

3<sup>rd</sup> June 2011

## **PLANNING COMMITTEE - 15<sup>TH</sup> JUNE 2011**

A meeting of the Planning Committee will be held at 5.30 pm on Wednesday 15<sup>th</sup> June 2011 in the Council Chamber, Town Hall, Rugby.

### **Site Visit**

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

4.00pm      Land at rear of 19 – 25 Crick Road, 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 meeting held on 25<sup>th</sup> 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. Statistics of Planning Applications – May 2010 – April 2011
7. Delegated Decisions – 13<sup>th</sup> May to 26<sup>th</sup> 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 – 3) are attached.

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

Councillors Gillias (Chairman), Allen, Cranham, Day, 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](mailto:claire.waleczek@rugby.gov.uk)). Any specific queries concerning reports should be directed to the listed contact officer.***

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

**RUGBY BOROUGH COUNCIL  
PLANNING COMMITTEE - 15<sup>TH</sup> JUNE 2011  
REPORT OF THE HEAD OF PLANNING AND CULTURE  
APPLICATIONS FOR CONSIDERATION**

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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	R11/0495	Green Bank Caravan Park, Oxford Road, Ryton on Dunsmore, CV8 3JY  Variation of Condition 1 of application 772 from temporary to permanent planning permission for applicant and family to use of land as a gypsy site for the siting of two static caravans and two touring caravans and associated ancillary development	3

### Recommendations for Approval

Item	Application Ref Number	Location Site and Description	Page number
2	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.	13
3	R11/0475	Whitehall Road, Rugby. CV21 3AE. Installation of a 11.8m high slim line telecom monopole mast and provision of a 1No. associated equipment cabinet and a metre pillar.	26
4	R11/0757	40A Rowland Street, Rugby, CV21 2BW Change of use of building to create two apartments	31
5	R11/0763	37 Long Furlong, Rugby. Erection of an ancillary annexe.	37
6	R10/1656	Rugby School - Land adj to 17 Horton Crescent, Rugby, Wks CV22 5DJ Erection of three storey building to provide new Modern Languages facility	41

**Reference number:**

R11/0495

**Site address:**

Green Bank Caravan Park, Oxford Road, Ryton on Dunsmore, CV8 3JY

**Description :**

Variation of Condition 1 of application 772 from temporary to permanent planning permission for applicant and family to use of land as a gypsy site for the siting of two static caravans and two touring caravans and associated ancillary development

**Case Officer Name & Number:**

Richard Holt 01788 533687

**Description of Site:**

The site is located approximately 1 mile (1.6 kilometres) south of the village of Ryton-on-Dunsmore within the designated West Midlands Green Belt opposite the former Bull & Butcher Public House. The site is accessed off the road that serves the Woodside Gypsy Caravan Site to the south-west of the application site.

The north-eastern and north-western boundaries of the overall site comprise of deciduous vegetation with a mix of trees, shrubs and hedging. The Oxford Road (A423) lies beyond the north-eastern boundary and the road to Woodside is beyond the north-western boundary. Separating the application site from Woodside to the south-west is an existing bund which is heavily landscaped.

A further bund was constructed by the applicant in 2008 and runs along the entire south-eastern edge of the overall site at approximately 2 metres in height. A post and rail fence lies approximately 4 metres beyond the bund along this boundary. Adjacent this boundary is the gypsy and traveller site known as Sunrise Park.

The overall site is approximately 2 hectares, however the actual application site is approximately 0.42 hectares.

An area of hardcore has been laid and the site is currently occupied by one static caravan and two touring caravans.

**Description of Proposals:**

The application is to vary condition 1 of the previous planning permission to enable the applicant and his family to reside on site on a permanent basis. Planning permission was granted in April 2010 to allow the continued occupation of the site by the applicant and his family for use of the land as a gypsy site for 4 caravans until April 2014.

A design and access statement was submitted with the application, which raised various points including:

- i) the family are gypsies and persons of nomadic habit of life who own the land;
- ii) prepared to retain personal occupancy tie;
- iii) clear and immediate need for gypsy & traveller sites in Borough;
- iv) delays to Core Strategy and Development Plan Documents;
- v) site provision will have to be made in Green Belt;
- vi) close to existing settlements;
- vii) personal circumstances of family on medical and educational grounds add further weight;
- viii) no highway safety issues; and
- ix) little opposition to previous applications and family wish for certainty.

The applicant's agent has also submitted additional information relating to a previous appeal decision in Wiltshire and extra health details.

**Planning History:**

Use of land for siting of 4 touring caravans for Romany Gypsies, hardstanding, 2 metre high grass bank & wooden sheds	09/11/2006	Appeal against non-determination - Allowed  (Temporary until 09/11/2009)
Retrospective application for the creation of a bund	02/07/2008	Approved
Continued use of land as a gypsy site for the siting of two static caravans and associated ancillary development	Approval	Temporary caravans and two touring until 29/04/2014

**Technical Consultations:**

WCC Highways	No Objection
RBC Environmental Services	No Objections, but recommend imposition of notes to applicants
Natural England	No Objection

**Third Party Consultations:**

Ryton on Dunsmore Parish Council	Object	Original justification for allowing temporary permission was that there were, at that time, no other suitable sites; Time limit set on basis that other sites should become available over that period; No reason why sufficient sites should not be available by 2014, therefore no justification for making permanent; and Development in Green Belt where there is a presumption against inappropriate development and application should be refused.
Neighbours	No comments received to date.	

## **Relevant Planning Policies & Guidance:**

### Rugby Borough Local Plan:

RBLP GP1	Conflicts	Appearance & design
RBLP GP3	Complies	Protection of amenity
RBLP E1	Conflicts	Development in the countryside
RBLP E2	Conflicts	Green Belt
RBLP E5	Conflicts	Landscape and settlement character
RBLP E6	Complies	Biodiversity
RBLP H13	Conflicts	Gypsy Sites
RBLP S3	Conflicts	Rural Settlement Hierarchy
RBLP T3	Complies	Access and highway layout

### Rugby Borough Emerging Core Strategy:

Policy CS1*	Development Strategy
Policy CS11*	Transport & New Development
Policy CS17*	Sustainable Design & Construction
Policy CS24*	Sites for Gypsies, Travellers & Travelling Showpeople

\* current numbering, subject to change

Planning Policy Statement 1 – Delivering Sustainable Development

Planning Policy Guidance Note 2 – Green Belts

Planning Policy Statement 3 - Housing

Planning Policy Statement 7 – Sustainable Development in Rural Areas

Planning Policy Statement 9 – Biodiversity & Geological Conservation

Circular 01/2006 – Planning for Gypsy & Traveller Caravan Sites

Planning for Traveller Sites Consultation April 2011

## **Assessment of Proposals:**

### Green Belt:

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 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.

The Planning Inspector in his decision of November 2006 for the site considered that the development was inappropriate and harmful to the Green Belt and that substantial weight needed to be apportioned to that harm. He also considered that the development was obtrusive in a substantially undeveloped part of the countryside, which would erode its character and have a detrimental impact on the local area. Since that decision the applicant has constructed a bund along the south-eastern boundary which does assist in providing a certain level of screening of the site from the A423, but only when travelling in a north-westerly direction. However, the widening of the access road into the adjacent Woodside Park Caravan Site does partially increase the visibility of the site from the A423 at that point.

Temporary planning permission was granted at appeal for 4 years in February 2010 for 10 pitches (20 caravans) on land to the south-east of the site adjacent to the A423 known as Sunrise Park. In the Inspector's assessment he also felt that considerable harm would occur through the impact of the

development on the open character and rural appearance of the site and its surroundings and it would remain an alien feature in the area conflicting with the Development Plan.

When the Local Planning Authority considered the application in 2010 to renew the planning permission at Green Bank Caravan Park it maintained that the harm to the Green Belt through inappropriateness remained significant and the proposed continued use of land as a gypsy site would still adversely impact upon the character and appearance of the countryside causing substantial visual injury to the landscape. This is still the case and therefore the proposal would be contrary to policies GP1, E1, E2 & E5. The proposal is also contrary to policy H13 as the development is a gypsy site in the Green Belt.

In November 2006 the Inspector considered that the lack of alternative sites at that time for the appellant and his family was a significant factor, but he held that such material considerations even when added together with other points did not outweigh the considerable harm on the Green Belt and local area and therefore, a permanent permission was not appropriate. The Inspector also considered that whilst the proposal conflicted with policy H13 the weight attached to it should be limited as Government guidance ODPM Circular 01/2006 does not automatically rule out gypsy sites in the Green Belt, particularly if very special circumstances outweigh the harm to the Green Belt and any other harm arising from the development.

On 29<sup>th</sup> August 2010 the Secretary of State for Communities and Local Government announced the Government's intention to withdraw the existing planning circulars in relation to Gypsy, Travellers and Showpeople with a new Planning Policy Statement for traveller sites. In April 2011 the Government published a consultation document entitled Planning for Traveller Sites and whilst this document is only at the consultation stage it clearly outlines the Government's intended approach which cannot be ignored. A key element is the focus on protecting Green Belt land from development and the perception of current circular advise is that traveller applications have been treated more favourably than members of the settlement community. Policy E of the draft Planning Policy Statement states traveller sites in the Green Belt are inappropriate and that if a Local Planning Authority wishes to make an exceptional limited alteration to the defined Green Belt boundary to meet a specific, identified need for a traveller site, it should do so only through the plan-making process and not in response to a planning application. It continues to state that if land is removed from the Green Belt in this way, it should be specifically allocated in the development plan as a traveller site only.

#### Core Strategy & Need:

The need for provision (but not necessarily the particular site which is subject to this submission) was discussed in the previous appeal decision and this is not something which has changed since this decision was made and is not in dispute. Since the appeal decision the outputs of the Southern Staffordshire and Northern Warwickshire Gypsy and Traveller Accommodation Assessment (GTAA) evidence an immediate need within the Borough of 48 residential pitches and 5 transit pitches within the time period 2007 – 2012.

The Council's Core Strategy has been through its independent examination and the Inspector's Report has been received and will be presented to Council Members later this month. It is recommended that the Inspector's Report is adopted and therefore, the Core Strategy now carries significant weight. Revisions to Core Strategy Policy CS24: Sites for Gypsies and Traveller and Travelling Showpeople now state that the Council needs to allocate 94 residential pitches by 2026. Nevertheless, in considering such sites Policy CS24 states that a clear sequential approach needs to be taken in the following order of preference:

- within the Urban Area; before
- within a Main Rural Settlement; before
- within the countryside; before
- within the Green Belt.

