RUGBY  
CV21 1RW

**APPLICANT/AGENT**

Mr Stephen Rose  
Indigo Planning  
Swan Court  
Worple Road  
Wimbledon  
SW19 4JS  
On behalf of , St James's Place UK Plc c/o  
Orchard Street Investment Management

**APPLICATION DESCRIPTION**

Change of use from Leisure (Use Class D2) to Retail (Use Class A1) and associated external alterations

**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 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:

Drawing No. 12982 - 112 Rev A received by the Local Planning Authority on the 6<sup>th</sup> November 2013

**REASON:**

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

**CONDITION: 3**

Prior to any development commencing full and precise details of all external plant (e.g. Mechanical & Electrical plant and other associated plant), if fitted, should be submitted to and approved by the local planning authority. All external plant should be designed, constructed, installed and operated as not to cause nuisance to people living nearby or local businesses.

**REASON:**

To safeguard surrounding amenities

**CONDITION: 4**

The 2246 sqm of floorspace hereby permitted shall be for A1 non food retail purposes only and shall not be internally subdivided.

**REASON:**

To ensure that the development does not adversely impact on the vitality and viability of Rugby Town Centre

**CONDITION: 5**

Notwithstanding Section 55 of the 1990 Act (as amended by section 49 of the 2004 Act) and article 2A of the General Development Procedure Order, no mezzanine floors will be permitted within this unit.

**REASON:**

To ensure that the development does not adversely impact on the vitality and viability of Rugby Town Centre

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**Reference number: R14/0208**

**Site address: 60 Overslade Lane, Rugby**

**Description: Proposed two storey side and single storey rear extensions plus no. 3 new rear dormer windows**

**Case Officer Name & Number: John Wilbraham – 01788 533549**

### **Site Description**

The site is located in a residential area where there is a mix of house types and styles, located lies within the Rugby Urban Area. The road itself follows the slope of the hill meaning the houses are set on staggered levels as the house numbers increase. The dwelling is a detached property which sits in a large corner plot with Barton Road running along the southern boundary and Overslade Lane forming the eastern boundary.

### **Proposal Description**

This application is seeking permission for extensions which amount to a remodelling of the property. They involve removing an existing store and utility area and creating a two storey side extension which will elongate the ridge line and create an additional front gable together with a single storey rear extension that will span the width of the dwelling and have a mono-pitch roof. There would be dormer in the rear roof slope together with a number of rooflights.

### **Relevant Planning History**

<b>Application Reference</b>	<b>Description</b>	<b>Decision</b>
R14/0262	Creation of a new dwelling	Pending consideration

### **Technical Consultation Responses**

WCC Ecology – We would recommend a note highlighting the protected status of bats and nesting birds is attached to any permission granted (17/4/14)

WCC Highways – no objection subject to two informative notes being attached (25/4/14)

### **Third Party Responses**

Cllr – no comments received

Parish – no comments received

Neighbours – two objections received regarding loss of privacy/overlooking and out of keeping with the street (22+24/3/14)

### **Relevant Planning Policies and Guidance**

#### **Core Strategy**

CS1                      Development Strategy  
CS16                     Sustainable Design

## Saved Local Plan Policies

E6 Biodiversity  
T5 Parking Facilities

## National Policy

National Planning Policy Framework (NPPF)

## Guidance

Sustainable Design and Construction SPD

## **Assessment of Proposals**

In the assessment of this application the determining factors are the impact of the proposed development on the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and highway safety.

### Impact on the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Similarly, the Sustainable Design and Construction Supplementary Planning Document states that the siting, size and design of an extension must not dominate the existing building and should be sympathetic with and appear subservient to the original dwelling. Paragraphs 56 and 57 of the NPPF require all development proposals to be of a high quality design.

Overslade Lane contains a mix of dwelling designs with those at the top end of the road being larger detached properties that reduce slightly in size continuing down the road. The property situated on the other side of Barton Road to the application site is a dormer bungalow. The opposite side of the road consists primarily of semi-detached pairs with more bungalows at the bottom end of the hill. The proposed extensions and alterations to the property amount to a remodelling of the dwelling giving it the appearance of the larger properties located further up Overslade Lane. Whilst this is not strictly in accordance with the design principles set out in the SPD, consideration has been had with regards to the overall design and how it fits in with the character of the area.

The proposed extended ridge line mirrors that of the semi-detached properties opposite the site and further up the road. There is limited timber detailing in the two front gables and porch which is a feature found on a small number of other properties in the street. The current dwelling is slightly dwarfed by the size of the plot in which it sits. There is a concurrent application currently pending consideration for a new dwelling to be built on part of the plot. This will reduce the plot width but the size of the remaining plot is deemed to be capable of taking this amount of extension.

Whilst it is accepted the design of the proposed extensions will create a new character for the dwelling, the varied mix of properties in the street means that it will not be incongruous in the streetscene having regard to Policy CS16, the design SPD and Paragraphs 56 and 57 of the NPPF.

### Impact upon the amenity of neighbouring properties

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

The neighbours considered most affected by the proposal are no. 2 Barton Road which is located at the end of the application site but sits side on to the property and 58 Overslade Lane located to the northeast of the site further down the road. It is accepted that there will be additional windows facing towards the neighbour in Barton Road, an issue raised in their objection letter, however consideration should be had to the separation distance from these windows to the side of the property and associated garden area. The distance is not being altered between the properties at first floor level so there would still be a separation distance of approximately 18m between the rear elevation and the rear boundary of the site and 22m between the rear elevation of no. 60 and the side elevation of no. 2. This size of separation is considered to ensure there would not be an unacceptable level of overlooking. The plot has been reduced in size due to the separate application currently being considered for a new dwelling which will aid in the separation between this property and no. 58. It is accepted that the new habitable rooms on the rear elevation will have views across the garden of no. 58 however these will be of the areas of the garden which are not given great protection from overlooking.

