



26 May 2026

PLANNING COMMITTEE - 3 JUNE 2026

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 3 June 2026 in the Council Chamber at the Town Hall, Rugby.

Members of the public may view the meeting via the livestream from the Council's website.

Dan Green
Chief Executive

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

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

A G E N D A

PART 1 – PUBLIC BUSINESS

1. Minutes.
To confirm the minutes of the meetings held on 15 April 2026.
2. Apologies.
To receive apologies for absence from the meeting.
3. Declarations of Interest
To receive declarations of –
 - (a) non-pecuniary interests as defined by the Council's Code of Conduct for Councillors;
 - (b) pecuniary interests as defined by the Council's Code of Conduct for Councillors; and
 - (c) notice under Section 106 Local Government Finance Act 1992 – non-payment of Community Charge or Council Tax.

4. Applications for Consideration.
5. Advance Notice of Site Visits for Planning Applications – no advance notice of site visits has been received.
6. Appeals Update
7. Delegated Decisions – January to March 2026
8. Motion to Exclude the Public under Section 100(A)(4) of the Local Government Act 1972.

To consider the following resolution:

“Under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item on the grounds that it involves the likely disclosure of information defined in Paragraph 2 of Section 12A of the Act.”

PART 2 – EXEMPT INFORMATION

There is no business involving exempt information to be considered.

Membership of the Committee:

Councillors Sandison (Chair), Bainbridge, Brown, Daly, Freeman, Gillias, Harrington, I Mistry, Simpson-Vince, Stewart, Thomas and Timms.

If you have any general queries with regard to this agenda please contact Charlotte Marston, Democratic Services Officer by emailing charlotte.marston@rugby.gov.uk. Any specific queries concerning reports should be directed to the listed contact officer.

The Council operates a public speaking procedure at Planning Committee. Details of the procedure, including how to register to speak, can be found on the Council's website (<https://www.rugby.gov.uk/w/have-your-say-on-a-planning-application#speaking-at-planning-committee>).

Planning Committee – 3 June 2026

Report of the Chief Officer for Growth and Investment

Applications for Consideration

Planning applications for consideration by the Committee are set out as below.

Recommendation

The applications be considered and determined.

APPLICATIONS FOR CONSIDERATION – INDEX

Item	Application Ref Number	Location site and description	Page number
1	R26/0155	Erection of 11 apartment blocks of between 2-3 storeys high to create a total of 34 apartments, formation of a new access off Caldecott Place and provision of car and cycle parking, refuse storage and landscaping. 92 Lower Hillmorton Road, Rugby, CV21 3TF	3

Reference: R26/0155

Site Address: 92 Lower Hillmorton Road, Rugby, CV21 3TF

Description: Erection of 11 apartment blocks of between 2-3 storeys high to create a total of 34 apartments, formation of a new access off Caldecott Place and provision of car and cycle parking, refuse storage and landscaping.

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/40155>

Recommendation

1. Planning application R26/0155 be approved subject to the conditions and informatives set out in the draft decision notice appended to this report (Appendix A); and
2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

1 Introduction

- 1.1 This application is being referred to Planning Committee for determination under clause 5.2.3(d) of Part 2B of the Council's Constitution (Scheme of Delegation to Officers), which requires applications to be reported to committee where objections from 15 or more households are received.
- 1.2 The application is a revised scheme for redevelopment of the former Rugby Gym Club site following the refusal by committee in December 2025 of an application (R24/0986) for redevelopment on the site ['the previous application']. The current application provides the same accommodation but has amended the layout of external areas to accommodate additional parking while reducing the communal garden area and altering cycle parking arrangements.

2 Description of site

- 2.1 The application site is a former Victorian industrial site whose factory buildings were most recently used by Rugby Gymnastics Club prior to its recent relocation to a new facility adjacent the Rugby Borough Football Club site off Kilsby Lane. Since that relocation, all buildings on the application site have been demolished under prior approval R23/0777. The site is therefore vacant and primarily laid to hardstanding. It is currently enclosed by site security fencing granted temporary permission under reference R22/1113.
- 2.2 The site has a frontage of just over 50m along Lower Hillmorton Road. The buildings which previously occupied the site comprised several large, primarily linear buildings running north-south on site, as well as a two-storey frontage building on the north-east corner of the site. A vehicular access from Lower Hillmorton Road, ran between two of the buildings to a concreted parking area at the rear of the site. The dropped kerb for that access remains. Prior to the erection of the site security fencing, the boundary of the site with

Caldecott Place was enclosed by low timber fencing. The eastern boundary of the site is enclosed by 2 metre high palisade fencing.

- 2.3 To the west of the site are two dwellings fronting Lower Hillmorton Road (nos. 76 and 78). The rear garden of no. 78 runs alongside part of the western side boundary of the site and the rear gardens of several properties on Caldecott Street run up to it. The remainder of the western side of the site is bounded by Caldecott Place, a residential cul-de-sac accessed via Caldecott Street. Dwellings at the head of the cul-de-sac sit close to the rear (southern) boundary of the site. To the East of the site is Great Central Walk, the former Lias railway line which is now a Local Wildlife Site, Local Nature Reserve and a greenway along which runs part of National Cycle Network Route 41. To the north of the site, on the opposite side of Lower Hillmorton Road, is the Clifton Road cemetery.
- 2.4 The site is located within the settlement boundary of Rugby but without the Town Centre boundary. It is located within Flood Zone 1 (the lowest risk of flooding), is not within any of the town's conservation areas and is not considered to be within the setting of any listed buildings.

3 Description of proposals

- 3.1 The application proposes the erection of 34 dwellings comprised of 33 two-bedroom flats and a single one-bedroom flat. The application also proposes private and shared garden spaces, allocated and visitor car parking spaces, covered cycle parking, refuse storage enclosures and details new hard and soft landscaping and biodiversity enhancement schemes. The car parking would be accessed via a new vehicle access taken from Caldecott Place.
- 3.2 The flats are arranged in 11 blocks across five buildings; two buildings fronting Lower Hillmorton Road (cumulatively referred to as Block A on the submitted drawings) separated by a pedestrian access and three buildings running perpendicular to the frontage back into the site along the eastern boundary (cumulatively referred to as Block B). The buildings fronting Hillmorton Road are three to three and a half storeys high and the buildings to the rear are two and a half storeys. The scheme proposes 100% market housing with no affordable housing on viability grounds.
- 3.3 The scheme would provide 45 block-paved car parking spaces with tarmac access and turning space. It would also provide 38 cycle parking spaces in enclosed cycle stores.
- 3.4 The development would result in the loss of a single, mature, category B birch tree close to the proposed access. The scheme makes provision for the protection of the five mature lime trees adjacent the eastern boundary and includes the provision of new tree planting along the Lower Hillmorton Road frontage and elsewhere within the site alongside hedge and shrub planting.

4 Planning History

On site

- 4.1 R24/0986 Erection of 34 no. apartments in 2.5 – 3.5 storey high blocks, formation of

new vehicular access from Caldecott Place, provision of car and cycle parking, refuse storage, landscaping and associated works.

Refused by resolution of Planning Committee on 11 December 2025 and currently the subject of a planning appeal.

- 4.2 R22/1057 Partial demolition of the existing buildings and erection of two 3-storey buildings comprising 21 apartments (Class C3) with new access from Caldecott Place and provision of car and cycle parking, refuse storage and landscaping.

Returned by Planning Dept on 4/10/2023

- 4.3 R22/1113 Temporary Site Fencing (part retrospective)

Approved on 5/1/2023

- 4.4 R23/0777 Prior approval for building demolition

Required and approved on 31/8/2023

Off site (New gym facility off Kilsby Lane)

- 4.5 R15/0623 Outline planning permission for the extension of the site curtilage and erection of a gymnastic sports building together with associated works (layout not reserved)

Approved on 29/7/2015

- 4.6 R18/1048 Approval of reserved matters in relation to outline planning permission R15/0623

Approved on 19/9/2018

5 Relevant Planning Policies

- 5.1 As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.2 The Statutory Development Plan for the area relevant to this application site comprises of the Rugby Borough Local Plan 2011-2031. The relevant policies are outlined below.

5.3 Rugby Borough Local Plan 2011-2031, June 2019 [LP]

- DS1 Overall Development Needs
- GP1 Securing Sustainable Development
- GP2 Settlement Hierarchy
- GP3 Previously Developed Land and Conversions
- H1 Informing Housing Mix
- H2 Affordable Housing Provision
- HS1 Healthy, Safe and Inclusive Communities

- HS4 Open Space, Sports Facilities and Recreation
- HS5 Traffic Generation and Air Quality
- NE1 Protecting Designated Biodiversity and Geodiversity Assets
- NE2 Strategic Green and Blue Infrastructure
- SDC1 Sustainable Design
- SDCC Landscaping
- SDC3 Protecting and Enhancing the Historic Environment
- SDC4 Sustainable Buildings
- SDC5 Flood Risk Management
- SDC6 Sustainable Drainage
- SDC7 Protection of Water Environment and Water Supply
- SDC9 Broadband and Mobile Internet
- D1 Transport
- D2 Parking Facilities
- D3 Infrastructure and Implementation
- D4 Planning Obligations

5.4 The Local Plan is over 5 years old, and paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should be updated as necessary. The Local Plan review is underway however, this report sets out the relevant Local Plan policies and notes any NPPF inconsistencies between them or any other material consideration which could render a policy out of date.

5.5 The new Rugby Local Plan for 2024-2045 was submitted for examination on 27 April 2026. It carries significant weight in decision-making.

5.6 *Rugby Local Plan 2025-2042 (submission version 27 April 2026) [SLP]*

- S1 Settlement hierarchy
- S2 Strategy for homes
- S6 Residential allocations (Residential Allocation Site ID 354)
- CL1 Net zero buildings
- CL3 Water supply, quality and efficiency
- CL4 Climate adaptation
- EN1 Biodiversity and geodiversity protection
- EN5 Biodiversity net gain
- EN6 Canopy cover
- EN7 Flood Risk
- EN8 Environmental protection and amenity
- EN9 Air quality
- H1 Housing mix
- H2 Affordable housing
- H7 Housing standards
- W1 Protection of community facilities
- W2 Open space and sports provision
- D1 Well-designed places
- D3 Landscaping
- D4 Historic environment
- D5 Sustainable drainage
- I1 Transport
- I2 Parking

- 13 Communications infrastructure
- 14 Infrastructure and planning obligations

5.7 Supplementary Planning Documents [SPD]

Planning Obligations SPD (2012)

Climate Change, Sustainable Design and Construction SPD (2023)

Air Quality SPD (2021)

Housing Needs SPD (2021)

5.8 National Planning Policies and Guidance

National Planning Policy Framework, December 2024 [NPPF]

Planning Practice Guidance [PPG]

National Design Guide 2021 [NDG]

5.9 Other guidance/documents

Housing and Economic Needs and Distribution Assessment (2022) [HEDNA]

Updated Housing Needs Evidence for Rugby Borough (2025)

Green Infrastructure Study 2009

Rugby Borough Open Space Study Report (2025)

Playing Pitch & Outdoor Sport Strategy (2023)

5 Year Housing Land Supply Position Statement 2025-2030

Addendum to 5 Year Housing Land Supply Position Statement 2025-2030 – 27 March 2026

Rugby Borough Council Community Infrastructure Charging Schedule

Technical housing standards – nationally described space standard (2015) [NDSS]

6 **Technical consultation responses**

6.1 The views of the following consultees were sought as part of the initial and subsequent consultations on the scheme. Their responses are summarised below and can be read in full on the weblink above. Where necessary, the consultations responses are detailed and addressed in the relevant sections of the detailed assessment of the proposals, below.

- Active Travel England - Returned a 'no comment' response.
- NHS Clinical Commissioning Group – No response received.
- RBC Housing – No response received to the current application. Advice given on affordable housing on the previous application.
- RBC Environmental Health – No objection subject to conditions requiring details of remediation of contamination, noise insulation of flats and construction management measures to ensure an acceptable impact on current and future residents.
- RBC Sports and Recreation – No response received to the current application.
- RBC Tree Officer – No response received to the current application. Had no objection to the previous application subject to conditions regarding tree protection and specific details of trees to be planted.

- RBC Waste Services – No response received to the current application. Had no objection to the previous application, but noted need to provide adequate access to bin stores for collections.
- Severn Trent Water – No response received to the current application. Had no objection to the previous application subject to condition on drainage details.
- WCC Archaeology – No response received to the current application. No objection to the previous application subject to a condition requiring a scheme of archaeological investigation.
- WCC Ecology – As part of the previous application, information was amended to address ecological concerns and the WCC ecology officer offered no objection subject to conditions requiring a Habitat Management and Monitoring Plan, a Protected Species Method Statement and a Lighting Design Strategy. As part of the current application they have made additional comments on the BNG metric which can be addressed when the Biodiversity Gain Plan and Habitat Management and Monitoring Plan are submitted post-decision. They have also raised concern regarding the demolition of buildings and site clearance (which is not a matter for consideration under the current application) and whether this was done under license and in accordance with the recommendations of the PEA. They have also reiterated previous requests for additional information regarding mitigation and enhancement that has previously been provided and is reflected on the plans for the current application.
- WCC Highways – has accepted the Road Safety Audit and does not object to the application subject to conditions relating to the provision of highways improvement works and the new vehicle access, the closing of the existing access, the undertaking of a condition survey and parking survey and the submission of a Construction Management Plan. It notes that the new scheme does not provide a secure enclosed area for cycle storage compared to the previous scheme. It also notes that some pedestrian access routes within the site are now very narrow and less direct than the previous scheme. It recommends the same conditions for the current application as it did for the previous application.
- WCC Local Lead Flood Authority (LLFA) – No response received to the current application. Had no objection to the previous application subject to condition requiring a detailed surface water drainage scheme and management plan.
- WCC Planning and Infrastructure Team – No response received to the current application. Had no objection to the previous application subject to contributions being secured towards education provision, library services, road safety education and legal agreement monitoring.
- WCC Transport Planning Team – No response received to the current application. Had no objection to the previous application but made recommendations for improvements.
- Warwickshire Fire & Rescue Service - No objection subject to the scheme meeting Fire Safety Building Regulations.
- Warwickshire Police – No response received.

6.2 There are no outstanding objections from technical consultees subject to certain requirements being secured by conditions.

7 Third party comments

- 7.1 The application has been publicised by sending out letters to local residents. Site notices were also posted within the vicinity of the site and a notice was displayed in the local press.
- 7.2 Elected Member for Eastlands Ward (Cllr Trimble) – Reported the concerns of residents that there is insufficient parking which would mean that new car owners would be required to park in spaces already taken by the residents in the above streets.
- 7.3 Elected Member for Eastlands Ward (Cllr Edwards) – Reported the concerns of residents in respect of the impact of the scheme on highway safety, safe access and residential amenity.
- 7.4 County Councillor for Eastlands Ward (Cllr Roodhouse) – expressed concern in respect of the impact of double yellow lines and car parking.
- 7.5 Public representations – Correspondence from residents of 16 properties within the vicinity of the site have been received. 15 of these representations constitute objections to the application. They object and/or raise concerns regarding the impact of the development on the following summarised grounds:
- Highway safety due to increase in traffic and poor sight lines at junctions
 - Inadequate off-street parking for flats
 - Intensification of on-street parking problems
 - Restriction of access to emergency vehicles and refuse collection wagons
 - Harm to residential amenity through overlooking
 - Harm to residential amenity through a loss of outlook and daylight

8 Assessment of proposals

- 8.1 The key matters to consider in the determination of this application are considered to be:
- Assessment of strategic planning policies and sports re-provision
 - Housing supply and mix
 - Layout and design
 - Trees
 - Highway safety and parking
 - Residential amenity
 - Flood risk and drainage
 - Ecology
 - Air quality
 - Pollution
 - Community Infrastructure Levy
 - Affordable housing, infrastructure and viability
 - Other Matters

9 Assessment of strategic planning policies

- 9.1 Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision-making.
- 9.2 LP Policy GP1 echoes this and states that when considering development proposals, a positive approach will be taken on development that reflects the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.
- 9.3 Paragraph 11 of the NPPF states that where there is an up-to-date development plan applications should be determined in line with that development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF states that “The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’. The development plan in this instance consists of the Local Plan (2011-2031).
- 9.4 The Submission Local Plan for 2024-2045 [SLP], is at an advanced stage having been submitted for examination on 27 April 2026. The SLP therefore currently carries significant weight in decision-making.
- 9.5 The Local Plan (2019) sets out the spatial vision for the borough and Policy DS1 sets out the overall development needs, including the need for housing. Policy GP2 of the Local Plan sets out the settlement hierarchy in order to deliver the spatial strategy. The Local Plan identifies and provides allocations for housing and other development within the context of the settlement hierarchy.
- 9.6 Policy GP2 sets out the settlement hierarchy with new development in the Rugby town area being considered the most sustainable location. Policy GP3 supports the use of previously developed land subject to compliance with other policies in the plan. The application site is both within the urban area of Rugby and previously developed land and is therefore considered to be a sustainable location.
- 9.7 Policy DS1 sets out that 12,400 additional homes will be provided between 2011 and 2031. Policy HS1 seeks to ensure that healthy, safe and inclusive communities will be taken into account when considering development proposals and supports proposals which provide good access to local shops, employment opportunities, services, schools and community facilities. Due to the urban location of the site good access is provided to all of the above and the development therefore complies with this policy.
- 9.8 SLP Policy S1 sets out the settlement hierarchy and that Rugby town remains the main focus for new homes. SLP Policy S2 sets out that 10,812 will be delivered over the plan period to meet housing needs. SLP Policy S6 proposes allocation of the application site for circa 34 dwellings and Site Id 354 sets out the development requirements for the site

in respect of frontages, access, building heights and orientation and protection of trees on the eastern boundary.