This emerging policy also states that evidence should be submitted with any planning application to demonstrate compliance with the requirements of this sequential approach.



The requirement to deliver those pitches will be through a Gypsy and Traveller Site Allocations Development Plan Document (DPD). This is also timetabled in the Local Development Scheme. The Gypsy and Traveller Site Allocation DPD will identify and allocate specific residential (permanent) and transit sites within the Borough for Gypsies and Traveller accommodation needs. The Council intends to request sites for consideration for allocation within the DPD during the Spring and Summer of 2012 with formal public consultation later that year and final adoption envisaged in early 2014.

It is understood that the applicant's agent has engaged in the DPD process and made representations regarding their client's site at Greenbank Caravan Park.

#### Special Circumstances:

Whilst it is not a test in which the applicants for planning permission must pass, 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. The aforementioned judgement clearly 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.

The applicant and his wife have 4 children aged 22, 21, 16 & 10 years old who all reside on the site. With regard to this current application only evidence relating to youngest child's educational needs has been received. Despite repeated requests no updated or additional information has been submitted regarding the educational needs of the children. The youngest was attending a primary school in Willenhall, Coventry and whilst taking a long time to settle in, during the first 6 months of 2009 their attendance increased to 75%. Clearly whether the family were residing at Green Bank or Woodside Park the youngest child would still be able to attend that primary school, however, without up to date evidence the weight the Local Planning Authority can apportion to this circumstance is limited.

In the previous appeal decision the Inspector had highlighted that registering with a doctor normally requires a permanent address and without a settled site the family could find problems accessing appropriate health care. The family are now registered at the Brookside Surgery in Stretton on Dunsmore. Evidence has been submitted from both the family's current doctor and previous doctor at Chipping Norton explaining that the applicant's wife suffers from anxiety related medical problems. Information contained within the previous application last year supplied to the Council stated that the applicant's family have experienced difficulties and had a long history of disputes with existing Travellers on both private and local authority pitches at Woodside Park. This concluded that her condition could be exacerbated and her health and well being significantly adversely affected if they had to move on to Woodside Park.

Whilst evidence previously submitted indicated that her health has benefited from having a settled base owing to the uncertainty of being able to stay on the site permanently this has resulted in renewed anxiety related medical issues. Further evidence has been submitted from both the applicant's wife's current doctor and from Coventry & Warwickshire NHS to qualify this.

As stated in the assessment of the previous application last year, there is sympathy for the applicant's family's personal circumstances regarding potential conflict with the residents of Woodside Park but this needs to be balanced against the impact of retaining the site, on a permanent basis, in the Green Belt as it is deemed to be inappropriate development. In considering the previous appeal on the site the Inspector stated that one of the main intentions of Circular 01/2006 is to create and support sustainable, respectful and inclusive communities where gypsies and travellers have fair access to suitable accommodation, education, health and welfare provision.

Whilst the health of the applicant's wife is a factor that continues to attach significant weight in the assessment of the application, the lack of updated information in relation to the applicant's children,

particularly the youngest, casts doubt on the degree of very special circumstances that can be given to the application, particularly for permanent occupancy at the site.

#### Sustainability & Cumulative Effect:

Woodside Park benefits from 36 permanent pitches (72 caravans). The 2010 appeal decision at Sunrise Park granted temporary planning permission until February 2014 for 10 pitches (20 caravans). Therefore, the proposal would constitute an approximate 2.5% increase in the number of pitches and a 4.5% increase in the number of caravans in the immediate area. When the Planning Inspector considered the Sunrise Park appeal he felt that the site would not be seen as an extension of Woodside Park because of its physical separation, or have any functional and management links with the established site. Although Green Bank is accessed off the driveway to Woodside Park it also has no functional or management links with Woodside. The sites are also separated by a large landscaped bund.

The Inspector on the Sunrise Park appeal also considered that the gypsy site developments on the west side of Oxford Road are away from the village of Ryton on Dunsmore and do not dominate the settled community in any physical sense. He also stated that there was no evidence that the additional demands for services from the occupiers of the additional 20 caravans would place undue burden on existing facilities in nearby settlements. Therefore, in light of the permanent and temporary gypsy & traveller pitches approved, the retention of an extra pitch with 4 caravans at Green Bank is not considered to cumulatively impact upon the community services and facilities in the area to any significant extent over and above the existing impact experienced.

The site is located outside a settlement boundary and is deemed to be considered as a countryside location and therefore would not accord with the criteria of Policy S3 of the Local Plan. Whilst the proposed site does not lie within an urban area or Main Rural Settlement the site is located approximately 1 mile (1.6 kilometres) south of the village of Ryton-on-Dunsmore and 1.2 miles (2 kilometres) west of the village of Stretton on Dunsmore. Both villages are designated as Main Rural Settlements in the Rugby Borough Local Plan, 2006 and have shops, primary schools and other services including public transport links. The Inspector on the Sunrise Park appeal accepted that it was highly likely that the majority of travel from the site would involve motor vehicles as the surrounding country lanes were unlit and had no footway, although the distances involved were not so great to discourage more sustainable methods of transport. The occupants of Green Bank will be in a similar position to the residents of Woodside Park and Sunrise Park regarding accessibility to community services and facilities. However, Sunrise Park only benefits from temporary planning permission which is due to expire in 2014 and whilst it is accepted that Woodside Park is an existing permanent site this does not justify the provision of further permanent sites in the countryside and Green Belt without being considered through the DPD process. Therefore, the proposal would be contrary to Policy S3 of the Local Plan.

#### Alternatives:

At the time of the last appeal on the site the redevelopment of Woodside Park to upgrade its general condition and introduce effective management had just commenced, but it was agreed that the earliest the new pitches would be available would be April 2008. Therefore, in November 2006 the Inspector concluded that as no other sites were available and that even if one could be found the appellant was unlikely to be able to purchase it based on their limited means. Therefore, the lack of an alternative site was given significant weight.

It is understood that there are 2 vacant pitches on Woodside Park at present. Based on the allocation policy for Woodside it is considered that the applicant and their family would be eligible for a pitch, particularly owing to their health situation and that they are residing on a temporary site.

The proximity of Woodside Park and the current availability of plots cannot be ignored. Furthermore, if there are other alternative suitable sites then they may be judged to be a material consideration. The applicant's have expressed their unwillingness at moving onto the Woodside Park site for reasons

detailed above. At the time of the previous application to renew the permission, ref 772 in April 2010, the applicant's agent produced evidence regarding their search for alternative sites. No further evidence has been received to demonstrate that the applicant has searched for alternative sites since this time. ODPM Circular 01/2006 states that alternatives should be explored before Green Belt locations are considered and this sequential approach is also reiterated in the emerging Core Strategy Policy 24. However, based on just over 12 months passing since the consideration of the last application, as before, it is accepted at this moment in time that the only real alternative available to the applicant is Woodside Park.

The redevelopment of Woodside Park has included the installation of CCTV and the provision of a site warden during the day. Although the applicant's agents have stated that they consider the site is still subject to a lot of trouble and violence, the character of Woodside Park has significantly changed over the last few years and the Planning Inspector in the Sunrise Park appeal commented that the Council has undoubtedly made strenuous efforts to improve the environment at Woodside Park and put in place measures for its effective management. Therefore, victimisation, threats of violence and trouble is less likely to now be a problem and if antisocial behaviour on site between residents does occur, this will be dealt with by the Woodside Management team in consultation if necessary with other statutory bodies such as Warwickshire Constabulary.

The applicant's agent does not consider that Woodside Park is a suitable option for the applicant and his family as detailed above but also states that their movement on to that site would not assist the Council in allocating land for additional permanent pitches by 2012.

#### Temporary Planning Permission:

Temporary planning permission was originally granted for the applicant to stay on the site for 3 years and this was renewed for a further 4 years until April 2014. The applicant and his family have been offered the opportunity to apply for some of the pitches at the adjacent part owned Council site of Woodside Park, however, they have previously stated that they are extremely reluctant to transfer to the site as they do not get on with several of the Travellers living on Woodside Park on both the private and local authority pitches. The applicant's agent has provided medical evidence in relation to the applicant's wife explaining that she suffers from anxiety related medical problems that would be exacerbated by her living in close proximity to those Travellers.

Paragraphs 45 & 46 of ODPM Circular 01/06 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, such as where a Local Planning Authority is preparing its site allocations Development Plan Document (DPD). The Local Planning Authority is at the early stages of evidence gathering for a Gypsy & Traveller Allocations DPD.

Even if all the available sites on Woodside Park are filled there would still remain a need for additional Gypsy & Traveller pitches within the Borough. Therefore, whether the applicant is willing or unwilling to move to the Woodside Park site a need for additional pitches would remain. The Planning Inspector in considering the appeal at Sunrise Park in 2010 stated that the Local Planning Authority has now produced a timetable for the preparation and adoption of its DPD to address the identified need. The Inspector also stated that whilst it may be that some sites identified through this process will be in the Green Belt because of the extent of its coverage in the Borough this does not justify pre-empting the thorough and proper planning process and accepting the development of the appeal site on a permanent basis.

The Planning Inspectorate in their decision relating to a gypsy caravan site at Smeaton Lane, Stretton under Fosse reiterated the stance taken by the Planning Inspector in the 2010 Sunrise Park decision that it is not acceptable to pre-empt the planning process. That Inspector also stated it is a common theme of various recent decisions in Rugby on gypsy and traveller sites to grant temporary permissions to allow for sites to be allocated through the DPD.

The applicant's agent has submitted a copy of a recent appeal decision from Wiltshire. This decision relates to a site that is not in the Green Belt and the Inspector considered the site was not prominent and did not appear out of keeping with its surroundings and was consistent with gypsy policies of that particular Council's Local Plan. Although that Inspector concluded that whilst there was a DPD underway, they considered that the granting of a permanent permission would not prejudice the ongoing DPD process in this instance. Whilst the planning process must assess all planning applications on their own merits in accordance with the Development Plan, it is also important that an element of consistency is conducted to ensure fairness to all when dealing with similar types of proposals, especially when they are located in the Green Belt within the same Council jurisdiction. As stated above, the applicant's agent is promoting their client's site through the DPD process.

Circular 01/2006 does make it very clear that by granting temporary planning permission this should not be regarded as setting a precedent for the determination of any future applications for full permission for use of the land as a caravan site. The Government's consultation document on Planning for Traveller Sites, April 2011, implies that when that document has come into effect if a Local Planning Authority cannot demonstrate an up to date five year supply of deliverable sites, it should consider favourably applications for the grant of a temporary planning permission. This again reiterates the planning policy direction of travel the Government intends for gypsy and traveller sites.

