

17th May 2011

PLANNING COMMITTEE - 25TH MAY 2011

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 25th May 2011 in the Council Chamber, Town Hall, Rugby.

3.30pm Land at Field Cottage, Thurlaston, Rugby
4.15pm High Tor, Shilton Lane, Shilton, Rugby

Andrew Gabbitas
Executive Director

Note: Members are reminded that, when declaring interests, they should declare the existence and nature of their personal interests at the commencement of the meeting (or as soon as the interest becomes apparent). If that interest is a prejudicial 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 personal 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 27th April and 19th May 2011.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest.
To receive declarations of –

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

(b) prejudicial 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 – 15th April to 12th May 2011.

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be transacted.

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

The Reports of Officers (Ref. PLN 2011/12 – 2) are attached.

Tea will be served in the Members` Room at 5.00 pm.

Membership of the Committee:-

Councillors Allen, Cranham, Day, Gillias, Kirby, Lewis, Roberts, Ms Robbins, Sandison, Spiers, Whistance and D Williams.

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

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

**RUGBY BOROUGH COUNCIL
PLANNING COMMITTEE - 25TH MAY 2011
REPORT OF THE HEAD OF PLANNING AND CULTURE
APPLICATIONS FOR CONSIDERATION**

Planning applications for consideration by Committee are set out as follows:

- (i) applications recommended for refusal with the reason(s) for refusal (pink pages)
- (ii) applications recommended for approval with suggested conditions (gold pages).

RECOMMENDATION

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Recommendations for Refusal

Item	Application Ref Number	Location Site and Description	Page number
1	R10/2013	High Tor, Shilton Lane, Shilton, Coventry Use of land as a private gypsy caravan site, comprising 5 no Pitches, hardstanding and amenity block (part retrospective)	3
2	R10/2195	Land at Field Cottage, Thurlaston, Rugby Erection of a detached bungalow with amended access and improvement works, including demolition of existing summer house	16

Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
3	R10/2148	Land rear of 19-25 Crick Road, Rugby Demolition of 21 Crick Road, erection of 7 detached dwellings, new access and associated works.	27
4	R11/0754	Central reservation, adj 419 Newbold Road, Rugby. CV21 1EP. Determination as to whether prior approval is required for the installation of a 11.8m high slim line telecom monopole mast and provision of a 1 No. associated equipment cabinet and a metre pillar.	41

Reference number: R10/2013

Site address: High Tor, Shilton Lane, Shilton, Coventry

Description: Use of land as a private gypsy caravan site, comprising 5 no pitches, hardstanding and amenity block (part retrospective)

Case Officer Name & Number: Nathan Lowde 01788 533725

Description of Proposal

The application seeks the use of land as a private gypsy caravan site, comprising 5 no pitches, hardstanding and amenity block (part retrospective). The amenity block has been built and the pitches laid out. The application has been submitted part retrospectively following enforcement action.

As outlined within the Design and Access statement the applicants are Romany Gypsy Travellers. The applicants reside at the bungalow at High Tor itself, and the desire of the applicant is to use the application site and that part of the land as a caravan site for their extended family.

As detailed within an email from the applicants agent dated 10th March 2011 the site residents as concerned are as follows:

John and SueEllen Kefford, son and daughter in law to the applicant. They are currently travelling and have no permanent site resorting in illegal encampments in car parks, lay bys etc.

Claeb and Leanne Kefford, son and daughter in law to the applicant. They are currently travelling and have no permanent site resorting in illegal encampments in car parks, lay bys etc.

Michael Kefford son of the applicant and his partner Susie Jones. Currently residing at High Tor and want to make High Tor a permanent base whilst travelling.

The applicants parents-in-law Maurice and Robynne Stokes, lack a permanent site and which to settle down.

Rhys Kefford, son of the applicant and currently resides at High Tor.

This application has been called into Planning Committee at the request of Cllr Tony Gillias.

Description of site

The application site is located outside of the designed settlement boundary of Shilton located approximately 1.1km to the west of the village of Shilton within the West Midlands Green Belt. The site is about 1.1km to the east of the urban edge of Coventry. The application site is a rectangular parcel of land on the south side of Shilton Lane and is served by two access points off Shilton Lane. The application site forms the rear part of a property known as

High Tor and has an area of about 0.5ha. High Tor itself is a large detached bungalow. Access to the pitches is gained via a driveway running along the eastern side of the bungalow. On site there exists a detached stable block and barn.

The site is bounded to the west to a residential dwelling house Homeleigh, to the east by scrubland and to the north by agricultural land and to the south by agricultural land and the M69 Motorway beyond.

Relevant planning history

There is no relevant planning history

Relevant policies and guidance

S3	conflicts	Rural Settlement hierarchy
GP1	conflicts	Appearance and Design of development
GP3	conflicts	Protection of residential amenity
E1	conflicts	Development in the countryside
E2	conflicts	Green Belt
E5	conflicts	Landscape settlement character
T1	conflicts	Integrated and sustainable transport strategy
T3	complies	Access & highway layout
T5	complies	Parking Facilities
H13	conflicts	Gypsy sites

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPG 13 Transport

Circular 1/2006 'Planning for Gypsy's and Travellers'

South Staffordshire & North Warwickshire Gypsy & Traveller Accommodation Assessment.

The 'Designing Gypsy and Traveller Site 'Good Practice Guide' 2008

The Secretary of State has announced an intension to revoke Circular 01/2006, but no timetable has yet been given nor any indication of what the guidance would be replaced with. As such until such time that the Circular is revoked it is still a material consideration.

Emerging Policy

Rugby Borough Submission Core Strategy, CS24: Sites for Gypsies, Travellers and Travelling Showpeople, January 2010.

Third party comments

Site Notice displayed 06/01/2011

Neighbours objections (228 letters of objection)

- The land is within the Green Land where there is presumption against inappropriate development
- No special circumstances exist in this case
- No welfare issues have been provided
- Over-concentration of Gypsy and Traveller Sites within the locality

- The extended family do not live in the parish
- Unsustainable location
- Negative impact upon visual amenity
- Increase in traffic volume through Shilton
- Transform the existing residential property to a private gypsy site
- Harmful impact upon the tranquil, rural character and appearance of the area
- The number of caravans may exceed 5
- No footpaths or street lighting along Shilton Lane would discourage walking and also would impact upon pedestrian safety
- Given the flat nature of the area any attempt to screen the development would not be in keeping and would impact on the rural landscape
- Will place an undue pressure impact upon local resources
- The presence of caravans will not blend in with the existing scenery
- Pitches available at Woodside Park
- Does not comply with Rugby Borough Local Plan
- Impact upon the local environment and wildlife
- Set a precedent
- Impact upon the Coventry Way Footpath
- Issues relating to security on site when occupants are travelling
- Loss of privacy to Holmleigh

Shilton Parish Council Objection

- The application makes no indication of where the five children and their families of Mr and Mrs Kefford are currently residing, and why these locations are unsuitable.
- No search of alternative accommodation has been made including Little Orchard
- No indicate of welfare issues
- Shilton Lane is an unsustainable location
- The site does not meet the criteria as set out within Policy CS24 as contained within the Proposed Core Strategy.
- Over-concentration of Gypsy and Traveller sites within the locality
- Over development of High Tor

Technical consultation responses

WCC Highway Authority	No objection subject to conditions
Severn Trent Water	No Objections
Environment Health	No Objection subject to conditions
WCC Ecology	No Objection subject to conditions

Assessment of proposal

In planning terms, the key issues relate to the principle of development and its appropriateness given the location of the site within the defined Green Belt and also whether the proposal can be justified in the context of an identified need for gypsy and traveller sites within the Borough of Rugby and whether the development meets with other relevant adopted policy aims, objectives and standards.

Principle of development

Green Belt

The site is located in the countryside in the Green Belt. PPG 2 – ‘Green Belts’ and Local Plan ‘saved’ policy E2 apply. Para 1.4 of Planning Policy Guidance Note 2 (PPG2) states the most important attribute of Green Belts is their openness and Para 1.6 refers to the use of land within Green Belts and the objectives sought. Para 3.1 refers to a general presumption against inappropriate development within Green Belts and such development should not be approved, except in very special circumstances. Para 3.2 states that very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Para 3.15 states the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt, which might be visually detrimental by reason of their siting, materials or design.

The making of a material change of use of land is inappropriate development unless it maintains openness and does not conflict with the purposes of including land in the green belt. The proposed development does not fall within any of the categories that are defined as acceptable within the Green Belt such as agriculture and forestry or small scale buildings essential for outdoor sport and outdoor recreation and therefore would be considered inappropriate. According to PPG2: Green Belt new gypsy and traveller’s sites in the Green Belt are considered by definition to be inappropriate that is, by definition, harmful to the Green Belt. PPG2 paragraph 3.2 states that inappropriate development will not be permitted unless there are very special circumstances that will outweigh the harm by reason of inappropriateness. In determining the application the onus is on the applicant to justify whether such circumstances exist in this instance. The key determinants of this will be the need for additional gypsy family accommodation, availability of alternative sites and the associated personal circumstances of the applicants.

The openness of the green belt would not be maintained by the proposed development and some encroachment into the countryside would taken place, primarily from the physical presence of the caravans. However, given that the application site is part of a domestic curtilage enclosed with 2m high close boarded fencing and currently occupied by a barn and stables to the rear, the actual harm of the development to the openness of the Green Belt is largely confined to the site itself.

The use of this site as a residential caravan site, combined with the existing level of Gypsy and traveller sites close by such as ‘Little Orchard’, would result in a consolidation of site within the green belt area, thereby intensifying the harm to openness, visual amenity and character of area. This would be contrary to policies GP1, E1, E2, E5 and H13. The proposal, if permitted may set a precedent within the area for similar proposals.

Visual amenity

Along Shilton Lane is a fragmented form of linear development, comprising a mix of residential, agricultural and commercial properties (Garden Centre). Building types include large detached bungalows and a garden centre. Along Shilton Lane is Little Orchard that is a residential gypsy caravan site which planning permission for thirteen pitches. This permission granted for Little Orchard in 1993 is a permanent permission and as such along Shilton Lane, caravans are a permanent feature.

As shown on the proposed site plan the caravans would be positioned behind the existing dwelling house to reduce the impact of the development upon the street scene. As such most of the caravans are hidden from view by High Tor itself and other garden features.

Whilst the introduction of features associated with a residential caravan site such as caravans, amenity building and other associated domestic paraphernalia may not be uncharacteristic to the area, it would add further harm to the character of the area, by further urbanisation of this area and by introducing substantial built development and other features, together with the associated activity which would be contrary to policies GP1, E1 and E5. The cramped and over intensified use of the site is considered to detracts from the local amenity and does not reflect high quality development and good design and as such is contrary to policies GP1 and E5 as contained within the Rugby Borough Local Plan 2006.

Taking into consideration the size of the application site, the provision of 5 residential caravan pitches together with two car spaces serving each pitch, this would appear to be a cramped form of development and an over intensive use of this land which little garden area retained to serve the dwelling house. The intensified use of the site for the siting of five caravans would indeed have a significant impact upon the character and appearance of the application site itself and the siting of caravans within the residential curtilage of a dwelling house is uncharacteristic to the area which consists of dwelling houses with extensive garden land.