Whilst the proposed extensions will give rise to more overlooking than the current house it is felt the harm is mitigated given the separation distances involved and that on balance the proposal is acceptable having regard to Policy CS16.

#### Impact on protected species

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. Paragraph 118 of the NPPF requires local authorities to have regard to the conservation and preservation of protected species and their habitats.

The County Ecologist has raised no objections to the proposal subject to informative notes regarding bats and nesting birds being attached to the decision. Based on this expert advice it is considered the proposal will not have an adverse impact on protected species having regard to Saved Policy E6 and Paragraph 118 of the NPPF.

#### Impact on parking and highway safety

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development. Paragraph 39 of the NPPF requires development proposals to have regard to the safety of all highway users.

The proposal seeks to retain the existing front access where there is parking for 2 vehicles whilst a new access and garage are also proposed at the rear of the site off Barton Road. This new access and garage can be constructed under permitted development and are therefore outside the control of this application. The new garage and hardstanding area to be constructed under permitted development would help to ensure the dwelling had sufficient parking provision given its size once extended. It is proposed to attach an informative to advise the applicant that these aspects need to be constructed at the same time as the extensions.

Overall the development is considered to comply with the contents of Saved Policy T5, the contents of the Planning Obligations SPD and Paragraph 39 of the NPPF.

#### **Recommendation:**

Approve subject to appropriate conditions.

Report prepared by: JW 28/5/14

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R14/0208

### **DATE VALID**

03/03/2014

### **ADDRESS OF DEVELOPMENT**

60 OVERSLADE LANE  
RUGBY  
CV22 6EE

### **APPLICANT/AGENT**

Mrs Rebecca Chapman  
Chapman Design  
10 David Road  
Rugby  
Warwickshire  
CV22 7PX  
On behalf of Mrs Uppal

### **APPLICATION DESCRIPTION**

Proposed two storey side and single storey rear extensions plus no. 3 new rear dormer windows

### **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 51 of the Planning and Compulsory Purchase Act 2004.

#### CONDITION 2:

The development shall not be carried out other than in accordance with the plans no. 2317-LP, 2317-01, 2317-02, 2317-03, 2317-04, 2317-05 and 2317-06 received by the Local Planning Authority on 7 March 2014.

#### REASON:

For the avoidance of doubt.

#### CONDITION 3:

The facing materials to be used on the external walls, windows and roof shall be as specified on the application form and on plans no. 2317-03, 2317-04, 2317-05 and 2317-06 received by the Local Planning Authority on 7 March 2014.

#### REASON:

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

#### CONDITION 4:

The ground floor side facing window serving a W.C, the central first floor windows on the rear elevation and the central dormer to be formed in the rear elevation of the proposed extension shall not be glazed or reglazed other than with obscure glass.

## REASON:

To protect the residential amenity of neighbouring properties.

## STATEMENT OF POSITIVE ENGAGEMENT:

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

## INFORMATIVE 1:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works.

Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

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 1981 Wildlife and Countryside Act. 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 2:

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team - Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

## INFORMATIVE 3:

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.

## INFORMATIVE 4:

The applicant is respectfully reminded that the new access, garage and associated hardstanding should be constructed at the same time as the proposed extensions to ensure that the dwelling has sufficient parking provision to meet the standards set out in the Planning Obligations SPD.

**Reference number: R14/0262**

**Site address: Land adj to 60 Overslade Lane, Rugby**

**Description: Creation of a new dwelling**

**Case Officer Name & Number: John Wilbraham – 01788 533549**

### **Site Description**

The site is located in a residential area where there is a mix of house types and styles, located lies within the Rugby Urban Area. The road itself follows the slope of the hill meaning the houses are set on staggered levels as the house numbers decrease. The site forms part of the garden area for no. 60 Overslade Lane which would be subdivided to provide this plot. An application was submitted at the same time for extension to no. 60.

### **Proposal Description**

This application is seeking permission for the creation of a new detached dwelling on garden land to the side of no. 60 Overslade Lane. The new dwelling is proposed to be 5 bedrooms and has been designed with a projecting double height front gable which includes an integral garage.

### **Relevant Planning History**

<b>Application Reference</b>	<b>Description</b>	<b>Decision</b>
R14/0208	Proposed two storey side and single storey rear extensions plus no. 3 new rear dormer windows	Pending consideration

### **Technical Consultation Responses**

RBC Building Control – no comments received

Severn Trent – no objection (26/3/14)

WCC Ecology – Using aerial photography, there appear to be a number of semi-mature trees within the site however these do not appear to be mature and as such are considered unlikely to contain features suitable for roosting bats. As a precaution we would recommend that a note is attached to any permission granted to highlight the protected status of bats to the applicant. However if any of the trees *are* mature, we would recommended an initial inspection of the tree prior to felling and we would be happy to provide further advice if required.

We recommend that the existing trees are retained where at all possible within the design of the scheme. If it is essential to remove any trees, they should be replaced by native species ideally at a 2:1 ratio within the landscaping scheme, in accordance with one of the recommendations of the NPPF to achieve a no net loss of biodiversity. All retained trees should be protected in line with British Standard BS5837:2012.

If it is essential to remove existing scrub and trees, we would recommend this work is timed to avoid the nesting bird season (March to September) and we would recommend a note to highlight the protected status of nesting birds is attached to any permission granted (17/4/14)

WCC Highways – no objection subject to a number of conditions and informative notes being attached to the decision (16/4/14)

### **Third Party Responses**

Cllr – no comments received

Neighbours – two objections received regarding loss of privacy/overlooking and out of keeping with the street (22+24/3/14)

### **Relevant Planning Policies and Guidance**

#### Core Strategy

CS1            Development Strategy  
CS16          Sustainable Design

#### Saved Local Plan Policies

E6            Biodiversity  
T5            Parking Facilities

#### National Policy

National Planning Policy Framework (NPPF)

#### Guidance

Sustainable Design and Construction SPD

### **Assessment of Proposals**

In the assessment of this application the determining factors are the principle of the development, the impact of the proposed development on the qualities, character and amenity of the area, amenity of neighbouring properties, impact on protected species and highway safety.