As the temporary planning permission still has another 3 years to run it would certainly be premature to grant permanent permission at the site, particularly when other sites exhibit similar circumstances. However, the Council acknowledge that if by late 2012/early 2013 the DPD appears to be suffering from further slippage in its timetable then a further application for a temporary extension of time may be the most appropriate option at that time. Whilst this does not provide definite certainty for the applicant it does mean that they can remain on the site until the DPD has been adopted whenever that may be.

#### Other Matters:

The Highway Authority have referred to the previous Planning Inspector's decision for the site who assessed that they did not consider that the limited amount of traffic likely to be generated by those living on the appeal site would add significantly to highway problems on surrounding roads. Therefore, they have raised no objection to the proposal and it is considered that the proposal accords with policy T3.

The sites lies within the countryside and the closest properties to the actual part of the site where the caravans are located are those at Woodside Park. Whilst the boundary of the site is approximately only 6 metres away from the private pitches on the edge of Woodside Park there is a substantial landscaped bund separating the two sites. This bund provides a significant level of screening between the two sites and is judged to be an acceptable relationship. In addition, the Bull & Butcher Public House lies approximately 60 metres away and Sunrise Park lies approximately 100 metres away. Based on these distances of separation it is not considered that the scale and bulk of the proposed development would result in a loss of privacy or overshadow the surrounding properties to such a level to justify a reason for refusal. Therefore the proposal complies with policy GP3.

Natural England and Warwickshire County Council Ecology Unit have raised no objection to the proposal and they do not consider that the scheme would have a significant effect on the Ryton Wood SSSI. Therefore, the proposal would accord with PPS9 and policy E6.

#### **Conclusion:**

The development remains inappropriate within the Green Belt and results in substantial harm to the character and appearance of the area and would have a significant impact on the openness of the Green Belt, especially on the basis of a permanent permission. The material considerations including the personal circumstances of the applicant and his family do not, on balance, justify a recommendation of permanent planning permission, particularly as this would pre-empt the DPD planning process which aims to introduce a reasonable and fair plan led approach and evidenced supply of sustainably located sites.

**Recommendation:**  
Refuse

Report prepared by Richard Holt

**DRAFT DECISION**

**APPLICATION NUMBER**

R11/0495

**DATE VALID**

08/03/2011

**ADDRESS OF DEVELOPMENT**

GREENBANK CARAVAN PARK  
OXFORD ROAD  
RYTON-ON-DUNSMORE  
CV8 3JY

**APPLICANT/AGENT**

Sarah Green  
South West Law Limited  
1 Hide Market  
West Street  
Bristol  
BS2 0BH  
On behalf of Mr Stephen Kerry, Green Bank  
Caravan Park

**APPLICATION DESCRIPTION**

Variation of Condition 1 of application 772 from temporary to permanent planning permission for applicant and family to use of land as a gypsy site for the siting of two static caravans and two touring caravans and associated ancillary development

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

**REASON FOR REFUSAL 1:**

The site is located in the Green Belt where there is a presumption against inappropriate development. It is the policy of the Local Planning Authority, as set out in the Development Plan and having regard to guidance contained in PPG2 - Green Belts, not to grant planning permission except in very special circumstances, other than for the purposes of agriculture and forestry, outdoor sports and outdoor 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. It is considered that the proposed development constitutes inappropriate development which is, by definition, harmful to the Green Belt and would have adverse impact on the openness of the Green Belt by virtue of its obtrusive and alien appearance in a relatively undeveloped part of the countryside eroding the character and visual amenity of the area. In the opinion of the Local Planning Authority, the degree of special circumstances is not so significant to justify the granting of planning permission for the permanent use of the site as a Gypsy & Traveller Caravan Site in the face of a strong presumption against inappropriate development derived from the prevailing policies. The proposed development is therefore contrary to policies E1, E2, E5, GP1 & H13 of the Rugby Borough Local Plan 2006 and guidance contained within PPG2.

**REASON FOR REFUSAL 2:**

The proposed development lies outside any defined settlement boundary in a countryside location which forms part of the designated West Midlands Green Belt. Therefore, the proposal would not accord with the sequential approach taken in controlling development within rural areas and would thus be contrary to Policy S3 of the Rugby Borough Local Plan, 2006 & PPS1. In addition, the proposal would result in the permanent siting of a development that has not been through the proper planning process and pre-empts the outcome of the emerging Gypsy & Traveller Site Allocation Development Plan Document.

RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:

GP1, GP3, E1, E2, E5, E6, H13, S3 & T3

Emerging Core Strategy 2011

PPS1, PPG2, PPS3, PPS7 & PPS9

ODPM Circular 01/2006

DCLG Planning for Travellers, April 2011 - Consultation

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

**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**

This application is being report to Planning Committee at the request of Councillors Lawrence, Allen and Sewell.

### **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 though 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 with 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 6<sup>th</sup> 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
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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 through 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.

During the processing of the application the Council's Interim Parking Standards guidance note was adopted. This omitted the maximum parking standards in relation to residential development but retained the level of provision as guidance figures. These guideline standards seek to ensure sufficient parking within development sites to avoid parking on the highway. The proposal is for 5-bedroom properties but there is no guideline standard for properties of this size. The guideline for 4-bedroom properties is 4 spaces per dwelling. Plot 1 is proposed with a double garage and 2 parking spaces. The other units were initially proposed with 2 spaces per dwelling. However amended plans have been provided which show a single garage and 2 parking spaces for plots 2-7. Given the proposed cul-de-sac arrangement it is likely that any additional parking would be contained within the site and would not lead to additional parking on Crick Road. The level of parking proposed is therefore considered acceptable. 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. This additional bat survey has now been completed and no evidence of bats was found. WCC Ecology have commented that this survey is acceptable. It is therefore considered the proposals are acceptable in accordance with policy E6.

Environmental Heath 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/C	25th May 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**

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: 18**

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, archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

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

(c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (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](http://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**

**INFORMATIVE: 6**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the

site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE: 7**

The applicant is respectfully advised that as additional planting is proposed for the site, indigenous tree and shrub species should be used, preferably of local provenance. Such plants are visually attractive, and have a far higher value for local wildlife than cultivated, non-native plants. Tree and shrub planting along site boundaries will provide wildlife corridors and increase the value of the site for biodiversity, in accordance with PPS9.

**INFORMATIVE: 8**

Bats can be found in many buildings, even those that initially appear to be unsuitable or have been subject to a bat survey and found no evidence. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. Should any bats be detected during this operation, all work on the building should cease and Natural England contacted for advice. Bats are a dynamic species and the findings of the Initial Bat survey report can only be considered reliable for a 12 month period. If the demolition of the building is delayed beyond May 2012 then a repeat building inspection may be necessary. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000, and are also deemed a European Protected Species.

**INFORMATIVE: 9**

Bat populations have declined dramatically in recent years due to loss of roost sites as a result of development and loss of flight lines and foraging areas. Consequently bats are now afforded European protected species status. Consideration should be given to the provision of suitable bat boxes/access tiles within the new build in order to increase opportunities for wildlife. Further advice and information can be obtained from the Bat Conservation Trust at:  
[http://www.bats.org.uk/pages/bats\\_and\\_buildings.html](http://www.bats.org.uk/pages/bats_and_buildings.html).

**Reference number:**

R11/0475

**Site address:**

Whitehall Road, Rugby. CV21 3AE.

**Description :**

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**

None.

**Technical Consultations**

On original Plan	- Environmental Health -WCC Highways	- No objections. - Objection on grounds that the proposal would be detrimental to highway safety.
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On amended plan	- WCC Highways	- No objections subject to informatives.
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**Third Party Consultations**

Neighbours	- Original Plan	-No objections.
	- Amended Plan	-No objections

**Other relevant information**

This application is being brought before you for a decision at the request of Councillor Jerry Roodhouse. This is a planning application and not a prior approval application as the site lies within a Conservation Area.

The original proposal for the telecom mast and the associated equipment cabinet were proposed to be sited on the public footpath immediately adjacent to the low level railings and near the existing planter on the corner of Whitehall road and Lower Hillmorton Road. The site lies with the Rugby Town Centre and is the Conservation Area.

However, due to an objection from the Warwickshire County Council Highways Engineer on the grounds that the siting of the proposed equipment cabinet adjacent to the pedestrian guardrail which permits through visibility for motorists of pedestrians, in particular children, using the crossing, would disrupt a measure of visibility creating a blind spot and therefore would be detrimental to highway safety.

The amended plan seeks for the telecom mast and associated equipment cabinet to be sited to the south of the original position adjacent to the boundary wall of No. 1 Whitehall Road.

The immediate vicinity consists of a mixture of uses including residential, Doctors surgeries, Dental Practices, a nursery and a school which lies to the west of the site. The buildings within the area are predominantly are tall two storey and three storey dwellings. The nearest building to the proposed mast is No.1 Whitehall Road. This property is currently occupied as a Doctor's Surgery and has views out of their windows generally to the West and North of the site.

The proposed telecom mast is slim line and is 11.8 metres high from ground level accommodating 6 antennae and is to be black in colour, which will provide O2 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 this part of the Rugby Urban Area. Furthermore, the applicants have stated that they have considered and rejected several other sites including:

- Recreational Ground, Hillmorton Road – Any possible location within this area would be unacceptable due to tall trees in the surrounding area.
- Clifton Road - Poor location in terms of accessibility and too close to the war memorial.

#### **Planning Policy Guidance**

RBLP Policy GP1 Complies Design and appearance of development  
RBLP Policy GP3 Complies Protection of amenity  
PPS5 - Planning for the Historical Environment  
PPG 8 – Telecommunications – Complies.

#### **Determining Considerations**

The proposed telecom mast and 1 No. associated equipment cabinet with the meter pillar are to be sited on Highway land immediately in front of the 1.5 metre high boundary wall of No.1 Whitehall Road, adjacent to an existing 8 m high telegraph pole and is located within the Rugby Town Centre Boundary and is within the Conservation Area.

Whitehall Road and Lower Hillmorton Road is characterised by predominantly of two and three storey dwellings accommodating a variety of commercial businesses such as dental and doctor surgeries and children's nursery.

To the west of the proposed site lies the end elevation of Lawrence Sherrif School which has a blank first and second floor and the rear elevation of a larger block of the school.