The 2m fencing which surrounds the site, although permitted development has been forced by the proposed use, and very little landscaping has been proposed. As such the existing boundary treatment and the significant amount of hard-standing created appears very harsh within the landscape and as such contrary to policies GP1 and E5 of the Rugby Borough Local Plan 2006.

Need

The 2004 Housing Act and Circular 01/2006 reintroduced a duty on local authorities to assess and provide for gypsy and traveller accommodation needs. Assessment should be through a Gypsy and Traveller Accommodation Assessment. The Southern Staffordshire and Northern Warwickshire Gypsy and Traveller Accommodation Assessment (GTAA)

published in February 2008 assessed the level of need for pitches for Rugby Borough. The GTAA identified a need of 48 pitches (on top of the 66) in the Borough by 2012 and a further 51 pitches by 2017. The evidence base set out in the GTAA that supports the target provision is up to date and this demonstrates that there is still a clear unmet need for additional gypsy and traveller pitches in the Borough. Based on the GTAA figures and the present situation regarding the lack of any new site allocations, it is apparent that there is both an immediate and longer term need to find sites.

The proposed Submission Core Strategy Policy CS24 states that the requirements to deliver pitches will be through a Gypsy and Traveller Site Allocation Development Plan Document (DPD). The Gypsy and Traveller Site Allocation DPD will identify and allocate specific residential (permanent) and transit sites within the Borough for Gypsies and Travellers accommodation needs. The Gypsy and Traveller Site Allocation DPD will identify and allocate specific residential (permanent) and transit sites within the Borough for Gypsies and Travellers accommodation needs. The Council intend to request sites for consideration for allocation within the DPD. This DPD is timetabled for adoption in May 2014.

Sustainability and Alternative Sites

Local Plan policy T1 seeks to achieve sustainable development by locating it where reliance on the private car is minimised through a good range of alternative transport options – specifically public transport, cycling and walking. Policy T1 recognises that development, which relies primarily on the private car, will be environmentally and socially unsustainable. For this reason it is important to encourage development to be accessible by a range of transport modes. The propensity to use walking and/or cycling to access local services is primarily influenced by the quality and distance of the walking/cycling routes.

Wolvey some 6km away, is the nearest Main Rural Settlement with local shopping, a doctors surgery and pharmacy, a post office and a primary school. The outskirts of Coventry, which is about 1.1km away, offer a greater range and higher order facilities, including supermarkets.

Along Shilton Lane is a limited bus service and no footpath. As such Shilton Lane is not a location that would encourage walking or use of public transport. Reliance on the car is disadvantage and contrary policy T1 and objective of H13 and emerging policy CS24 and national policy PPG13. However, Circular 01/2006 advocates a wide and more flexible approach to sustainability in the case of gypsy caravan sites, which include taking account of additional considerations including creating and support sustainable, respectful and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education, health and welfare provision. Notwithstanding the advice in paragraph 64 of Circular 1/06, the proposed development is not located where easy access can be gained by a choice in the means of transport to/from local services, facilities and employment. The

development is, therefore, contrary to Policy T1 and criteria 2 of H13 as contained within the Rugby Local Plan 2006.

Emerging policy CS24 states that sites will be assessed on a sequential approach to its location having regard to need, and the site's suitability, availability and viability, and lists the order of preference. A site within the Green Belt is the least preferable location and requires the applicant to demonstrate that all reasonable alternatives in the sequential approach have been explored. Criteria 1 of saved policy H13 and Circular 01/2006 also states that the applicant should demonstrate that there are no suitable alternative locations before considering sites within the Green Belt. It is important to note that approximately two thirds of the Borough of Rugby is designated Green Belt and that the remaining area of countryside offers very limited potential for the location of development reliant on the availability of local services. The Council is not currently aware of any suitable alternative sites for Gypsy and Traveller pitches outside of the Green Belt and there is a significant shortage of suitable and available gypsy sites in the area at present, which could provide an alternative location for the applicant to reside on. This was borne out by the findings of the Planning Inspector in the recent planning appeal at Sunrise Park (next to Woodside and also within the Green Belt) which was allowed principally due to the level of unmet need in the Borough and lack of suitable alternative sites.

Within the Design and Access Statement no information has been provided to demonstrate that alternative sites have been considered.

There are a number of permanent pitches within the Borough which the applicant has failed to take into consideration as alternative accommodation.

Fella's Acre, Coventry Road, Bulkington – This site is divided between Rugby Borough Council and Nuneaton and Bedworth Borough Council. Within the area under Rugby jurisdiction there is permission for four pitches. Data collected by the Council on 27.1.11 indicates that there is 1 mobile home and 3 touring caravans on site.

The Haven, Coventry Road, Bulkington – This site is divided between Rugby Borough Council and Nuneaton and Bedworth Borough Council. Within the area under Rugby jurisdiction there is permission for ten caravans to be stationed on the land. Data collected on 27.1.11 indicate that there is 1 mobile home and 5 touring caravans on site at the time, and as such there is possibility space to accommodate 4 caravans.

Land at Bottom Meadow Caravan Park, Coventry Road Bulkington – This site is divided between Rugby Borough Council and Nuneaton and Bedworth Borough Council. Within the area under Rugby jurisdiction there is permission for four caravans and one mobile home.

Woodside Caravan Park, Oxford Road, Ryton-on-Dunsmore – There are currently 5 undeveloped pitches which the Council would be prepared to sell to gypsy and traveller families to develop.

The agent has confirmed that pitches at Little Orchard are neither available or suitable given the existing residents on this site.

As such the applicant has failed to demonstrate that the need identified cannot be met from suitable alternative sites.

Impact upon neighbouring property

The neighbouring property in which this development may impact upon is Homeleigh located to the east of the application site. The existing site boundary treatment along this boundary includes a 2m high close boarded fence. As indicated on the Site Plan the closest caravan labelled 1. would be 3 metres away from the boundary, and the further caravans labelled 2 and 3 would be 8 metres away. The amenity block has a foot print of 28m² with a height of 3.8m which has been positioned 1 metre from the boundary. An existing outbuilding sited in within the curtilage of the neighbouring property obscures the amenity block.

Local plan policy GP3 seeks to ensure that planning permission would only be granted for development which would not adversely impact on amenities in an area, including the amenities of person(s) occupying other premises, in terms of overlooking, loss of privacy, loss of sunlight/daylight, disturbance from traffic, excessive illumination, noise and dust, fumes and smell.

Given the existing site boundary treatment and the distance of the caravans, the caravans would not be unduly prominent along the boundary and would not result in any overlooking or loss of privacy from the proposed development. Although the proposed car spaces which serve caravan four which there are close to the boundary, given that this area is currently hardstanding there is nothing to prevent this area being used currently for the parking of vehicles.

Nevertheless, by reason of the scale of development proposed, it is considered that the amenities currently enjoyed by nearby occupiers, would change by reason of noise and disturbance from normal household activities of 5 households. LP policy GP3 provides that the site and use should not harm residential amenity by reason (for example) of noise, disturbance or traffic movement. Whilst close boarded fencing between the proposal and the nearest residential property would screen some of the noise and general activity but, by reason of the number of units proposed and the intensified use of the site it is considered that there would be harm to the amenity of the neighbouring occupiers. Although the neighbouring property already experiences a degree of disturbance from the Garden Centre which adjoins this it is considered that this disturbance is confirmed to a certain time period each day and would not continuance.

It is therefore considered that the proposed development would unduly impact upon the amenities of the nearby residential property and as such would conflict with policy GP3 of the Rugby Borough Local Plan 2006.

Special Circumstances

Para 3.2 of PPG2 specifically states it is for the applicant to show why permission should be granted when a development is judged to be inappropriate and by definition harmful to the Green Belt. This paragraph continues by stating very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the Development Plan is determinative unless material considerations indicate otherwise and it is a matter for the Planning Authority to give appropriate weight to each material consideration. Policy E2 of the Local Plan reiterates PPG2 especially with regard to demonstrating very special circumstances.

Gypsies and travellers are believed to experience the worst health and education status of any disadvantaged group in England. Research has consistently confirmed the link between the lack of good quality sites for gypsies and travellers and poor health and education.

The aim of the application as stated within an email from the agent dated 10th March 2011 that the pitches would accommodate three generation of the family on the site. The need to accommodate the family and provide a settled base is detailed within the agents email dated 10th March 2011.

Within the submitted Design and Access Statement it states that the special circumstances are:

1. The need for site for Gypsy and Travellers regionally, locally and personally for these families
2. the unavailability of suitable alternative site
3. The families personal circumstances in particular their health and educational needs
4. Deficiencies with Development Plan policy for Gypsy and Traveller caravan sites in Rugby
5. The consequences of the application being dismissed for the families
6. and Human Right Considerations

In response to this it is considered that the Council accept that there is a clear and urgent need for additional gypsy and traveller sites within the borough. The applicants have not taken into consideration alternative sites within the borough, indeed there are a number of sites as highlighted above which may be available to the applicant. No Welfare issues have been provided in terms of health and education other than the applicant 3 year old daughter due to start nursery in September. The applicants agent states that H13 is manifestly out of date and not fit for purpose, this is not considered that case, this policy was adopted on July 2006 after the release of Circular 01/2006 and as such it is not considered out of date and carries considerable weight to the planning process. In addition to this no consideration has been given to emerging policy CS24.

Whilst taking into account the special circumstances it does not justify the need to reside at this site given that the development constitutes inappropriate development within the green belt and causes significant harm to residential amenity contrary to GP3 and E2.

Access and Highway Arrangements

As shown on the submit Site Plan access to the proposed pitches will be gained by an existing access along the site of the house. Access to and from the site for the proposed pitches would be via an existing access points off Shilton Lane. The Highway Authority have no objections to the proposal subject to conditions ensuring that vehicular access is only taken from the most easterly of the two existing access. Within the site there is sufficient spaces to provide adequate parking space. As such it complies with the requirement of policies T3 and T5.

Other issues

The land in which the pitches are proposed are within the residential curtilage of High Tor. As such as defined within Annex B of PPS3 the land is not consisted as previously developed land. As such the development does not accord with PPS3.

Given that the development conflicts with numerous policies as contained within the Local Plan, and given that policy E1 seeks to ensure that new development is principally directed to the town of Rugby, with strict control of development within the countryside it is considered that the proposed development conflicts with policy E1.

Temporary Planning Permission

Paragraphs 45 & 46 of Circular 01/2006 refer to the granting of temporary planning permission particularly when it is expected that the planning circumstances could have potentially changed by the end of the temporary period. In considering the granting of temporary planning permission consideration is given as to whether material considerations exist including personal circumstances to justify on balance a recommendation of temporary planning permission in addition to the level of harm that the development adds to the Green Belt and visual amenity.

Human Rights

In reaching this decision consideration has been given to the human rights of the intended occupants of the application site. If planning permission were refused, the appellants would be unable to use their land to provide their families with a home at this site. This would represent an interference with their right under Article 8 of the European Convention on Human Rights.

Recommendation

Refusal of planning permission

DRAFT DECISION

APPLICATION NUMBER

R10/2013

DATE VALID

05/01/2011

ADDRESS OF DEVELOPMENT

HIGH TOR
SHILTON LANE
COVENTRY
CV7 9LH

APPLICANT/AGENT

Mr & Mrs Kefford
C/O Murdoch Planning

APPLICATION DESCRIPTION

Use of land as a private gypsy caravan site, comprising 5 no Pitches, hardstanding and amenity block (part retrospective).