#### Principle of Development

The site is located within the urban area which is the primary focus for meeting the identified housing need as set out in Policy CS1. The principle of creating a dwelling in this location is therefore acceptable having regard to Policy CS1.

#### Impact on the qualities, character and amenity of the area

Policy CS16 states that development will only be allowed where proposals are of a scale, density and design that would not cause any material harm to the qualities, character and amenity of the areas in which they are situated. Paragraphs 56 and 57 of the NPPF require all development proposals to be of a high quality design.

In height terms the new dwelling would be set approximately 1m lower than no. 60, with the ridge being approximately 0.7m lower, whilst it would be set on the same ground level as no. 58 although its ridge would be approximately 0.35m higher. This helps the new dwelling assimilate into the streetscene by following the gradient of Overslade Lane. The eaves and ridge line of the dwelling have been designed at similar proportions to no. 58 which helps give the property the appearance of a traditional two storey house rather than a three storey one. The design includes a front gable and porch which are features found on other dwellings in the street, as is the small element of timber detailing on the gable.

Based on the varied mix of house types in the street the current proposal is considered acceptable in the streetscene having regard to Policy CS16 and Paragraphs 56 and 57 of the NPPF.

#### Impact upon the amenity of neighbouring properties

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

The neighbours considered most affected by the proposal are no. 2 Barton Road which is located at the end of the application site but sits side on to the property and 58 Overslade Lane located to the northeast of the site further down the road. There is a window in the side elevation of no. 58 which faces towards the proposed dwelling although it is a secondary window for the kitchen, whose primary window is sited on the rear elevation. The 45 degree test was applied from this rear kitchen window and was found not to be breached on the new dwelling. This is considered to demonstrate the proposal will not have an unacceptable impact in terms of loss of light or overbearing to no. 58. The applicant's own property has a current application in for extensions so the 45 degree test has been applied from both the existing rear elevation and also the proposed rear elevation. In both instances the 45 degree line was not breached on the proposed dwelling which is considered to show the development will not have an adverse impact in terms of loss of light or overbearing to no. 60. There is also a difference in levels between the site of the new dwelling and no. 2 of approximately 1m which should help reduce the effect of overbearing on no. 2.

Concerns have been raised by both neighbours no. 58 and 2 relating to the loss of privacy that would arise from the new dwelling. The only area of the garden which is actively protected is the area immediately to the rear of the house. There is a utility door and one first floor bathroom window proposed in the side elevation facing no. 58. The utility door would be screened by the proposed 1.8m high fence to be erected on the boundary whilst the window is to be obscure glazing which will be secured via condition. The number of rear elevation windows has been reduced by replacing two of the dormers in the roof with roof lights and only having one clear glazed habitable room window at first floor level. There is a substantial separation distance of approximately 18m between the rear windows of the new property and no. 2. The rear windows of the new property will have views across the garden of no. 58 however they will not be of the amenity area immediately to the rear of the house.

Although the proposed dwelling will give rise to a degree of overlooking to the neighbouring properties it is felt the harm is mitigated due to the separation distances involved and the acute angles involved. Therefore on balance, the proposal is considered to be acceptable having regard to Policy CS16.

#### Impact on protected species

Saved Local Plan Policy E6 states that the Borough Council will seek to safeguard, maintain and enhance features of ecological and geological importance. Paragraph 118 of the NPPF requires local authorities to have regard to the conservation and preservation of protected species and their habitats.

The County Ecologist has commented that any mature trees on site should be inspected for protected species if they are proposed to be felled and that this work should be carried out outside of the nesting season for birds. There are a number of trees on the site which will have to be removed for the dwelling to be built, but they are relatively young and could be taken down without further permissions. It is considered reasonable in this instance to attach an informative note regarding the need to inspect the trees prior to felling along with a suggestion that felled trees should be replaced with new native species. Subject to these

informatives being attached it is considered the proposal will not have an adverse impact on protected species having regard to Saved Policy E6 and Paragraph 118 of the NPPF.

Impact on parking and highway safety

Saved Local Plan Policy T5 states that planning permission will only be granted for development which incorporates satisfactory parking facilities. Furthermore, the Planning Obligations SPD details parking standards which should be provided for various types of development. Paragraph 39 of the NPPF requires development proposals to have regard to the safety of all highway users.

The Planning Obligations SPD states that 3 spaces should be provided per 4-bed unit. The proposed dwelling is shown as being a 5-bed unit with three spaces provided, one in the garage and two on hardstanding. The SPD states that for residential parking the standards are more of a guideline developments should adhere to rather than rigid rules. It is possible an additional parking space could be provided on the hardstanding in front of the garage although this could have implications for the parking and manoeuvring of the two existing spaces. Given the parking arrangements shown on the submitted plans, it is considered reasonable to attach a condition which restricts the garage from being converted into accommodation to ensure it remains as a parking space.

Subject to the above condition being attached the application is deemed to broadly comply with the contents of Saved Local Plan Policy T5, the Planning Obligations SPD and Paragraph 39 of the NPPF.

**Recommendation:**

Approve subject to appropriate conditions.