The streetscene is cluttered with tall 10 metre high lighting columns, 8 metre high telegraph poles and other street furniture.

Planning Policy Guidance Note 8: Telecommunications (PPG 8) sets 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.

Whilst the proposal would introduce another vertical feature into the street scene, its effects on the character and appearance of the surrounding area must be considered in the context of its location, being a town centre location with surrounding properties being predominantly

commercial in nature. As the streetscene consists of 10metres high lighting columns, 8 metre high telegraph poles and other street furniture, it is considered that the mast will not be seen as an isolated or unduly visually intrusive feature in the area and therefore it is considered to comply with GP1 and GP3 of the Rugby Borough Local Plan and PPS 5 as the proposal does not demonstrably harm the setting of the Conservation Area.

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 have an adverse impact on 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.

Report prepared by: Nisar Mogul. 03/06/11

### **DRAFT DECISION**

#### **APPLICATION NUMBER**

R11/0475

#### **DATE VALID**

26/02/2011

**ADDRESS OF DEVELOPMENT**

Corner of  
WHITEHALL ROAD and LOWER  
HILLMORTON ROAD  
RUGBY  
CV21 3AE

**APPLICANT/AGENT**

Mr John Bitten  
Caip  
Walnut Tree House  
Hill Road  
Wymondham  
Norfolk  
NR18 9LG  
On behalf of , Cornerstone

**APPLICATION DESCRIPTION**

Installation of a 11.8 m high slimline telecom monopole mast and provision of 1No. New associated equipment cabinet.

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

**CONDITION 1:**

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

**REASON:**

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

**CONDITION 2:**

The development shall not be carried out other than in accordance with the following amended plans - plan ref. numbers 100, 200, 300, 400 and 500 received by the Local Planning Authority on 16th May 2011.

**REASON:**

For the avoidance of doubt.

**CONDITION 3:**

The proposed mast, associated equipment cabinet and the meter pillar shall be painted in accordance with the details provided on the amended plan ref. no. 500 as received by the local Planning Authority on 16th May 2011.

**REASON:**

In the interest of visual amenity and for the avoidance of doubt.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

GP1, GP3, PPS5 and PPG8.

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

**REASON FOR APPROVAL:**

The proposed telecom mast and associated equipment cabinet will be in keeping with the surrounding area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policies GP1 and GP3 of the Rugby Borough Local Plan 2006.



**Reference number:** R11/0757

**Site address:** 40A Rowland Street, Rugby, CV21 2BW

**Description:** Change of use of building to create two apartments

**Case Officer Name & Number:** Debra Harrison 01788 533 402

**Consultees:**

Warwickshire County Highways – no objection subject to conditions.

Environmental Health – no objection but would like to attach an informative regarding construction hours.

Building Control – originally had an objection to this application but these issues were later resolved through amended drawings.

Neighbouring properties consulted and two site notices erected. No neighbour responses have been received.

**Planning History:**

R76/1509/2721/PB	Erection of WC for adjoining workshop	Approved	02/02/1977
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**Site description:**

The application site is a vacant two storey building, which was last in use for B1(c) purposes. The application site is located within the residential area of New Bilton and is surrounded by terraced properties. Internally there is an open tread stair/ladder which is used to access the first floor.

The application site is located within the High Access Parking Zone.

**Proposed development:**

The proposed development seeks to change the use of this building to a C3 residential use to create two residential apartments.

Two front doors will be installed to the front of this building, one within the existing front extension which also houses a new staircase to Flat 2 located on the first floor of the property and a second front door to Flat 1 on the ground floor where the existing roller shutter is located.

At ground floor level three new windows are proposed, one in the northern elevation to the proposed bedroom and two in the western elevation to the proposed living area and kitchen. The window to the living area will be combined with a front door and will replace an existing roller shutter door to the premises.

The existing single storey flat roofed extension to the front of the property, which will house the front door and internal staircase will be re roofed with a pitched roof. An external bin store will also be located within the front extension at ground floor level adjacent to the front door to the first floor flat.

At first floor level no new windows are proposed, however the existing door will be replaced with a glazed door and Juliet balcony.

Internal alterations are also proposed to this building on both floors to create living spaces.

No car parking provision is to be provided as part of this application and all materials will match existing.

### **Planning policy:**

GP1	Appearance and Design	Complies
GP3	Protection of Amenity	Complies
T3	Access and Highway Layout	Complies
T5	Parking facilities	Complies
ED6	Retention of other employment land	Conflicts

### **Key considerations:**

The key considerations in the determination of this planning application are the appropriateness of the principle of the change of use and the loss of employment land; the design and appearance of the proposed change of use and the impact the change of use of this dwelling will have on the amenity of neighbouring properties and on parking facilities.

### **Loss of employment land**

The change of use of this site from an employment use to a residential use must be assessed against policy ED6, which seeks to ensure the retention of employment land within Rugby. The loss of buildings in employment uses will only be permitted where the applicant can demonstrate that there is no reasonable prospect of employment use continuing, resuming or being attracted; or the continued use of the building would cause demonstrable harm to the environment or local amenity.

No marketing evidence has been submitted as part of this application and the site has been vacant for the past six months. The building was previously used by a light industrial business 'Flipstick International', however they relocated to new premises a number of years ago. In the mean time the unit has been occupied by an individual for hobby purposes, however the authorised use of this site remains B1(c).

The unit is in a poor state of repair and is not in a fit state to be let as commercial premises. It is also considered that if this unit was refurbished and made available to let for commercial purposes, it is not an attractive or suitable commercial unit due to its location within a dense residential area and lack of parking facilities. The continued use of the site for commercial purposes may have a detrimental impact on the residential amenity of the neighbouring properties.

Although this application conflicts with policy ED6 it is considered that this loss of employment space is acceptable and the use of the unit for residential purposes is appropriate in this location.

### **Design and Appearance**

There will be some additions to the principal elevation of the building, although the external appearance of the building will largely remain the same, the proposed changes comprise the installation of a door, the replacement of a door with a window, the insertion of a window, the erection of an external staircase and the replacement of a flat roof with a pitched roof and the replacement of the door at first floor level with a glazed door with a Juliet balcony.

The design of the proposed change of use to two residential units complies with policy GP1 of the Local Plan.

### **Protection of Amenity**

Policy GP3 deals with the protection of the amenity of the residents of the existing neighbouring properties and the amenity of occupants of the proposed units.

There are three existing windows in the southern elevation of the building at first floor level. The bedroom window of the proposed first floor flat faces an obscure glazed window in the rear of No. 92 Bridget Street and the living room window to the proposed first floor flat is approximately 13m from the window directly opposite on the rear elevation of No. 90 Bridget Street. Given the location of these windows it is not considered that either of these two windows will impact on the residential amenity of the occupants of either No. 90 or 92 Bridget Street.

There is an issue with overlooking with the proposed kitchen window in the first floor flat as this window is directly opposite a bedroom window in the rear elevation of No. 90 Bridget Street. A solution to this problem is to obscure glaze the kitchen window and ensure it is top half opening only.

The change of use of the building for use as two residential units will not affect the amenity of the neighbouring properties as the surrounding area is occupied by dense terraced dwellings.

Providing the kitchen window in the first floor flat is obscure glazed and top half opening only this development will not impact on the amenity of the neighbouring properties in terms of noise, overlooking and loss of privacy.

## **Highways**

The addition of two one bed residential units into Rowland Street is unlikely to have an impact on the functioning of the highway network.

Parking standards within the Local Plan allow for a maximum of 1.5 spaces per 1 bed residential apartment within this location. No car parking provision is provided as part of this application and all properties within this area have on street parking. It is not considered that the addition of two additional one bed properties within this location will result in parking problems within the area.

Warwickshire County Councils Highways Department have no objection to the proposed development subject to the attachment of a condition stating that the development hereby permitted shall not be occupied until all parts of existing vehicular accesses to Rowland Street have been permanently closed and the highway features, (including the kerblines) have been reinstated.

Although no provision for cycles is provided as part of this development, there is room for cycle storage within each unit.

This application complies with policies T3 and T5 of the Local Plan.

## **Summary**

This proposed change of use is a departure from the Adopted Local Plan 2006 and seeks to change the use of a building which has an authorised use of B1(c) Light Industrial Use and seeks consent to change the use of this building to a C3 Residential Use to form two residential units.

This application conflicts with Local Plan policy ED6, however it is considered that the loss of this employment space is acceptable and the use of the unit for residential purposes is an appropriate use in this location.

The design of the proposed change of use to two residential units complies with policy GP1 of the Local Plan.

The proposed change of use will not affect the amenity of neighbouring properties and is in compliance with policy GP3.

No car parking is provided as part of this application, however the application complies with policies T3 and T5.

**Recommendation:**

Approve subject to condition

Report prepared by: Debra Harrison

**DRAFT DECISION**

**APPLICATION NUMBER**

R11/0757

**DATE VALID**

26/04/2011

**ADDRESS OF DEVELOPMENT**

40A ROWLAND STREET  
NEW BILTON  
RUGBY  
CV21 2BW

**APPLICANT/AGENT**

Mr Darren Knapp  
Symon Construction  
Melbros House  
Great Central Way  
Rugby  
CV21 3XH

**APPLICATION DESCRIPTION**

Change of use of building to create two apartments

**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:

Site Location Plan submitted 19/04/2011

Drawing 1 Revision 2 submitted 03/06/2011

Drawing 2 Revision 2 submitted 03/06/2011

**REASON:**

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

**CONDITION 3:**

The facing materials to be used on the external walls and roof shall as specified on the application form, received by the Local Planning Authority on 19/04/2011.

**REASON:**

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

**CONDITION 4:**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, and the Town and Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, or any order revoking or re-enacting those orders, no development shall be carried out which comes within Classes A, B, C, D, E of Schedule 2 Part 1 of the Order without the prior written permission of the Local Planning Authority.

**REASON:**

In the interest of residential amenity.

**CONDITION 5:**

The kitchen window to be formed in the southern elevation of the proposed development shall not be glazed or reglazed other than with obscure glass and shall be top half opening only.

**REASON:**

To protect the residential amenity of neighbouring properties.

**CONDITION 6:**

The development hereby permitted shall not be occupied until all parts of existing vehicular accesses to Rowland Street (D3147), have been permanently closed and the highway features, (including the kerblines) have been reinstated in accordance with details approved in writing by the Local Planning Authority in consultation with the Highway Authority.