Presumption in favour of sustainable development

9.9 The Local Plan is now more than 5 years old, and paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should be updated as necessary. The Local Plan review is underway however, this report sets out the relevant Local Plan policies and notes any NPPF inconsistencies between them or any other material consideration which could render a policy out of date.

9.10 Paragraph 232 of the Framework states that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the framework. Due weight should be given to them according to their degree of consistency with the framework. Furthermore, it is recognised by the courts that out-of-date policies can still be given some weight, particularly when their overall strategic aims might be designed to operate on a longer time scale than a particular plan period.

9.11 As set out in paragraph 78 of the NPPF and footnote 39 it has been determined that LP Policy DS1 is in need of updating due to the age of the plan and the evidence in relation to housing which has been published (HEDNA 2023). Policy DS1 is therefore out of date.

The Five-Year Housing Land Supply Position Statement 2025-2030, published 7th November 2025 as amended by the Addendum Position Statement 2025-2030 published 27 March 2026 confirms the council can demonstrate a 3.4 year supply of housing. Therefore, the Council cannot demonstrate a 5-year housing land supply.

9.12 Footnote 8 to paragraph 11 of the NPPF provides that where a local planning authority cannot demonstrate a 5-year housing land supply then the most important policies for determining an application which involve the provision of housing are to be considered as being 'out of date'. Therefore paragraph 11(d) of the NPPF (the 'tilted balance') is triggered. The NPPF is a material consideration. Paragraph 11(d) states:

"11. Plans and decisions should apply a presumption in favour of sustainable development.

For decision taking this means:

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination."

- 9.13 The key policies referred to in paragraph 11(d)ii. to which ‘particular regard’ is given to, are referenced in footnote 9 as paragraphs 66 and 84 of chapter 5, 91 of chapter 7, 110 and 115 of chapter 9, 129 of chapter 11 and 135 and 139 of chapter 12.

Sports Provision

- 9.14 Paragraph 104 of the NPPF and LP Policy HS4(c) state that sports facilities should not be built on unless an assessment has been undertaken to show it is surplus to requirements; or the loss resulting from the development would be replaced by equivalent or better provision in a suitable location; or the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use. SLP Policy W1 echoes the requirement of HS4.
- 9.15 The Rugby gymnastics club which previously occupied the site and would constitute a sports facility protected under policy HS4 and SLP Policy W1 was relocated to a purpose-built facility on land adjacent to Rugby Borough Football Club at its site off Kilsby Lane. It is therefore considered that the proposed development complies with those policies as the sports facility use on the site has been replaced by a better provision in a suitable location.

Conclusion on strategic policies

- 9.16 In conclusion, the proposed development is within the urban area of Rugby which is the most sustainable location in the borough. The gym club use the development would replace has been mitigated by better replacement of that facility elsewhere. The provision of housing on this site which is a sustainable location and would represent brownfield redevelopment is considered to comply with the Local Plan and NPPF subject to all other matters being satisfactorily addressed within this report. The site is allocated for residential redevelopment in the SLP. The benefits associated with the housing provision will be discussed in the planning balance section of this report below.

10 Housing supply and mix

- 10.1 New housing in sustainable locations should be supported in accordance with paragraph 11 of the NPPF. Both the LP and SLP confirm the site is in a sustainable location. Paragraph 61 of the NPPF also states that the overall aim should be to meet an area’s identified housing need, including an appropriate mix of housing types for the local community.
- 10.2 LP policies H1 and H2 both set out that the tenure and mix of the market and affordable housing should be in compliance with the latest Strategic Housing Market Assessment. The most up to date evidence to consider this policy against is the *Updated Housing Needs Evidence for Rugby Borough (2025)*. SLP policy H1 includes a similar requirement that the mix of sizes reflect housing needs evidence and states that major development must accommodate a range of dwelling sizes on site. LP Policy H2 requires 20% affordable housing provision on previously developed land. SLP Policy H2 requires 20% affordable housing provision in the Rugby urban area.

10.3 The table below sets out the requirement in relation to housing mix:

	1 bed	2 bed	3 bed	4+ bed
Market housing	5%	30%	45%	20%
Affordable home ownership	15%	40%	35%	10%
Social or affordable rent (under 65s)	20%	30%	35%	15%
Social or affordable rent (65 and over)	50%	50%	-	-

- 10.4 LP Policy H1 sets out that new residential development should contribute to the overall mix of housing in the locality, taking into account the current need, particularly for older people and first-time buyers, current demand and existing housing stock.
- 10.5 No affordable housing is proposed on the site and this is discussed further within the affordable housing and viability section of this report.
- 10.6 The current market housing mix does not align with that proposed within the HEDNA. As it is almost entirely comprised of 2-bedroom dwellings, the proposal significantly over-provides for those compared to the HEDNA mix and under-provides for all other size of dwelling.
- 10.6 LP Policy H1 sets out six considerations which could allow an alternative mix of market housing to be presented to that in the HEDNA. One of those considerations is 'sites with severe development constraints where the housing mix may impact on viability, where demonstrated through submission of viability appraisal.' A viability appraisal has been submitted during the course of the application, although it does not address the question of why a mix which is more in line with that of the HEDNA would be less viable than that proposed. On that basis, it is not considered that the application has justified that a different mix is required on viability grounds.
- 10.7 Another consideration for allowing an alternative mix is 'where market factors demonstrate an alternative mix would better meet local demand'. The applicant's planning statement suggests that other developments in Rugby appear to show an under-provision of 2-bedroom homes, although this is not robustly evidenced. While the applicant's submission claims to demonstrate that the proposed mix would therefore address an imbalance of an excess of 4+ bedroom houses being provided on the major developments around Rugby, it is not considered that it provides sufficient evidence to demonstrate such an imbalance.
- 10.8 LP Policy H1 allows for an alternative mix such as that proposed where the development is considered to be in a sustainable and very accessible site within or close to Rugby town centre or close to the train station. SLP Policy H1 similarly allows an alternative mix based on the location and characteristics of the site. The provision of smaller units to achieve a higher density is considered appropriate in such locations. The application site is not within

the town centre as defined by policy, being approximately 500m from the town centre boundary, however it is considered to be very accessible close to the town centre and less than a mile walk from the rail station. On that basis, it is considered to fall broadly within the scope of the exception for sustainable and accessible sites where it is reasonable to allow a higher density of smaller units.

- 10.9 In any event, as the under-provision of other size units is small in terms of actual numbers relative to the housing need across the district, any divergence from the mix suggested by the HEDNA would have a relatively limited impact on housing mix delivered by new residential developments in the borough.
- 10.10 On that basis, the proposal is considered to comply with LP Policy H1 and SLP Policy H1 and is acceptable in respect of the housing mix delivered.

11 *Layout, scale and design*

- 11.1 Policy SDC1 states that all development will demonstrate high quality, inclusive and sustainable design and that new development will only be supported where the proposals are of a scale, density and design that responds to the character of the area. SLP Policy D1 similarly sets out high-level design principles for new development in the borough. SLP Policy D3 sets out the requirements for landscaping of developments including the need for proposals to be landscape led, be of high quality and incorporate street trees
- 11.2 Policy HS1 states that the potential for creating healthy, safe and inclusive communities will be taken into account when considering all development proposals. In particular layouts should be designed to minimise the potential for crime and anti-social behaviour.
- 11.3 Policy NE2 requires the existing local corridors to be incorporated into new developments to enhance the green and blue infrastructure network.
- 11.4 Paragraph 96 of the NPPF links to Policy HS1 of the Local Plan and states that decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, are safe and accessible and enable and support healthy lifestyles.
- 11.5 Paragraph 129 of the NPPF seeks to support development which makes efficient use of land, taking into account the importance of securing well-designed, attractive and healthy places.
- 11.6 Paragraph 135 of the NPPF sets out that developments should add to the overall quality of the area; be visually attractive; be sympathetic to local character and history; establish a strong sense of place, optimise the potential of the site; and create places that are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users.

Layout

- 11.7 The layout of the proposed development provides built development along Lower Hillmorton Road and back into the site parallel to the eastern boundary and a car parking area along the western boundary. The historic vehicle access off Lower Hillmorton Road is proposed to be closed with a new vehicle access taken off Caldecott Place.

- 11.8 The most prominent element of the development is that on the frontage with Lower Hillmorton Road and this will provide a continuation of built form along the street. This part of the development is comprised of six blocks of accommodation across two buildings separated by a pedestrian access. An additional pedestrian access separates the nearest neighbour (no. 78) and the westernmost new building. Both new buildings have a staggered frontage meaning they are stepped back to follow the line of the road while fronting it at an angle. This approach of staggering the buildings echoes the layout of the industrial buildings that previously occupied the site. The arrangement of the blocks and their set-back from the street allows for the provision of front garden spaces to each of the blocks.
- 11.9 While the adjacent houses fronting Lower Hillmorton Road are sited closer to the pavement than the proposed flats, the setting back of the flats is considered to be beneficial in this case as it will ensure that the increased height of the blocks does not dominate the street and, through the provision of front gardens, offers the opportunity for softening of the scheme through landscaping.
- 11.10 The other blocks of accommodation are set behind the frontage buildings and run back into the site parallel to the eastern boundary. The accommodation is provided across three buildings each separated by a pedestrian access from the front of the block to rear gardens. Again, the location of these blocks echoes the linear buildings that historically occupied this part of the site and ensures that the southernmost block is broadly in line with the nearest neighbouring dwelling to the south.
- 11.11 Garden spaces are provided for ground floor flats to the rear of each block and communal gardens along the eastern boundary and between the front and rear blocks of accommodation. The car parking area is proposed adjacent to Caldecott Place, again this is the location where car parking has historically been provided for previous uses of the site and makes sense both as a continuation of that character and as it is close to the vehicle access off Caldecott Place.
- 11.12 The expansion of parking provision over that proposed in the previous scheme has resulted in some compromises in respect of the layout of external areas. The pedestrian paths within the site do not provide the same ease of access across it and there has been a reduction in external garden areas. However, it is still considered that the layout provides adequate pedestrian connections between Caldecott Place and Lower Hillmorton Road and external areas still benefit from tree planting.
- 11.13 The layout of the scheme is considered to be a suitable response to the historic pattern of development on site, the existing streetscene and the need to locate buildings suitably in respect of neighbouring properties. The general location of the car parking area on the part of the site which has previously been used for that purpose is also considered sensible. The layout will provide a good level of surveillance over both gardens and parking areas which will discourage anti-social behaviour and crime. The layout of the development is therefore considered acceptable in respect of relevant local planning policies and the requirements of the NPPF. It is also considered that the development requirements contained within the site allocation in the SLP are met.

Scale and Design

- 11.14 The proposed buildings fronting Lower Hillmorton Road would be three storeys high (the blocks adjacent to number 78) and three and a half storeys high (the blocks adjacent to the greenway). While development to the west is almost entirely two storeys in height, the development at the corner of Lower Hillmorton Road and St Peters Road is three storeys. Given the location of the site adjacent to the road bridge over Great Central Walk, which forms a break in the street frontage and the three storey development nearby, it is not considered that the scale of the proposed blocks is out of character with the existing pattern of development in the area nor is it incompatible with the historic industrial nature of the site. The location of the lower of the two blocks adjacent to the two storey neighbours stepping up to the slightly higher three and a half storey block adjacent to the greenway is considered a sensible response ensuring that the additional height would not be visually jarring while providing something of a landmark building close to the greenway which will be seen across the open space on approach from the south east.
- 11.15 The housing in the surrounding streets is generally Victorian with the exception of the late 20th century Caldecott Place. The design of the frontage blocks is traditional in appearance which reflects the Victorian appearance of neighbouring buildings. Facing gables, a common feature along Lower Hillmorton Road, are used to define the width of the blocks and two storey bay windows and arched doorways draw on the Victorian character of the area. Other detailing is also traditional including the use of expressed, horizontal brick string courses, brick eaves detailing and arched brickwork over windows. Windows would also be of a traditional sash style.
- 11.16 The scale and appearance of the buildings fronting Lower Hillmorton Road is therefore considered to be of a suitably high quality and appropriate to the context of the site.
- 11.17 The block to the rear of the site is designed with two and a half storey buildings and is therefore lower than those along the frontage. This is considered to be an appropriate diminution of scale, ensuring that the main street frontage retains primacy in the hierarchy of buildings on site. The southernmost building in Block B is also lower than the other two buildings which means the block steps down to the neighbouring two storey property ensuring it relates appropriately to that property and would read appropriately when viewed from Caldecott Place.
- 11.18 The design of the block is contemporary in style with full height glazed entrance stairwells, flat roof dormer windows and a mix of full height glazing within expressed brick 'bays' and smaller windows in stone surrounds. This is considered to be appropriate to the visual context of the site which is primarily the late 20th century housing on Caldecott Place.
- 11.19 The application has specified appropriate materials for the development and would use enclosed boundaries with the surrounding streets with a low brick wall and piers on Lower Hillmorton Road and decorative wrought iron railings along Caldecott Place. The use of appropriate materials for areas of hardstanding has also been proposed. All materials and hard landscaping will be secured by condition (conditions 12, 13, 14, 21, 27).
- 11.20 The design of the proposed development is therefore considered to be acceptable and complies with the requirements of policy SDC1 and the NPPF in respect of providing high quality development of an appropriate scale and design.

12 Trees and landscaping

- 12.1 Paragraph 136 of the NPPF states that trees make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change. It goes on to state that existing trees should be retained where possible and that new streets should be tree lined.
- 12.2 LP Policy SDC2 relates to landscaping and sets out that proposals should identify important site features for retention, this includes trees. It also requires that new planting comprises native species, which are of ecological value appropriate to the area and that detailed arrangement for long-term management and maintenance are incorporated. SLP Policy D3 sets out that proposals should be landscape led, retain existing natural features, include native landscaping appropriate to their context and incorporate street trees.
- 12.3 Policy NE2 of the Local Plan states that the existing green and blue infrastructure within the network as shown on the policies map should be protected, restored and enhanced. There is no equivalent dedicated policy in the SLP although SLP Policy D3 states that opportunities should be taken to reconnect fragmented habitats.
- 12.4 SLP Policy EN6 requires that the development increase the post-development tree canopy cover of the site to at least 20% of its area. However, the SLP recognises that there may be sites for which achieving 20% tree canopy cover may be impossible or undesirable and in that instance, an alternative level of canopy cover may be accepted.
- 12.5 The GI policies map shows that the site is within the existing green infrastructure network. Any green infrastructure on this site should therefore be maintained and/or enhanced and should not be removed in accordance with this policy. Given that the site is almost entirely laid to hardstanding, it is not considered that any significant green infrastructure exists on the site itself. However the site borders the Great Central Walk greenway to the east, which is designated as open space and a Local Wildlife Site and Local Nature Reserve, and on which a row of mature lime trees stand close to the boundary. LP Policy HS4 seeks to guard against the loss of identified open space and SLP Policy W2 states that protections of open space provided within national policy will be applied. While the site is not within open space, the potential for it to impact on the adjacent open space it via harm to the lime trees exists. The impact of the development on those trees and consequently on the greenway open space has therefore been assessed.
- 12.6 All trees within the application area have been appraised in an Arboricultural Impact Assessment (AIA). The AIA identifies the trees potentially impacted by the development namely a Category B, mature, downy birch at the point of the proposed access onto Caldecott Place and the row of five mature lime trees (four Category A and one category B) adjacent the eastern boundary within the greenway.
- 12.7 The downy birch is proposed for removal in order to provide the new vehicle access to the site. This loss is proposed to be compensated for by the introduction of new planting on site including seven Rowan trees along the Lower Hillmorton Road frontage and several other birches, rowans and other smaller trees within the car parking area and other communal areas.

- 12.8 This level of tree planting is considered adequate to compensate for the loss of the single birch tree and to ensure the requirements of the NPPF and local policy are met. It is also considered to provide appropriate softening of the car parking area and the buildings fronting Lower Hillmorton Road and the tree-lining of that street would give a sense of the tree planting of the greenway wrapping around onto the street frontage. Conditions are proposed to ensure the precise specification of trees, the implementation of tree planting and other soft landscaping on the site and their management and maintenance (conditions 25, 36).
- 12.9 The five off site mature lime trees are proposed to be protected during the development of the site allowing their long-term retention. The submitted AIA identifies the location of those trees, their root protection areas (RPA) and the extent to which previous buildings on site have impacted on the RPAs. The AIA includes a draft Tree Protection Plan (TPP) and makes recommendations for tree protection during construction including the erection of tree protection fencing outside the RPA of the lime trees. It also notes the need for a detailed Arboricultural Method Statement (AMS) and final TPP prior to commencement. These measures would be required by condition and are considered sufficient to mitigate any impacts of the development on the retained off-site trees (Condition 3).
- 12.10 In respect of the proximity of the block B buildings to the offsite lime trees, it is considered that the location of the buildings further from the eastern boundary (when compared to the 2022 housing application) and the location of communal rather than private gardens close to the trees adequately mitigates the risk of future pressure for their removal based on shading of gardens.
- 12.11 The application does not provide the 20% tree canopy cover required by SLP Policy EN6, however it does significantly increase tree planting across the site and it is considered that in order to deliver the number of homes required by the allocation policy and needed in the Borough and the constrained nature of the site, there is justification for not meeting the 20% coverage in this case.
- 12.12 On that basis, the proposed development is considered acceptable in respect of its impact on trees in accordance with the requirements of national planning policy and the identified local planning policies.