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

S3, GP1, GP3, E1, E2, E5, T1, T3, T5, H13

PPS1 Delivering Sustainable Development

PPG2 Green Belts

PPG 13 Transport

Circular 1/2006 'Planning for Gypsy's and Travellers'

South Staffordshire & North Warwickshire Gypsy & Traveller Accommodation Assessment.

The 'Designing Gypsy and Traveller Site 'Good Practice Guide' 2008

REASON FOR REFUSAL: 1

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to guidance contained in PPG2 "Green Belt" not to grant planning permission except in very special circumstances, other than for the purposes of agriculture and forestry, outdoor sports and recreation facilities, cemeteries and other uses which preserve the openness of the Green Belt and which do not conflict with the purposes of including land in it, and for the limited extension, alteration or replacement of existing dwellings.

The proposed development does not fall within any of the categories which are normally acceptable in the Green Belt and as such, constitutes inappropriate development having an adverse effect on the rural character of the area and detrimental to the openness of the Green Belt. In the opinion of the Local Planning Authority, there are no special circumstances, which would justify the granting of planning permission for a residential caravan site as the development represents inappropriate development according to the prevailing policies. It is considered that the development fails to preserve the openness and character of the Green Belt and harms its visual amenity. The proposed development is therefore contrary to Policies E2 and H13 of the Rugby Borough Local Plan 2006.

REASON FOR REFUSAL: 2

Notwithstanding the advice in paragraph 64 of Circular 1/2006, the proposed development is not located where easy access can be gained by a choice in the means of transport to/from local services, facilities and employment. The development is not sustainable and therefore, contrary to Policy T1 and H13 of the Rugby Local Plan 2006.

REASON FOR REFUSAL: 3

It is considered that by reason of the scale of development proposed, the amenities currently enjoyed by nearby occupiers of the residential property 'Homeleigh', would change by reason of noise and disturbance from normal household activities of 5 households. As such it is considered that the amenities of the nearby occupier would unduly impact upon the amenities of the nearby residential property and as such would conflict with policy GP3 of the Rugby Borough Local Plan 2006.

REASON FOR REFUSAL: 4

It is considered that the proposed siting of 5 caravans within the residential curtilage of the existing dwelling house would result in a cramped form of development and over intensified use of the site and as such would be considered to detract from the local amenity and does not reflect high quality development and good design and as such is contrary to policies GP1 and E5 as contained within the Rugby Borough Local Plan 2006

REASON FOR REFUSAL: 5

The development is within the residential curtilage of 'Hightor' and as such as defined by PPS3: Housing does not constitute previously development land. As contained within PPS3 it is the Government's policy to ensure that housing is developed in suitable locations in which priority for development should be previously developed land. The proposal therefore, does not accord with PPS3.

REASON FOR REFUSAL: 6

The use of this site as a residential caravan site, combined with the existing level of Gypsy and traveller sites close by such as 'Little Orchard', would result in a consolidation of site within the green belt area, thereby intensifying the harm to openness, visual amenity and character of area. This would be contrary to policies GP1, E1, E2, E5 and H13.

Report prepared by: Nathan Lowde 06 May 2011

Reference number: R10 -2195

Site address: Land at Field Cottage, Thurlaston, Rugby

Description: Erection of a detached bungalow with amended access and improvement works, including demolition of existing summer house

Brian Slater 3624

Authorised Use

Residential

Relevant decisions

Planning permission was granted for the erection of two storey side and rear extensions on 7th July 1976

Appeal made under section 78 of the Town and Country Planning Act 1990 against the failure to give notice within the prescribed period on an application for planning permission to demolish an existing summer house and erection of one bungalow. Appeal dismissed 8th July 2010.

Technical Consultations

Highway Authority No objection Highway “build out” and realigning would provide sufficient visibility to comply with agreed standards

WCC [Rights of Way] No objection subject that the public footpath R337 remains open and available for public at all times.

WCC [Ecology] No objection subject to a condition requiring the presence of a qualified bat worker appointed by the applicant to supervise all destructive works to the roof of the building to be demolished.

Natural England No comments

Third Party Consultation

Neighbours [2] Object Concerns to widen footpath outside of “Beaconsfield” Victorian setts, which edge this pavement and are continuous along No 120 Main Street are retained / improvement in visibility with the wider pavement will be fairly minimal/Increase in traffic due to the residents of a very small bungalow cannot justify what is in effect the narrowing of Main Street / Church Walk can hardly be described as a road and can just accommodate the residents cars and the refuse lorry [once a week] / Unsafe for children who play in this area /Alternative means of access should be considered.

Parish Council Object Current planning application is largely unchanged from the earlier one in 2009 that failed on two grounds; Mrs Baubers needs were not considered to be sufficiently established; and the difficulty of access from Church Walk into Main Street due to poor visibility of traffic from the right./ Access via Church Walk is essentially the same as the 2009 applicant with a

slight increase in the road way exit safety splay outside of the property "Beaconsfield" although this does not improve visibility for drivers entering the village./ The main obstruction to vision from Church Walk onto Main Street is from hedges in Church Walk and Main Street./The narrowness of Church Walk is still an issue/Access should be moved to alongside the eastern side of Field Cottage then it would give direct access across the paddock to Church Lane.

Councillor Howard Roberts has requested that this application be determined by the Planning Committee

Site description and the surroundings The application site is within the village of Thurlaston, a Local Needs Settlement and the vehicular access that forms part of the proposed development is within the Conservation Area.

The application site comprises an L shaped parcel of land forming part of the rear garden of a pair of semi detached cottages known as "Field Cottages" which stand at the eastern end of Church Walk, Thurlaston. A summer house measuring 6.8 metres by 4.9 metres is positioned close to the northern boundary of the site and a greenhouse stands at the eastern side of the site.

Church Walk is a cul-de-sac which serves houses along its length including on the north side of the road numbers 1-3 and to the south "Welcome Lodge", "Malt Kiln" and "Church Walk House". To the north and west of the application site is further residential development at Beech Drive and 3 Church Walk. The eastern boundary of the site follows the line of the rear boundary of houses in Beech Drive and is marked by a fence. To the north of the site are nos. 4 and 5, Beech Drive which stand 14 and 19 metres respectively from the common boundary with the application site. These properties are large detached modern dwelling houses .To the west is the rear garden of No 3, Church Walk and to the east is a grass paddock. The area is well landscaped with mature trees and vegetation.

Field Cottages are situated in line with nos. 2 and 3, Church Walk to the west and there is a gap of approximately 9 metres between the buildings. The land is level and is enclosed by a 1.8 metres high close boarded fencing. No 3 has a side facing window in the ground floor side gable elevation that serves a habitable room. The area outside of this gable elevation is used for vehicle parking and a tall conifer hedgerow is formed along the frontage of the site with Church Walk.

Field cottages are divided into two properties. The pair of houses are not identical pair; the left hand of the two houses provides roughly twice the floor space of the right hand house. The left hand of the two houses comprises a three bedroom two storey property with a lounge, dining room, kitchen, utility and wc on the ground floor with three bedrooms and bathroom on the first floor. There is a double garage attached to the left hand side of the house.

The house measures externally 10 metres by 12 metres. The right hand house measures externally 6 metres x 10 metres. The ground floor provides a kitchen, utility, wc dining room and conservatory on the ground floor with a lounge and bedroom on the first floor. There are gardens to the rear of both houses and these were originally some 25 metres deep although recent subdivision has reduced these in length to 12 metres.

The application

The current application is for the “Erection of a detached bungalow with amended access and improvements works including demolition of existing summer house” This is a resubmission following an appeal that was dismissed on 8th July 2010. The appeal was dismissed on two grounds, highway safety due to visibility at the junction of Church Walk and Main Street and insufficient information to demonstrate the need for the dwelling. The applicant has provided plans of the existing junction and proposed improvements thereto together with a report into the suitability of adapting the present accommodation and a letter from George and Co. Chartered Surveyors regarding the availability of bungalows in Thurlaston. In addition the applicant has provided a confidential medical report from her GP.

Planning policy guidance

RBLP Policy S3	Conflicts	Rural settlement hierarchy
RBLP Policy S4	Conflicts	Windfall development
RBLP Policy GP 1	Complies	Appearance and design of development
RBLP Policy GP3	Complies	Protection of amenities
RBLP Policy GP 16	Conflicts	Parish plans
RBLP Policy T3	Complies	Access and highway layout
RBLP Policy T5	Complies	Parking facilities
RBLP Policy H 14	Conflicts	Housing developments outside Rugby Urban Area
RBLP Policy E 6	Complies	Biodiversity

PPS 1 Delivering Sustainable Development

PPS 5 Planning for Historic Environment

PPS 9 Biodiversity and Geological Conservation

PPG 17 Planning for Open Space Sport and Recreation

Rugby Borough Council Local Development Framework [Affordable housing supplementary planning document June 2009]

Thurlaston Housing Needs Survey November 2011

Thurlaston Village Design Statement

Determining Considerations

Design and Appearance

Policy GP 1 relates to design and appearance and requires, amongst other things, that developments be compatible with the scale and form of the existing building and surrounding area in addition to the scale, massing, form,

orientation materials, design and appearance fitting in with the existing building and wider area.

Paragraph 33 of PPS 1 [Delivering Sustainable Development] mentions that high quality and inclusive design is a key factor in making places better for people in terms of quality and character of the environment and private amenity.

The site comprises part of the side and rear garden of Field Cottage and Field Cottage Annexe. It lies within a residential area that consists predominantly of detached and semi detached dwellings .The proposed bungalow would be larger than the summer house it would replace, but would still be a modest structure. There is a mix of housing in the village in terms of age, size and style of dwellings and there is significant infill development, along with dwellings in back land locations .A bungalow in this setting would not appear out of keeping with the pattern of development in the area and it would be seen against the backdrop of other dwellings in views from the public footpath that leads to the nearby countryside. The bungalow would be integrated within the settlement and be consistent and compatible with its scale and form.

This matter was also not raised as an issue of concern by the Inspector in the previous appeal.

Therefore the proposal will comply with policy GP 1 of the Rugby Borough Local Plan 2006 and the requirements of National Planning Policy in PPS 1 [Delivering Sustainable Development]

Protection of Amenity

Policy G P3 relating to the protection of amenity states that permission will not be granted for developments that, amongst other factors, result in overlooking and loss of both privacy and light.

In this case the proposal by virtue of its siting, size and design will not result in harm to the occupiers of neighbouring properties. The proposal is single storey 5 metres in height and not significantly greater than the height of the existing summer house. It will not result in an overbearing form of development. In addition the proposed dwelling will not result in overlooking. A kitchen window and door together with two obscure glazed windows serving a bathroom and en suite bathroom are positioned in the rear [north elevation].This elevation faces onto an existing 1.8 metres in height close boarded fence. The south facing windows include a study, bedroom, living room and hallway door and an obscured glazed window serving wc. These windows also face onto a 1.8 metre in height close boarded fence and prevent direct overlooking into the existing garden of “Field Cottage” and “Field Cottage Annexe”

The proposed vehicular access will be formed between the outside wall [northwest] of the garage attached to “Field Cottage” and the adjacent cottage No 3 Church Walk. A habitable room window is formed in the side elevation of this adjacent property. Currently the area at the side of this garage is used as

a vehicle hard standing therefore the impact on the amenities of a vehicular drive would not be significantly greater than the existing vehicular hard standing.