**REASON:**

In the interest of highway safety.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

GP1, GP3, T3, T5 AND ED6

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

**REASON FOR APPROVAL:**

This proposed change of use to form two C3 Residential Units conflicts with Policy ED6 of the Rugby Local Plan as no marketing evidence has been provided to support this change of use. However, it is considered that there is no reasonable prospect of an employment use continuing, resuming or being attracted to this site and it is preferable for a residential use to be located in this location. Furthermore a commercial use on this site may have a detrimental impact on the residential amenity of the neighbouring properties.

The proposed development is an appropriate use in this location and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policies GP1, GP3, T3 and T5 of the Rugby Borough Local Plan 2006.

**INFORMATIVE 1:**

The granting of Planning Permission does not give the Applicant/Developer consent to carry out works on the Public Highway (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:**

In order to reduce the likelihood of local residents being subjected to adverse levels of noise annoyance during construction, work on site 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: R11/0763**

**Site address: 37 Long Furlong, Rugby.**

**Case Officer: Chris Davies 01788 533627**

**Description: Erection of an ancillary annexe.**

**History:**

Advised in March 2010 that a similar building could be erected for use as an annexe under Permitted Development provided it remained ancillary to the existing dwelling. Following the issuing of clarification in the Permitted Development For Householders Technical Guidance in August 2010, the annexe would no longer be considered permitted development; page 40 of this document specifically states *“A purpose incidental to a dwelling house would not, however, cover normal residential issues such as separate self-contained accommodation nor the use of an outbuilding for primary living accommodation such as a bedroom, bathroom or kitchen”*.

R10/0095                      Erection of a detached dwelling.                      Withdrawn

**Proposal:**

Following the withdrawal of an application for a separate dwelling, the applicant now seeks planning permission to erect a similar building but for use as an ancillary annexe.

**Other relevant Information:**

This application is brought before the Committee for consideration at the request of Councillor Sandison and Councillor Lewis.

No.37 Long Furlong is a relatively large detached dwelling, located on a straight section of road adjacent to a public footpath (this footpath would not be affected by the proposals and does not lie within the site).

The site is wedge shaped, widening towards the rear. The frontage has been tarmaced to form off road parking.

The side boundary with the adjacent footpath is screened by a combination of 1.5m high shiplap fencing and a 2m+ high evergreen hedge (planted within the proposed plot itself).

On the opposite side of the footpath, the house types change from being two storey in nature to dormer bungalows.

The nearest property (No.39) is set back from the established building line of which No.37 forms a part. It has a primary side facing window at first floor level which faces towards the proposal site.

**Technical Responses:**

WCC Ecology -                      Informatives required regarding nesting birds and amphibians/reptiles (as previously advised for R10/0095)

Tree Officer -                      No objection subject to submission and approval of a tree protection plan.

**Planning Policy:**

RBLP	GP1	Appearance and Design	Complies
RBLP	GP3	Protection of Amenity	Complies

RBLP H8 Residential Extensions Complies  
Rugby Borough Council Residential Extensions Design Guide SPD.

**Considerations:**

The key considerations in determining this application are the impact of erecting a detached annexe on a) the character and appearance of the locality, and b) residential amenity.

**Character and Appearance**

The proposed annexe is to be sited to the rear of No.37. It would be entirely screened from the adjacent highway (Long Furlong), and would involve no material changes to the front of the existing property that would impact on the character of the streetscene.

The scheme therefore complies with Policies GP1 and H8 of the Rugby Borough Local Plan 2006 and the Rugby Borough Council Residential Extensions Design Guide SPD, which seek to ensure that development is in keeping with its surroundings.

**Amenity**

The existing boundary screening to the rear of the site, together with the small copse of trees adjacent to the rear boundary, mean that the annexe would be effectively screened from views from Wychwood Lodge (Seddlescombe Park).

The properties most likely to be affected by the proposal would therefore be those either side of No.37 Long Furlong, namely No.'s 35 and 39 Long Furlong.

No.35 shares a side boundary with No.37, and would be closest to the proposed annexe. It shares the same building line as No.37, meaning that the annexe would be adjacent to the end of the property's rear garden area rather than close to the house itself. In an attempt to minimise the impact on this closest neighbouring property, the annexe has been set a minimum of 11m or more away from the shared side boundary. The annexe would therefore have no material impact on the amenities of occupants of this property.

Existing boundary treatments would screen the proposed low level annexe from No.39, which in any case is separated from the site by the public footpath.

The proposed annexe therefore complies with Policies GP3 and H8 of the Rugby Borough Local Plan 2006 and the Rugby Borough Council Residential Extensions Design Guide SPD, which seek to preserve and protect residential amenity.

**Recommendation:**

Approve subject to appropriate conditions.

**Report prepared by: C Davies 03/06/2011**

**DRAFT DECISION**

**APPLICATION NUMBER**

R11/0763

**DATE VALID**

28/04/2011



**ADDRESS OF DEVELOPMENT**

37 Long Furlong  
Rugby  
CV22 5QT

**APPLICANT/AGENT**

Mr Richard Palmer  
Hb Architects  
The Triforium  
17 Warwick Street  
Rugby  
Warwickshire  
CV21 3DH  
On behalf of Dr Kavuri

**APPLICATION DESCRIPTION**

Erection of an ancillary annexe.

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

**CONDITION 1:**

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

**REASON:**

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

**CONDITION 2:**

The development shall not be carried out other than in accordance with plan numbers 13:10:17 and 13:10:06B, received by the Local Planning Authority on 21 April 2011.

**REASON:**

For the avoidance of doubt.

**CONDITION 3:**

The facing materials to be used on the external walls and roof shall as specified on the application form and on plan numbers 13:10:17 and 13:10:06B, received by the Local Planning Authority on 21 April 2011. All rooms shall be used for the purposes indicated on the approved floor plan unless otherwise agreed in writing by the Local Planning Authority.

**REASON:**

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

**CONDITION 4:**

Prior to the commencement of development a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved plan.

**REASON:**

In the interest of visual amenity.

**CONDITION 5:**

The annexe hereby approved shall not be used for any purpose other than ancillary to the residential use of 37 Long Furlong as a single dwelling.

**REASON:**

In the interest of residential amenity.

**RELEVANT DEVELOPMENT PLAN POLICIES & GUIDANCE:**

GP1, GP3 and H8

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

**REASON FOR APPROVAL:**

The proposed annexe will be in keeping with the existing house and surrounding area and will not adversely impact on the residential amenity of neighbouring properties, in accordance with policies GP1, GP3, and H8 of the Rugby Borough Local Plan 2006.

**INFORMATIVE:**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season lasts approximately from March to September, so work should take place outside these dates if at all possible.

NB - birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts.

In view of the nearby pond, care should be taken when clearing the ground prior to development, and if evidence of specially protected species such as reptiles or amphibians is found (great crested newt, grass snake, common lizard or slow-worm), work should stop while WCC Ecological Services or Natural England is contacted. Reptiles and amphibians are protected to varying degrees under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

**Application Ref No: R10/1656**

**Site Address: Rugby School - Land adj to 17 Horton Crescent, Rugby, Wks CV22 5DJ**

**Development: Erection of three storey building to provide new Modern Languages facility**

**Case Officer: Greg Vigars 01788 533621**

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### **The Site and its Location**

The site is located within the designated Rugby School Conservation Area. It comprises land which forms an integral part of the Rugby School Estate and is referred to by the School as 'Stubbs Piece'.

The site covers approximately 1014sq. m with a frontage of 24 metres to its south eastern edge along Horton Crescent and a depth of 40 metres from front to back. It is bounded to the north, south & west by established gardens and 3 storey properties providing residential accommodation for the School.

Until recently, the land was used for the siting of a temporary Terrapin modular building to accommodate the School's politics department. This building has been relocated for a temporary period to a site adjacent to 'The Close' on Barby Road until new permanent accommodation is provided.

A redundant block of eight concrete garages which sits adjacent to the rear site boundary is proposed to be demolished.

The site is served by an existing 3.5 m wide vehicular access from Horton Crescent. The remainder of the site frontage is defined by 1.8 m high metal railings set on a brick plinth. This is backed by a strip of shrubbery containing some fruit trees.

The other site boundaries are defined by brick walls. The northern boundary contains a gateway towards the back of the site which currently provides temporary access to a new block of garages set to the rear of the existing adjacent pair of residential dwellings ( Nos 17 & 19 Horton Crescent). These properties were recently constructed following the grant of planning permission and listed building consent in April 2003. These approvals included the provision of a new vehicular access to serve the garages at the rear which is yet to be completed. It is intended to construct this access this summer to enable the application site to be available for redevelopment.

Adjacent to the southern boundary is a single brick built garage with slate roof which has access on to Horton Crescent. This sits within the rear garden of the adjacent Rugby School residential property No 13 Horton Crescent.

The site itself is level and, following the relocation of the former politics building, this has been given a temporary surface treatment of rolled stone.

There are no significant trees actually on the site. However, there are two substantial mature trees, a beech and a lime adjacent to the rear boundary.

The nature of the location within which the application site is situated contributes significantly to the character and appearance of the Conservation Area.

Horton Crescent is characterised by a more domestic scale of building set within landscaped gardens and tree lined avenues. Its key feature is a lime tree lined central garden area.

Immediately opposite the proposed site is a three storey Gothic building built predominately from red brick with fine stone quoins and window dressings. The character of the building varies with the angle of view. When viewed perpendicular the majority of the elevation appears solid and substantial. This is transformed when the elevation is viewed obliquely where it takes on a greater lightweight appearance with the prominence of the bay window glazing and the vertical stone accents. Also, the proportion of the window is tall slender slots of glazing accentuating the verticality of the elevations

Around the central landscaped island of Horton Crescent a range of school building exists from a number of architectural styles in particular Gothic, Italianate, Victorian and Edwardian. The location and setting of these buildings within the landscapes creates an intimate sense of enclosure by being located closely to the highway.

The area is characterised by the extensive use of brickwork with accents of contrasting black bricks and stone detailing. The quality of detailing in all building is extremely high for example the curved / angled feature windows to the staircase of No.2 Horton Crescent. Groups of buildings read as a complementary whole along Horton Crescent and have a symmetrical character with the position of gables that creates a strong sense of rhythm along the streetscape. The roofscape of the crescent is predominately steeply pitched, however, Tudor House located on the southern end of Horton Crescent, is a three storey red -brick flat roofed building.