Report prepared by: JW 28/5/14

**DRAFT DECISION**

**APPLICATION NUMBER**

R14/0262

**DATE VALID**

03/03/2014

**ADDRESS OF DEVELOPMENT**

Land adj to 60 OVERSLADE LANE  
RUGBY  
CV22 6EE

**APPLICANT/AGENT**

Mrs Rebecca Chapman  
Chapman Design  
10 David Road  
Rugby  
Warwickshire  
CV22 7PX  
On behalf of Mrs Uppal

**APPLICATION DESCRIPTION**

Creation of a new dwelling

**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 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION 2:

The development shall not be carried out other than in accordance with the plans no. 2314-LP, 2314-02 and 2314-03 received by the Local Planning Authority on 7 March 2014, 2314-01 Rev A, 2314-04 Rev A, 2314-05 Rev B and 2314-06 Rev A received by the Local Planning Authority on 20 May 2014.

REASON:

For the avoidance of doubt.

CONDITION 3:

The facing materials to be used on the external walls and roof shall as specified on the application form and plans no. 2314-02 and 2314-03 received by the Local Planning Authority on 7 March 2014 and 2314-01 Rev A, 2314-04 Rev A, 2314-05 Rev B and 2314-06 Rev A received by the Local Planning Authority on 20 May 2014.

REASON:

In the interest of visual amenity.

CONDITION 4:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B and E 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 5:

The vehicular access to the site shall not be used until it has been constructed to include the following requirements all of which are specified in 'Transport and Roads for Developments - The Warwickshire Guide 2001 (published by Warwickshire County Council).

- a) A width of between 3.0 and 5.0 metres with a gradient not steeper than 1 in 10 (Hard surfaced) for a distance of 7.5 Metres from the near edge of the highway carriageway.
- b) Gates and barriers shall not be permitted any closer than 5.5 metres from the near edge of the highway carriageway.
- c) The access not allowing surface water to run off the site onto the highway.

REASON:

In the interests of highway safety.

**CONDITION 6:**

Vehicular access to the site from the highway (Overslade Lane) shall not be made other than at a position as shown on the 'Proposed Site Plan'.

**REASON:**

In the interests of highway safety.

**CONDITION 7:**

The development hereby permitted shall not be occupied before the highway (footway) crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority.

**REASON:**

In the interests of highway safety.

**CONDITION 8:**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting that order, the garage serving the dwelling hereby approved shall not be converted to living accommodation.

**REASON:**

In the interest of highway safety.

**CONDITION 9:**

The first floor en-suite window to be formed in the side elevation, the two windows in the rear elevation serving a bathroom and en-suite and the rear dormer window of the proposed development shall not be glazed or reglazed other than with obscure glass.

**REASON:**

To protect the residential amenity of neighbouring properties.

**STATEMENT OF POSITIVE ENGAGEMENT:**

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

**INFORMATIVE 1:**

N1 The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (verge, footway or carriageway). To gain consent from the Highway Authority, not less than 28 days notice shall be given to the County Highways Area Team - Tel 01926 412515, before any work is carried out, this shall include for materials and skips which are stored within the highway extents. A charge will be made for the carrying out of inspections and the issue of permits.

## INFORMATIVE 2:

Condition numbers 5&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.

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 3:

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.

## INFORMATIVE 4:

Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises or property adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises or property onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

## INFORMATIVE 5:

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Conservation of Habitats and Species Regulations 2010, making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works.

Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523 . If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 01453 764450 for advice on the best way to proceed.

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 1981 Wildlife and Countryside Act. 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 6:

It is recommended that the existing trees are retained where at all possible within the design of the scheme. If it is essential to remove any trees, they should be replaced by native species ideally at a 2:1 ratio within the landscaping scheme, in accordance with one of the recommendations of the NPPF to achieve a no net loss of biodiversity. All retained trees should be protected in line with British Standard BS5837:2012.

**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	11.06.2014
<b>Report Title</b>	Delegated Decisions –25.04.2014 to 22.05.2014
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Paul Varnish 3774
<b>Report Subject to Call-in</b>	Y
<b>Report En-Bloc</b>	N
<b>Forward Plan</b>	N
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Head of Planning and Culture under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

***Equality and Diversity*** N/A

***Options*** N/A

***Recommendation*** The report be noted

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

**Rugby Borough Council**

**Planning Committee – 11.06.2014**

**Delegated Decisions – From 25.04.2014 To 22.05.2014**

**Report of the Head of Planning and Culture**

**Recommendation**

The report be noted

**1. BACKGROUND**

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

Name of Meeting: Planning Committee  
Date Of Meeting: 11.06.2014  
Subject Matter: Delegated Decisions – 25.04.2014 to 22.05.2014  
Originating Department: Planning and Culture

### LIST OF BACKGROUND PAPERS

Document No.	Date	Description of Document	Officer's Reference	File Reference
1.				

\* 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.

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\* Exempt information is contained in the following documents:

Document No.	Relevant Paragraph of Schedule 12A
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\* There are no background papers relating to this item.

(\*Delete if not applicable)

DECISIONS TAKEN BY THE HEAD OF PLANNING AND CULTURE UNDER  
DELEGATED POWERS FROM 25.04.2014 TO 22.05.2014

**A. APPLICATIONS – DELEGATED**

<b>Applications Refused</b>		
<i>R10/1356 Refused 02.05.2014</i>	246a Dunchurch Road Rugby	Erection of a 2m high retaining wall, and change of use of land to form an extension to the existing residential garden area.
<i>R14/0592 Refused 02.05.2014</i>	54 Rugby Road Binley Woods	Conversion of existing detached garage to a dwelling, including raising the roof and provision of a new dropped kerb.
<i>R14/0300 Refused 09.05.2014</i>	Cherry Tree Acres Fosse Way Stretton-on-Dunsmore	Proposed infill building to create a games room, a new bedroom and associated en suite facilities.
<i>R14/0590 Refused 15.05.2014</i>	Thistle Farm 280 London Road Stretton on Dunsmore	Waiver of Condition 4 of planning permission reference R12/1852 (Erection of a replacement dwelling including demolition of the existing dwelling, dated 16/04/13) to retain full Permitted Development Rights.
<i>R14/0729 Refused 15.05.2014</i>	Thistle Farm 280 London Road Stretton on Dunsmore	Erection of a replacement dwelling including demolition of the existing dwelling.
<i>R13/2262 Refused 19.05.2014</i>	3 Turchil Road Cawston	Retention of hard-surfacing to front of property.
<b>Applications Approved</b>		
<i>R14/0560 Approved 23.04.2014</i>	Lairhillock Park Sandy Lane Marton	Retention of toilet/shower block with associated access ramps.
<i>R14/0360 Approved 24.04.2014</i>	5 Bonnington Close Hillmorton	Erection of front porch.