13 *Climate change and sustainable design*

- 13.1 The Council has declared a 'Climate Emergency' pledging to take local action to contribute to national carbon neutrality targets; including recognising steps to reduce its causes and make plans to respond to its effects at a local level.
- 13.2 Local Plan Policy SDC4 read in conjunction with the *Climate Change and Sustainable Design and Construction SPD* sets out further guidance on how the development is required to demonstrate compliance with matters relating to climate change and a reduction in carbon emissions. Policies CL1, CL3 and CL4 set out the net zero, water efficiency and climate change resilience requirements for new development respectively.
- 13.3 Para 161 of NPPF states that the planning system should support the transition to net zero by 2050 and take full account of all climate impacts including overheating, water scarcity, storm and flood risks and coastal change.

- 13.4 Para 163 of NPPF states the need to mitigate and adapt to climate change, taking into account the full range of potential climate change impacts.
- 13.5 The application is accompanied by an energy statement which provides details of how the development proposes to incorporate water efficiency and has been designed to reduce energy demand via a fabric first approach, proposes the use of electric boilers for heating and hot water and solar panels for energy generation, as well as specifying electric vehicle charging points for each flat.
- 13.6 It is considered that the application has demonstrated how energy efficiency and sustainability has been incorporated into the development and therefore the development complies with Policy SDC4 and the NPPF. The application also demonstrates how the water efficiency requirements of SLP Policy CL3 and the climate change resilience requirements of SLP Policy CL4. The application, while demonstrating a high level of energy efficiency, does not demonstrate that the homes would be net zero, which results in a level of non-compliance with policy SLP Policy CL1. It is however acknowledged that the scheme was designed and submitted prior to the submission of the new Local Plan and that Policy CL1 does not carry full weight at this time.

14 Highway safety and parking

- 14.1 LP Policy D1 states that development should address, amongst other things, whether safe and suitable access to the site can be achieved. Additionally, development will only be permitted where sustainable transport methods are prioritised and measures to mitigate the transport impacts are provided.
- 14.2 LP Policies D1 and D2 seek transport mitigation measures and adequate parking provision. LP Policy HS1 seeks to contribute to the development of high quality, safe and convenient walking and cycling network.
- 14.3 SLP Policy I1 makes similar requirements in respect of prioritization of active travel, modal shift away from private motor vehicles and mitigation of impacts on the network. It also requires convenient access to public transport. SLP Policy I2 sets out the need to provide a suitable level of convenient car and cycle parking.
- 14.4 Paragraph 115 of the NPPF states that safe and suitable access to the site should be achieved for all users. It also states that any significant impacts from the development on the transport network, or on highway safety, should be cost-effectively mitigated to an acceptable degree through a vision-led approach.
- 14.5 Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts on the road network following mitigation, would be severe, taking into account all reasonable future scenarios.
- 14.6 The application proposes vehicle access to the site via a new access taken from Caldecott Place, a residential cul-de-sac off Caldecott Street. It proposes that the existing vehicle access to the site on Lower Hillmorton Road is closed. Pedestrian access would be provided to both Caldecott Place and Lower Hillmorton Road. 45 car parking spaces are proposed on site. Covered cycle parking is provided for 38 cycles. The application was

accompanied by a Transport Statement (TS) and, at the request of the Local Highways Authority at Warwickshire County Council (WCC Highways) as part of the previous application, a Stage 1 Road Safety Audit (RSA) was carried out and has been submitted in support of the current application.

Trip generation and distribution

- 14.7 The submitted TS models trip generation and distribution for the proposed residential use estimating a total of 121 vehicle trips per day with 16 in the morning peak and 12 in the evening peak. It also compares this against the modelled trip data for the previous use and finds a net reduction in trips which it states will result in betterment in respect of the impact on the wider highway network. As the trip generation for the existing authorised use is modelled rather than based on actual data, conclusions regarding betterment over the historic situation on site should be treated cautiously, however in any event the likely trip generation for the proposed use is low and would not result in any harm to the functioning of the highway network.

Vehicle access

- 14.8 The application proposes to close the existing vehicle access on Lower Hillmorton Road and take access to the site from Caldecott Place. As a result, vehicle movements along Caldecott Street and Caldecott Place will increase given there is no access to the site currently from Caldecott Place.
- 14.9 The detailed access arrangements for the site in respect of the bellmouth design, pavement widths and turning areas on site have been assessed by WCC Highways and are considered to be acceptable in respect of their ability to provide safe access and allow vehicles to safely turn on site and leave the site in a forward gear. The provision of the access and turning areas in accordance with submitted plans would be secured by a planning condition as would the closure of the existing vehicle access on Lower Hillmorton Road (Conditions 33 and 35).
- 14.10 In its initial consultation response on the previous application, WCC Highways reported concern regarding existing unsafe parking practices in the area and the potential for the proposed development to exacerbate the problem. Parking on pavements on both sides of Caldecott Place around and close to its junction with Caldecott Street occurs during peak parking times and this narrows footways and has the potential to obstruct access. Such concerns have been reported by several residents in representations on the application and this type of parking has been observed by Council officers. In response to those concerns, the application proposes to apply double yellow lines around that junction and part way down Caldecott Street as well as provide a dropped crossing with tactile paving across Caldecott Place on the east side of Caldecott Street (Condition 10). On this basis, the safety impact of the development from additional vehicles and pedestrians using Caldecott Street and Caldecott Place to access the development is considered to be adequately mitigated and WCC Highways is content that the scheme is acceptable in respect of highway safety.
- 14.11 WCC Highways expressed concern regarding the potential damage to the block paved road surface of Caldecott Place from HGVs associated with construction traffic. In order to quantify and seek redress from the developer for any damage caused during construction,

WCC Highways has requested a condition requiring a pre and post-construction condition survey and the making good of any damage. It also requested a Construction Management Plan be required by condition in order that the impact of construction traffic and parking can be adequately managed. These conditions would be applied subject to the granting of any permission and would mitigate any harm to the highway or highway safety during construction (Conditions 4, 9).

Active Travel

- 14.12 The submitted TS notes the sustainable location of the site close to the town centre of Rugby and with good access to public transport as well as schools, shops, leisure and healthcare facilities within reasonable walking and cycling distance.
- 14.13 In respect of cycling, as detailed below, the site would provide significant levels of cycle parking which would encourage cycle ownership and use enabling the sustainable nature of the site to be of benefit to residents.
- 14.14 In respect of walking, the TS notes that the site would have pedestrian access from Lower Hillmorton Road and that it benefits from paved footways on both sides of the road as well as into Caldecott Street. However, the footway in the out-of-town direction on the south side of Lower Hillmorton Road is inadequate in width. In order to facilitate and make safe increased pedestrian journeys to and from the site, improvements to pedestrian movement routes are proposed in several locations in the immediate vicinity of the site in the form of dropped crossings with tactile paving. The approved RSA proposes that five such crossings are provided; one as detailed above on Caldecott Street, two across Lower Hillmorton Road, one across St Peters Road and one across the access to the convenience store on Lower Hillmorton Road. On that basis, WCC Highways is satisfied that the scheme is acceptable in respect of pedestrian access to the site subject to a condition securing the improvements (Condition 10).

Parking provision

- 14.15 The development would provide a total of 45 car parking spaces on site for 34 dwellings. This is an increase in 8 spaces over the previous scheme. It would also provide 38 cycle parking spaces in covered cycle stores.
- 14.16 The Council's adopted car parking standards set out the requirements for parking spaces for all forms of development. In respect of residential development they do so on a per dwelling basis based on the size and type of the dwelling. They do not require a separate provision of visitor parking spaces.
- 14.17 The parking standards differ based on whether the site is located within the 'High Access Zone' - where lower car parking provision is justified on the basis of increased proximity and accessibility of services and facilities via public transport, walking and cycling - or outside it. The required provision for 1 or 2 bedroom apartments is 0.75 spaces per dwelling within the high access zone and 1.5 spaces per dwelling outside it.
- 14.18 Under the adopted LP, the site is located outside, albeit relatively close to the high access zone with the nearest part of the site being approximately 150 metres from the boundary. In respect of the current scheme therefore, the adopted parking standards would be 51

spaces outside the high access zone. The scheme therefore underprovides by six spaces against the adopted standards when strictly applied. However, the adopted standards allow for a level of flexibility in parking provision where there is justification for it.

- 14.19 Given its proximity to the high access zone and as the site fronts an arterial route in and out of Rugby, it is considered that the site would benefit from similar levels of access to public transport to sites slightly closer to the town that are within the High Access Zone. It would also have similar pedestrian and cycle access routes to the town, albeit over a slightly increased distance. The site is evidently more sustainable than many other areas in the borough including for example, small villages lacking in services, facilities, employment and recreation, where a higher level of car ownership will be required.
- 14.20 Demographic data for the Town, South & School Middle-Layer Super Output Area (the area in which the site is located) shows that car ownership by household is split as follows:
- No car – 20.3%
 - One car – 42.6%
 - Two cars – 27.4%
 - Three or more cars – 9.8%
- 14.21 Based on that data, if the development were occupied in accordance with the prevailing levels of car ownership in the area, the application scheme would have a demand for 43 spaces. If it is assumed that there would be no 3 car households occupying 2 bedroom dwellings, when the third car is removed the demand for parking would be 40 spaces. The 45 spaces proposed on site would therefore provide adequate parking provision for the likely demand, including leaving some spaces to accommodate visitor parking.
- 14.22 As detailed above, the Council's new Local Plan has been submitted for examination and is a material planning consideration which should be afforded significant weight. Parking standards in the SLP remain the same, however the high access zone area is proposed to be increased, including along Lower Hillmorton Road which would place the site within the High Access Zone. In respect of the SLP therefore, the proposal would provide a level of parking in excess of that required under its parking policy (45 spaces against a requirement of 26). It is important to note that the SLP is not yet adopted meaning it does not carry the same weight as the LP, however the fact that the site is proposed to be included within the high access zone in the SLP is evidence of its sustainability and adds weight to the above data that indicates a lowering of existing parking standards is appropriate.
- 14.23 On the basis of the above evidence, it is considered that the provision of 45 car parking spaces is adequate for the parking demands of the current scheme. As a result, the development would not be expected to result in overspill onto surrounding streets and would therefore ensure no impact on the residential amenity of existing residents. The parking provision would be required by condition (Condition 33).
- 14.24 Notwithstanding that judgement, WCC Highways has suggested a condition be applied to the permission requiring the developer to carry out parking reviews at two intervals post-occupation. This review mechanism would allow for the actual rather than predicted parking situation to be understood and, in the unlikely event that the development did result in any problematic parking, would require the developer to enter into a scheme for parking restrictions (Condition 26).

Displaced parking

- 14.25 Given the proposed provision of double yellow lines at the Caldecott Street/Place junction, it is inevitable that vehicles which routinely park in that location will be displaced elsewhere onto surrounding streets. While this is likely to result in additional on street parking elsewhere and the potential for residents to be unable to park so close to their homes with some potential impact on their amenity, the limited number of vehicles parking in such a manner means the impact is likely to be relatively low and the harm caused by this inconvenience is considered to be outweighed by the benefit resulting from the removal of a parking practice WCC Highways considers unsafe.
- 14.26 The provision of 38 covered, secured cycle spaces meets with the requirements of the Council's adopted parking standards and would be required by condition (Condition 30). The concern that the cycle storage is not secure, which is a change from the previous application, can be addressed either by a small modification to the layout of the cycle storage or via the use of secured shelters in their current arrangement. This provision can therefore be secured via a condition (Condition 30).
- 14.27 On that basis, the proposed parking provision is considered to be adequate for the development.

Emergency access

- 14.28 The ability for emergency vehicles including fire tenders to access the site has been considered and Warwickshire Fire and Rescue Service was consulted on the proposals. It has confirmed it has no objection to the proposals and notes the requirements of the Fire Service for access and fire-fighting facilities are provided for in Building Regulations with which the development will have to comply.
- 14.29 Concern has been raised by neighbours in respect of access to the site and to existing homes on Caldecott Place by double parking on the street. It is considered that the provision of double yellow lines detailed above will aid in keeping the entrance to the street clear facilitating easier access. While parking may continue to occur on unrestricted areas of Caldecott Place, the street is wide enough to allow parking on one side without preventing access and it is the responsibility of drivers to park safely including ensuring that other vehicles including emergency and waste collection vehicles can pass.

Refuse collection

- 14.30 The Council's Waste Team confirmed as part of the previous application that the proposed bin stores are acceptable and would allow refuse collection from the site. It has not commented on the current scheme, however the bin stores are of the same type and their location is very similar to the previous scheme (one having been relocated slightly to accommodate parking space number 42). It is therefore considered that the proposed refuse storage and collection is acceptable. The provision of the bin stores shown on the application drawings would be required by condition (Condition 29).

Sustainable Travel Promotion

- 14.31 The County Council requests that the developer provide information on sustainable travel via Travel Packs for residents of the scheme. Such a requirement is considered reasonable and necessary, particularly in regard to the need to encourage other forms of transport than car travel and would be secured by a planning condition (Condition 34).

Highways and parking conclusion

- 14.32 Based on the above considerations, the proposed development is considered to be sustainably located in terms of public and non-motorised transport and is acceptable in respect of its highways and parking impacts subject to the stated conditions in accordance with local planning policies and the NPPF.

15 Residential amenity

- 15.1 LP Policy SDC1 seeks to ensure that living conditions of existing and future neighbouring occupiers are safeguarded from the impact of new development. SLP Policy EN8 states that new development shall not unacceptably impact on the amenity of neighbouring residents and shall provide adequate amenity for future occupants in respect of ventilation, daylight, sunlight, privacy, security and the avoidance of overbearing impact.
- 15.2 The Sustainable Construction and Climate Change SPD (2023) outlines criteria which could be used to determine whether a development will provide high quality internal amenity space which is critical to the quality of life of residents. It also states that National Described Space Standards (NDSS) are a good way to assess if living conditions will be acceptable. The guide states that new flats should ensure useable outdoor space, such as balconies and communal gardens are provided. The National Design Guide also promotes a healthy, comfortable and safe internal and external environment. SLP Policy H7 details the standards expected of all new housing which includes adherence to Nationally Described Space Standards (as a minimum) and requirements for accessibility and adaptability.
- 15.3 Paragraph 135 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy HS1 of the Local Plan echoes this.
- 15.4 A characteristic in the NDG is homes & buildings. Well-designed homes and buildings are functional, accessible and sustainable. They provide internal environments and associated external spaces that support the health and wellbeing of their users and all who experience them.

Current neighbouring residents

- 15.5 In relation to neighbouring residential amenity, the site is bordered on the west and south by residential properties. The proposed siting of Block A continues the frontage development along Lower Hillmorton Road. Block A1 and A2 has the closest relationship to existing neighbouring properties. The block is set back further from Lower Hillmorton Road than the neighbouring pair, with its front elevation set close to the line of the rear

elevation of the neighbours. Given the separation between the block and the rear elevations of the neighbours it is not considered that any harm would be caused to the outlook or light received by habitable room windows of the neighbours. It is also considered that the built form of the block would have an acceptable impact in respect of the amenity enjoyed by the garden spaces of those properties, particularly given the orientation of the block to the east, the presence of garden structures in the garden of the immediate neighbour nearest the block and the fact that an industrial building has historically occupied a similar location on the site.

- 15.6 Due to the location and orientation of Block A relative to its neighbours, it is not considered that the main facing windows in the front and rear elevations, nor those in the eastern end of the block which face the greenway, would result in any significant overlooking of existing neighbours. The side facing windows in the western gable end of the block would have the potential to overlook and result in a loss of privacy to the neighbouring dwellings and their gardens, however the plans show that these windows would be obscure glazed and this arrangement would be secured by a planning condition (Condition 18). This is considered sufficient to mitigate any harmful overlooking.
- 15.7 Concern has been raised in respect of the boundary treatment separating Block A from the neighbouring dwelling to the west and the reliance on a close-boarded fence (as opposed to a new wall) given that a path will run alongside the boundary. While it is accepted that a brick wall would potentially provide a more resilient boundary treatment which might provide some additional sound deadening, the reliance on the existing timber fence is not considered likely to allow any significant disturbance to the occupiers of the neighbouring property.
- 15.8 Block B is sited so it runs parallel to the eastern boundary of the site with its southern end sitting adjacent to the dwellings at the turning head of Caldecott Place. The siting of the gable end of Block B5 alongside that of the neighbouring dwelling would ensure that the block would not be overbearing to the nearest dwelling nor prominent in the outlook from its main elevations. It would also ensure that the main windows in the front and rear of the new block would not cause any significant overlooking of the neighbouring home or its garden.
- 15.9 The stepping down of Block B in height towards the southern boundary with Caldecott Place would similarly ensure it does not appear overbearing when seen from the nearest neighbouring properties.
- 15.10 The main windows of Block B face out of the front of the properties over the parking area and towards Caldecott Place and to the rear over the greenway, ensuring no significant overlooking of neighbouring properties. The windows in the southern gable end of Block B5 would have the potential to impact on the privacy of the occupants of the neighbouring dwelling, however they are proposed to be obscurely glazed and the securing of this requirement via condition (Condition 19) would ensure that no loss of privacy to the neighbour results.
- 15.11 The location of both blocks with minimum separation distances of 21 metres principal window to principal window and 14 metres principal window to blank elevation ensure that the design complies with the SPD.