### **Relevant Planning History**

Siting of temporary classroom building ( *Ref R87/0286/3612/P*) Approved 15<sup>th</sup> July 1987

Siting of temporary classroom building ( *Ref R88/2631/3612/P*) Approved 17<sup>th</sup> July 1989

Siting of temporary classroom building ( *Ref R04/0323/3612/P*) Approved 17<sup>th</sup> June 1994

Siting of temporary classroom building ( *Ref R99/0473/3612/P*) Approved 26<sup>th</sup> August 1999

Siting of temporary classroom building ( *Ref R05/0008/3612/P*) Approved 12<sup>th</sup> February 2005

### **The Proposal**

The proposal seeks full planning permission for the erection of a three storey building to provide a new facility for the School's Modern Languages Department. The scheme is part of a phased programme of key projects being developed by Rugby School aimed at upgrading and improving the school's facilities. The current application follows a series of pre-application discussions with officers.

The application is accompanied by a Design & Access Statement and a detailed Tree Report.

The footprint of the proposed building forms a basic 'handed L' shape and apart from a pedestrian accessway at the right hand side, spans the width of the application site.

The block is set back some 5.8 metres from the highway. The frontage boundary is proposed to be defined with sections of brick wall and railings to complement the design of the front of the building and visually enhance the street scene. The existing vehicular access serving the site is to be retrained and improved together with the access serving the adjacent garage to No. 13 Horton Crescent. This garage will initially be removed to aid construction of the proposed building which has its southern elevation directly onto the site boundary. It will then be rebuilt.

The proposed building is set towards the northern site boundary and extends to within 1.3 metres of the rear boundary wall. Its shape encloses and frames a proposed paved courtyard/open space area which includes provision for covered cycle parking.

Within the building the accommodation has been set out as follows:

#### Ground Floor Plan:

On the ground floor of the building the entrance is positioned where the two blocks forming its 'L' shaped footprint meet. The staircase forms a light well from all floors, which along with the glazed facade to Horton Crescent ensures that the entrance is welcoming, light and airy. The building will be accessed via a level threshold with a lift within the main lobby offering full access to the building at all levels for all potential building users.

The student social area is located in this 'hub' space, with the wc's and stairs acting as a buffer between the busy entrance / social area and the ground floor classrooms. The staircase forms an active natural break to the Horton Crescent elevation. At this level the glazed corridor to the south elevation, opens up onto a landscaped piazza

Also, it is the intention that the single classroom adjacent to the staircase could be used as a temporary performance space opening up to the piazza during School Arts Festivals.

#### First Floor Plan:

Staff facilities are located at this level adjacent to the staff room. Classrooms are arranged along each wing radiating from the central core. The corridor to the southern facing wing has a void to enable natural stack ventilation to take place as part of the passive cooling strategy.

Doors into the central core from the corridors create a 'protected shaft' for escape in the event of fire. This alleviates the need for an additional escape staircase

#### Second Floor Plan:

The classrooms and toilet facilities on this floor have followed a similar pattern as the floors below. The departmental offices and staff resource room have been located on this floor. In addition, a suite of small meeting rooms to carry out aural examinations has been sited next to the staff resource room.

The floor arrangements are arranged with a clear structural strategy, with a view to enhancing the building's environmental performance whilst creating an exciting, stimulating place to study

### **Design & Access Statement**

The accompanying Design and Access Statement explains in detail the design approach to the proposed development. In brief it states that there are a number of constraints which dictate design, site layout and the scope of the development. Principal amongst these are the following:

external design & appearance - the context of the site and character of the Conservation Area has strongly influenced the design and external appearance. This has been reflected in the elevational treatment facing Horton Crescent. The proportion of the windows mirrors that of the building opposite. The introduction of stone clad vertical solar shading elements echoes the contrasting stonework found in existing buildings. These 'fins' give depth and vertical emphasis to the building's frontage and project beyond the parapet level mimicking the pointed Gothic roofscape found opposite.

scale & massing - the surrounding buildings are principally large 19<sup>th</sup> century 3 storey residential properties with steep pitched roofs and large windows. The restriction in building height and the need to respect the plan scale of the surrounding buildings has an effect on the layout of the building on site.

security - The site is currently open to Horton Crescent and whilst there is a high degree of natural surveillance of the site from Rupert Brooke House opposite, the proposal should establish a secure line at the front of the site.

building line – the proposal should reinforce and strengthen the established building line to Horton Crescent.

privacy & amenity – that part of the block running along the northern site boundary is designed to be angled away from adjacent properties to fore-shorten the impact of this elevation which being off-set will minimise direct views over the neighbouring properties and allow for a planted buffer between the building and the new driveway. Windows in this elevation will be positioned to avoid direct views onto the neighbouring property ( No 17 ). The architectural detail includes angled vertical 'fins' to direct views away from 17/19 Horton Crescent.

access – vehicle access, if required, will be at the existing point into the site from Horton Crescent via a 'porte cochere' through the building which will be gated to maintain the secure line. A courtyard to the rear will provide a semi-public external piazza and scope for on-site cycle parking.

sustainability measures and environmental opportunities – full consideration has been given to incorporating a range of measures to maximise the potential of environmental efficiency for the proposed building with integrated renewable energy solutions. The use of low impact construction materials, reduced water consumption, minimal waste / pollution and environmentally conscious site management will all be addressed under the BREEAM ( British Research Establishment Environmental Assessment Method) assessment of the building thus contributing to its sustainable construction.

The following is a summary of some of the measures which have been included in the scheme, and which have been influential through the design process:

- Orientation & solar shading - the building has been designed to maximise the benefits and minimise the negative impacts of the path of the sun. Classrooms within the building are designed to be located on the north and west sides of the building to minimise solar gain and act as solar chimneys to balance the internal temperature. Brise Soleil and external planting provide shading to stop over heating.
- Glazing - High performance glazing is incorporated to reduce unwanted solar gain and heat loss. Sufficient glazing is incorporated into the facade to allow for natural daylight reducing the need for artificial lighting when possible
- Thermal Insulation - Insulation used will improve u-values beyond the minimum requirements of current building regulations. This will reduce the fabric heat load within the building.
- Air tightness - The air permeability of the building will be reduced beyond the level required under current building regulations. This reduction in adventitious air will reduce the ventilation heat load of the building.
- Thermal Bridging - Continuity of insulation across building components will improve thermal bridging and reduce the fabric heat load.
- Natural Ventilation – Openable windows and acoustic / transfer vents penetrating the facade and will provide a natural ventilation strategy to all occupied and ancillary areas of the building. Mechanical supply and extract ventilation shall be provided to the IT room, however this will include heat recovery to reduce the ventilation heat load.
- Energy savings bulbs/A rated appliances - These will be used wherever possible throughout the building to reduce the electrical load.
- Automatic lighting - Automatic controls with manual override shall be used and the building shall be appropriately zoned to further reduce the electrical demand of the building.
- Under floor heating - Under floor heating offers a more efficient method of space heating compared to a traditional radiator system and works well with a heat pump system. This shall be zoned to improve control and therefore reduce the risk of unnecessary heating.
- Air source heat pump – Heat shall be provided to the building via a high efficiency air source heat pump system. This system will heat the building using less energy compared to a typical gas fired system.
- Photovoltaics - A south facing photovoltaic array is to be considered for installation on the part roof of the building. ( A green roof is also proposed on part )

The applicant's and their agents have had separate detailed discussions with the Council's Building Control Officers on the proposed design and construction of the building.

Finally, in support of their proposal the applicants state that the school has an international standing for academic excellence and as such competes with other institutions at a global level. It is contended that facilities such as the proposed Modern Languages building will enable the school to maintain its enviable international reputation.

### Tree Report

The accompanying Tree Report undertaken by 'Maurice Fitch Tree Works Ltd' on behalf of the applicants identifies a number of existing low quality fruit trees adjacent to the site frontage which are of little significance. The more important tree worthy of retention is an existing lime tree adjacent to the northwest corner of the site within the garden area of neighbouring Whitelaw House. This is considered to be a mature, healthy, high pollard tree in good condition and appropriate tree protection measures are proposed to ensure its retention and protection.

### Technical Consultations

Wks CC – Highway Authority	comments awaited	
Wks CC – Ecology	no objections	subject to informative
Severn Trent Water	no objections	subject to condition
RBC - Arboricultural Officer	no objections	subject to condition

### Third Parties

Neighbours	no representations received
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### Relevant Planning Policies

RBLP	GP1	conforms	Appearance and Design of development
RBLP	GP2	conforms	Landscaping
RBLP	GP3	conforms	Protection of Amenity
RBLP	GP4	conforms	Energy Conservation
RBLP	GP5	conforms	Renewable Energy
RBLP	T4	conforms	Cycle and Pedestrian facilities
RBLP	T5	conforms	Parking Facilities

PPS 1	Delivering Sustainable Development Supplement – Planning for Climate Change
PPS 5	Planning for the Historic Environment
SPD	Sustainable Design and Construction - RBC June 2009
	Rugby School Conservation Area Appraisal - RBC June 2010

Core Strategy CS17	conforms	Sustainable Design
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### Determining Considerations

In planning terms, the key considerations in this case relate to the design and appearance of the proposed development; its scale and massing; its impact on the visual amenities of the immediate locality and the character and appearance of the Rugby School Conservation Area;



its impact on amenity in the area; the level of consideration given to energy conservation and renewable energy in the design and layout of the proposed development; appropriate landscaping and compliance with standards with regard to adequate access and on-site cycle/vehicle parking.

With regard to design and appearance, as explained above, the design approach to the proposed development has taken full account of the characteristics of the immediate locality. It is considered that this has resulted in producing a contemporary building of high quality architectural design that responds to these contextual influences and will make a positive contribution to the local environment. It therefore conforms with policy GP1 of the Rugby Borough Local Plan 2006.

With regard to landscaping, this is viewed as an Integral component of the overall success of the building. The scheme proposes the planting of two trees of suitable species within the frontage planting area to enhance the tree lined character of Horton Crescent. In addition, the 'L' shaped configuration of the proposed building will create an intimate courtyard experience with a combination of hard and soft landscaping reminiscent of the tradition of courtyards found in the historical building of Rugby School. Furthermore, as highlighted above, a tree survey has been submitted which identifies a proposed strategy with regards to existing trees on and around neighbouring properties. The Council's Tree Officer has considered this and raises no objections subject to conditions. The scheme therefore accords with Policy GP2 of the Rugby Borough Local Plan 2006.