Given the siting and size of the proposed bungalow, the proposal will not significantly affect the living conditions of neighbours by reason of impaired privacy, adverse visual impact, or noise and disturbance. The provisions of Policy GP 3 have therefore been met and also guidance contained in national planning policy in PPS 1[Delivering Sustainable Development].

Local Needs

The site lies within a Local Needs Settlement in the rural area as defined in Local Plan Policy S3. This policy, which is based on sustainability considerations, states that development to meet identified local needs will normally be permitted. Local Plan Policy H14 states that proposals within Local Needs Settlements would only be permitted where it is demonstrated that they meet an identified local need. Local Plan Policy S 4 has a similar provision for windfall development. The supporting text in the Local Plan refers to Parish Plans and local needs surveys, but adds that in the absence of a Parish Appraisal applications will be considered in the light of all submitted evidence. There is no Parish Plan in this case, but Thurlaston Parish Council has produced a housing needs survey, dated November 2010, which mentions that there is no local housing need. This is a material consideration in accordance with the provisions of Local Plan Policy GP 16, which refers to the views of a community expressed in Parish Plans and their equivalent.

These provisions are carried forward in the Councils Affordable Housing Supplementary Planning Document 2009 [SPD], which adds that in Local Needs Settlements, whether or not a Parish Plan has been prepared, development will only be permitted where it meets an identified and clearly demonstrated local need. This includes specialised types of housing for local people. There must be a proven need for the dwelling, including whether present accommodation can be converted.

The applicant would comply with relevant local connections requirements .In addition the applicant has provided evidence to suggest that there are no alternative dwellings in the village which could meet her requirements. In a letter dated 29th September 2010 George and Company [Chartered Surveyors] mentioned that they had carried out research into the availability of properties within the Thurlaston village. Only 3 properties were available on the market at the time of the research .One was reported to be under offer and all 3 were two storey family / executive houses. Currently only one property is available, a two storey semi detached cottage. Furthermore the research also revealed that there have not been any bungalows sold within the village for at least 5 years and that bungalows within Thurlaston village are larger style 4/5 bedroom homes. The options available for existing residents seeking to down size within the village are very limited.

The SPD notes that a need might relate to a property that cannot be modified or adapted by personal mobility aids to satisfy the living requirements of a person who is in this case understood to be disabled based on the information supplied. It adds that proof of infirmity and disablement will need to be evidenced by written confirmation from the occupiers GP. The applicant has submitted a confidential medical report from her Doctor, dated 1st September 2010 which amounts to the proof of infirmity and disablement required for the purpose of applying the Councils SPD.

The applicant also mentions that the existing accommodation that she owns [Field Cottage and Field Cottage Annexe] cannot be adapted to meet her needs. A report has been submitted with the application to investigate the feasibility of converting "Field Cottages". The basis of the report is as follows-

"Field Cottages" comprise a pair of semi detached houses situated at the end of Church Walk. The pair of houses are not an identical pair, the left hand of the two houses "Field Cottage" provides roughly twice the floor space of the right hand house "Field Cottage Annexe". See above text for an overview of both properties.

The applicant has advised that the left hand side of two properties [Field Cottage] is large enough to convert to single storey accommodation but the costs of doing so would be very high given the need to relocate the staircase, move internal walls and provide a ground floor bathroom. Furthermore it is not feasible to leave the first floor unoccupied and unheated.

The right hand property [Field Cottage Annexe] has a ground floor area of 60 sq m [80 sq m including the conservatory]. The conservatory is unsuited for use as a bedroom lounge or dining room as it lacks independent heating and does not have good thermal insulation. The report mentions that whilst it would be physically possible to extend the building to provide single storey accommodation there is a question of what use the first floor could be put to. The first floor is too small to convert to a self contained flat.

The report concludes that in practical terms the existing accommodation within Mrs Baumbers control cannot be realistically adapted to provide ground floor accommodation only.

The Councils Building Control Officer has carried out an independent survey of both of these properties to establish whether they can be adapted to meet her needs. He has mentioned that whilst a chair lift could be used in the left hand unit [Field Cottage] a chair lift would not be practical in the right hand unit [Field Cottage Annexe]. However both units can be adapted. This would entail disruption to both properties with the right hand unit [Field Cottage Annexe] taking over the existing kitchen of the left hand unit [Field Cottage] and then creating a new kitchen from the existing utility / wc/ boiler room in Field Cottage. Sound insulation works would be required to the floor of the bedroom over the new ground floor bedroom in Field Cottage Annexe. Estimated cost of this work would be around £10-15,000

The applicants report mentions that the first floor of the right hand unit might be redundant thus proving costly to heat. The Councils Building Control officer in his report mentions that this side of the building is fairly modern construction and can be insulated relatively cheaply and with thermostatic radiator valves fitted to upstairs radiators the heat loss can be minimised, The cost of this would be approximately £500.

Adaption of the left hand unit could be achieved by converting half of the existing double garage to a bedroom with en suite facilities costing a maximum of around £5000.

The applicant has responded to this survey by the Councils Building Control Surveyor and has mentioned that she was not invited to participate in the Thurlaston Housing Needs Survey Questionnaires though would have been sent to all households in the village for them to respond accordingly.

Mrs Baumber is currently renting a two storey cottage at Mill Cottages, Mill Lane Thurlaston. Her existing properties at Field Cottage and Field Cottage Annexe are currently rented out to tenants.

The applicant has agreed that the work can be carried out but it would be very expensive in view of the amount of work involved. Nevertheless the applicant has not quantified the cost of the works. In addition the applicant has also mentioned that both properties would need to be vacated whilst the work is being carried out resulting from loss of income to Mrs Baumber who relies on the rent from the properties to supplement her pension.

In addition to the loss of income when building works are in progress this arrangement would affect the capital value of both properties, given the creation of a flying freehold to the bedroom in the left hand unit. These issues, while being of concern to the applicant, are not proper planning considerations in this instance.

The applicant has also mentioned that the internal arrangement supplied by the Councils Building Control officer is undesirable and further internal re arrangement will necessitate additional costs.

These costs need to be judged against the costs of building a new bungalow in the garden. Whilst building costs of a new bungalow would be around 80,000 [approximately] the costs of re-furbishment is likely to be considerably cheaper.

Mrs Baumber is currently renting a property and she has advised that whilst this has a better internal layout to meet her needs it still involves access to the bedroom by a staircase which she finds increasingly difficult to use. In this case the Local Planning Authority would suggest that a chair lift is fitted.

The issue of local needs was one of the principal reasons that the previous application was dismissed on appeal. Here the Inspector was of the opinion that from the evidence provided that he was unable to determine that suitable adaption of the existing premises would not be feasible.

Although further evidence on adapting this property has now been submitted by the applicant, as outlined in the report above it is considered that properties within the village and owned by the applicant could be adapted to meet the applicants particular housing need.

In view of the circumstance the proposal will not comply with policies S3, S4, GP 16 and H 14 of the Rugby Borough Local Plan 2006

Highways

The application site is accessed from Church Walk, which joins Main Street at a T junction Main Street is the only road into and out of the village .The previous development was dismissed on appeal because the visibility at this junction is substandard and the proposed development would have an unacceptable adverse effect on highway safety. The current application proposes to widen the pavement of Main Street which will improve visibility to meet current standards. The site plan incorporates Church Walk and part of Main Street. The extended red edge includes part of Main Street which would accommodate the extension of the pavement in order to improve visibility to the north on exit from Church Walk.

The Highway Engineer is satisfied that by constructing a footway “build out” and realigning the road markings at the junction of Church Walk and Main Street as shown on the submitted drawings would be sufficient to improve visibility at this point to comply with the visibility splays necessary [2.0 metres x 32 metres]. However the applicant will need to enter into an agreement under section 278 of the Highway Act 1980 before any improvement works are commenced with any alterations being incorporated into the design. This will need to take account of the design of the “build out” of the footway. In addition the applicant will need to provide an independent stage 2 safety audit.

The site plan also depicts a landscaped access drive close to the side elevation of the adjoining dwelling at 3 Church Walk. There is sufficient space to accommodate a vehicular access in this position.

Therefore the proposals will Policy T 3 of the Rugby Borough Local Plan 2006

Policy T5 concerns parking facilities. In this case the proposed development provides 2 parking spaces with a turning head for a two bedroom bungalow. The Borough Councils Parking Standards require a maximum of 1.5 spaces for a 1-2 bed unit in a low access zone. The proposed development will therefore comply with policy T 5 of the Rugby Borough Local Plan 2006.

Other Matters

The application site does not contain trees protected by a tree preservation order and the site is not within a Conservation Area. There are a number of trees on the site. The scheme would necessitate the removal of some trees which are not particularly prominent in the local area and are only partially visible from Church Walk and Beech Drive. These trees can be replaced with similar species in a suitable position within the boundary of the property. Those to be retained would need to be safeguarded during construction by protective barriers in accordance with the requirements of BS 5387: 2005 [trees in relation to construction]. Therefore the proposed development will comply with Policy E 6 of the Rugby Borough Local Plan 2006 and the requirements of National Planning Policy in PPS 9 [Biodiversity and Geological Conservation].

The County Ecologist considers that this proposal has a small potential to impact on protected species as the existing building ["Summer House"] will be subject to demolition. He has mentioned that bats will frequently use the roof structure of buildings as summer roost, maternity locations and occasionally as hibernations sites. The habitat surrounding the current building would appear to be low to medium quality and the linear connectivity is poor, the building is possibly subject to reduced levels of disturbance. There are also numerous other buildings in the area that may offer suitable provisions for roosting bats.

Therefore subject to a qualified bat worker being appointed by the applicant to supervise all destructive works to the roof of the building to be demolished and Natural England to be consulted and work to cease if evidence of bats are found. This can be dealt with via a planning condition. Therefore subject to these requirements the proposed development will comply with National Planning Guidance in PPS 9 [Biodiversity and Geological Conservation].

Part of public footpath reference R337 is formed in front of the existing properties Field Cottage and Field Cottage Annexe and extends into the proposed means of access. The Warwickshire County Council [Rights of Way] have commented on the application and raise no objection subject that the public footpath remains open and available at all times. Therefore the proposal will comply with National Planning Guidance in PPG 17 [Planning for Open Space, Sport and Recreation]

The vehicular access into the application site is within the Thurlaston Conservation Area. As mentioned in the above paragraphs the current visibility at the junction of Main Street with Church Walk is substandard and the current application proposes to widen the pavement of Main Street marginally to improve visibility. Whilst the full design of the build out of the footway has not been agreed by the Local Planning Authority in consultation with the Highway Authority, it is considered that the build out is very minor in terms of impact on the visual amenities of the locality and the character of the Conservation Area. The realigned footway will need to match existing surface materials and the edging with reclaimed matching setts. Therefore the proposed alignment will have a neutral effect on the character and

appearance of the Conservation Area and subject to satisfactory materials the proposal will comply with National Planning Policy PPS 9 [Planning for Historic Environment]

Recommendation

Planning permission be refused.