- 15.12 On the basis of the above, it is considered that the proposed development would have an acceptable impact on the amenity of current neighbouring residents in accordance with policy SDC1 and the NPPF.

Future occupiers

- 15.13 The application includes a schedule of accommodation which demonstrates that the single one-bedroom flat meets the NDSS for internal floor area and that 28 of the 33 2-bedroom flats meet or exceed the requirements for four-person accommodation. The remaining five 2-bedroom flats exceed the requirements for three-person accommodation. This is considered to be indicative of the fact that the development would provide a suitable level of internal space to future residents. Flats are designed with open-plan living areas which are well lit, some with bay windows and many with multiple windows to the room, in some cases on multiple elevations.
- 15.14 The SPD sets out that flats should have usable outdoor space such as communal gardens or balconies. SLP policy H7 requires that a minimum of 5 m² private outdoor space per bedroom. Each of the ground floor flats has a private amenity area. These are of varying sizes albeit most are limited in size and some particularly small with the garden for the ground floor flat in block A/5 falling below the requirement of SLP Policy H7. However, all these areas would allow occupants the opportunity to sit and dine outside. The flats on other levels have access to communal gardens. Again, these gardens are relatively limited in size, particularly since the scheme redesign has resulted in the loss of almost all of the communal garden between blocks A and B. This is an unfortunate consequence of the ambition to provide additional parking on site. In practice the communal gardens to the rear of Block B are likely to provide only a limited amount of amenity given their scale and proximity to boundary trees. The SPD is not prescriptive in respect of the extent of gardens to be provided to flats (if any). While the communal garden areas would only offer a limited amount of amenity to residents, the site is within reach of other public open spaces locally and the adjacent greenway.
- 15.15 On the basis of the above, it is considered that the proposed development would provide an acceptable level of residential amenity to future occupiers of the flats in accordance with policy SDC1 and the NPPF.
- 15.16 Matters relating to noise and other forms of pollution in respect of neighbouring amenity and the noise sensitivity of the flats in respect of future residents are dealt with in the 'Pollution' section of the report (below).

16 Flood risk and drainage

- 16.1 Paragraphs 170-182 of the Framework and LP policies SDC5 and SDC6 set out the need to consider the potential impact of flooding on new development whilst ensuring that flood risk is not increased elsewhere as a result of it. Sustainable drainage systems (SuDS) should also be incorporated into major developments where feasible. The requirements of these policies are echoed in SLP policies EN7 and D5. SLP Policy CL4 states that all development shall be resilient to climate change and that the vulnerability of development to flood risk shall be minimized and SuDS provided.

- 16.2 The site falls within flood zone 1 (low risk) in relation to fluvial flooding. A Drainage Strategy has been submitted in support of the application. Part of the site adjacent to Caldecott Place is listed as being at a low risk of surface water flooding.
- 16.3 As the site is entirely located within flood zone 1, it is not considered that the sequential test is required to be applied as it is not necessary to identify whether there are other site which are at a lower risk of flooding. As part of the site is at low risk of surface water flooding, the submitted drainage strategy considers how the development could be made safe from potential surface water flooding. It is noted that the area of the site shown to be at risk is where the proposed car parking rather than any buildings are proposed. The drainage strategy recommends that proposed buildings are located with floor levels 150mm above external areas and that existing overland runoff routes are maintained.
- 16.4 The strategy assesses the potential use of Sustainable Drainage Systems (SuDS), however it concludes that these are not viable, primarily due to the underlying ground conditions being unsuitable for infiltration drainage but also due to space constraints on the site. It therefore proposes that surface water is dealt with via underground crates with discharge to the public sewer at a rate of no more than 2l/s. The LLFA considered this approach as part of the previous application and was content with it, subject to a condition requiring the submission of a detailed surface water drainage scheme for the site as well as the verification of the system post-construction and the submission of a maintenance plan for the system. Severn Trent Water did not object to discharge to the public sewer in the event that other more preferable options in the drainage hierarchy have been considered and discounted, and subject to a condition requiring the submission foul and surface water drainage details. (Conditions 7, 8, 23, 24).
- 16.5 On that basis, it is considered that the proposed development is acceptable in respect of flood risk and drainage in accordance with the NPPF and relevant Local Plan policies.

17 Ecology

- 17.1 Policy NE1 of the Local Plan seeks to ensure that development proposals do not have an adverse impact upon protected habitats and species. It also sets out that development should retain and protect natural habitats and provide mitigation and compensation measures where this would be lost. SLP Policy EN1 broadly echoes these requirements to apply national biodiversity policy and legislation and to refuse permission for development which would harm designated local biodiversity sites unless justified and mitigated.
- 17.2 These policies are consistent with one of the core planning principles outlined within the NPPF which sets out the need for planning to 'contribute to conserving and enhancing the natural environment'. The NPPF further outlines a need to minimise the impact of proposed developments on biodiversity as well as contributing to and enhancing this, where possible, it particularly highlights the need to consider the impact on ecological networks, protected wildlife, priority species and priority habitats.
- 17.3 Paragraph 187 of the NPPF seeks for developments to provide net gains for biodiversity.
- 17.4 The site itself is largely laid to hardstanding although the Great Central Walk Local Nature Reserve runs adjacent to its eastern boundary. The application was accompanied by a Preliminary Ecological Appraisal, a roost assessment, a biodiversity impact assessment

and a statutory biodiversity metric. WCC Ecology has reviewed the application and does not object to the proposal subject to the securing of mitigation and enhancement via conditions (Condition 28)

Net gain

- 17.5 Biodiversity net gain (BNG) in England is underpinned by the mitigation hierarchy, which is set out in the National Planning Policy Framework. This outlines a sequential approach to addressing potential harm to biodiversity in determining planning applications. It states avoidance should be prioritised, before mitigation measures, and finally compensation. SLP Policy EN5 sets out the hierarchy for the delivery of nationally mandated BNG.
- 17.6 Achieving 10% BNG become mandatory for new, major development in February 2024. The application included a statutory biodiversity metric and biodiversity assessment report which identify that a habitat area gain of 0.09 units and a hedgerow gain of 0.06 units. The former is identified as a 55% increase in habitat area, albeit this is from a very low starting point given the site is primarily laid to hardstanding. Nonetheless, the scheme would achieve the required BNG and the BNG would be secured in the long term by a planning condition requiring a Habitat Management and Monitoring Plan (Condition 5)

Protected species

- 17.7 The County Ecologist notes that submitted bat surveys identified that one of the former buildings on site was considered to have moderate bat roosting potential and that the buildings had potential for bird nesting. All buildings on the site have since been cleared, however the loss of the potential roosting and nesting they provided was proposed to be mitigated by the incorporation of new bird and bat roosting feature which have been shown on submitted plans and would be secured via a condition (Condition 28). The recommendation for hedgehog holes is also addressed on the soft landscaping plan.
- 17.8 The site is considered to be of low suitability for amphibians and reptiles, although they recommend that a method statement for the removal of rubble piles is required by condition (Condition 4). Given the location of the site adjacent to the LNR and the need to mitigate for bat roosting, they recommend a lighting design strategy is secured by condition to ensure lighting is at an acceptable level (Condition 22).
- 17.9 The County Ecologist notes that non-native shrub planting should be reconsidered and native species used to avoid spread of non-native plants to the LNR. This can be addressed by the condition for a final planting specification (Condition 25). They also recommend monitoring fees are required by condition. This is a request not previously made and in the interests of consistency of decision-making, the limited areas of habitat created and the viability concerns with the scheme, it is not considered reasonable or necessary to require monitoring contributions in this specific case.
- 17.10 On that basis, the proposed development is considered to have an acceptable ecological impact in respect of the NPPF and local planning policy.

18 *Air quality*

- 18.1 LP Policy HS5 requires that development of more than 1000 sqm of floorspace or 10 or more dwellings or development within the borough's Air Quality Management Area

(AQMA) which creates any new floorspace must achieve or exceed air quality neutral standards. If air quality neutral standards are not met, points 2, 3 and 4 of the policy detail how developments should address the impacts of poor air quality, including mitigation measures. SLP Policy EN9 continues these requirements in the submission Local Plan.

- 18.2 The proposal is both located within the AQMA and exceeds the general threshold of 10 dwellings and therefore policy HS5 requiring air quality neutrality applies to it. The Local Plan defines Air Quality Neutral as “emissions from the development proposal being no worse, if not better, than those associated with the previous use.” The Air Quality Assessment (AQA) submitted with the application proposes that heating and lighting are entirely electric with no requirement for gas and therefore no emissions. The submitted transport statement concludes a reduction in overall vehicle movements during the operational phase of development compared to the previous authorised use of the site.
- 18.3 The AQA concludes that the greatest risk of the construction phase is during demolition where the risk of dust soiling is medium. However this demolition has already been carried out under a prior approval. Emissions from the remainder of the construction phase are assessed as being negligible.
- 18.4 The AQA concludes that mitigation measures during the construction phase (such as a dust management plan, screen fencing, avoidance of waste burning, covering exposed materials, wetting down of dusty areas, site inspections and stakeholder engagement) will ensure risks to air quality are adequately mitigated. It also concludes that operational phase measures (such as extensive electrical vehicle charging points, use of electrical heating systems and soft landscaping) will ensure the development is air quality neutral.
- 18.5 The Council’s Environmental Health Team has considered the submitted AQA and accept the conclusions of the AQA. A Construction Management Plan would be required by condition (Condition 4) to ensure construction practices ensure acceptable air quality impacts. The provision of electrical charging points and soft landscaping would also be required by condition (Conditions 31, 36).
- 18.6 On that basis, the proposed development is considered acceptable in respect of LP Policy HS5 and SLP Policy EN9.

19 Pollution

- 19.1 Paragraph 187 of the NPPF states that proposals should be prevented from contributing to, being out at risk from, or be adversely affected by, unacceptable levels of soil, air, water or noise pollution. Paragraph 196 of the NPPF states that a site should be suitable for its proposed use by taking account of ground conditions and any risks arising from land instability and contamination.
- 19.2 LP Policy HS5 seeks to address the adverse impacts of noise and vibration on existing and future occupiers. SLP Policy EN8 requires that development not cause unacceptable harm to human health, living conditions or the natural environment through air, water, noise or light pollution, vibration, insects, vermin, land contamination or instability.

Contamination

- 19.3 The proposed development would introduce new, more sensitive residential receptors to the former industrial site. The application is accompanied by a Geotechnical Investigation and Contamination Assessment which details the historic, potentially contaminative uses and presents the findings of the sampling and testing of soils on site. Laboratory testing of the samples taken by borehole sampling on site found elevated levels of mercury and several hydrocarbons.
- 19.4 The report concludes that these pollutants, left unremediated, would have the potential to be harmful to the health of future occupiers. It also concludes there is no significant risk to groundwater. The report therefore makes recommendations for remediation including importing a layer of inert topsoil (either after stripping off existing topsoil or by elevating ground levels) over a membrane barrier. Other options such as further testing to potentially identify certain areas which do not require remediation are also suggested as possibilities.
- 19.5 The Council's Environmental Protection Team has considered the report and agrees that remediation of contamination is required. Subsequent verification of the remediation works would also be required. If remediation and validation are carried out, it is considered that the risks of existing contamination impacting on the health of future occupiers would be adequately mitigated.
- 19.6 Conditions would therefore be applied requiring a detailed remediation scheme for the site prior to development and a subsequent verification report of the remediation works (Conditions 6, 16). On that basis, the proposed development is considered to be acceptable in respect of the NPPF requirements regarding contamination.

Noise and vibration

- 19.7 The impact of noise and vibration on existing neighbouring residents and future residents of the scheme has been considered.

Existing residents

- 19.8 It is not considered that the residential use of the site would result in any significant noise impacts on residents of neighbouring properties. The area is primarily residential and the proposed use would have a similar or likely lower noise impact than historic commercial uses. While car parking areas are relatively close to neighbouring properties on Caldecott Place the site has recently provided car parking in a similar location in association with the gym club use and the increased impact of the car park for the flats in terms of noise and disturbance is considered to be negligible. While increased traffic would inevitably flow along Caldecott Street and Caldecott Place in order to access the site, this is not considered likely to impact on the amenity of residents in terms of additional noise created.
- 19.9 The main potential noise impacts on existing neighbours would be from the construction phase. While all construction in residential areas has the potential to cause noise disturbance to neighbours, it is considered that potential harm can be adequately mitigated by considerate construction practices and controls over matters such as hours of construction, deliveries and use of noisy machinery. The Council's Environmental Protection Team has requested a Construction Environmental Management Plan be required by condition and it is considered that this is the appropriate mechanism to ensure

construction practices are carried out in a way which minimises impact on residential neighbours (Condition 4).

- 19.10 The potential piling of foundations (in the event that piled foundations are used) has the potential to cause harm to neighbouring amenity through noise and vibration during construction. In order to mitigate this potential impact, a condition would be applied requiring a Piling Method Statement to be submitted in the event that piled foundations are required (Condition 4). Such a measure would allow the Council to control the use and timing of piling during the construction process to ensure impact on existing residents is mitigated.

Future residents

- 19.11 In respect of the amenity of future residents, the primary source of potential noise disturbance would be from traffic on Lower Hillmorton Road. The application was accompanied by an Environmental Noise assessment which seeks to quantify and mitigate noise impact from traffic on future occupiers.
- 19.12 The assessment included noise measurement over a 24-hour period on the site frontage on Lower Hillmorton Road as well as daytime sample noise measurements for other areas within the site. The results showed that the Block A properties with habitable rooms facing Lower Hillmorton Road would be susceptible to excessive noise if not mitigated, but that other facades on Block A and all facades on Block B fell within acceptable levels relative to background noise. Garden areas were also found to fall within acceptable levels.
- 19.13 As a result, noise mitigation for the front facing habitable rooms of Block A is required in order to bring about an acceptable level of internal noise. The noise assessment indicates this would be achieved via double glazing. The Council's Environmental Protection Team has previously noted it does not support closed windows as a form of mitigation. No alternative methods of insulation have been proposed. There is no way to provide significant fencing or another form of screening, for example dense landscaping or a bund. It is therefore the case that any additional mitigation would have to come in the form of additional insulation in the façade of the building and higher specification windows.
- 19.14 While these methods may reduce noise impact to rooms facing the road, it is possible that internal noise levels may still exceed normally expected levels with windows open, as the open window is inevitably the weak point in the noise insulation. It may therefore remain necessary to have windows closed in order to achieve acceptable internal noise levels, particularly for flats at ground floor level.
- 19.15 Although rooms needing to have windows closed in order to protect from noise is not ideal, it is noted that this affects living rooms rather than bedrooms (which are to the rear of the flats). This means residents will be able to naturally ventilate bedrooms at night by opening windows without detrimental noise impacts. Providing mechanical ventilation to allow living rooms to be cooled while windows are closed is a compromise in terms of residential amenity however, it affects a limited number of the flats on the site as block A itself provides screening from the road to the remainder of the site including Block B. It is also noted that all but six of the flats in block A have secondary windows in the return elevations of the living rooms, meaning it will be possible to provide natural ventilation to those rooms without having windows directly facing the road open. It is also noted that the elevation

facing Lower Hillmorton Road is a north-facing elevation meaning it will suffer the least in respect of solar gain and consequently will require the least cooling.

- 19.16 On balance, given the benefits of providing buildings on the Lower Hillmorton Road from a design perspective and the limited number of the flats that may require front facing windows to be kept closed, the negative impact of the proposed mitigation on future residents is considered to cause limited impact on residential amenity.
- 19.17 In order to ensure the maximum amount of noise mitigation is achieved, a condition would be applied requiring a scheme of noise mitigation via a building fabric approach to be submitted for approval (Condition 11). In respect of the current application, the Council's EHO has expressed concern that the submitted noise assessment takes a snapshot approach to noise data collection that does not provide sufficient data to specify a glazing, insulation and ventilation scheme. The requested condition therefore incorporates the need for a revised Noise Impact Assessment to underpin the required scheme of noise mitigation. The EHO also requests a post-construction noise validation testing be secured by condition, however it is not considered that this is reasonable in this case as the provision and implementation of a suitably well-specified and evidenced insulation scheme secured by condition (Condition 11) would be sufficient to mitigate noise to those properties.
- 19.18 On that basis, the proposed development is considered to be acceptable in respect of the NPPF requirements and the requirements of LP Policy HS5 and SLP Policy EN8 regarding noise and vibration.

Lighting

- 19.19 No external lighting is proposed for the scheme, but it is likely some will be required in order to provide for wayfinding and safety and security for users and visitors. Any lighting will need to balance the need to achieve those aims with the need to minimise the impact of the development on neighbours and the natural environment.
- 19.20 In order to ensure a suitable lighting scheme is provided on site a condition will be applied to the permission requiring the submission of the detail of such a scheme (Conditions 14, 22).
- 19.21 Concern has been raised regarding the potential for light pollution from windows in elevations that face neighbouring properties. The western elevation of block A1 includes 5 windows over the three floors, all of which are small secondary windows. It is not considered that light emitted through these windows would cause any significant harm to neighbouring amenity, given the urban location and the presence of similar windows in surrounding properties. The southern gable end of Block B5 includes one window each at ground floor and first floor and these are similarly not considered to cause any significant light pollution to neighbours.
- 19.22 On that basis, the proposed development is considered to be acceptable in respect of the NPPF requirements and the requirements of policy SDC1 in respect of its lighting impact.