<i>R13/2101 Approved 24.04.2014</i>	1 Rotherham Close Cawston	Retention of hard surfacing to front and side of dwelling.
<i>R14/0618 Approved 24.04.2014</i>	Spinney Farm Main Street Coventry	Erection of a new 6 bay stable with associated feed and tack rooms and creation of a menage (amendment to previously approved application R13/2310).
<i>R14/0558 Approved 25.04.2014</i>	3 Wolvey Hall Farm Close Wolvey	Erection of a conservatory.
<i>R13/1973 Approved 25.04.2014</i>	6 Bowen Road Rugby	Replace roof on existing conservatory with synthetic lightweight slate roof tiles.
<i>R13/2303 Approved 25.04.2014</i>	Hitesh Store 30 The Green Bilton	Conversion and external alterations of the existing ground floor A1 retail unit to form 2 No. A1\A2 units and 1 No. 1 bed apartment, together with the erection of a two storey side extension and part two storey part single storey rear extension, and the change of use of the first floor to form 3 No. 2 bed apartments, together with parking accommodation.
<i>R14/0599 Approved 28.04.2014</i>	Swallowfields Cawston Old Farm Barns Whitefriars Drive Cawston	Erection of a single storey extension.
<i>R11/1987 Approved 28.04.2014</i>	Courier House Hi Speed Services Ltd Watling Street Rugby	Change of use of former Petrol Filling Station and Café to Courier Vehicle Depot and ancillary offices (sui generis use class) (retrospective).
<i>R14/0609 Approved 28.04.2014</i>	19 Whetstone Drive Brownsover	Retention of garage conversion.
<i>R14/0032 Approved 28.04.2014</i>	2 Timber Court Hillmorton	Erection of two storey rear extension.
<i>R12/0755 Approved 29.04.2014</i>	5 Crick Road Hillmorton	Erection of front and rear extensions to provide accommodation at ground and first floor levels.

<i>R14/0176 Approved 29.04.2014</i>	45 Berrybanks Rugby	Proposed single storey side extension.
<i>R14/0410 Approved 29.04.2014</i>	42 Bronze Road Cawston	Extension of existing path across garden to public highway footpath.
<i>R13/2326 Approved 30.04.2014</i>	Jubilee Bungalow Burnthurst Lane Rugby	Proposed detached bungalow.
<i>R13/1004 Approved 30.04.2014</i>	Land to Rear of 63 Cromwell Road Hillmorton	Erection of detached dwelling.
<i>R14/0464 Approved 30.04.2014</i>	36 Vernon Avenue Rugby	Installation of solar panels to front roof slope and roof of rear dormer window.
<i>R14/0595 Approved 30.04.2014</i>	16 Langton Road Rugby	Erection of an orangery to the rear and minor modifications to the side elevation approved under R13/2109.
<i>R12/1527 Approved 01.05.2014</i>	7a David Road Bilton	Erection of a front extension.
<i>R13/1328 Approved 01.05.2014</i>	77 Loverock Crescent Rugby	Erection of a part two storey part single storey side and single storey rear extension.
<i>R14/0316 Approved 01.05.2014</i>	21 Cedar Avenue Ryton on Dunsmore	Erection of a first floor side extension, a front canopy and single storey rear extension.
<i>R14/0442 Approved 01.05.2014</i>	4B Pendred Road New Bilton	Erection of single storey side extension to create garage and store room.
<i>R14/0631 Approved 01.05.2014</i>	Land at Shawell Depot former Mowlem Watling Street Newton	Removal of conditions 2 and 3 of R08/0386/PLN (Use of land for purposes within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987) to allow for uses other than civil engineering plant business and to allow for unrestricted hours of use.

<i>R14/0571 Approved 02.05.2014</i>	Knighthlow Children's Partnership Hill Crescent Stretton on Dunsmore	Renewal of planning permission R04/0628/07118/P (Erection of a single storey modular building for use as a day nursery, dated 06/08/04) for retention of the existing modular building and use as a day nursery.
<i>R13/1167 Approved 02.05.2014</i>	Marston Hall Farm Priory Road Wolston	Conversion of agricultural buildings to 5 residential units and associated works, including demolition of two barns and erection of new cartshed building for parking.
<i>R14/0144 Approved 06.05.2014</i>	The White House Wolds Lane Wolvey	Conversion of ground floor area of existing detached garage to provide granny annexe.
<i>R14/0381 Approved 06.05.2014</i>	32-34 New Street New Bilton	Conversion of the building to form 3no. residential flats, including change of use of the ground floor from Class A1 (retail) to Class C3 (residential) of the Town and Country Planning (Use Classes) Order 1987 as amended.
<i>R14/0276 Approved 06.05.2014</i>	Riversley Warwick Road Wolston	Single storey front extension, first floor side extension above garage and provision of solar panels.
<i>R14/0103 Approved 08.05.2014</i>	Rugby Amalgamated Engineers Club 8 Newbold Road Rugby	Change of use of Amalgamated Engineering Club ( A4 ) to day centre ( D1 ) including manager's accommodation / office at first floor level.
<i>R14/0687 Approved 08.05.2014</i>	Rugby Town Junior Football Club Kilsby Lane Hillmorton	Construction and use of playing pitches, erection and use of pavilion and groundsman store and formation of new access road and car park (variation of condition 30 of planning permission R02/0487/05742 dated 15/10/2004 as amended by planning permission R11/0267 dated 13/05/2011 to allow the grass pitch ref: SF1 to be used without the restrictions outlined within condition 30).
<i>R14/0744 Approved 08.05.2014</i>	101 Overslade Lane Rugby	Erection of part two storey and part single storey rear extension.
<i>R14/0031 Approved 08.05.2014</i>	Land Adjacent to the Bungalow High Street Marton	Erection of a triple garage with internal store.