Prepared by

BRIAN SLATER

DRAFT DECISION

APPLICATION NUMBER

R10/2195

DATE VALID

13/12/2010

ADDRESS OF DEVELOPMENT

LAND AT FIELD COTTAGE
CHURCH WALK
THURLASTON
CV23 9JX

APPLICANT/AGENT

Laurence Wilbraham
Wilbraham Associates Limited
18a Regent Place
Rugby
Warwickshire
CV21 2PN
On behalf of Mrs D Baumber

APPLICATION DESCRIPTION

Erection of a detached bungalow with amended access and improvement works , including demolition of existing summer house

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

REASON FOR REFUSAL 1:

The site lies within Thurlaston which is identified as a Local Needs Settlement in the rural area as defined in policy S3 of the Rugby Borough Local Plan 2006. This policy states that housing development to meet an identified local housing need will normally be permitted. Policies S4 and H14 of the Rugby Borough Local Plan 2006 also states that housing development would only be permitted where it is demonstrated that it would meet an identified local housing need. Thurlaston do not have a Parish Plan but the Parish Council has produced a housing needs survey dated November 2010 which identifies that there is no local housing need in the village. The existence of a housing need survey is a material consideration in accordance with the provisions of policy GP 16 of the Rugby Borough Local Plan 2006 which refers to the views expressed in Parish Plans and their equivalent.

In the opinion of the Local Planning Authority local need for the proposed development has not been clearly demonstrated in this particular case in that it is considered that existing accommodation currently owned in the village by the applicant could be adapted to meet the applicant's specific housing need. The proposal is therefore contrary to policies S3, S4, H 14 and GP 16 of the Rugby Borough Local Plan 2006.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

S3, S4, GP1, GP 3, GP 16, T 3, T 5, H14, E 6, PPS 1, PPS 5 ,PPS 9 and PPG 17

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

Reference number: R10/2148

Site address: Land rear of 19-25 Crick Road, Rugby

Description: Demolition of 21 Crick Road, erection of 7 detached dwellings, new access and associated works.

Case Officer Name & Number: Karen McCulloch, 01788 533623

Description of site

This application relates to number 21 Crick Road and the rear gardens of nearby properties on Crick Road and Browning Road.

Number 21 is a chalet style house with a gable to the front which is located immediately adjacent to the boundary with number 23 Crick Road. 23 Crick Road is a traditional two storey property which has a hip roof to one side and a gable to the other. Although these properties are not physically attached these are joined by lead flashing and appear as semi-detached houses.

Number 19 has side facing windows looking towards the proposed access, these are a landing and bathroom window and a secondary kitchen window.

There are a range of dwelling types and styles on Crick Road including two storey houses, bungalows and chalet bungalows. These include a mix of pitched and hipped roofs and a range of materials including brick, render and pebbledash.

Recent developments have been completed or are under construction which create cul-de-sacs accessed from Crick Road, these include Wiggins Close opposite the site, land to the rear of 8-16 Crick Road and Orchard Gardens which includes the rear gardens of 31 and 33 Crick Road and the site of 35 which was removed.

Outline planning permission was also granted in 2007 for residential development to the rear of 13 to 19 Crick Road, accessed through the site of number 13, and an Approval of reserved Matters application was approved in 2008. However this development has not been constructed.

Properties on Browning Road are semi-detached brick houses with hipped roofs.

The rear gardens included within the site include a range of planting, including mature trees.

Description of proposals

This application was initially for the erection of 5 dwellings, however the application site boundary has been amended to include land to the rear of number 19 Crick Road and the number of dwellings proposed has been increased to 7.

The application is for the demolition of number 21 Crick Road to form an access. This will lead to a cul-de-sac of 7 detached houses. These will have the appearance of two storey houses, however 5 of these will include second floor accommodation within the roof space. The proposed dwellings would all have 5 bedrooms.

The properties will have a ridge height of around 8.6m. The properties will have pitched roofs with gable ends and will be constructed of red brick with grey roof tiles. These will include gable features and canopies and will have curved headers and brick detailing to the front elevations.

A detached garage is proposed to the front of plot 3, all other plots would have integral or attached garages with driveways to the front.

Relevant planning history

R06/1974/PLN Refused

Erection of 5 detached dwellings

R08/0180/OA Refused and Appeal Dismissed

Outline application for the erection of 3 houses and 2 bungalows to the rear of 21-25 Crick Road

R08/0454/OA Refused

Outline application for the erection of 3 houses and 2 bungalows to the rear of 21-25 Crick Road

R09/0558/OA Approved

Outline application for the erection of 5 dwellings to the rear of 21-25 Crick Road

The 2006 and 2008 applications proposed a vehicular access between numbers 23 and 25 and the reason for refusal included the impact of this access on the adjacent properties. The 2009 application, which was approved, proposed the access through the adjacent approved development, to the rear of 13-19 Crick Road.

Third party comments

Cllrs Lawrence, Allen and Sewell

Objection

- application should be determined by Committee,
- should stop further developments in this area to retain the character,
- proposals would create a housing estate from 13-43 Crick Road as well as development on the other side,
- this area was never intended as a new housing estate,
- application should not be influenced by previous approvals,
- site is residential garden, there have been too many back garden developments,
- nearby developments have unsold properties or have not been completed, this shows a lack of demand,
- Government is clearly opposed to this type of development.
- housing needs can be met without this type of development,
- developer does not own the whole site, residents who are unwilling to sell feel vulnerable,
- gardens provide habitat and contain mature trees,
- residents bought properties because of large gardens, this would lead to a loss of privacy and environment contrary to the rights of neighbours,
- swimming pool at 27 would be overlooked, this would remove privacy and right to family life when using the pool, this is contained in the Human Rights Act,
- bungalows would not be so intrusive,
- road is increasingly busy and congested, Councillors have campaigned for speed reduction measures,
- there were 5 serious accidents in 2010 as well as more minor accidents,
- volume of traffic is increased by DIRFT,
- site is close to crossing used by school children,
- there is not sufficient parking proposed

Neighbours (4)

Objection

- application includes land within writer's ownership and they do not intend to sell it,
- were approached to sell garden but refused, this would lead to development either side, this would harm garden which occupiers have worked very hard on,
- this is an undesirable development,
- area has changed dramatically due to this style of development,
- this would give 7 such developments and accesses within 300m on a busy major road,
- three storey houses will overlook neighbours,
- moved here because property is not overlooked,
- loss of privacy and light in homes and gardens,
- little landscaping proposed, trees should be retained to screen development,
- noise and disturbance,
- area would be overcrowded,
- applications were refused in the past, these reasons for refusal are still relevant,
- development may be contrary to covenants on deeds,
- will increase traffic on Crick Road which is already busy,
- gardens currently flood and the development would worsen this,
- loss of habitat used by large number of species,
- trees which reduce pollution would be lost,
- there are sufficient properties in the area,
- property will be devalued.

To amended plans

Neighbours (3) Objection

- previous objections apply, but more so,
- Councillors should visit the site,
- the applicant does not own all the land,
- members of Committee should visit neighbours to assess impact,
- Government policy has changed to prevent garden developments,
- there have been 5 similar developments nearby,
- proposals will have overbearing impact on neighbours, particularly 23, 25 & 27 and properties on Browning Road,
- bought house as it was not overlooked and surrounded by gardens,
- large tall houses are proposed too close to gardens,
- additional houses would increase loss of light and privacy in homes and gardens,
- will prevent neighbours from enjoying their gardens,
- two storey houses will increase impact,
- buildings completely overcrowd the site,
- a Councillor recently visited the site and was shocked by impact of proposals,
- loss of trees and greenery will affect people and wildlife,
- trees should remain to provide screening for neighbours,
- nearby developments have unsold properties,
- previous applications for this site were refused,
- development will affect character of the area, it will become a suburban housing estate,
- beautiful trees will be lost, why is it only possible to protect trees in public view,
- this will be 6th development within 100 yards, an extra entrance would increase traffic and risk to pedestrians,
- traffic has already increased due to DIRFT expansion,

- development is proposed so some people can make money, not for vital housing,
- noise and disturbance during construction,
- properties will be devalued,
- believe development will go ahead and feel powerless.

Technical consultation responses

WCC Highways	No objection	To amended plans, subject to conditions & informatives
WCC Ecology	No objection	Subject to conditions
Severn Trent	No objection	Subject to condition
Environmental Health	No objection	Subject to conditions
Tree Officer	No objection	

Relevant planning polices and guidance

S1	Complies	Urban development priorities
S2	Complies	Release of development land
S4	Complies	Windfall developments
GP1	Complies	Appearance and design of development
GP2	Complies	Landscaping
GP3	Complies	Protection of amenity
GP6	Complies	Safeguarding development potential
GP15	Complies	Planning obligations
E6	Complies	Biodiversity
T3	Complies	Access and highway layout
T5	Complies	Parking facilities
H6	Complies	Affordable housing
H11	Complies	Open space provision in residential developments in Rugby urban area
LR1	Complies	Open space standards
PPS1:	Delivering Sustainable Development	
PPS3:	Housing	
PPS23:	Planning and Pollution Control	

Assessment of proposals

A key issue to assess in relation to this application is whether the principle of the proposed development is acceptable in this location. The impact on matters including amenity of neighbours, visual amenity, highway safety and protected species must also be considered.

Policy S1 of the Local Plan sets out a hierarchy for development. This states that the first priority for development is previously developed land within Rugby Urban Area and the second priority is Greenfield land within the Rugby Urban Area. Policy S2 states that development will be permitted in first priority locations and development in lower priority locations will be permitted, in priority order, if a need for further development is identified. Policy S4 states that windfall developments will be permitted subject to complying with policy S1 and S2.

The application site includes 21 Crick Road and parts of surrounding gardens. PPS3: Housing, was amended in June 2010 and private residential gardens were excluded from the definition of previously developed land. As this site contains residential gardens this constitutes Greenfield land, which is a second priority location for development.

Guidance received from the Council's Forward Planning Team is that, based on regional housing targets and the limited availability of sites within first priority locations, there is doubt as to whether the Council can demonstrate a 5 year supply of available sites. Based on this information the current advice from Forward Planning is that development of second priority sites is acceptable in principle.

It is therefore considered that the principle of development is acceptable in accordance with policies S1, S2 and S4 of the Local Plan.

The impact on the character of the area and visual amenity must be assessed and this matter has also been referred to in objections. Crick Road was initially a predominantly linear development of residential properties with long rear gardens. However, recent developments have introduced cul-de-sacs and it is considered that the proposals reflect this.

The development has been designed so the front elevations of the dwellings proposed on plots 6 and 7 will be visible along the proposed access and will form an end stop. The proposed dwellings form a small courtyard and a dual aspect property is used on plot 2 to ensure this relates well to the other proposed dwellings. It is considered that the form of proposed development creates a cohesive grouping and this is considered acceptable.

The proposed dwellings would be two storey and will be constructed of red brick with grey roof tiles. These would include chimneys to some plots, gable features and canopies with curved headers and brick banding to the front elevation. These reflect the materials and features found on other properties in the area and the design of the properties is considered acceptable.

Therefore, the impact of the proposals on visual amenity and the character of the area is considered acceptable in accordance with policy GP1.

Policy GP6 states that development should not prejudice the development potential of other land from being realised. The site is immediately adjacent to other large gardens and it is considered possible that proposals for the development of these may be submitted in the future. The submitted layout would allow the road to be extended to accommodate development of adjacent land if this becomes available. The garage to plot 3 would have to be removed if land to the east were to be accessed though this site, however if the development of this adjacent land were proposed alternative parking could be provided. The proposals therefore comply with policy GP6.