20 Community Infrastructure Levy

- 20.1 The Council's Community Infrastructure Levy (CIL) charging schedule came into effect on 1st April 2024, this is in accordance with the Planning Act 2008 and Community Infrastructure Regulations 2010.
- 20.2 The scheme proposes 34 residential flats in a location that is within the Rugby Urban Area as defined by the CIL charging schedule. As per the charging schedule, the 34 flats in this location are Nil rated and no CIL receipts would therefore result from this development.

21 Viability, affordable housing and infrastructure

- 21.1 Paragraphs 56, 58 and 59 of the Framework, LP policies DS5, HS4, D3 and D4 and the Planning Obligations SPD set out the need to consider whether financial contributions and planning obligations could be sought to mitigate against the impacts of a development and make otherwise unacceptable development acceptable. LP Policy H2 sets a target of 20% affordable housing provision on brownfield sites. The aims of these policies are continued in SLP policies H2, W2 and I4.
- 21.2 However, the application includes a viability appraisal showing that the proposed development is financially unviable and therefore that the development would be unable to provide affordable housing nor make any other contributions towards the provision of other offsite infrastructure, such as education, open space and play space.

Viability

- 21.3 Viability assessment is a process of evaluating whether a site is financially viable, by looking at whether the value generated by a development is more than the cost of developing it. Paragraph 59 of the Framework allows for viability assessments to be submitted where an applicant considers the scheme would not be viable if they have to make all the contributions expected from their development. The weight to be given to viability assessments is a matter for decision makers who must have regard to the circumstances of the case. Detailed guidance on viability assessments is outlined in the PPG.
- 21.4 LP Policy D4 sets out that the effects of obligations on the financial viability of development can be relevant when considering the type and amount of contributions being requested from developers. Policy DS5 of the Local Plan also acknowledges that viability can influence contributions being sought. The Planning Obligations SPD and Housing Needs SPD outline the need for a viability assessment where a scheme is considered to be unviable by the applicant.
- 21.5 The Council has previously had the submitted viability appraisal independently assessed and the conclusion of that assessment is that the scheme would be technically unviable even where no affordable housing or financial contributions towards infrastructure were required. This is on the basis that a market only scheme with no contributions would leave only a 13.8% residual value for profit which is below the lower end of profit margin required to demonstrate viability (15%). The Council's assessment also considered it likely that build costs were on the low side of realistic in the original appraisal as they are below BCIS costs and that it was more likely that build costs would increase rather than decrease.

- 21.6 On that basis, it is considered that the proposed development cannot contribute to affordable housing or make other contributions that would be considered necessary to mitigate its impact on local infrastructure.

Viability review

- 21.7 Where viability cannot be demonstrated at application stage, both Planning Practice Guidance and the Council's Housing Needs SPD allow for post-decision viability reviews to be required to reassess viability where this may improve over a period of time following determination.
- 21.8 To inform a decision on potential increased viability, the independent assessment sensitivity tested the viability of the site and concluded that in order to improve viability to the point where even the non-affordable housing infrastructure contributions could be made viable a ~5% increase in sales values would be necessary or a ~6% drop in construction costs. As per paragraph 21.6, above, the assessor's conclusion is that it is more likely that costs will increase as opposed to decrease. In respect of sales values, the assessor state that there is unlikely to be more than a 5% increase in sales values in the short term.
- 21.9 It is therefore considered that the scheme is unlikely to become viable enough to make infrastructure contributions in the short term, but might do so over the life of a standard permission. In such a situation a viability review might be warranted. However, entering into a s106 agreement is likely to result in additional cost and delay and the applicant has expressed their desire to commence development quickly upon issuing of a permission. It is also considered that given the limited scale of the development, there would need to be a reasonable likelihood of an increase in viability for a viability review to be warranted. Were development to commence more quickly than the standard 3-year timescale of a permission, it is considered extremely unlikely that the viability of the scheme would improve to such an extent that it could afford to contribute to infrastructure. As an alternative to a viability review and given the applicant's desire to start building quickly on what is a relatively small scheme which is unlikely to become a lengthy build, it is considered that a shorter implementation period would limit the likelihood of any significant change in costs or sales values and would render a viability review unnecessary. This matter has been discussed with the applicant who is willing to agree to a shorter timescale for implementation. It is considered that an 18-month permission is reasonable in this case as it will allow for the necessary pre-development works and discharge of conditions, but ensure that the scheme is commenced prior to any likely change in build costs or sales values (Condition 1). This will also have the additional benefit of ensuring the delivery of much needed housing more quickly.

Infrastructure and Planning Obligations

- 21.10 Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) makes it clear that these obligations should only be sought where they are:
- (a) necessary to make the development acceptable in planning terms;
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
- 21.11 If a requested planning obligation does not comply with all of these tests, then it is not possible for the Council to take this into account when determining the application.

Affordable housing and infrastructure

- 21.12 While the above conclusions on viability mean that contributions to infrastructure cannot be secured in this case, it is important to consider whether other infrastructure is necessary to make the scheme policy compliant so that any harm of not providing it can be weighed in the planning balance.

Affordable housing

- 21.13 LP Policy H2 sets a target of 20% affordable housing provision on previously developed land. SLP Policy H2 sets a target of 20% provision within the Rugby urban area. As the site is a brownfield site within the Rugby urban area, the policy requirement for affordable housing in both cases is 20%.
- 21.14 LP Policy H2 sets out that “The target levels will be expected to be provided unless the local planning authority is satisfied by robust financial viability evidence that development would not be financially viable at the relevant target level. Such evidence will be required to be submitted with the planning application to justify any reduced levels of affordable housing provision proposed for assessment using an open-book approach and may be subject to independent assessment (e.g. by the District Valuer Services or equivalent).” SLP Policy H2 makes a similar provision.
- 21.15 As detailed above, a Financial Viability Appraisal has been submitted with the application which has been assessed by an independent viability consultant. It has been found and accepted that the proposed development would not be viable even if no affordable housing is provided and no planning obligations are secured. Specifically, it is accepted that the proposed development would not be financially viable at the 20% affordable housing target level. Moreover, it has been demonstrated that the proposed development would still be unviable even at 0% affordable housing.
- 21.16 The proposed development would therefore comply with policies H2 because it has satisfactorily been demonstrated by robust financial viability evidence that development would not be financially viable at the target of 20% affordable housing.

Open space

- 21.17 LP Policy D3 states that the delivery of new development will be dependent on sufficient capacity being available in existing infrastructure and/or measures being proposed to mitigate its impact and that developer contributions may be sought to fund new infrastructure when required to mitigate development impacts. SLP Policy I4 echoes that.
- 21.18 LP Policy HS4(A) states that residential development of 10 dwellings and above shall provide or contribute towards the attainment of the Council’s open space standards as set out within the policy. It also states that contributions through CIL/S106 will be sought from developments where the proposal would further increase an existing deficit in provision or where the proposal will result in the provision standards not being met within the ward or parish it is located within (contained within appendix 4 of the local plan). Policy HS4(B) states that new open space should be accessible and of high quality, meeting a set of criteria. SLP Policy W2 includes updated requirements for open space.

- 21.19 The site is located within the Eastlands Ward and where the Council's latest Open Space Study sets out that the ward has a deficit of children's play space, amenity greenspace and natural and semi-natural open space. Given the constraints of the site it is not considered possible to this open space on site. Local policy recognises the potential for this situation and allows for a contribution towards off-site provision of either new or improved facilities. In such circumstances off-site provision towards local facilities should be made in a location which adequately services the new development, and as the new dwellings would be within 400 metres of the Whitehall recreation ground and play area such provision could be made here.
- 21.20 Based on a scheme for 34 dwellings, the scheme would require contributions of £14,953 towards off-site open space and a further £11,664 towards maintenance of those areas.
- 21.21 The Council's Playing Pitch and Outdoor Sports Strategy identifies capacity/quality issues for rugby and cricket pitches near the site rugby union pitches at GEC Recreation Ground and cricket pitches at Hartfield Sports Ground. The development would therefore be expected to contribute towards the improvement and ongoing maintenance of those pitches at a level of £18,190 and £12,937 respectively.
- 21.22 Such contributions are necessary to make the scheme acceptable in policy terms, are directly related to the development; and fairly and reasonably related in scale and kind to the development. The formula used to calculate the costs for maintenance are provided by up-to-date costings for these types of open space and pitches the contributions are based on the proposed dwelling numbers and related population growth in the area. The contributions are related in scale and kind to the development and its impacts upon the surrounding publicly accessible open spaces and demand for sports provision.
- 21.23 The contributions meet the tests laid out in paragraph 58 of the National Planning Policy Framework and guidance on Planning Obligations in the Planning Practise Guidance. The contribution sought also fulfils the tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended by the 2011 and 2019 Regulations).
- 21.24 However, as detailed above, these contributions would not be sought due to a lack of viability in the scheme. The proposed development is therefore considered unacceptable in respect of the requirements of LP Policy HS4 and SLP Policy W2 to provide or contribute to the attainment of the Council's open space standards.

County Infrastructure

- 21.25 Warwickshire County Council Infrastructure Team has not responded to consultation on the current application, however in respect of the previous scheme it sought financial contributions towards education provision as a result of this development. It does not seek education contributions in respect of one-bedroom properties so it based its calculations on the provision of the 33 2-bedroom flats.
- 21.26 The contributions sought of £201,528 would be used to mitigate the impact of the development on Secondary school provision and additional Primary and Secondary SEN provision in the local area.
- 21.27 It is considered that this request meets the necessary tests and is therefore CIL compliant.

- 21.28 Financial contributions of £462 were also sought to improve, enhance and extend the facilities or services library provision including through the purchase of additional stock, targeted collections, additional seating/study spaces or related facilities, improving family facilities and targeted promotions to inform new residents of the services available to them.
- 21.29 It is considered that these requests meet the necessary tests and are therefore CIL compliant. However, as detailed above, these contributions would not be sought due to a lack of viability in the scheme. The proposed development is therefore considered unacceptable in respect of its provision for its impact on education and libraries contrary to LP Policy D3 and SLP Policy I4.

22 Other Matters

Heritage

- 22.1 LP Policy SDC3 and SLP Policy D4 require that development sustains and enhances the significance of the Borough's heritage assets including listed buildings, conservation areas, historic parks and gardens, archaeology, historic landscapes and townscapes.
- 22.2 The site is not within a conservation area or the setting of any listed buildings, however in respect of the previous application WCC Archaeology Team identified that the buildings on site were of historic interest representing part of the borough's industrial heritage. It recommended a condition for a programme of building recording prior to demolition on that application.
- 22.3 However, all buildings on site have already been demolished under the prior approval granted in 2023 and it is therefore not considered possible to secure a record of those buildings under condition.

Broadband provision

- 22.4 LP Policy SDC9 sets out the need for new developments to facilitate and contribute towards the provision of broadband infrastructure. SLP Policy I3 includes a requirement that all major residential development include full fibre broadband connections. Paragraph 119 of the NPPF states that advanced, high quality and reliable communications infrastructure is essential for economic growth and social well-being.
- 22.5 The application included a Broadband Statement which set out the applicant's intention to install a full fibre broadband connection to the flats with cabling laid in ducting to allow upgrading over time This is considered sufficient to meet the requirements of policies SDC9, I3 and the NPPF and a condition would be applied to secure the adequate provision of full fibre broadband connectivity at the site (Condition 32).

23 Equality Implications

- 23.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- 23.2 A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 23.3 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.
- 23.4 There are no known equality implications arising directly from this development.
- 23.5 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

24 Planning balance and conclusion

- 24.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 24.2 The Council cannot demonstrate a 5 year housing land supply. Therefore, the 'tilted balance' in paragraph 11(d) of the Framework is engaged. Therefore, planning permission should be granted (subject to section 38(6) of the 2004 Act) unless either limb (i) or limb (ii) of paragraph 11(d) (set out in paragraph 9.12 of this report) applies. Whether either limb applies is essentially a matter of planning judgment for the decision-maker.
- 24.3 In this instance it is not considered that any of the NPPF policies that protect areas of particular importance are relevant to this site nor provide a clear reason for refusal. It is therefore considered that limb (i) of paragraph 11(d) does not apply.
- 24.4 In order to carry out the balancing exercise required by limb (ii), the adverse impacts and benefits of the development are detailed below and weighed in the planning balance in the conclusion.

Adverse Impacts

- 24.5 The development would not make any contribution towards mitigating its impact on education, libraries, open space or sports pitch provision locally. While this lack of mitigation is justified on the basis of the unviability of a scheme that would make such provision, it is contrary to policy and represents an adverse impact which is afforded significant weight.
- 24.6 Although the scheme would also not provide any affordable housing or make any contribution to it, as policy allows for non-provision where it is demonstrated to be unviable, this is not considered to be an adverse impact.

- 24.7 No other conflict with the development plan has been identified therefore all other policies referenced from the Local Plan and the NPPF within this report are considered to be complied with.

Benefits

- 24.8 Using the three strands of sustainability as defined in the NPPF, the benefits can be seen as social, economic and environmental.
- 24.9 From a social perspective the proposal would result in the delivery of 34 homes. These additional homes have significant weight in the planning balance as they would assist in addressing the current shortfall of housing in the borough and this provision of housing aligns with the Government's commitment to significantly boosting the supply of housing through the NPPF.
- 24.10 The proposal would result in economic benefits through the construction of the scheme through creation of jobs and construction spend, albeit for a temporary period. Additionally, the residents of the proposed development would provide ongoing support to local services through new household spending in the Borough and additional council tax revenue. Such matters would have a positive impact upon the local economy and prosperity of the Borough which weigh in favour of the application and attracts significant weight in the planning balance.
- 24.11 From an environmental perspective the proposal would bring about environmental enhancements through the redevelopment of a currently vacant, former industrial, brownfield site. The new tree planting along Lower Hillmorton Road would also provide a more attractive street frontage and biodiversity on site will be modestly increased, albeit from a very low baseline. These benefits are given moderate weight within the balance.

Conclusion

- 24.12 As the tilted balance is engaged the NPPF directs that the development should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. While the development not providing the necessary recreational and educational infrastructure to mitigate its impact is given significant weight, on its own this adverse impact would not significantly and demonstrably outweigh the benefits of the scheme listed above. On that basis, paragraph 11(d)ii of the NPPF is not met and development should therefore be approved.

25 Recommendation

- 25.1 Planning application R26/0155 be approved subject to:
1. The conditions and informatives set out in the draft decision notice appended to this report (Appendix A).
 2. The Strategic Director for Place be given delegated authority to make minor amendments to the conditions and informatives outlined in the draft decision notice.

DRAFT DECISION

REFERENCE NO:
R26/0155

DATE APPLICATION VALID:
26-Feb-2026

APPLICANT:

P Bennett, Scarlett Oak Limited Scarlett Oak Limited, The Robbins Building, 25 Albert Street, Rugby, CV21 2SD

AGENT:

Ian Gidley, Land & Planning Consultants Limited Land & Planning Consultants Limited, Northgate House, 42 Main Road, Crick, NN6 7TX

ADDRESS OF DEVELOPMENT:

92, Lower Hillmorton Road, Rugby, CV21 3TF

APPLICATION DESCRIPTION:

Erection of 11 apartment blocks of between 2-3 storeys high to create a total of 34 apartments, formation of a new access off Caldecott Place and provision of car and cycle parking, refuse storage and landscaping.