<i>R14/0397 Approved 08.05.2014</i>	Rolls Royce Public Limited Company Ansty Aerodrome Coombe Bank Lane	Creation of soil embankments.
<i>R14/0722 Approved 08.05.2014</i>	Litron Lasers Ltd 8 Consul Road Rugby	Proposed erection of a 2.4 metre high fence and access gate.
<i>R13/0968 Approved 08.05.2014</i>	237 Hillmorton Road Rugby	Erection of a first floor side and part two storey part single storey rear extension.
<i>R12/1131 Approved 08.05.2014</i>	Former Nicholls Plumbing and Heating Unit 7 Cottage Leap Rugby	Retrospective change of use from plumbers merchant with trade counter facility to display kitchen units with B8 use and trade counter facility.
<i>R14/0749 Approved 08.05.2014</i>	10 Anderson Avenue Rugby	Erection of front porch.
<i>R14/0179 Approved 09.05.2014</i>	Royal British Legion Club High Street Hillmorton	Change of use from social club (sui generis) to swim centre and coaching facility (D2), including provision of pitched roof to building and external alterations.
<i>R14/0655 Approved 09.05.2014</i>	35 Church Road Ryton on Dunsmore	Variation of condition 2 and 3 of planning permission R13/1714 (Erection of two and single storey extensions to rear, increase height of ridge, creation of gable and erection of porch to front, enlarge detached garage and insert new pitched roof and new retaining wall to front with associated hardstanding) to amend material finishes.
<i>R14/0759 Approved 09.05.2014</i>	The Haven School Lane Hill	Variation of Condition 4 of planning permission reference E2E 747, granted 19 December 2009, to allow retrospective bat mitigation measures to be put in place.
<i>R14/0127 Approved 09.05.2014</i>	Land rear of 312 Bilton Road Rugby	Erection of two detached bungalows and garages together with access drives, sewers and associated external works.

<i>R14/0101 Approved 12.05.2014</i>	22 Cave Close Cawston	Retention of hardsurfacing.
<i>R14/0538 Approved 12.05.2014</i>	78 Grove Road Ansty	Erection of two-storey side extension, front canopy and rear dormer window including Juliet balcony.
<i>R14/0598 Approved 12.05.2014</i>	Shilton Parish Council Recreation Ground Wood End Shilton	Erection of fencing and nets (total height 6 metres) along sections of Eastern and Western boundaries to recreation ground.
<i>R14/0090 Approved 12.05.2014</i>	The Crow Pie 192 Bilton Road Bilton	Change of use of part of the car park for hand car wash.
<i>R14/0063 Approved 13.05.2014</i>	16 School Street Dunchurch	Erection of detached dwelling.
<i>R14/0717 Approved 14.05.2014</i>	Ashlawn School Ashlawn Road Rugby	Phased development for the provision of 10no. new classrooms.
<i>R13/1612 Approved 14.05.2014</i>	Land North of Technology Drive Technology Drive Rugby	Outline planning application with means of access for consideration (all other matters reserved for subsequent approval) for up to 9,964sq.m (gross internal area) including mezzanines of non-food, bulky goods retail with associated car parking, service areas and landscaping.
<i>R14/0342 Approved 15.05.2014</i>	8 Dunchurch Hall Rugby	Replacement of existing timber windows with uPVC windows and rear door with uPVC.
<i>R14/0684 Approved 15.05.2014</i>	26 Macbeth Close Rugby	Erection of single storey side and rear extensions.
<i>R14/0766 Approved 16.05.2014</i>	The Co-operative Group Ltd Unit 1 Heritage Close Cawston	Installation of 24 hour ATM cash machine.

<i>R14/0792 Approved 19.05.2014</i>	Malin Farm Main Street Withybrook	Use of land for siting of a mobile home for an agricultural worker - temporary for up to 2 years (retrospective).
<i>R14/0668 Approved 20.05.2014</i>	198 Montague Road Rugby	Part-single/Part two-storey front extension and single storey rear extension to dwelling.
<i>R14/0723 Approved 20.05.2014</i>	2 Consul Road Rugby	Proposed erection of a 2.4 metre high fence and access gate.
<i>R14/0756 Approved 20.05.2014</i>	Mickle Hill Farm Fosse Way Wolston	Variation of conditions 2 and 3 of planning permission R14/0018 (Retention and completion of partially constructed stable building for private equine use) to make alterations to design of roof to include an increase in ridge height.
<i>R13/1859 Approved 21.05.2014</i>	Papa Johns 63 Church Street Rugby	Change of use of building from A3 (Restaurant) to A5 (Hot Food Takeaway) together with the erection of a replacement flue (retrospective). Variation of condition 3 of planning permission R13/0595 dated 24/07/13 to extended opening hours Sunday to Thursday 10.30am to 01:00am and Friday to Saturday 10:30am to 04:00am (retrospective).
<b>Prior Approval Applications</b>		
<i>R14/0659 Prior Approval 28.04.2014</i>	Station Cottage 5 Smeaton Lane Stretton Under Fosse	Prior approval application for single storey rear extension: 8m projection from original dwelling, 2.73m eaves height, 3.93m ridge height.
<i>R14/0821 Prior Approval 21.05.2014</i>	106 Main Street Long Lawford	Prior approval application for single storey rear extension to square off existing extension. Proposed extension projection 0.7m resulting in total projection from original dwelling 4.43m, eaves height 2.5m, maximum roof height 2.87m.
<b>Prior Notification</b>		
<i>R14/0515 Prior Notification 29.04.2014</i>	Coventry and Warwickshire NHS Ambulance Trust Ambulance Station Brownsover Lane Brownsover	Prior approval application for demolition of building.