As the application involves the development of rear gardens it will result in the loss of landscaping and mature trees and this has been raised as an objection by local residents. The Council's Tree Officer has visited the site and has advised that the trees are relatively small, are not visible from public areas and are not worthy of a Tree Preservation Order. A condition could be attached to any consent to ensure a suitable landscaping scheme is provided and subject to this condition it is considered the proposals comply with policy GP2.

Previous applications on this site proposed a vehicular access between numbers 23 and 25 Crick Road. These applications were refused on the basis that a vehicular access around 0.5m from the side elevation of these properties would have an adverse impact on residential amenity. The current application proposes the access between numbers 19 and 23 Crick Road, on the site of number 21. This results in the access being located around 3.5m from the blank side elevation of number 23 and

around 4.5m from the side elevation of number 19. Although number 19 has side facing windows these are to non-habitable rooms, or are secondary windows. It is considered that the proposed access is a sufficient distance from the neighbouring properties and will not have an adverse impact on residential amenity.

Objectors have stated that the proposals would have an adverse impact on neighbouring properties in terms of loss of privacy and light to homes and gardens.

Most the proposed dwellings have a single storey projection to the rear, the exception to this is housetype G (plot 1) which has a 2 storey rear projection. The distance from upper floor windows to the boundaries of neighbouring gardens ranges from around 9m to around 10m. This will impact on the level of privacy in these rear gardens, however it is considered that this is not to such an extent to warrant a recommendation of refusal.

The ground floor windows will be between around 7m and around 10m from neighbouring gardens, as these are at ground level fences could be erected to ensure these do not impact on privacy.

Plots 3-7 include rooms within the roof space and include rooflights on the rear roofslope, which would face towards properties on Browning Road. These are high level rooflights and the impact on the neighbouring properties is considered acceptable.

The rooms within the roofspace, and first floor rooms are served by windows in the side elevations. To prevent loss of privacy to the neighbouring gardens it is considered that a condition is required to ensure the side facing windows in plots 3 and 7 which look towards the adjacent gardens, are obscure glazed and to prevent the creation of additional windows.

Comments have been made that the proposals would impact on the privacy in the surrounding dwellings themselves. However, the properties would be over 30m from houses on Browning Road. Plot 1 is proposed closest to properties on Crick Road, however, this property is set at 90 degrees to these houses so there would be no direct overlooking of the dwellings themselves.

The closest property to existing dwellings is proposed on plot 1 where the side elevation would be around 12m from the rear elevation of number 23 Crick Road. However, the proposal is for an attached garage with living accommodation within the roofspace and the impact on the neighbouring property in terms of loss of light is considered acceptable. Due to the distance between the proposed houses and the neighbouring dwellings it is not considered there will be a significant loss of light to the neighbouring dwellings themselves.

It is considered that the distance between the rear of the proposed dwellings and the surrounding gardens is sufficient to ensure these gardens are not adversely impacted in terms of loss of light. The side elevations of plots 3 and 7 are close to the adjacent gardens (around 1.25m and 5m). However, these are adjacent to the areas of garden furthest from the dwellings, which are unlikely to be as intensively used as the areas close to the dwellings themselves, the impact on these gardens is therefore considered acceptable.

The detached garage to serve plot 3 is proposed adjacent to the boundary with 27 Crick Road. This will be over 40m from the house and will be 2.5m to the eaves and

4.7m to the ridge. It is therefore considered that this will not lead to a significant loss of light to the house or garden.

The owner of 12 Browning Road has commented that the application site includes land within their ownership which was previously purchased from number 23 Crick Road and that they do not intend to sell this. However, this is essentially a private matter between landowners and, as the correct notice has been served on the landowner, the application is valid and can be determined by the Council. If this land cannot be secured by the developer it would not be possible to construct plot 5 and this land would remain as garden. As this is a separate part of the garden to that associated with the main house it is not considered that the erection of dwellings adjacent to the garden will impact on the residential amenity to such a level to warrant a recommendation of refusal. A condition could also be added to ensure any side facing windows to plots 4 and 6 are obscure glazed, if plot 5 is not constructed, to ensure there is no adverse impact on privacy.

Subject to the conditions detailed above it is considered, on balance, that the impact on the amenity of neighbouring properties is acceptable and policy GP3 is complied with.

The Highway Authority, Warwickshire County Council, initially objected to the proposals for 5 dwellings on the grounds that there was not sufficient space for larger vehicles to turn within the site and this would lead to these reversing onto the road to the detriment of highway safety. The amended plans provide suitable turning facilities and the Highway Authority have no objection subject to conditions and informatives. This is therefore in accordance with policy T3 of the Local Plan.

The proposals include a double garage and 2 parking spaces for plot 1. The other units are proposed with a single garage and 1 parking space. This results in a total of 16 spaces for the development, around 2.23 per dwelling. The Council's parking standards do not include standards for 5 bedroom houses but specify that in this location 4 bedroom houses should have a maximum of 3 spaces. However, the standards go on to state that on developments of two or more dwellings a maximum of 1.5 spaces per dwelling should be provided. Although this maximum standard is exceeded given the distance from the town centre it is not considered that this is a reason to refuse the application. Cycle parking could be accommodated in garages or rear gardens and it is considered that policy T5 is complied with.

Policy H6 states that on a development of this size a target affordable housing provision of 33.3% will be sought. In this case the requirement would be for 2 units. However, the supporting text to this policy goes on to state that where the provision of the target level of affordable housing would threaten the financial viability of a development a reduction would be considered.

Comments have been received from the Council's Forward Planning Team who have advised that evidence within the Council's Affordable Housing Viability Assessment (June 2010) is sufficient to demonstrate that the provision of any affordable housing on this site would be unviable. It is therefore not considered reasonable to require affordable housing in this case.

Policy H11 states that on developments of 6 or more dwellings within the urban area open space provision should be made in accordance with the open space standards contained within policy LR1. Policy GP15 states that the physical, social and environmental needs of the development should be met, or mitigated for and this mitigation would be secured through planning obligations.

The proposal is for the erection of 7 dwellings, however 1 existing dwelling is to be removed resulting in an increase of 6 dwellings. This will require a contribution towards open space facilities within the area, and the applicant has agreed to pay this contribution. This will be secured by a s106 agreement and is in accordance with the relevant policies.

Warwickshire County Council Ecology Unit commented on the application and initially requested a pre-determinative bat survey and a condition regarding reptile surveys. The agent provided a bat survey carried out earlier this year that found that the existing buildings on the site had low potential for bats and that no evidence of bats was found. In response to this the Ecology Unit commented that a further bat survey should be carried out prior to the demolition of the buildings and that this could be controlled by condition. Subject to these conditions it is considered the proposals are acceptable in accordance with policy E6.

Environmental Health have no objection to the application subject to a condition regarding site investigation and an informative regarding construction hours. Subject to the suggested condition it is considered the proposals comply with guidance contained within PPS24.

Recommendation

Approval – subject to s106 agreement and conditions

Report prepared by: Karen McCulloch

DRAFT DECISION

APPLICATION NUMBER

R10/2148

DATE VALID

01/04/2011

ADDRESS OF DEVELOPMENT

LAND REAR OF 19 TO 25
CRICK ROAD
HILLMORTON
RUGBY
CV21 4DU

APPLICANT/AGENT

Mr Ian Gidley
Ig Land & Planning
1 Thornton Close
Crick
Northamptonshire
NN6 7GE
On behalf of , Parkroy Ltd

APPLICATION DESCRIPTION

Demolition of 21 Crick Road, erection of 7 detached dwellings, new access and associated works.

CONDITIONS, REASONS & RELEVANT DEVELOPMENT PLAN POLICIES

CONDITION: 1

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

REASON:

To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.

CONDITION: 2

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

Plan	Reference	Date received
Location Plan	T166-PL-01/B	20th April 2011
Site Layout	T166-PL-02/B	20th April 2011
House Type B	T166-PL-09/A	20th April 2011
House Type F	T166-PL-03/C	21st April 2011
House Type G	T166-PL-04/B	21st April 2011
House Type H	T166-PL-05/A	12th April 2011
House Type J	T166-PL-10/A	21st April 2011
Garage Plan & Elevations	T166-PL-07	31st March 2011.

REASON:

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

CONDITION: 3

No development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

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

CONDITION: 4

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

REASON:

In the interest of visual amenity.

CONDITION: 5

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

REASON:

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

CONDITION: 6

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, C, D or 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 and visual amenity.

CONDITION: 7

Other than those shown on the approved plans no new windows shall be formed in the east (side) elevation of plot 3, the west (side) elevation of plot 7 and no new rooflights shall be formed in the rear roofslope of any plot , unless otherwise agreed in writing by the Local Planning Authority.

REASON:

In the interest of residential amenity.

CONDITION: 8

The windows to be formed in the east (side) elevation of plot 3 and the west (side) elevation of plot 7 shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION: 9

Unless and until the development of plot 5 has commenced the windows to be formed in the west (side) elevation of plot 4 and the east (side) elevation of plot 6 shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION: 10

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 garages serving the proposed development shall not be converted to living accommodation.

REASON:

In the interest of highway safety.

CONDITION: 11

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

REASON:

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

CONDITION: 12

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 minimum width of 5.0 metres with a gradient not steeper than 1 in 15, and hard surfaced in a bound material for a distance of 7.5 metres from the near edge of the highway footway.
- b) Gates and barriers opening into the site and not being placed within the vehicular access any closer than 5.5 metres from the near edge of the highway carriageway.
- c) The access not reducing the effective capacity of any highway drain, and not allowing surface water to run off the site onto the highway.

REASON:

In the interest of highway safety.

CONDITION: 13

The site shall not be used for the purposes hereby permitted unless adequate vehicular turning space is provided and maintained within the site so that vehicles are able to enter and leave the highway in a forward gear.

REASON:

In the interest of highway safety.

CONDITION: 14

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

REASON:

In the interest of highway safety.

CONDITION: 15

No new dwelling shall be occupied until the pedestrian and vehicular access serving it have been provided.

REASON:

In the interest of highway safety.

CONDITION: 16

The development hereby permitted shall not be occupied until the applicant has provided Sustainable Welcome Packs for each household.

REASON:

In the interest of highway safety.

CONDITION: 17

The demolition of any buildings on the site shall not commence unless and until a further bat survey of the site has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation plan shall thereafter be implemented in full.

REASON:

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

CONDITION: 18

No development, including site clearance, shall commence unless and until a reptile survey of the site has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the Local Planning Authority. The approved mitigation plan shall thereafter be implemented in full.

REASON:

To ensure protected species are not harmed by the development.

CONDITION: 19

Unless otherwise agreed in writing by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until points (a) to (d) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until condition (d) has been complied with in relation to that contamination.

(a) An investigation and risk assessment, including gas monitoring, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to: human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes, adjoining land, groundwaters and surface waters, ecological systems, archeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

(b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition (a), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (b), which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (c).

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

REASON FOR APPROVAL:

The site is within the urban area of Rugby where the principle of the development accords with policies S1, S2 & S4 of the Rugby Borough Local Plan 2006. The development would not prejudice development of adjacent land, provides satisfactory access and parking and is considered to be in keeping with existing development in the area and would have an acceptable relationship with neighbouring dwellings in terms of residential amenity. In addition the proposed development would not have an adverse impact on protected species. The proposal therefore accords with policies T3, T5, E6, GP1, GP3 & GP6 of the Rugby Borough Local Plan 2006.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

Rugby Borough Local Plan 2006 Saved Policies S1, S2, S4, GP1, GP2, GP3, GP6, GP15, E6, T3, T5, H6, H11 & LR1.