In terms of protecting amenity, the proposal conforms with the relevant Local plan policy GP3 in that this has been a key factor influencing the design of the development, in particular the relationship with the neighbouring properties No's 17 & 19 Horton Crescent. The building is reasonably related to its site boundaries. There are no glazed elements within the building that would result in direct overlooking of neighbouring properties. Views from the classroom wing facing the northern site boundary are, by design, controlled away from the rear gardens of 17 & 19 with the provision of angled fin features.

With regard to energy conservation and renewable energy, the layout and orientation of the building has been guided to maximize its energy efficiency. In addition, as explained, a number of renewable options are being explored with the aim to achieve a BREEAM Excellent rating. This approach accords with the aims and objectives of adopted Local Plan Policies GP4 & GP5.

The site is within the Rugby School Conservation Area and as such due regard has to be given to the Council's formal appraisal of the Conservation Area ( June 2010) and relevant national policies contained within PPS 5 'Planning for the Historic Environment'.

The Conservation Area appraisal informed the design process from the outset. It identifies the site (page 36) as presenting a key opportunity to 'replace temporary buildings with permanent buildings of outstanding architecture'. As explained earlier, the site used to house a temporary terrapin building for the politics department. This has now been relocated as part of the site preparation works for the proposed building. The intention of the design is to create architecture of high quality that sits comfortably and complementary to its context.

With regard to PPS 5, Policy HE7.5 states that 'Local Planning Authorities should take into account the desirability of new development making a positive contribution to the character and

local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use' It is considered that the proposed building has properly taken into account the above key points mentioned above throughout the development of the scheme resulting in a building of a bespoke design that is highly responsive to its context that will make a positive contribution to its setting and enhance the character of this part of the Conservation Area.

Policy CS 17 ' Sustainable Design' of the emerging Core Strategy seeks to ensure inclusive, sustainable design and construction which will not cause harm to the quality, character and amenity of the area in which it is located and to reduce the use of non-renewable resources whilst taking into account of the impact of climate change. The design approach to the proposed development takes account of this and also accords with the aims and objectives of the Council's SPD on Sustainable Design and Construction.(June 2009)

Policy HE9.5 of PPS 5 states that Local Planning Authorities should examine the significance the site or existing buildings make in contribution to the Conservation Area. Where an element does not positively contribute then desirability of enhancing should be explored including the redevelopment as part of the process of place making. The site in its current condition makes limited contribution to its immediate environment. Until recently, the site housed a temporary building and also a run of redundant concrete garages. It is considered that the proposal would make a more beneficial use of this redundant site resulting in a modern building of high architectural quality that would complement the existing neighbouring historical buildings within the Rugby School and serve to enhance the character and appearance of the Conservation Area.

Whilst the scheme proposes improvements to the existing vehicular access serving the site, it does not include provision of on-site vehicular parking. As the site forms part of the School estate adequate provision for staff parking is provided elsewhere. The existing garages on site are redundant consequently there would be no loss of formal parking provision. As explained above, a new four garage block has been provided to the rear of 17 & 19 Horton Crescent which is to be served by a separate vehicular access and driveway adjacent to the northern site boundary. The access will enable delivery vehicles to enter the site, turn and leave the site in forward gear. The scheme includes provision of 14 covered cycle bays within the site to encourage the use of cycles by the users of the building and its visitors.

In view of this it is considered that the proposed development reasonably accords with policies T4 and T5 of the Rugby Borough Local Plan 2006. At the time of drafting this report, the comments of the County Highways Engineer have not been received. It is hoped to be able to report these verbally at the Committee meeting.

In conclusion it is considered that the development as proposed accords with relevant national planning policy statements and adopted local planning policies and standards. It is therefore recommended that planning permission be granted subject to appropriate conditions.

## **Recommendation**

APPROVE subject to conditions.

## **DRAFT DECISION**

### **APPLICATION NUMBER**

R10/1656

### **DATE VALID**

18/01/2011

### **ADDRESS OF DEVELOPMENT**

Land adj to 17 HORTON CRESCENT  
RUGBY  
CV22 5DJ

### **APPLICANT/AGENT**

Louis Fantis  
HLN Architects  
The Oaks  
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165a Birmingham Road  
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Clews Road  
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On behalf of Judy Robinson, RUGBY SCHOOL

### **APPLICATION DESCRIPTION**

Erection of three storey building to provide new Modern Languages facility

### **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:

No. PL90 - 100 Site Plan  
No. 2995-A PL20-100 Proposed Ground Floor Plan  
No. 2995-A PL20-101 Proposed First Floor Plan  
No. 2995-A PL20-102 Proposed Second Floor Plan  
No. 2995-A PL20-103 Proposed Roof Plan  
No. 2995-A PL20-104 Proposed East Elevation  
No. 2995-A PL20-105 Proposed West Elevation  
No. 2995-A PL20-106 Proposed North Elevation  
No. 2995-A PL20-107 Proposed South Elevation  
No. 2995-A PL20-109 Proposed Section Elevation AA  
No. 2995-A PL20-110 Proposed Section Elevation BB  
Design & Access Statement dated January 2011  
Tree Report by Maurice FitchTree Works Ltd. Ref MF/RS12010

**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 other facing materials 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:**

Tree protection and proposed tree works should be undertaken in accordance with the specific 'Maurice Fitch' arboricultural report/tree protection plan dated 25th November 2010 relating to the approved design details. All measures contained within the arboricultural report/tree protection plan should be implemented prior to the commencement of development to the satisfaction and written approval of the Local Planning Authority.

**REASON:**

To ensure the details of the development are acceptable to the Local Planning Authority In the interests of the visual amenities of the immediate locality.

**CONDITION 5:**

No works or development shall take place until a specification of all proposed tree planting (in the areas on the plan marked '18' within the site and '19' adjacent to Horton crescent) have been approved in writing by the Local Planning Authority. The landscape scheme shall be planted no later than the first planting season following completion of development. If within a period of 5 years from the date of planting, any tree is removed, uprooted, destroyed or dies, (or becomes in the opinion of the LP Local Planning Authority seriously damaged or defective), another tree 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 details of the development are acceptable to the Local Planning Authority In the interests of the visual amenities of the immediate locality.

**CONDITION 6:**

No works or development shall take place until a specification of all proposed hard landscaping/surface treatments, together with samples of paving materials, have been submitted to and approved in writing by the Local Planning Authority. The approved hard landscaping scheme shall be implemented prior to the occupation of the building.

**REASON:**

To ensure the details of development are satisfactory to the Local Planning Authority in the interests of the visual amenities of the locality.

**CONDITION 7:**

Before development is commenced, full details of the design and appearance of the proposed cycle parking and associated canopy shall be submitted to and approved in writing by the Local Planning Authority. This facility shall be provided prior to the building being brought into use.

**REASON:**

To ensure the details of the development are acceptable to the Local Planning Authority.

**CONDITION 8:**

Notwithstanding any information contained in the application or on the submitted drawings, 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 the development is first brought into use.

**REASON:**

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

**CONDITION 9:**

Full details of any refrigeration or airhandling plant, flues or other equipment to be located externally to the building, to include proposed measures for acoustically treating such equipment, shall be submitted to and approved by the Local Planning Authority prior to such plant being installed. Equipment shall then be installed in accordance with the approved details.

**REASON:**

In the interests of the amenities of neighbouring properties.

**CONDITION 10:**

Before development commences, full details of the design and location of all sources of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details agreed.

**REASON:**

In the interests of the amenities of the immediate locality.

**CONDITION 11:**

The existing brick boundary walls to be retained shall be suitably protected from damage during construction works to the satisfaction of the Local Planning Authority.

**REASON:**

In the interests of the visual amenities of the immediate locality.

**CONDITION 12:**

Any conditions/informatives required by the Highway Authority.

**REASON:**

In the interests of public & highway safety.

**INFORMATIVE A:**

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the 1981 Wildlife and Countryside Act and the Habitat Regulations 1994 (as amended 2007), making them a European Protected Species. It is a criminal offence to recklessly disturb or destroy a known or suspected bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works.

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

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible.

N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE B:**

Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs dense ivy, and bramble/rose scrub. Nesting birds are protected under the 1981 Wildlife and Countryside Act. The main nesting season, lasts approximately from March to September, so work should ideally take place outside these dates if at all possible.

N.B birds can nest at any time, and the site should ideally be checked for their presence immediately before work starts, especially if during the breeding season.

**INFORMATIVE C:**

With regard to Condition 4 above, the applicant/developer is advised that it would be beneficial to arrange a pre-commencement site meeting with the Local Planning Authority's Tree Officer and the designated aborecultural consultant responsible for the site. ( Contact Dave Gower - 01788 533717 )







**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	15 <sup>th</sup> June 2011
<b>Report Title</b>	Statistics for Planning Applications – May 2010 – April 2011
<b>Portfolio</b>	Economy, Development and Culture
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	N/A
<b>Contact Officer</b>	Ross Middleton
<b>Report Subject to Call-in</b>	N/A
<b>Report En-Bloc</b>	N/A
<b>Forward Plan</b>	N/A
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report provides statistics for decisions on planning applications in relation to BVP1 log.
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

<b><i>Environmental Implications</i></b>	N/A
<b><i>Legal Implications</i></b>	N/A
<b><i>Equality and Diversity</i></b>	N/A
<b><i>Options</i></b>	N/A
<b><i>Recommendation</i></b>	The report be noted.
<b><i>Reasons for Recommendation</i></b>	N/A

**Rugby Borough Council**

**Planning Committee – 15th June 2011**

**Statistics for Planning Applications –  
May 2010 – April 2011**

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

**Recommendation**

The report be noted

This report shows the planning statistics as they have always been reported at Appendix 1 with the exception of the percentage of the applications determined in 8 weeks being removed and also the new format in line with the government's current development control targets for determining planning applications as specified in the best value performance indicator BVP1 157a, 157b and 157c.

See Appendices 2, 3 and 4

Name of Meeting: Planning Committee

Date Of Meeting: 15<sup>th</sup> June 2011

Subject Matter: Stats. for Planning Applications –  
May 2010 – April 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)

**RUGBY BOROUGH COUNCIL**  
**Planning Committee – 15<sup>th</sup> June 2011**  
**Report of the Head of Planning and Culture**  
**Statistics for Planning Applications May 2010 – April 2011**

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Statistics for planning applications for the period March 2010 – February 2010

	B/F	Received	Determined	Outstanding
May 2010	263	23	69	217
June 2010	217	36	64	189
July 2010	189	76	86	179
August 2010	179	47	96	130
September 2010	130	99	96	133
October 2010	133	33	91	75
November 2010	75	72	71	76
December 2010	76	69	58	87
January 2011	87	58	59	86
February 2011	86	67	67	86
March 2011	86	83	64	105
<b>April 2011</b>	<b>105</b>	<b>64</b>	<b>56</b>	<b>113</b>
<b>Monthly Average</b>	<b>127</b>	<b>55</b>	<b>68</b>	<b>123</b>

### 1.1 RECOMMENDATION

The report be noted.