CONDITIONS, REASONS AND INFORMATIVES:

CONDITION 1:

The development to which this permission relates must not be begun later than the expiration of 18 months from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION 2:

The development shall be carried out in accordance with the plans and documents detailed below:

- 4024-LP - SITE LOCATION PLAN
- 4024-100 Rev K - PROPOSED SITE PLAN
- 4024-101 Rev B - PROPOSED BOUNDARIES PLAN
- 4024-102 - BLOCK A PROPOSED GROUND FLOOR PLAN
- 4024-103 - BLOCK A PROPOSED FIRST FLOOR PLAN
- 4024-104 Rev A - BLOCK A PROPOSED SECOND FLOOR PLAN
- 4024-105 Rev A - BLOCK A PROPOSED THIRD FLOOR PLAN
- 4024-106 - BLOCK A PROPOSED ROOF PLAN
- 4024-107 Rev A - PROPOSED NORTH ELEVATION (BLOCK A)
- 4024-108 Rev A - PROPOSED WEST ELEVATION (BLOCK A/1)
- 4024-109 Rev A - PROPOSED SOUTH ELEVATION (BLOCK A)
- 4024-110 Rev A - PROPOSED EAST ELEVATION (BLOCK A/6)
- 4024-112 - PROPOSED WEST ELEVATION (BLOCK A)
- 4024-113 - PROPOSED EAST ELEVATION (BLOCK A)
- 4024- 201 - BLOCK B PROPOSED GROUND FLOOR PLAN
- 4024-202 - PROPOSED FIRST FLOOR PLAN (BLOCK B)
- 4024-203 - PROPOSED SECOND FLOOR PLAN (BLOCK B)

4024-204 Rev A - PROPOSED WEST AND NORTH ELEVATION (BLOCK B)
4024- 205 - PROPOSED SOUTH AND EAST ELEVATION (BLOCK B)
4024-206 Rev A - PROPOSED BIN STORE
4024-207 Rev A - PROPOSED CYCLE STORE
4024-208 - PROPOSED BOUNDARY TREATMENTS (ELEVATIONS)
26158-02 Rev D – INDICATIVE LOCAL IMPROVEMENT WORKS
1426.2-1 Rev 4 – PLANTING PLAN
1426.2-2 Rev 4 – HARD SURFACE PLAN
Air Quality Assessment Rev B - Aeolus Air Quality Consulting Ltd
Supporting Planning Statement - Feb 2026 – Land and Planning Consultants
Design and Access Statement – Feb 2026 – Land and Planning Consultants
Broadband Statement – Feb 2026 – Land and Planning Consultants
Geotechnical Investigation and Contamination Assessment Report HS/SR/22334/GICAR Issue 2 (excluding Appendix E – Development Proposals)
Energy Statement BE 17423 V3 – Build Energy
Materials schedule – ‘92 Lower Hillmorton Road Materials’
Transport Statement SJT/BM/26158-01a Rev A – David Tucker Associates
Preliminary Ecological Appraisal -12/08/2024 – Ecolocation
Biodiversity Net Gain (BNG) Statement ref 1426 - DJOGS Limited
Statutory BNG Metric 21426.2 Rev Q

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 works or development shall take place until a finalised Arboricultural Method Statement and Tree Protection Plan for the protection of the retained trees (such method statement and plan to be in accordance with sections 5.5 & 6.1 of BS5837:2012 Trees in relation to design, demolition and construction - Recommendations) has been submitted to and approved in writing by the Local Planning Authority. This Arboricultural Method Statement and Tree Protection Plan shall include details and positioning of tree protection fencing, any ground protection measures to create construction exclusion zones and an auditable system of monitoring. The approved Arboricultural Method Statement and Tree Protection Plan shall be implemented in full prior to any works, demolition or development taking place. Protective measures shall remain in place until the completion of all construction works. During construction no retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority.

REASON:

To ensure retained trees are not damaged during the construction phase.

CONDITION 4:

No development shall commence, including any groundworks, site clearance and construction work, until a Construction Environmental Management Plan and Protected Species Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall have regard to the Air Quality Assessment (Air Quality Assessment Rev B - Aeolus Air Quality Consulting Ltd) and shall include details relating to:

- a. Measures to reduce mud deposition, debris and obstacles offsite and on the highway from vehicles leaving the site during the construction phase;
 - b. Construction site access location and control;
 - c. Timing and routing of heavy goods vehicle movements during the construction phase;
 - d. A named point of contact for overseeing construction works and site management together with their contact details (including out of hours);
 - e. The location, layout and design of temporary site compounds (including any temporary hoarding panel details, perimeter screens, protective fencing, cabins, buildings, structures, areas for loading/unloading and storing of plant, materials and deliveries used in constructing the development (including swept paths), temporary lighting and signage);
 - f. The parking of vehicles of site operatives and visitors;
 - g. Days and hours of work and deliveries;
 - h. Non-Road Mobile Machinery (NRMM) controls;
 - i. Control of noise and vibration emissions from construction activities, including groundworks and the provision of infrastructure, together with arrangements to monitor noise emissions from the development site during the construction phase;
 - j. Control of dust, including arrangements to monitor dust emissions from the development site during the construction phase;
 - k. Where piling of foundations is proposed, a piling method statement; and
 - l. Pre-commencement checks, reasonable avoidance measures and the timing of works in relation to bats, nesting birds, amphibians & reptiles and hedgehogs (to include timing of works, toolbox talk, ecologist supervision of vegetation clearance, procedure if protected species are found and reasonable avoidance measures) (as advised by a suitably qualified ecologist);
- Development, including any groundworks, site clearance and construction work, shall not be carried out other than in accordance and compliance with the approved Construction Environmental Management Plan and Protected Species Method Statement.

REASON:

In the interests of health and safety, highway safety, traffic flows, residential amenity, amenities of the area, protection and operation of existing commercial businesses within the area, air quality and visual amenities and to ensure that protected, important and priority species and their habitats are not harmed by the development.

CONDITION 5:

Prior to the commencement of development, a Habitat Management and Monitoring Plan (HMMP) for a minimum 30-year timeframe shall be submitted to, and be approved in writing by, the local planning authority. The content of the HMMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including annual work plan capable of rolling forward over a five-year period).
- g) Details of the body or organisation responsible for implantation of the plan.
- h) Ongoing monitoring and remedial measures.
- i) The completed statutory metric applied to the application site to demonstrate that a biodiversity net gain will be achieved.
- j) Locations and numbers of bat and bird boxes.
- k) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery.

The plan shall also set out, where results from monitoring show that conservation aims and objectives of the HMMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the full functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

REASON: To ensure mandatory Biodiversity Net Gain in accordance with the Environment Act, the NPPF and Local Plan policy.

CONDITION 6:

No development shall commence until 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 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. Thereafter the approved remediation scheme shall be carried out in accordance with its timetable of works, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority shall be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be produced, and submitted for the approval in writing of the Local Planning Authority.

REASON:

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

CONDITION 7:

No development, other than site clearance and remediation, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 2.0l/s for the site .
- Where the drainage scheme proposes to connect into a 3rd party asset, for example a public sewer, further information should be provided regarding the ownership, purpose, location and condition of this asset along with confirmation of the right to connect into it. This could take the form of land ownership plans showing riparian ownership, land drainage consent, flood risk activity permit or agreement under Section 106 of the Water Industry Act (1991).
- Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
- Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.

- Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include: Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
- Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events
- Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
- Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- Provide plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. Such overland flow routing should: Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
- Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
- Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.

REASON:

To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity.

CONDITION 8:

No development, other than site clearance and remediation, shall commence until a scheme for the disposal of foul water from the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented prior to first occupation.

REASON:

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

CONDITION 9:

No development shall commence until the applicant has entered into an agreement under section 59 of the Highways Act 1980 to undertake a pre-and post construction condition survey with the County Council Highways Officer to agree the condition of the public highway in the vicinity of the site. Should the public highway be damaged or affected during the development of the site, the developer shall prior to the first occupation of the development, submit a scheme for the remediation of the damage to the Local Planning Authority for approval. Thereafter the approved remediation scheme shall be carried out prior to the first occupation of the development.

REASON:

To ensure any damage to the public highway is appropriately remediated in the interests of highway safety.

CONDITION 10:

Prior to first occupation, the highway improvement works including pedestrian crossings, tactile paving and double yellow line road markings as indicatively shown on drawing 26158-02D, shall

be laid out and constructed in accordance with those details and in accordance with the Highway Authority's specification.

REASON:

To facilitate pedestrian connectivity in the locality and ensure highway safety.

CONDITION 11:

Prior to commencement of above ground development of Block A, hereby approved, a Noise Impact Assessment (NIA) relating to that block carried out to the relevant British Standards and, based on that NIA, a scheme for noise mitigation for the flats in that block in respect of traffic noise from Lower Hillmorton Road, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented prior to first occupation of the block and shall thereafter be retained.

REASON:

In the interest of the residential amenity of future occupiers.

CONDITION 12:

The external materials used in the development shall be as detailed on approved elevational drawings and on the approved materials schedule '92 Lower Hillmorton Road Materials', unless otherwise agreed in writing by the Local Planning Authority.

REASON:

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

CONDITION 13:

The bricks used for the boundary wall along Lower Hillmorton Road shown on approved drawings 4024-208 and 4024-101 Rev B shall be either those specified for Block A on the approved materials schedule '92 Lower Hillmorton Road Materials', or shall be submitted to and approved in writing by the Local Planning Authority prior to their use in the development.

REASON:

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

CONDITION 14:

No lighting, other than that which has been approved as part of a lighting strategy approved under condition 22, shall be installed on site.

REASON:

In accordance with NPPF, ODPM Circular 06/2005 and in the interests of protecting the nature conservation value of the Local Nature Reserve (LNR) to the east and residential amenity.

CONDITION 15:

No windows, doors, dormer windows or other glazing shall be installed on site unless design details of those elements have first been submitted to and approved in writing by the Local Planning Authority. The windows, doors, dormer windows and other glazing shall be installed in accordance with the approved details and thereafter retained.

REASON:

In the interests of achieving a high quality design and the visual amenity of the area.

CONDITION 16:

If, during development, contamination not previously identified is found to be present at the site then no further development shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

A validation/verification report shall be submitted to and approved in writing by the Local Planning Authority to demonstrate that successful remediation has been carried out.

REASON:

To ensure the protection of controlled waters.

CONDITION 17:

The dwellings hereby approved shall incorporate measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended).

REASON:

In the interests of sustainability and water efficiency.

CONDITION 18:

The windows to be formed in the west facing elevations of Block A of the proposed development (shown hatched on approved drawing 4024-112) shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION 19:

The windows to be formed in the north and south facing elevations of Block B of the proposed development (shown hatched on approved drawings 4024-204 Rev A and 4024- 205) shall not be glazed or reglazed other than with obscure glass.

REASON:

To protect the residential amenity of neighbouring properties.

CONDITION 20:

The on-site measures relating to air quality to meet the mitigation requirements of policy HS5 as detailed in the approved Air Quality Assessment Rev B - Aeolus Air Quality Consulting Ltd, shall be implemented prior to occupation and maintained in perpetuity.

REASON:

In the interests of air quality.

CONDITION 21:

Prior to the first occupation of the development, the boundary treatments shown on drawings 4024-208 and 4024-101 Rev B shall be fully implemented and thereafter retained.

REASON:

To ensure a satisfactory external appearance and the residential amenity of occupiers and neighbours.

CONDITION 22:

Prior to the first occupation a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall consider the impact of lighting on occupants and neighbours and on nocturnal species. In respect of nocturnal species it shall:

- identify those areas/features on site that are particularly sensitive for nocturnal species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy.

REASON:

In accordance with NPPF, ODPM Circular 06/2005 and in the interests of protecting the nature conservation value of the Local Nature Reserve (LNR) to the east and residential amenity.

CONDITION 23:

No occupation of the development occupation shall take place until a Verification Report for the installed surface water drainage system for the site has been submitted and approved in writing by the Local Planning Authority. The report shall include:

1. Demonstration that any departure from the agreed design is in keeping with the approved principles;
2. Any As-Built Drawings and accompanying photos;
3. Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges, etc;
4. Confirmation that the existing system is free from defects, damage and foreign objects.

REASON:

To secure the satisfactory drainage of the site in accordance with the agreed strategy, the NPPF and Local Planning Policy.

CONDITION 24:

No occupation of the development occupation shall take place until a detailed, site specific maintenance plan has been submitted to and approved in writing by the Local Planning Authority. Such maintenance plan shall:

1. Provide the name of the party responsible, including contact name, address, email address and phone number
2. Include plans showing the locations of features requiring maintenance and how these should be accessed.
3. Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance

REASON:

To ensure the future maintenance of the sustainable drainage structures.

CONDITION 25:

Prior to the first occupation of the development or prior to the implementation of the approved landscaping scheme, whichever is the sooner, a final specification of all proposed tree planting

shall be submitted and approved in writing by the Local Planning Authority. The specification shall include details of the quantity, size, species, position and the proposed time of planting of all trees to be planted, together with an indication of how they integrate with the proposal in the long term with regard to their mature size and anticipated routine maintenance. In addition all shrubs and hedges to be planted that are intended to achieve a significant size and presence in the landscape should be similarly specified.

REASON:

In the interests of biodiversity, visual amenity and environmental site enhancement.

CONDITION 26:

The development shall not be occupied until a Parking Monitoring and Management Plan (PMP) has been submitted to and approved in writing by the Local Planning Authority. The PMP shall include details of:

1. The management and operation of the on-site car park;
2. The process for monitoring and surveying existing on-street parking levels in the area prior to the development being occupied;
3. The process for review and monitoring of the operation of the on-site car park and on-street car parking levels in the area at defined intervals following the first occupation of the development;
4. The process for approval of any mitigation strategy should the monitoring outputs identify any issues. Any mitigation strategy (if required) shall include consideration of a Traffic Regulation Order and implementation measures including timescales for the mitigation strategy in full; and
5. Any enforcement measures which may be required.

REASON:

To allow monitoring and mitigation of the on-street parking impact of the proposed development in the interests of highway safety.

CONDITION 27:

Prior to the first occupation of the development, the hard landscaping shown on approved drawing 1426.2-2 Rev 4 – HARD SURFACE PLAN shall be fully implemented and thereafter retained.

REASON:

To ensure a satisfactory external appearance and acceptable amenity of residents.

CONDITION 28:

Prior to the first occupation of the development, the bat boxes, sparrow boxes and hedgehog passages shown on approved drawing 1426.2-2 Rev 4 – HARD SURFACE PLAN shall be fully implemented and thereafter retained.

REASON:

In the interests of providing adequate mitigation and enhancement of ecology on the site.

CONDITION 29:

Prior to the first occupation of the development, the bin stores shown on approved drawings 4024-100 Rev K and 4024-206 Rev A shall be provided and thereafter retained.

REASON:

To ensure the adequate provision of bin storage and in the interests of the visual amenity of the area.

CONDITION 30:

Prior to the first occupation of the development, notwithstanding the information provided on the plans approved in Condition 2, a revised scheme for secure, covered cycle storage for at least 34 cycles shall be submitted to and approved in writing by the Local Planning Authority. The approved cycle storage shall be provided prior to the first occupation of the development and thereafter retained.

REASON:

To ensure the adequate provision of cycle storage in the interests of sustainable travel to the site and the visual amenity of the area.

CONDITION 31:

Prior to the first occupation of each dwelling a passive electric vehicle charging point shall be provided to that dwelling in accordance with approved plan 4024-100 Rev K.

REASON:

To encourage the use of electric vehicles in the interest of sustainability.

CONDITION 32:

Prior to the first occupation of each dwelling full fibre broadband infrastructure shall be provided to that dwelling to allow broadband services to be provided.

REASON:

To provide broadband connectivity for future occupiers.

CONDITION 33:

Prior to the first occupation of the development, the vehicle access, pedestrian accesses, pavements, parking spaces and turning areas shown on approved plans 4024-100 Rev K and 1426.2-2 Rev 4 – HARD SURFACE PLAN be shall be levelled, surfaced, drained and made available to enable vehicles to enter, turn and leave the site in forward gear and to park clear of the public highway and for pedestrians to access it. Thereafter the approved accesses, pavements, parking and turning areas shall be retained for that specific use.

REASON:

To ensure safe access, the adequate provision of parking and pedestrian access in the interests of highway safety, sustainable travel to the site and residential amenity.

CONDITION 34:

Prior to the first occupation of the development, details of a sustainable travel pack for future occupiers of the site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each flat shall be provided with the approved sustainable travel pack prior to its first occupation.

REASON:

In the interest of sustainability.

CONDITION 35:

Prior to the first occupation of the development, the existing vehicle access on Lower Hillmorton Road shall be permanently closed and the kerb and footway reinstated in accordance with a scheme which shall first be submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure the existing access is closed and the footway is reinstated in the interests of highway safety.

CONDITION 36:

The landscaping scheme, as detailed on approved plan 1426.2-1 Rev 4 – PLANTING PLAN and as may be amended by information submitted and approved in respect of condition 25, shall be implemented no later than the first planting season following first occupation of the development. If within a period of 10 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.

REASON:

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

DEEMED CONDITION:

In accordance with the Environmental Act 2021, Schedule 14, paragraph 13 and the Town and Country Planning Act 1990 Schedule 7A, paragraph 13:

the development may not be begun unless—

- (a) a biodiversity gain plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Rugby Borough Council.

INFORMATIVE 1 - Warwickshire County Highways:

A. Several highways conditions require works to be carried out within the limits of the public highway. The applicant / developer must enter into a [Minor] Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. In terms of design guidance this is carried out in conjunction with the County Road Construction Strategy 2022 on our website as referred to on the opening page. Please see below link: <https://api.warwickshire.gov.uk/documents/WCCC-770-261> The applicant / developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall Post Room, Warwick, CV34 4SX or by email to: s38admin@warwickshire.gov.uk In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road,

Warwick, CV35 7DP or by email to: streetworks@warwickshire.gov.uk 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.

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

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

INFORMATIVE 2 - Severn Trent Water:

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

INFORMATIVE 3 - Warwickshire Fire and Rescue Authority:

Warwickshire Fire and Rescue Authority draw the developers attention to the need for the development to comply with Approved Document B, Volume 1, Section B5 – Access and Facilities for the Fire Service. Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at www.warwickshire.gov.uk/fireguidancecommercialdomesticplanning

Warwickshire Fire and Rescue Authority fully endorse and support the fitting of Sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

Warwickshire Fire and Rescue Authority ask you to consider and ensure that access to the site, during construction and once completed, are maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access.

INFORMATIVE 4 - LLFA:

As outlined within the condition, the drainage strategy should be treated as a minimum at this stage of the design. Further consideration should be given during the next stage of the design to incorporate additional, localised source control SuDS such as green roofs, rain-gardens and tree pits as part of a 'SuDS management train' approach to provide water quality, amenity and bio-diversity benefits and increase the resilience within the design. Reference is also made to our Flood Risk Guidance for Development (updated June 2023) with more details and examples of SuDS which can be incorporated at later stages of design.