PPS1: Delivering Sustainable Development

PPS3: Housing

PPS23: Planning and Pollution Control

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

INFORMATIVE: 1

During the construction period, no vehicles calling at the site or being in the control of the developer/occupier or Contractors employed by the developer/occupier shall be loaded, unloaded or parked on the highway (Crick Road A428, Chamberlain Road D3330 or Bucknill Crescent D3331). Adequate measures shall be taken to prevent deleterious matter being carried onto all nearby highways.

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

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{s}/ developer{s}] 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: 4

The developer is required to contribute £50 per dwelling for Sustainable Welcome Packs and to help promote sustainable travel in the local area For further information regarding Sustainability Welcome Packs, contact Nicola Small, Sustainable Project Officer on 01926 412105.

INFORMATIVE: 5

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site, including demolition, must not occur outside the following hours: -

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

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

NO WORK ON SUNDAYS & BANK HOLIDAYS.

Reference number:

R11/0754

Site address:

Central reservation, adj 419 Newbold Road, Rugby. CV21 1EP.

Description :

Determination as to whether prior approval is required for the installation of a 11.8m high slim line telecom monopole mast and provision of a 1No. associated equipment cabinet and a metre pillar.

Case Officer Name & Number:

Nisar Mogul. 01788 533688

Relevant decisions

Determination as to whether prior approval is required for the installation of a 11.8m high slim line monopole telecom mast and provision of a 1No. associated equipment cabinet and a metre pillar. - Withdrawn – 29/03/11.

Technical Consultations

Environmental Health	-	No objections.
WCC Highways	-	No objections subject to informative.
Severn Trent	-	No objections.
Tree Officer	-	No objections subject to informative.

Third Party Consultations

Neighbours – 4 objections received –	<p>mast will look completely out of place, will be detrimental to the appearance and character of our neighbourhood, will draw peoples attention when approaching an already dangerous crossroads. Although not proven yet, could be detrimental to health. This is an eyesore, distraction to motorists and cause more accidents, would loose views to trees and daffodils and cause damage to the trees. The Close proximity to the crossing path could be detrimental to children and</p>
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residents using the path way to cross the road. We do not want an 11.8 meter high mast on our door step.

Other relevant information

This prior approval application is being brought before you for a decision at the request of Councillor Jerry Roodhouse, in order to comply with the Councils delegation agreement the Head of Planning and culture considers the application should be determined by Committee.

This proposal is a resubmission of a previously withdrawn application for a telecom mast and associated equipment cabinet and is to be sited on the central reservation area of Newbold Road adjacent to No. 419 Newbold Road and lies within the Rugby Urban Area. The previous application was withdrawn due to an objection by the Borough Council Tree Officer on the grounds that that the proposed mast would be within 5 metre tree root protection radius of the nearby tree.

Under the current proposal, the mast is to be positioned between the existing 8 metre high telegraph pole and the 11 metre high tree, approximately 1.8 metres to the east of the previously withdrawn application. To the south of the proposed mast is the proposed associated equipment cabinet with the metre pillar.

The immediate vicinity consists predominantly of residential properties with the closest property to the proposed mast being No.419 Newbold Road. The distance to the front elevation of the main body of this property is approximately 20 metres from the proposed monopole mast.

The proposed telecom mast is slim line and is 11.8 metres high from ground level accommodating 6 antennae, which will provide 02 and Vodafone with coverage in the surrounding area. All the antennae are contained within a smooth circular sheath. The associated equipment cabinet is a Cornerstone Vulcan cabinet that measure approximately 1.898 metres in length, 798 mm in width and is 1.648 metres in height and are green in colour.

Additionally, there is a Alifabs meter pillar which is to be sited immediately adjacent to one of the equipment cabinets. The meter pillar measures 379mm in length, 171 mm in depth and is 872 mm in height and is green in colour.

The applicants have stated that the proposal is required in order to increase 2G and 3G network capacity within the Newbold Area. Furthermore, the applicants have stated that they have considered and rejected several other sites including:

- Newbold Crown Pub – The site owners would not deal with the Applicants.

- Main Street – land immediately opposite CO-OP store available, however there is restricted space for installation and likelihood of underground services making build impossible.
- Parkfield Road – adopted land with high trees surrounding making it not a viable scheme.

Planning Policy Guidance

RBLP Policy GP1	Complies	Design and appearance of development
RBLP Policy GP3	Complies	Protection of amenity
PPG 8 - Telecommunications		

Determining Considerations

This is an application for determination as to whether prior approval is required for the installation of a 11.8m high slim line telecom mast with associated apparatus consisting of 1 No. Cornerstone Spitfire equipment cabinet and an Aliifabs meter pillar.

This is not an application for planning permission. Therefore, the only issues that can be considered as part of this application are siting and appearance.

The proposal for the mast and associated equipment have been submitted under the Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, as amended, and in accordance with the electronic communications code under the Telecommunications Act 1984 Schedule 2 as amended by the Communications Act 2003.

The proposal satisfies the criteria of part 24 of the GPDO 1995, and therefore the main issues concerning this application are whether the siting and appearance of the proposed mast are acceptable. The associated works can be considered as ‘development ancillary to radio equipment housing’ as described in Part 24 and are therefore also permitted subject to siting and appearance considerations.

Planning Policy Guidance Note 8: Telecommunications (PPG 8) sets out the Government’s policy for the planning of telecommunications development. PPG 8 encourages local planning authorities to respond positively to telecommunications proposals while protecting the environment from visual intrusion. It further advises that it is likely that concerns will centre particularly on the type of mast and its resultant impact. In particular its height together with any ancillary development and the scope for landscaping and screening are important considerations. In seeking to arrive at the best solution for an individual site, Local Planning Authority’s and operators should consider the use of sympathetic design to minimise the impact on the environment.

Although visible from the road, due to the existing street furniture consisting of street lighting columns, telegraph poles and tall trees, particularly the trees either side of the proposed mast being circa 11 metres high within the street scene and in particular within the grassed central reservation area of Newbold Road, the limited height of the mast being 11.8 metres high and its design

being slim line it is considered that the mast will not have an overly adverse detrimental impact upon the visual amenities of the locality or the amenities of the occupiers of the nearby properties.

The ancillary additional equipment cabinets would be visible from the road, however, due to its size and location it is not considered that this would be demonstrably harmful to the visual amenities of the locality.

There is much public concern concerning the possible adverse health impacts of telecommunication development. However consideration of this application should follow the advice given in PPG8. Paragraph 98 states: “.it is the Government’s firm view that the planning system is not the place for determining health safeguards. It remains central Government’s responsibility to decide what measures are necessary to protect public health. In the Government’s view, if a proposed mobile phone base station meets the ICNIRP guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.”

In the supporting information the applicants have stated that their radio base stations are designed and operated so that the public are not exposed to radio frequency fields above the guidelines set by the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

Additionally, they have stated that their base stations operate at low power and emit low levels of radio frequency fields and when measured, field strengths are typically hundreds to thousands of times lower than the precautionary ICNIRP general public guidelines.

Furthermore, they have highlighted amongst other publications, that a study by the World Health Organisation in 2006 (fact sheet No.304) concluded that “considering the very low exposure levels and research results collected to date, there is no convincing scientific evidence that weak RF signals from base stations and wireless networks cause adverse health effects”

The requisite ICNIRP certificate has been submitted with this application which confirms that the site and the proposed emissions would comply with the appropriate guidelines. Recent High Court and Court of Appeal decisions in relation to planning appeals for telecommunications equipment have established that when evidence is submitted to confirm that an installation falls within the ICNIRP guidelines, that a perception of fear or concerns about health issues do not provide justification for a Council to refuse an application. Additionally, Environmental Health Department have raised no objections to the proposal as it complies with the ICNIRP guidelines.

The previous Prior Approval Application was withdrawn by the Applicants as the siting would potentially cause damage to the roots of the nearby semi-mature Norway Maple tree. The current position of the mast is now approximately 6.25 metres from this tree and therefore is located outside the root protection area. The Tree Officer has commented on the proposal and

now feels the proposal will have minimal impact on the tree and therefore has no objection to the siting of the mast.

Therefore, the proposed monopole mast is considered an acceptable installation in this urban residential area, where the appearance of a slimline monopole would not detract from the character of the area. The siting and design of the proposed development will ensure that there is no adverse impact on the character and appearance of the locality and the general street scene, and the mast sharing will help reduce the need for more masts in the area.

Furthermore, the proximity of dwellings to the proposed mast is not a planning issue provided that the application includes an ICNIRP Declaration regarding emissions, which this application does, and that the installation satisfies normal planning considerations regarding the siting and appearance of development and therefore complies with policies GP1 and GP3 of the Rugby Borough Local Plan.

Recommendations

The proposed mast does not require a full planning application, and therefore it is recommended that prior approval is given for the siting and appearance of the telecommunications installation and its permitted development rights are hereby confirmed.

The proposed development is subject to the conditions and limitations set under Class A, Part 24 of Schedule 2 of the Order.

The development shall be begun no later than 5 years from the date of this decision.

INFORMATIVES:

INFORMATIVE 1:

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:

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(s)/ developer(s)] 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:

There shall be no disturbance/digging/ storage of materials within 5 metres of the Norway Maple tree or any other tree in close proximity during the installation of the mast. Also, no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

AGENDA MANAGEMENT SHEET

Name of Meeting	Planning Committee
Date of Meeting	25.05.2011
Report Title	Delegated Decisions – 15.04.2011 to 12.05.2011
Portfolio	N/A
Ward Relevance	All
Prior Consultation	None
Contact Officer	Ilze Strautmane Ext 3774
Report Subject to Call-in	Y
Report En-Bloc	N
Forward Plan	N
Corporate Priorities	N/A
Statutory/Policy Background	Planning and Local Government Legislation
Summary	The report lists the decisions taken by the Deputy Chief Executive under delegated powers
Risk Management Implications	N/A
Financial Implications	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 – 25.05.2011

Delegated Decisions – From 15.04.2011 To 12.05.2011

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: 25.05.2011
Subject Matter: Delegated Decisions – 15.04.2011 to 12.05.2011
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.