<b>Listed Building Consents</b>		
<i>R13/2182 Listed Building Consent 07.05.2014</i>	23 Bilton Road Rugby	Listed Building Consent for demolition of the existing rear extension and erection of a replacement single storey rear extension.
<i>R14/0733 Listed Building Consent 16.05.2014</i>	17 The Crescent Brinklow	Listed Building Consent for the demolition and rebuild of existing brick built boundary wall.
<b>Advertisement Consents</b>		
<i>R14/0730 Advertisement Consent 16.05.2014</i>	16 Regent Street Rugby	Installation of 2 no. new fascia signs.
<b>Certificate of Lawful Use or Development</b>		
<i>R14/0664 Certificate of Lawful Use or Development 29.04.2014</i>	7 Blyth Close Cawston	Certificate of Lawfulness for proposed development - Erection of single storey rear extension.
<i>R14/0800 Certificate of Lawful Use or Development 21.05.2014</i>	60 High Street Ryton on Dunsmore	Certificate of Lawfulness for proposed development -Loft conversion with side gable built up and rear dormer extension.
<b>Approval of Reserved Matters</b>		
<i>R10/1272 Approval of Reserved Matters 30.04.2014</i>	Rugby Gateway (Employment Area) Leicester Road Rugby	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.

<p><i>R14/0491</i>  <i>Approval of Reserved Matters</i>  30.04.2014</p>	<p>Former Peugeot Factory  Site B (Unit DC1)  Oxford Road  Ryton on Dunsmore</p>	<p>Application for Reserved Matters Approval for Unit DC1 relating to appearance, landscaping, layout, and scale, including ancillary car parking, loading areas, gatehouse and sprinkler tanks (Application F), against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) &amp; R08/1341/MRES (Units 2 &amp; 3) for layout, scale, appearance &amp; landscaping] &amp; Condition 5 of R10/1972 (associated with Unit DC1).</p>
<p><i>R10/1272</i>  <i>Approval of Reserved Matters</i>  06.05.2014</p>	<p>Land at Unit 5 Rugby Gateway  Leicester Road  Churchover</p>	<p>Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial &amp; B8 – Storage &amp; Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food &amp; Drink, A4 – Drinking Establishments &amp; A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.</p>
<p><i>R14/0644</i>  <i>Approval of Reserved Matters</i>  15.05.2014</p>	<p>Plots 2 &amp; 3, Zone C  Castle Mound Way  Central Park  Rugby</p>	<p>Erection of two industrial/warehouse buildings with ancillary offices and gatehouses and use for purposes within Class B2 (General Industrial) and Class B8 (Storage and Distribution) of the Town and Country Planning (Use Classes) Order 1987, as amended, together with the construction of vehicular accesses, parking and servicing areas, earthworks, landscaping and drainage works (submission of reserved matters pursuant to outline planning permission ref.no. R95/0151/21330/OP dated 17th March 2000)</p> <p>- substitution of drawings to include the provision of a mezzanine floor and additional overflow car parking in respect of the unit on plot 3 approved under approval of details ref.R07/1337/MAJP, dated 30 January 2008 as revised by minor material amendment ref.R12/2279 approved on 01 March 2013 and associated non-material amendments approved on 20 September 2013 (plot 2) and 19 March 2014 (plot 3) in compliance with condition 4 attached to outline planning</p>

		permission ref.R95/0151/21330/OP dated 17th March 2000.
<b>Approval of Details/ Materials</b>		
<i>R13/0331 Approval of Details 24.04.2014</i>	Land rear of 13 to 29 Crick Road Hillmorton	Variation of condition 2 of planning permission R12/0455, granted by appeal APP/E3715/A/12/2178105 (Erection of 8 detached dwellings and 2 double garages, accessed via existing access from Crick Road) to change housetypes on plots 12, 14 and 15, make alterations to approved dwellings on plots 9 and 11 and alter garage and siting of plot 11.
<i>R10/1272 Approval of Details 28.04.2014</i>	Land at Unit 1 Rugby Gateway Leicester Road Rugby	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food & Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.
<i>R12/0600 (R13/1088) Approval of Details 28.04.2014</i>	Unit DC6 Former Peugeot Factory Site A Oxford Street Ryton on Dunsmore	Outline application for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.
<i>R10/1281 Approval of Details 29.04.2014</i>	Rugby Gateway Phase R1 Leicester Road Rugby	Erection of 244 dwellings with associated open space, infrastructure and ancillary works; alteration to Brownsover Lane and junction with existing roundabout.
<i>R10/1272 Approval of Details 30.04.2014</i>	Rugby Gateway Leicester Road Rugby (Employment Phase 1 Only)	Outline application for residential development (up to 1300 units); employment development (up to 36ha in total, B2 – General Industrial & B8 – Storage & Distribution); community facilities (D1 – Non-residential Institutions) including primary school, nursery and health facility, retail premises (A1 – Retail, A3 – Food