At the 'discharge of condition' stage proposals for surface water drainage should be approaching a level of detail suitable for tender or construction. Documentation should show the drainage scheme including SuDS features, specific details (e.g. standard details or cross

sections) and demonstrate the performance and of the system through calculations and exceedance management respectively. Such scheme should be in line with the original planning application/permission and where significant changes are made, justification should be provided.

INFORMATIVE 5 – Environmental Health:

The Noise Assessment submitted with the application is not sufficient to form the basis for or adequately specific the noise mitigation scheme required by condition 11. A suitable Noise Impact Assessment that complies with BS will be required to be submitted alongside the mitigation scheme.

DRAFT

AGENDA MANAGEMENT SHEET

Report Title:	Planning Appeals Update
Name of Committee:	Planning Committee
Date of Meeting:	3 June 2026
Report Director:	Strategic Director - Place
Portfolio:	Growth and Investment
Ward Relevance:	
Prior Consultation:	
Contact Officer:	Strategic Director - Place
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Key Decision:	No
Corporate Priorities:	<p>This report relates to the following priority(ies):</p> <ul style="list-style-type: none"><input type="checkbox"/> A Healthier Rugby – To support people to live healthier, longer, and more independent lives.<input checked="" type="checkbox"/> A Thriving Rugby – To deliver a thriving economy which brings Borough-wide investment and regenerates Rugby Town Centre.<input checked="" type="checkbox"/> A Greener Rugby – To protect the environment and ensure the Borough adapts to climate change.<input type="checkbox"/> A Fairer Rugby – To reduce inequalities and improve housing across the Borough. <p>Corporate Strategy 2025-2035</p> <p><input type="checkbox"/> This report does not specifically relate to any Council priorities but</p>
Summary:	<p>This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 1 January 2026 to 31 March 2026.</p>
Local Government Reorganisation Implications:	N/A
Financial Implications:	<p>Increases the scope for related costs claims within the Planning Appeals process.</p>

Risk Management/Health and Safety Implications:	There are no risk management implications arising from this report.
Environmental Implications:	There are no environmental implications arising from this report.
Legal Implications:	Advice/support with regard to cost claims and any subsequent costs awards.
Equality and Diversity:	No new or existing policy or procedure has been recommended.
Options:	N/A
Recommendation:	The report be noted.
Reasons for Recommendation:	To keep Members of the Planning Committee updated on a quarterly basis with regard to the current position in respect of Planning Appeals.

Planning Committee - 3 June 2026

Planning Appeals Update

Public Report of the Strategic Director - Place

Recommendation

The report to be noted.

1. Introduction

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

2. Appeals determined

During the last quarter from 1 January 2026 to 31 March 2026, a total of 4 planning appeals were determined, of which 1 was allowed, 3 were dismissed and 0 were withdrawn.

A total of 3 enforcement appeals were determined, of which 1 was varied and upheld and 2 upheld.

A schedule of the appeal cases determined for this period is attached for information (see Appendix A).

3. Appeals outstanding/in progress

As at 31 March 2026 there were 7 planning appeals and 2 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Appendix A

Nature of problem	Location	Case Officer	Case No.	PINS reference	Appeal Hearing type ENF	Appeal decision date	Appeal decision ENF
Alleged unauthorised change of use	OAKDENE, RUGBY ROAD, BRETford, RUGBY, CV23 0LB	Chris Davies	E23/0339	APP/E3715/C/24/3351614	Written Representations	16/01/2026	Notice varied and upheld
Alleged Breach of Condition and unauthorised COU to holiday let	PETER HALL, PETER HALL LANE, COOMBE FIELDS, COVENTRY, CV2 2DR	Chris Davies	E24/0008	APP/E3715/C/24/3354091	Written Representations	12/01/2026	Notice upheld
Alleged unauthorised erecting of a fence or boundary wall	97, MCKINNELL CRESCENT, RUGBY, CV21 4AU	Chris Davies	E24/0297	APP/E3715/C/24/3356878	Written Representations	03/03/2026	Notice upheld

Appendix B

Nature of problem	Location	Case No.	PINS reference	Appeal Hearing type ENF	Case Officer
Alleged unauthorised alterations to structure without planning permission	THE CHALET, HINCKLEY ROAD, WOLVEY, HINCKLEY, LE10 3HQ	E23/0415	APP/E3715/C/24/3348732	Written Representations	Chris Davies
Alleged: Use of land for coach parking and engineering works to form a bund	LAND ADJACENT TO WHITE HOUSE FARM INDUSTRIAL ESTATE, OXFORD ROAD, PRINCETHORPE, RUGBY, CV23 9QD	E23/0177	APP/E3715/C/26/3377300	Hearing	Chris Davies

Appendix C

Location	Full development description	Application number	Case Officer	PINS Reference	Decision date	Decision description	Appeal Decision	Appeal Decision Date
Land North of Rounds Gardens, Rugby	Redevelopment of the former football pitch and tennis courts associated with the adjacent employment use, including demolition of the existing pavilion and all other remaining structures and enclosures relating to the previous use of the site; and the erection of 115 dwellings, accesses, landscaping, parking, drainage features and associated works	R24/0111	Lucy Davison	APP/E3715/W/25/3373251	19th March 2025	Refusal	Dismissed	13th March 2026
25, BARBY LANE, RUGBY, CV22 5QJ	The erection of 11 residential dwellings with garages and associated parking with landscaping and alterations to	R24/0474	Sam Burbidge	6001987	29th July 2025	Refusal	Allowed / Costs Award Refused	12th March 2026

Appendix C

	the existing property.							
OAKDENE, RUGBY ROAD, BRET福德, RUGBY, CV23 0LB	Proposed Change of Use from Residential Annexe to Short Term Holiday Let (Retrospective)	R24/0477	Lucy Davison	APP/E3715/W/24/3351777	16th August 2024	Refusal	Dismissed	16th January 2026
316, Lower Hillmorton Road, Rugby, Warwickshire, CV21 4AE	Two Storey Side and Single Storey Front and Rear Extensions	R25/0676	Pippa Smart	6003199	13th October 2025	Refusal	Dismissed	2nd March 2026

Appendix D

Location	Full development description	Application number	Case Officer	PINS Reference	Stage Description	Appeal Type	Decision date	Decision description	Decision level
BJ HOUSE, OXFORD ROAD, RYTON-ON-DUNSMORE, COVENTRY, CV8 3EJ	Erection of a garage/workshop and aviary for the housing of peacocks (part retrospective).	R24/0834	Adam Kerr	6000671	Appeal Lodged	Householder Appeal Service	17th June 2025	Refusal	Delegated
67, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9JB	Proposed extension to replace existing Utility	R25/0512	Pippa Smart	6001885	Appeal Lodged	Householder Appeal Service	8th October 2025	Refusal	Delegated
Land South East Of, Rugby Road, Clifton Upon Dunsmore	Outline application with some matters reserved for the demolition of all buildings and the residential development of up to 160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking,	R25/0565	Lucy Davison	6003106	Appeal Lodged	Inquiry	24th December 2025	Non-determination appeal received	Committee

Appendix D

	landscaping, drainage features, open space, childrens play area and associated infrastructure (all matters reserved except for vehicular access off Rugby Road).								
140, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AZ	Erection of Boundary wall and Gates (Retrospective)	R25/0749	Adam Kerr	6004741	Appeal Lodged	Householder Appeal Service	16th January 2026	Refusal	Delegated
TREETOPS, SHILTON LANE, SHILTON, COVENTRY, CV7 9LH	Change of use of land to a private gypsy and traveller caravan site (Retrospective)	R25/0456	Sam Burbidge	6003856	Appeal Lodged	Written Representations	20th January 2026	Refusal	Delegated
107, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AY	Erection of Fence and Gate (Retrospective)	R25/0885	Pippa Smart	6005040	Appeal Lodged	Householder Appeal Service	28th January 2026	Refusal	Delegated
MANOR FARM, FLECKNOE ROAD, FLECKNOE,	Construction of a new annex.	R25/0967	Paul Varnish	6006403	Appeal Lodged	Written Representations	5th February 2026	Refusal	Delegated

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 19 March 2026 to 13 May 2026
Name of Committee:	Planning Committee
Date of Meeting:	3 June 2026
Report Director:	Strategic Director - Place
Portfolio:	Growth and Investment
Ward Relevance:	All
Prior Consultation:	None
Contact Officer:	Strategic Director - Place
Public or Private:	Public
Report Subject to Call-In:	No
Report En-Bloc:	No
Key Decision:	No
Corporate Priorities:	<p>This report relates to the following priority(ies):</p> <ul style="list-style-type: none"><input type="checkbox"/> A Healthier Rugby – To support people to live healthier, longer, and more independent lives.<input checked="" type="checkbox"/> A Thriving Rugby – To deliver a thriving economy which brings Borough-wide investment and regenerates Rugby Town Centre.<input checked="" type="checkbox"/> A Greener Rugby – To protect the environment and ensure the Borough adapts to climate change.<input type="checkbox"/> A Fairer Rugby – To reduce inequalities and improve housing across the Borough. <p>Corporate Strategy 2025-2035</p> <p><input type="checkbox"/> This report does not specifically relate to any Council priorities but</p>
Summary:	The report lists the decisions taken by the Strategic Director – Place under delegated powers.
Local Government Reorganisation Implications:	N/A
Financial Implications:	There are no financial implications for this report.

Risk Management/Health and Safety Implications:	There are no risk management implications for this report.
Environmental Implications:	There are no environmental implications for this report.
Legal Implications:	There are no legal implications for this report.
Equality and Diversity:	There are no equality and diversity implications for this report.
Options:	
Recommendation:	The report be noted.
Reasons for Recommendation:	To ensure that members are informed of decisions on applications that have been made by officers under delegated powers.

Planning Committee - 3 June 2026

Delegated decisions - 19 March 2026 to 13 May 2026

Public Report of the Strategic Director - Place

Recommendation

The report be noted.

Delegated

8 Weeks Advert

Applications Refused

R26/0030 2-6, ALBERT STREET, RUGBY,
8 Weeks Advert CV21 2RS
Refusal
24/04/2026

Retrospective application for
advert consent for illuminated X 1
sign board above the entrance of
the shop and 2 X non illuminated
advertisement on the fascia board
at the front of the premises and
an internally illuminated projected
sign

Applications Approved

R26/0084 2, CROWN INN, MAIN STREET,
8 Weeks Advert RUGBY, CV21 1HW
Approval
10/04/2026

Advertisement consent for
proposed temporary illuminated
and non illuminated signage and
lighting for a 5 year period.

R26/0193 Unit 5, Symmetry Park, Western
8 Weeks Advert Link, Rugby, CV23 9GT
Approval
27/04/2026

Advertisement consent for
proposed 2no illuminated building
mounted signs.

8 Weeks PA Applications

Delegated

8 Weeks PA Applications

Applications Refused

R26/0016 8 Weeks PA Refusal 09/04/2026	419, NEWBOLD ROAD, RUGBY, CV21 1EP	Change of use from existing single dwellinghouse to 2 flats
R25/1073 8 Weeks PA Refusal 17/04/2026	25, CAVE CLOSE, RUGBY, CV22 7GL	Proposed Conversion of Residential Property C3(a) to Children's Residential Care Home (C2)
R25/1040 8 Weeks PA Refusal 27/04/2026	91 BILTON ROAD, BILTON, RUGBY, CV22 7AS	Conversion and extension of existing single storey garage into a self build 2 bedroom dwelling, situated within the garden of 91 Bilton Road, with side access from the main house and new parking & landscaping areas.
R26/0027 8 Weeks PA Refusal 27/04/2026	HALL FARM, HIGH STREET, MARTON, RUGBY, CV23 9RR	Partial Retrospective Application for Boundary Fencing and Access Gates
R26/0114 8 Weeks PA Refusal 29/04/2026	154, RAILWAY TERRACE, RUGBY, CV21 3HN	Change of use from shop to take away with new extraction system.

Delegated

8 Weeks PA Applications

Applications Approved

R25/1122 8 Weeks PA Approval 19/03/2026	32 LONGROOD ROAD, BILTON, RUGBY, CV22 7RE	Demolition of rear single storey structures. Erection of single storey rear extension, flat roof box dormer and 2no front apex dormers
R26/0008 8 Weeks PA Approval 20/03/2026	2, FERNDALE ROAD, BINLEY WOODS, COVENTRY, CV3 2BG	Proposed loft conversion with hip to gable extension and dormer conversion to rear.
R25/0721 8 Weeks PA Approval 23/03/2026	51, HILLMORTON ROAD, RUGBY, CV22 5AE	Partial retrospective application for the demolition of and replacement of out-building and amendments to boundary wall and dropped kerbs.
R25/1037 8 Weeks PA Approval 23/03/2026	LAVENDER FURLONG, COVENTRY ROAD, DUNCHURCH, RUGBY, CV22 6RE	Retrospective application for the erection of a yurt for short-term holiday let (Airbnb) (Use Class Sui Generis) and ancillary shed which comprises a kitchen and bathroom
R26/0018 8 Weeks PA Approval 23/03/2026	199, Lower Hillmorton Road, Rugby, CV21 3TR	Single storey wrap around extension and erection of an outbuilding in the rear garden ancillary to the main dwelling

Delegated

8 Weeks PA Applications Applications Approved

R26/0022 8 Weeks PA Approval 23/03/2026	23, ELMDENE CLOSE, WOLSTON, COVENTRY, CV8 3JN	Single storey front extension, first floor side extension above garage.
R25/1098 8 Weeks PA Approval 26/03/2026	75 BAWNMORE ROAD, RUGBY, CV22 6JN	Single storey side and rear extension and alterations.
R26/0020 8 Weeks PA Approval 26/03/2026	THE ALMSHOUSES, BROCKHURST LANE, MONKS KIRBY, RUGBY, CV23 0RA	Proposed demolition of conservatory and replacement single storey store.
R26/0063 8 Weeks PA Approval 26/03/2026	15, MOYEADY AVENUE, RUGBY, RUGBY, CV22 5HE	Installation of a 7KW home EV charger.
R26/0098 8 Weeks PA Approval 26/03/2026	32, MAIN STREET, NEWTON, RUGBY, CV23 0DY	Proposed single storey and first floor rear extension.

Delegated

8 Weeks PA Applications Applications Approved

R26/0104 8 Weeks PA Approval 26/03/2026	30, Main Street, Newton, Rugby, CV23 0DY	Single storey rear extension.
R25/0909 8 Weeks PA Approval 27/03/2026	80, WARWICK ROAD, WOLSTON, COVENTRY, CV8 3HA	Front, side and rear extensions, alterations to main roof and front dormer
R25/1099 8 Weeks PA Approval 27/03/2026	5, HIGH STREET, RUGBY, CV21 3BG	Proposed change of use of part of the first floor and second floor from shop storage area to residential.
R26/0064 8 Weeks PA Approval 27/03/2026	68, Loverock Crescent, Rugby, CV21 4AS	Erection of a single storey rear and side extension, including alterations to the front elevation.
R26/0091 8 Weeks PA Approval 30/03/2026	25 KINGS NEWNHAM ROAD, CHURCH LAWFORD, CV23 9EP	Proposed single storey rear extension.
	SWIFT HOUSE, THE GREEN, CHURCHOVER, RUGBY, CV23	Single storey side and rear extension

Delegated

8 Weeks PA Applications Applications Approved

0EP

R26/0122
8 Weeks PA
Approval
01/04/2026

R26/0124
8 Weeks PA
Approval
01/04/2026

16, FURROW CLOSE, RUGBY,
CV21 3FF

Proposed first floor side
extension.

R25/0394
8 Weeks PA
Approval
02/04/2026

2, CHURCH STREET, RUGBY,
CV21 3PH

Change Of Use of First Floor
Offices to 1 Bed Flat & proposed
ground floor rear extension and
associated staircases.

R25/0968
8 Weeks PA
Approval
02/04/2026

23, Vere Road, Rugby, CV21
4HR

Single storey front and rear
extension including drive and
fence relocation.

R25/1072
8 Weeks PA
Approval
02/04/2026

84, NEWBOLD ROAD, RUGBY,
CV21 2NQ

Proposed change of use of a
single residential property into
two apartments.

R24/0600
8 Weeks PA

LAND WEST OF SAWBRIDGE
ROAD, GRANDBOROUGH

Delegated

8 Weeks PA Applications

Applications Approved

Approval

07/04/2026

Removal or variation of conditions 11 and 12 attached to R18/0405 - Outline application for up to 9 2-storey dwellings and car park on land west of Sawbridge Road, Grandborough

R26/0041
8 Weeks PA
Approval
09/04/2026

GATE FARM, WOLFHAMPCOTE
LANE, WOLFHAMPCOTE,
RUGBY, CV23 8BB

Two storey side extension, an infill extension to the rear and a single and two storey rear extension.