* 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 DIRECTOR OF TECHNICAL SERVICES UNDER
DELEGATED POWERS FROM 15.04.2011 TO 12.05.2011

A. APPLICATIONS – DELEGATED

**Applications
Refused**

<i>R10/1295 Refused 27.04.2011</i>	West View Stockton Road Birdingbury	Demolition of existing bungalow and erection of a replacement dwelling.
<i>R11/0604 Refused 03.05.2011</i>	Wharf House The Wharf Stretton-Under-Fosse	Erection of detached triple garage with mezzanine storage.
<i>R11/0463 Refused 04.05.2011</i>	Flecknoe Fields House Flecknoe Station Road Flecknoe	Erection of a single storey front extension and alterations to the rear fenestration.
<i>R11/0661 Refused 06.05.2011</i>	2 Market Place Rugby	Change of Use from Class A1 (retail) to Class A2 (financial and professional services)

**Applications
Approved**

<i>R10/1477 Approved 15.04.2011</i>	Ventnor Farm Calcutt Lane Stockton	Demolition of the existing outbuilding and erection of single storey extensions.
<i>R11/0199 Approved 15.04.2011</i>	1 Meadow Cottages Main Street Grandborough	Erection of single storey rear extension (amendment to planning permission E2E 203).
<i>R11/0464 Approved 15.04.2011</i>	Fishpools Farm Main Street Frankton	Re-location of mixed use storage building allowed on appeal under planning reference R08/0991/PALB.
<i>R11/0218 Approved 18.04.2011</i>	Cawston Old Farm House Whitefriars Drive Lawford Lane Cawston	Erection of detached garage and associated driveway works.
<i>R11/0547 Approved 18.04.2011</i>	Dalkeith Avenue (Land to rear of 100, 102 & 104 Magnet Lane) Bilton	Renewal of planning permission R08/0551/PLN (Erection of a dwelling with associated garage).
<i>R10/2233 Approved 20.04.2011</i>	Oakhurst Bourton Road Frankton	Erection of a replacement dwelling.
<i>R11/0501 Approved</i>	Lairhillock Park Homes Sandy Lane	Renewal of temporary planning permission for siting of a toilet/shower block with associated

20.04.2011	Rugby	access ramps.
R11/0582 Approved 20.04.2011	Rugby Town Junior Football Club Kilsby Lane Hillmorton	Retention of existing metal storage container to accommodate grounds maintenance equipment.
R11/0363 Approved 20.04.2011	Wolston Grange Home Coalpit Lane Wolston Grange Rugby	Change of use of the barns from respite and day care unit to long term residential care home, respite and day care facility.
R10/2012 Approved 21.04.2011	GP Practice Track London Road Coventry	Retention of existing steel framed bridge and associated works
R10/2283 Approved 21.04.2011	Keller Ltd Oxford Road Coventry	Erection of 3 new industrial units and installation of a mezzanine floor within the existing stores building.
R11/0162 Approved 26.04.2011	6 Thistle Way Brownsover Rugby	Erection of a two storey front extension.
R11/0586 Approved 26.04.2011	Wood Farm Coal Pit Lane Willey	Part retrospective permission for the addition of a mezzanine floor to create ancillary office & conference room for the brewery, erection of a lean to shelter to the side and the installation of external lighting to the car park.
R11/0450 Approved 26.04.2011	24 Cedar Avenue Ryton On Dunsmore Coventry	Retrospective application for conversion of garage
R10/2224 Approved 26.04.2011	19 Plexfield Road Bilton Rugby	Erection of a single storey side and rear extension.
R11/0644 Approved 28.04.2011	10 Pear Tree Way Cawston Rugby	Erection of single-storey front extension and external alterations
R11/0639 Approved 03.05.2011	Somers House 25 Somers Road New Bilton	Removal of landscape area and enlargement of existing car park.
R11/0635 Approved 03.05.2011	Wolvey Bowling Club Coventry Road Wolvey	Extension to Equipment Store
R11/0106 Approved 03.05.2011	18 Pine Grove Hillmorton Rugby	Extension and conversion of existing garage to form residential annex
R11/0638 Approved	13 Ecton Leys Bilton	Two storey side extension (resubmission of approved application R11/0214)

03.05.2011	Rugby	
R11/0674 Approved 03.05.2011	6 Court Leet Binley Woods Coventry	Two storey side extension and single storey rear extension
R10/2216 Approved 03.05.2011	Aveley House School Street Churchover	Erection of a two storey rear extension.
R11/0078 Approved 04.05.2011	96 Hawlands Brownsover Rugby	Erection of two storey side and single storey rear extension.
R11/0602 Approved 04.05.2011	20 George Street New Bilton Rugby	Single storey rear extension
R10/2274 Approved 04.05.2011	Catholic Church of St Joseph Brockhurst Lane Monks Kirby	Provision of ramp and re-surface car park to provide improved disabled access
R11/0250 Approved 04.05.2011	32 Faraday Road Rugby	Erection of a single storey side extension
R11/0611 Approved 04.05.2011	Goodrest Cottage Rugby Road Brandon Coventry	Erection of a replacement porch (amendments to planning permission R08/0978/PALB).
R11/0589 Approved 04.05.2011	Land adjacent to No. 10 Coventry Road Marton	Minor material amendment to increase the base level of the building, provision of a ramp into building and minor external alterations.
R10/2320 Approved 05.05.2011	Butlers Leap Public House (Brewers Fayre) Clifton Road Rugby	Erection of a two storey hotel bedroom block and alterations to the car park layout (Renewal of an extant Planning permission ref. no. R08/1619/PLN granted 28th January 2009).
R10/1065 Approved 05.05.2011	Holly House 1 Main Street Frankton	Erection of two storey side and rear extensions, provision of a link attached granny annexe, and associated alterations including relocation of the existing vehicular access.
R10/2132 Approved 05.05.2011	Foxwoods Smeaton Lane Stretton on Fosse	Conversion of roof space with increased roof height and insertion of dormer windows
R11/0393 Approved 06.05.2011	Hillcrest House School Hill Flecknoe	Installation of 20 ground level photovoltaic panels, associated base/cabeling and screening fence.
R11/0620 Approved	Filling Station Hillmorton Road	Removal of condition No.6 attached to planning consent Ref. No. 21114/69/10A/S granted 26th

06.05.2011	Rugby	January 1970 to allow 24 hour opening.
R11/0647 Approved 06.05.2011	Residential Development Viaduct Close Rugby	Erection of 56 dwellings garages and associated access road. Removal of Condition 4 of planning permission R01/0212/00212/P dated 03/08/2001 relating to improvements to the vehicular junction at Clifton Road to include the provision of a ghost island junction.
R10/2067 Approved 09.05.2011	19 High Street Rugby	Alterations to the shop front, change of use of part of the first floor of 19 High Street to A1 and/or B1 and/or A2 use class, the change of use of part of the first, second and third floors to form a single residential unit and change of use of the rear no.19 High Street to form three residential units
R11/0735 Approved 10.05.2011	36 Belmont Road Rugby	Retention of garage
R11/0538 Approved 10.05.2011	Land Adjacent to Back Lane Back Lane Long Lawford	Variation of condition 15 attached to consent R10/0122 dated 30/04/2010 to alter the timescale of the submission of details of the surfacing, landscape treatment and play equipment of the LEAP area and to vary the timescale of the provision of the LEAP area.
R11/0509 Approved 10.05.2011	NPIA Police Training Centre Leamington Road Coventry	Retention of 3 substations, generator housing and additional CCTV columns (not erected in accordance with planning permission reference (220 / R10/0084).
R11/0273 Approved 10.05.2011	153A Rugby Road Binley Woods Coventry	Erection of an enclosed front porch and a single storey side extension.
R11/0704 Approved 10.05.2011	10 Station Road Clifton-Upon-Dunsmore Rugby	Renewal of planning permission R08/0570/HOUS (Erection of a single storey front extension, provision of rooflights and an additional window in the front elevation).
R11/0531 Approved 10.05.2011	Land off Parkfield Road/Western Relief Road Newbold	Erection of industrial unit (for B1, B2 or B8 use).
R11/0245 Approved 11.05.2011	14 Manor Estate Coventry	Erection of a single storey rear extension and relocation of the existing porch to the front elevation (amendment to a previously approved planning permission Ref. No. R10/1833 granted 8th November 2010)
R11/0625 Approved 11.05.2011	27 Albert Street Rugby	Change of Use of the ground floor from A1 retail to A2 Insurance Brokers
R10/1779 Approved	74 Wood Lane Shilton	Demolition of outbuildings, provision of a link between existing dwelling and converted

11.05.2011	Coventry	garage and provision of replacement garage.
R11/0285 Approved 11.05.2011	Church Farm Main Street Harborough Magna	Two storey rear extension
R10/1735 Approved 11.05.2011	252 Lawford Road New Bilton Rugby	Two storey side extension to form two flats

Listed Building Consents

R11/0613 Listed Building Consent 05.05.2011	Goodrest Cottage Rugby Road Brandon	Retrospective Listed Building Consent for removal of render.
R11/0612 Listed Building Consent 05.05.2011	Goodrest Cottage Rugby Road Brandon	Listed Building Consent for erection of a front porch and associated works (amendment to Listed Building Consent R08/0979/LBC).

Conservation Area Consents

Advertisement Consents

R11/0587 Advertisement Consent 26/04/2011	Wood Farm Coal Pit Lane Willey	Retrospective consent for the erection of one free standing sign to the front of the site and two signs to the building
R11/0598 Advertisement Consent 03.05.2011	Nationwide 35 High Street Rugby	Signage to surround existing ATM.
R11/0614 Advertisement Consent 03.05.2011	1 Westway Rugby	Replacement signage.
R11/0720 Advertisement Consent 10.05.2011	Barclays Bank Plc 30-32 North Street Rugby	Installation of two internally illuminated fascia signs, three non-illuminated fascia signs and one internally illuminated projecting sign
R11/0444 Advertisement Consent 11.05.2011	Sainsburys Ltd 339 Hillmorton Road Rugby	Provision of a static-illuminated totem sign

Certificate of Lawful Use or Development

Agricultural Determinations

<i>R11/0719 Prior Approval Not required 15.04.2011</i>	Land Adjacent to The Beeches, OS8475 Rugby Road Princethorpe	Prior notification of extension to barn.
<i>R11/0456 Prior Approval Not required 03.05.2011</i>	Manor Farm Cord Lane Easenhall	Prior Approval for the creation of a Slurry Lagoon
<i>R11/0623 Prior Approval Not required 10.05.2011</i>	Burnhams Farm Buildings Limestone Hall Lane Church Lawford	Proposed extension to grain store.
<i>R11/0784 Prior Approval Not required 11.05.2011</i>	Arbury House Farm Withybrook Road Bulkington	Determination as to whether prior approval is required for erection of an agricultural storage building.

Telecommunications Determinations

County Council Consultations/ Matters

Approval of Details/ Materials

<i>1052 Approval of Details 20.04.2011</i>	10 Coventry Road Marton Rugby	Change of use of land from coach parking and servicing to the storage, display and sale of outdoor timber products.
<i>R09/0492/HOUS Non-material changes 28.04.2011</i>	High Tor Shilton Lane Shilton	Erection of a single storey side extension, including provision of a replacement roof over the whole bungalow (Resubmission)
<i>R10/1772 Non-material changes 06.05.2011</i>	Rolls Royce Ltd Coombe Fields Road Coventry	Erection of two minor extensions to existing industrial building (No. 8 Shop).
<i>R08/0514/MAJP Non-material changes 06.05.2011</i>	Phase 3, Coton Park Leicester Road Rugby	Erection of 97 No. dwellings (Substitution of house types and replan against planning permission R05/0954/21330/MAJP, dated 18/01/2006)
<i>R10/0032/MAJP Approval of Details 09.05.2011</i>	18-28 Blackwood Avenue Bilton Rugby	Conversion of existing ground floor retail units to create 10 no flats including erection of a single storey rear extension and provision of associated parking facilities and landscaping.
<i>R10/2115 Approval of Details 10.05.2011</i>	Rugby School Chapel & Adjacent School Grounds	Installation of replacement internal lighting, new power and data and plaster repairs and re-decoration works to ceilings to the Chapel,

Lawrence Sheriff Street

together with proposed new external lighting to the Chapel and adjacent buildings.

***Withdrawn/
De-registered***

R11/0569
Withdrawn

48 Percival Road
Rugby

Rear extension

***Disposed of
Applications***