		& Drink, A4 – Drinking Establishments & A5 - Hot Food Takeaway); open space; associated infrastructure and works including details of access into site (including alterations to highway and existing roundabouts). Demolition of existing buildings.
<i>R10/1775 Approval of Details 07.03.2014</i>	Manor Cottage Southam Road Kites Hardwick	Removal of existing garages to be replaced with 4 respite holiday units and associated works.
<i>R12/0600 (R13/1088) Approval of Details 02.05.2014</i>	Unit DC6 Former Peugeot Factory Site A Oxford Road Ryton on Dunsmore	Outline application for 13.39HA of northern part of former Peugeot Works Site for up to 51,860 sqm of employment comprising of up to 47,756 sqm of Class B8 (warehouse & distribution) with ancillary offices and up to 4,104 sqm of Class B1(c)/B2/B8 (light industry/general industry/warehouse & distribution with ancillary offices), including vehicles parking and landscaping with access from existing roundabout.
<i>R13/1359 Approval of Details 06.05.2014</i>	Unit DC5 Former Peugeot Factory Site B Oxford Road Ryton on Dunsmore	Approval of reserved matters for Unit DC5/Plot 1 relating to layout, appearance, landscaping and scale (Application E) against renewed outline planning permission R07/2010/OPS (R10/1972) for the redevelopment of 25.93Ha for storage and distribution (Class B8) and General Industry (Class B2) (with up to 30% B2) up to a total maximum of 120770m2, including new access on to Oxford Road (A423) [this will also allow an extension of time to implement associated reserved matters R08/1305/MAJP (Unit 1) & R08/1341/MRES (Units 2 & 3) for layout, scale, appearance & landscaping] & Condition 5 of R10/1972 (associated with Plot 1 - Unit DC5).
<i>R13/0169 Approval of Details 12.05.2014</i>	Land adjacent to 3 Harris Drive Rugby	Erection of a detached bungalow and associated works.
<i>R11/1652 Approval of Details 12.05.2014</i>	11-13 Castle Street Rugby	Change of use of ground floor from part retail (use class A1) and restaurant/café (Use Class A3), to drinking establishment (Use Class A4).
<i>R14/0226 Approval of Details 13.05.2014</i>	Temple Reading Rooms Barby Road Rugby	Alterations to existing steps and provision of ramped access including erection of walls, railings and cycle stands.

<i>R14/0227 Approval of Details 13.05.2014</i>	Temple Reading Rooms Barby Road Rugby	Listed Building application: Alterations to existing steps and provision of ramped access including erection of walls, railings and cycle stands.
<i>R14/0759 Approval of Details 14.05.2014</i>	The Haven Hill	Variation of Condition 4 of planning permission reference E2E 747, granted 19 December 2009, to allow retrospective bat mitigation measures to be put in place.
<i>R12/0291 Approval of Details 19.05.2014</i>	Former Fire Station Heath Lane Brinklow	Erection of 3no. detached dwellings, together with associated access, landscaping and works.
<i>R13/1455 Approval of Details 21.05.2014</i>	It's A Gift Ltd 20 Sheep Street Rugby	Change of use of existing ground floor of premises to mixed A1 / A3 of The Town and Country Planning [Use Classes ]Order1987 [As amended], change of use of upper floors and basement to B1[a] Offices of The Town and Country Planning [Use Classes] Order 1987 [as amended ],alterations to elevations including new shop front and replacement windows and doors and new balcony arrangements , glazing over to form internal atrium and new extension on first floor rear elevation, and new roof terrace on 2nd floor rear elevation and re-roofing and installation of Velux windows.
<i>R14/0499 Approval of Details 21.05.2014</i>	16 Dunsmore Avenue Rugby	Erection of single storey rear extension.
<b>Approval of non-material changes</b>		
<i>R13/0083 Approval of non-material changes 25.04.2014</i>	113 Townsend Lane Long Lawford	Erection of 7 dwellings with associated access, parking and landscaping, alterations to 113 Townsend Lane.
<i>R11/1297 Approval of non-material changes 28.04.2014</i>	Elliotts Field Retail Park Leicester Road Rugby	Redevelopment of Retail Park to include the demolition of existing units B1 to C2 and the erection of 12 new (class A1) retail units (with ancillary class A3); replacement structural frame to unit A2, the sub division of unit A2 and the installation of mezzanine floor space; external alterations to unit A1; erection of 2 new cafe (class A3) units; reconfiguration of the car park layout; alterations and improvements to the access including 2 no.

		new service and delivery access off Old Leicester Road; alterations and enhancements to landscaping and associated works.
<i>R11/0855 Approval of non-material changes 13.05.2014</i>	1 Church Hill Stretton on Dunsmore Rugby	Demolition of existing bungalow and garage and erection of replacement split-level dwelling and bike store/shed to front.
<i>R13/2311 Approval of non-material changes 19.05.2014</i>	Land at Unit 1 Rugby Gateway Leicester Road	Erection of building for B8 - storage and distribution use, with associated access, landscaping and other works. (Approval of reserved matters relating to outline planning permission R10/1272).
<b><i>Withdrawn/ De-registered</i></b>		
<i>R14/0677 Withdrawn 28.04.2014</i>	Fosse Cottage Farm Rugby Road Street Ashton	Demolition of triple garage and erection of new double garage and workshop with store and gym at first floor.
<i>R14/0692 Withdrawn 01.05.2014</i>	The Stables 11 Bell Lane Monks Kirby	Removal of condition 5 of R05/0777/14408/OP (Outline application for the conversion and extension of the existing stables to form a local needs dwelling) to allow occupation of the dwelling unrelated to the Bell Inn PH.
<i>R14/0437 Withdrawn 08.05.2014</i>	Mayday Trust 75-77 Albert Street Rugby	Change of use of existing office building to a 12-bed house in multiple occupation (part-retrospective).
<i>R14/0789 Withdrawn 15.05.2014</i>	The Granary New Barn Farm Coventry Road Cawston	Certificate of Lawfulness for proposed use as dwelling for up to 6 young people with special educational needs, with supporting care staff.