## RUGBY BOROUGH COUNCIL

Planning Committee – 15<sup>th</sup> June 2011

## Report of The Head of Planning and Culture

## Statistics for Major Planning Applications (Major) – BVP1 157a

The Government's development control target for Major applications is 60% in thirteen weeks.

Statistics for planning applications for the period May 2010 – April 2011

Month	Applications Determined	Major Applications Determined Within 13 Weeks	% Of Major Applications Determined Within 13 Weeks
May 2010	0	0	N/A
June 2010	2	0	0.0%
July 2010	1	0	0.0%
August 2010	4	0	0.0%
September 2010	1	0	0.0%
October 2010	2	0	0.0%
November 2010	2	0	0.0%
December 2010	2	0	0.0%
January 2011	1	0	0.0%
February 2011	1	1	100%
March 2011	1	0	0.0%
<b>April 2011</b>	<b>4</b>	<b>3</b>	<b>75%</b>

### 1.1 RECOMMENDATION

The report be noted

## RUGBY BOROUGH COUNCIL

Planning Committee –15<sup>th</sup> June 2011

## Report of The Head of Planning and Culture

## Statistics for Minor Planning Applications (Minor) BVP1 157b

The Government's development control target for Minor applications is 65% in eight weeks.

Statistics for planning applications for the period May 2010 – April 2011

Month	Applications Determined	Minor Applications Determined Within 8 Weeks	% Of Minor Applications Determined Within 8 Weeks
May 2010	23	6	26.0%
June 2010	18	8	44.4%
July 2010	28	7	25%
August 2010	28	7	25%
September 2010	35	16	46%
October 2010	26	18	69%
November 2010	26	19	73%
December 2010	54	18	33%
January 2011	45	28	61%
February 2011	19	14	74%
March 2011	22	16	73%
<b>April 2011</b>	<b>22</b>	<b>13</b>	<b>59%</b>
<b>Monthly Average</b>	<b>29</b>	<b>14</b>	<b>48%</b>

## 1.1 RECOMMENDATION

The report be noted.

## RUGBY BOROUGH COUNCIL

Planning Committee – 15<sup>th</sup> June 2011

Report of The Head of Planning and Culture

## Statistics for Other Planning Applications (Other) BVP1 157c

The Government's development control target for Other applications is 80% in eight weeks.

Statistics for planning applications for the period May 2010 – April 2011

Month	Applications Determined	Other Applications Determined Within 8 Weeks	% of Other Applications Determined Within 8 Weeks
May 2010	46	14	35.0%
June 2010	44	10	22.7%
July 2010	47	19	40.4%
August 2010	53	21	39%
September 2010	59	35	59.3%
October 2010	63	53	84.1%
November 2010	43	36	84%
December 2010	38	33	87%
January 2011	30	27	90%
<b>February 2011</b>	47	34	72%
<b>March 2011</b>	41	35	85%
<b>April 2011</b>	30	29	96.6%
<b>Monthly Average</b>	<b>44</b>	<b>26</b>	<b>59%</b>

## 1.1 RECOMMENDATION

The report be noted.



**AGENDA MANAGEMENT SHEET**

<b>Name of Meeting</b>	Planning Committee
<b>Date of Meeting</b>	15.06.2011
<b>Report Title</b>	Delegated Decisions – 13.05.2011 to 26.05.2011
<b>Portfolio</b>	N/A
<b>Ward Relevance</b>	All
<b>Prior Consultation</b>	None
<b>Contact Officer</b>	Paul Varnish 3774
<b>Report Subject to Call-in</b>	Y
<b>Report En-Bloc</b>	N
<b>Forward Plan</b>	N
<b>Corporate Priorities</b>	N/A
<b>Statutory/Policy Background</b>	Planning and Local Government Legislation
<b>Summary</b>	The report lists the decisions taken by the Deputy Chief Executive under delegated powers
<b>Risk Management Implications</b>	N/A
<b>Financial Implications</b>	N/A

***Environmental Implications*** N/A

***Legal Implications*** N/A

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

***Options*** N/A

***Recommendation*** The Report be noted

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

**Rugby Borough Council**

**Planning Committee – 15/06/2011**

**Delegated Decisions –13/05/2011 to 26/05/2011**

**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: 15.06.2011  
Subject Matter: Delegated Decisions – 13.05.2011 to 26.05.2011  
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.

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\* Exempt information is contained in the following documents:

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

(\*Delete if not applicable)

DECISIONS TAKEN BY THE DIRECTOR OF TECHNICAL SERVICES UNDER  
DELEGATED POWERS FROM 13.05.2011 TO 26.05.2011

**A. APPLICATIONS – DELEGATED**

**Applications  
Refused**

<i>R11/0170 Refusal of Certificate of Lawful Use or Development</i>	Hollybank Farm Southam Road Leamington Hastings	Certificate of Lawfulness for existing menage.
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**Applications  
Approved**

<i>R10/2015 Approved 12.05.2011</i>	Access Road Ansty Park Development Off Coventry Eastern Bypass Ansty	Erection of Gatehouse
<i>R11/0460 Approved 12.05.2011</i>	254 Lower Hillmorton Road Rugby	Erection of single storey rear extension
<i>R11/0607 Approved 13.05.2011</i>	41 Rowland Street New Bilton Rugby	Conversion and extension of existing garage/store building to provide dwelling with accommodation in roof space.
<i>R10/0397 Approved 13.05.2011</i>	19 Bilton Road Rugby	Erection of a rear conservatory
<i>R11/0267 Approved 13.05.2011</i>	Rugby Town Junior Football Club Kilsby Lane Hillmorton	Application to amend Condition 30 of Planning Permission R02/0487/05742 dated 15th October 2004 (which restricts the use of the playing facilities to people up to the age of 18 years) to permit the following; to allow the main football pitch to be used by members of Rugby Town Junior FC and members of Rugby Town Ladies FC to play official league fixtures, and to allow the use of the artificial pitches for official Football Association accredited coach training, referee training and sports development training by people over the age of 18.
<i>R11/0535 Approved 13.05.2011</i>	Rugby Town Junior Football Club Kilsby Lane Hillmorton	Application to amend Conditions 6 and 7 of Planning Permission R09/0799/PLN dated 4th January 2010 (which restricts the use of the playing facilities to people up to the age of 18 years and bone-fide members of Rugby Town JFC) to permit the following; to allow the astroturf pitch to be used by nominated school

		groups and who are not bone fide members of Rugby Town Junior FC, members of Rugby Town Junior FC Under 21 Team, and to use the artificial pitches for officially accredited Football Association coach training, referee training and sports development training.
<i>R11/0536 Approved 13.05.2011</i>	34 Lutterworth Road Pailton Rugby	First floor extension to front, including increased roof height, two storey extension to side (with garage at basement level), addition of gable roof to existing rear dormer.
<i>R11/0380 Approved 13.05.2011</i>	Ainscough Crane Hire Limited Stockley's Spinney Rugby Road Princethorpe	Retention of electronic gates and fence, fuel tank and toilet block.
<i>R11/0723 Approved 16.05.2011</i>	118 Bath Street Rugby	Conversion of existing dwelling to form 2no. residential flats and associated works, including provision of a mono-pitched roof over the existing single storey rear extension.
<i>R11/0629 Approved 17.05.2011</i>	10 Critchley Drive Dunchurch	Erection of a detached dwelling.
<i>R10/1476 Approved 17.05.2011</i>	Land North of Church Church Road Ryton on Dunsmore	Change of use of land to cemetery, including provision of parking area, access and fencing.
<i>R11/0753 Approved 18.05.2011</i>	80 Chapel Street Rugby	Erection of a single storey side extension, a new front entrance porch, utility room extension and car port, new rear conservatory and enlargement of driveway (material amendment to approval ref 360)
<i>R11/0320 Approved 19.05.2011</i>	46 and 48 Brockhurst Lane Monks Kirby	Erection of single storey rear extensions to both properties to enable incorporation of existing outbuildings into the main dwellings, including erection of canopies.
<i>R11/0708 Approved 19.05.2011</i>	Brook Farm House Back Lane Birdingbury	Erection of a single storey side extension and provision of a front porch canopy and block paving.
<i>R11/0193 Approved 19.05.2011</i>	The Parlour Manor Farm Barns Brooks Close Willoughby	Replacement of outbuilding with garage extension, external alterations and provision of roof lights.
<i>R11/0389 Approved 20.05.2011</i>	St Andrews Church Church Road Shilton	Removal of the lead roof and replacement with a stainless steel roof.
<i>R11/0383 Prior Approval is not required</i>	Former Tax Office (Benfield House) 12 Corporation Street	Application for prior notification of proposed demolition of building.

23.05.2011

Rugby

R11/0758  
Approved  
24.05.2011

1 Bank Street  
Rugby

Conversion of first and second floors to 3 residential apartments.

**Listed Building Consents**

R10/1322  
Listed Building Consent  
13.05.2011

19 Bilton Road  
Rugby

Listed Building Consent for the erection of a rear conservatory

R11/0709  
Listed Building Consent  
19.05.2011

Brook Farm House  
Back Lane  
Birdingbury

Listed Building Consent for removal of existing veranda, erection of a single storey side extension, provision of a porch canopy and an area of block paving, and internal alterations.

**Advertisement Consents**

R11/0398  
Advertisement Consent  
13.05.2011

Herbert Brown  
5 Royal George Buildings  
Market Place

Retrospective consent to display 2no. internally illuminated projecting signs, 2no. sets of internally illuminated lettering and 1no. internally illuminated logo (all affixed to the fascia signs) and 1no. cluster of brass spheres forming the tradition pawn brokers symbols.

**Approval of Details/ Materials**

E2E 294  
Approval of Details  
12.05.2011

Land north of Back Lane  
Long Lawford

Erection of 108 dwellings with associated highway works, internal roads, footpaths & cycleways, noise bund, earthworks, drainage & landscaping.

R09/0972/MAJP  
Approval of Details  
16.05.2011

Land East of Calvestone Road  
Calvestone Road  
Cawston

Outline application with all matters reserved for the development of up to 145 dwellings.