R25/1103
8 Weeks PA
Approval
14/04/2026

76, OVERSLADE LANE,
RUGBY, CV22 6EF

Proposed single storey side extension, two storey extension to the rear, raising of roof and rear dormers

R26/0070
8 Weeks PA
Approval
14/04/2026

55, DERWENT CLOSE,
BROWNSOVER, RUGBY, CV21
1JX

Demolition of existing single storey side extension and erection of a single storey rear and two storey side extension

R26/0121
8 Weeks PA
Approval
14/04/2026

51, Naseby Road, Rugby,
Warwickshire, CV22 5NH

Single storey rear extension

Delegated

8 Weeks PA Applications Applications Approved

R26/0127 8 Weeks PA Approval 15/04/2026	56, Greenfields, Brookside, Stretton-On-Dunsmore, Rugby, Warwickshire, CV23 9NH	Proposed single storey rear extension
R25/0615 8 Weeks PA Approval 16/04/2026	RYTON FIELDS FARM, WOLSTON LANE, RYTON-ON- DUNSMORE, COVENTRY, CV8 3ES	Change of use of a section of arable farmland to create a secure, enclosed dog paddock for private and/or commercial use.
R25/0539 8 Weeks PA Approval 17/04/2026	111a-111b Annexe, Clifton Road, Rugby, Warwickshire, CV21 3QJ	Change of use of the existing first floor of outbuilding from annexe use (Use Class C3) to a short- term holiday let Airbnb (Use Class Sui Generis)
R26/0014 8 Weeks PA Approval 17/04/2026	33, Rainsbrook Avenue, Rugby, Warwickshire, CV22 5HB	Proposed two storey side extension and single storey front and rear extension.
R26/0137 8 Weeks PA Approval 20/04/2026	CROSS KEYS, VICARAGE LANE, DUNCHURCH, RUGBY, CV22 6QP	Partial Conversion Of Garage To Form Bedroom and Ensuite

Delegated

8 Weeks PA Applications Applications Approved

R25/1105 8 Weeks PA Approval 23/04/2026	BATH FARM, MOOR LANE, WILLOUGHBY, RUGBY, CV23 8BT	Proposed Conversion and Alteration of Existing Outbuilding to a 1-Bedroom Annex.
R26/0042 8 Weeks PA Approval 24/04/2026	HAWTHORNS, 12, HIGH STREET, MARTON, RUGBY, CV23 9RR	Demolition of existing external porch canopy. Replacement porch and new front extension. Roof window to existing roof on side elevation. Replacement windows and render to front elevation.
R26/0077 8 Weeks PA Approval 24/04/2026	46, CALDECOTT STREET, RUGBY, CV21 3TH	Ground and first floor rear extension
R26/0128 8 Weeks PA Approval 24/04/2026	87, Shakespeare Gardens, Rugby, Warwickshire, CV22 6EY	Proposed demolition of the existing front porch, construction of a single-storey front extension and a single-storey rear extension and garage conversion.
		Installation of 2 loading canopies

Delegated

8 Weeks PA Applications Applications Approved

R26/0123 8 Weeks PA Approval 27/04/2026	Unit 5, Symmetry Park, Western Link, Rugby, CV23 9GT	to Unit 5.
R26/0158 8 Weeks PA Approval 27/04/2026	PAILTON PASTURES, MONTILO LANE, PAILTON, RUGBY, CV23 0QN	Extension to an Agricultural Building
R26/0187 8 Weeks PA Approval 27/04/2026	76, NEWBOLD ROAD, RUGBY, CV21 2NQ	Proposed dropped kerb.
R26/0250 8 Weeks PA Approval 27/04/2026	33, Berrybanks, Rugby, Warwickshire, CV22 7JJ	Single Storey Rear Extension
R26/0213 8 Weeks PA Approval 28/04/2026	47, THE BEECHES, MAIN STREET, WOLSTON, COVENTRY, CV8 3HH	Erection of porch at rear entrance
R26/0082 8 Weeks PA	30, Epsom Road, Rugby, Warwickshire, CV22 7PF	Single storey rear extension and proposed solar panels.

Delegated

8 Weeks PA Applications Applications Approved

Approval
29/04/2026

R26/0204
8 Weeks PA
Approval
29/04/2026

38, Monks Road, Binley Woods,
Coventry, Warwickshire, CV3
2BS

Variation of condition 2 and 3 of
R25/0673 to alter exterior facing
materials from facing brick to
white render.
(Single storey extension to the
rear. Single storey extension to
the side. New roof with rear
dormer and front dormer windows
to allow for additional bedroom
space.)

R26/0217
8 Weeks PA
Approval
01/05/2026

56 BAGSHAW CLOSE,
COVENTRY, CV8 3EX

Erection of an annexe for
ancillary use to the main
dwellinghouse.

R26/0044
8 Weeks PA
Approval
05/05/2026

2A, Warwick Road, Wolston, CV8
3HB

Reduction in size of an existing
window, new render, and
entrance door canopy

R26/0031
8 Weeks PA
Approval
06/05/2026

162, RAILWAY TERRACE,
RUGBY, CV21 3HN

Change of use of dwelling to
mixed use comprising retail shop
(Class E) on ground floor and
residential dwelling (C3) on
ground and first floor including

Delegated

8 Weeks PA Applications Applications Approved

erection of single storey rear/side extension

R26/0004
8 Weeks PA
Approval
08/05/2026

8, Hannington Close, Rugby,
CV23 1FG

Loft conversion with velux windows (Part retrospective).

R26/0103
8 Weeks PA
Approval
08/05/2026

Land adjacent to and south of
Church Farm, Church Street,
Churchover, Rugby, CV23 0EW

Variation of Condition 2 (approved plans) to allow the dwelling and garage to be repositioned 400 mm away from the site boundary and removal of Conditions 3 (External Materials), 7 (Hard Surfacing and Driveway Materials), 10 (Boundary Treatments), 11 (Site Levels), 12 (Drainage), 13 (Construction Management Plan) 15 (Archaeology) and 19 (EV Charging) of R24/0914 (Erection of a dwelling, garage, car-port and associated parking)

R25/1054
8 Weeks PA
Approval
12/05/2026

LODGE FARM, 301,
EASENHALL ROAD,
HARBOROUGH MAGNA,
RUGBY, CV23 0HX

Proposed installation of solar panels.

Delegated

8 Weeks PA Applications Applications Approved

R26/0151
8 Weeks PA
Approval
12/05/2026

20, ALMOND GROVE, RUGBY,
CV21 1HP

Proposed ground floor rear
extension

R26/0264
8 Weeks PA
Approval
13/05/2026

141, BAWNMORE ROAD,
RUGBY, CV22 6JJ

Single storey rear extension

Certificate of Lawfulness Applications Applications Approved

R26/0090
Certificate of
Lawfulness
Approval
24/03/2026

Griffin Primary School, LOWER
LODGE AVENUE, Rugby, CV21
1NU

Certificate of lawfulness for
proposed erection of a detached,
timber-framed, single-storey
building to provide teaching
accommodation within curtilage
of existing school site.

R26/0089
Certificate of
Lawfulness
Approval
27/03/2026

Avon Park School, ST JOHNS
AVENUE, RUGBY, CV22 5HR

Certificate of Lawfulness for a
proposed 1no. single storey
classroom building with canopy.

Delegated

Certificate of Lawfulness Applications Applications Approved

110, Grosvenor Road, Rugby,
CV21 3LB

R25/0579
Certificate of
Lawfulness
Approval
01/04/2026

Certificate of Lawfulness
(Existing Use) for a House in
Multiple Occupation (HMO) (Use
Class C4)

R25/0562
Certificate of
Lawfulness
Approval
09/04/2026

39, MURRAY ROAD, RUGBY,
CV21 3JN

Certificate of lawfulness for an
existing HMO (C4).

R26/0093
Certificate of
Lawfulness
Approval
10/04/2026

Chez Nous, Fair Close, Frankton,
Rugby, CV23 9PL

Certificate of Lawfulness for a
proposed single storey rear and
side extensions.

R25/1020
Certificate of
Lawfulness
Approval
16/04/2026

Land West Of, Burton Lane,
Burton Hastings

Certificate of Lawfulness
(Existing) – Confirmation that the
land lying to the West side of
Burton Lane, Burton Hastings
(Freehold) Title number:
WK379888 lawfully qualifies as a
commercial (B8) storage use.

SUNNYMEADE COTTAGE,

Delegated

Certificate of Lawfulness Applications Applications Approved

MONTILO LANE,
HARBOROUGH MAGNA,
RUGBY, CV23 0HB

R26/0179
Certificate of
Lawfulness
Approval
16/04/2026

Certificate of Lawfulness
(Existing) – Confirmation than
Condition 4 (Planning Application
R74/0877/OP) - Agricultural
Occupancy Condition is not
legally binding.

R26/0167
Certificate of
Lawfulness
Approval
22/04/2026

55, Glebe Crescent, Rugby,
CV21 2HG

Certificate of Lawfulness for a
proposed single storey rear
extension.

R26/0202
Certificate of
Lawfulness
Approval
22/04/2026

23, Chapel Street, Long Lawford,
Rugby, CV23 9BH

Certificate of Lawfulness for a
proposed hip to gable loft
conversion with dormer to the
rear and velux to front.

R26/0173
Certificate of
Lawfulness
Approval
29/04/2026

Fairoaks, The Green, Broadwell,
Rugby, CV23 8HD

Certificate of Lawfulness for a
proposed garage conversion
including the replacement of
garage door with a window and
entrance door and a bi-fold door
to the rear. The provision of new
windows to the side elevations of
the dwelling.

Delegated

Certificate of Lawfulness Applications Applications Approved

R25/0986
Certificate of
Lawfulness
Approval
30/04/2026

5, MURRAY ROAD, RUGBY,
CV21 3JN

Certificate of Lawfulness for an
existing 8 bed HMO.

R26/0215
Certificate of
Lawfulness
Approval
30/04/2026

69, BAWNMORE ROAD,
RUGBY, CV22 6JN

Lawful development certificate for
a proposed single storey rear
extension.

R26/0184
Certificate of
Lawfulness
Approval
08/05/2026

12, PEAR TREE WAY, RUGBY,
CV22 7UD

Certificate of Lawfulness for a
proposed single storey side
extension with pitched roof.

R26/0234
Certificate of
Lawfulness
Approval
08/05/2026

9, THE GREEN, LONG
LAWFORD, RUGBY, CV23 9BL

Lawful development certificate for
proposed replacement roof with
side dormer and chimney
removal.

Conditions

Delegated

Conditions

Applications Approved

R25/0963
Conditions
Approval
19/03/2026

Land To East Of, Wolvey Road,
Stretton Baskerville

Details of condition 17 (Boundary Treatment) of R23/1047 (The construction of a Motorway Service Area)

R26/0056
Conditions
Approval
19/03/2026

Land To East Of, Wolvey Road,
Stretton Baskerville

Details of conditions 14 (Signage Strategy) of R23/1047.
The construction of a Motorway Service Area comprising vehicular and pedestrian access from the A5, petrol filling station for domestic vehicles, HGV filling station, Main Petrol Filling Station/Services building, drive thru unit, EV charging spaces, customer parking spaces including HGV, coach and caravan provision, landscaping including picnic and dog walking areas, electric substations and retaining walls at south/western boundary fronting the M69

R25/0945
Conditions
Approval
26/03/2026

Land To East Of, Wolvey Road,
Stretton Baskerville

Approval of condition 4 (surface water drainage) of R23/1047 (Construction of a motorway service area)

R25/0946
Conditions

Land To East Of, Wolvey Road,
Stretton Baskerville

Delegated

Conditions

Applications Approved

Approval
26/03/2026

Approval of condition 6
(Maintenance Plan) of R23/1047
(Construction of a motorway
service area)

R26/0243
Conditions
Approval
26/03/2026

180, Addison Road, Rugby,
Warwickshire, CV22 7EY

Details of condition 4 (Tree
Protection Measures) of
R25/0483 (Proposed single
storey side extension and rear
extension)

R25/0922
Conditions
Approval
27/03/2026

Land North of Projects Drive,
Rugby

Details in relation to condition 16
(External Lighting) of R24/0103 -
Construction of 108 dwellings
with associated access, roads,
parking and landscaping.

R26/0053
Conditions
Approval
01/04/2026

LAND AT NORTH OF SQUIRES
ROAD, SQUIRES ROAD,
STRETTON-ON-DUNSMORE

Details of condition 2 (Solar
Panels) of R24/0289.
(Approval of reserved matters
(layout, appearance, scale and
landscaping) pursuant to outline
permission R17/1767 (relating to
residential development up to 55
dwellings, parking, public open
space, landscaping and
associated infrastructure) on
Land at North of Squires Road,

Delegated

Conditions Applications Approved

Squires Road, Stretton-on-Dunsmore.)

R26/0157
Conditions
Approval
01/04/2026

18, COVENTRY ROAD,
PAILTON, RUGBY, CV23 0QB

Details of condition 3 of R22/1220 (Door Details). (Proposed addition of new Georgian canopy over the front door to the front elevation. Insertion of new door in existing wall for access to the existing annex).

R25/0045
Conditions
Approval
02/04/2026

LAND AT NORTH OF SQUIRES ROAD, SQUIRES ROAD, STRETTON-ON-DUNSMORE,

Details of condition 9 - external lighting of application R17/1767. (Outline application for residential development)

R26/0102
Conditions
Approval
02/04/2026

Rugby Radio Station (Houlton),
Land north of Handley Road,
Rugby

Details of condition 14 (Habitat Management & Maintenance Plan) and 15 (Construction Environment Management Plan)(Biodiversity) of R25/0653 (Erection of a 66 bed care home (C2 Use Class) and associated communal facilities, including car parking, landscaping and associated infrastructure.)

ELMS FARM, OXFORD ROAD,

Delegated

Conditions

Applications Approved

MARTON, RUGBY, CV23 9RQ

R26/0236
Conditions
Approval
13/04/2026

Details of conditions 3 (Materials) and 4 (Windows) of R21/0470 (Listed Building Consent for conversion of barns and stables to 6 dwellings with annex to House 1. Erection of 5 new detached dwellings. Associated access, drainage and landscaping works.)

R26/0267
Conditions
Approval
13/04/2026

ELMS FARM, OXFORD ROAD,
MARTON, RUGBY, CV23 9RQ

Details of conditions 4 (Contaminated Land), 8 (Archaeology) and 12 (Bats and Lighting) of R21/0469. (Conversion of barns and stables to 6 dwellings with annex to House 1. Extension of 5 new detached Dwellings. Associated access, drainage and landscaping works.)

R26/0032
Conditions
Approval
15/04/2026

Land North of, Handley Road,
Rugby CV23 1GA

Details of conditions 6 (Noise Assessment - Traffic Noise) and 7 (Noise Assessment - Plant & Equipment) of R25/0653. (Erection of a 66 bed care home (C2 Use Class) and associated communal facilities, including car parking, landscaping and associated infrastructure.)

Delegated

Conditions

Applications Approved

DIPBAR FIELDS, DAVENTRY
ROAD, DUNCHURCH, CV22
6NT

R26/0251
Conditions
Approval
15/04/2026

Details of condition 15 (Noise Assessment) of R13/0690. (Outline planning application for the development of the site for up to 86 dwellings (Use Class C3) and associated works including means of access from the A45/M45 roundabout and an emergency access from Daventry Road. All other matters are reserved.)

R25/0139
Conditions
Approval
16/04/2026

Dipbar Fields, Daventry Road,
Dunchurch, Rugby, CV22 6NT

Approval of Condition 8 (Footway Improvements), Condition 10 (Carriageway Marking) of R13/0690. (Outline planning application for the development of the site for up to 86 dwellings (Use Class C3) and associated works including means of access from the A45/M45 roundabout and an emergency access from Daventry Road. All other matters are reserved.)

R25/0845
Conditions
Approval
17/04/2026

Dipbar Fields, Daventry Road,
Dunchurch, Rugby, CV22 6NT

Approval of condition 7 (S38 Layout Plan) of R25/0400 (Variation of Conditions 1, 2, 3 & 8 of Reserved Matters approval

Delegated

Conditions Applications Approved

R19/1047 - condition 1 (amended layout plan) and conditions 2 (materials), 3 (boundary walls) & 8 (20mph signs) amended to compliance conditions.)

R25/0849
Conditions
Approval
17/04/2026

Dipbar Fields, Daventry Road,
Dunchurch, Rugby, CV22 6NT

Approval of conditions 9 (street lighting scheme) and 19 (Water supply and fire hydrant scheme) of R13/0690. (Outline planning application for the development of the site for up to 86 dwellings (Use Class C3) and associated works including means of access from the A45/M45 roundabout and an emergency access from Daventry Road. All other matters are reserved.)

R26/0282
Conditions
Approval
17/04/2026

LAND NORTH EAST OF
CASTLE MOUND WAY, CASTLE
MOUND WAY, RUGBY

Details of condition 28 (External Lighting) of R22/0551.
Application for full planning permission for storage and distribution floorspace (Class B8 use), with ancillary offices, gatehouse, associated car parking, HGV parking, landscaping and infrastructure.

SHELFORD, 52, HINCKLEY

Delegated

Conditions

Applications Approved

ROAD, WOLVEY, HINCKLEY,
LE10 3HQ

R26/0300
Conditions
Approval
17/04/2026

Details of condition 5 (Ecology) of
R25/0624.
(Two-storey rear and single
storey rear extension.)

R26/0058
Conditions
Approval
21/04/2026

9, CHURCH STREET, RUGBY,
CV21 3PH

Details of condition 3 (Window
Details) of R25/0278.
(Change Of Use of First Floor
Offices to 1 Bed Flat Including
Ground Floor Extension to create
office space.)

R26/0205
Conditions
Approval
21/04/2026

LAND REAR OF
LUTTERWORTH ROAD,
PAILTON, RUGBY, CV23 0QE

Details of conditions 4 (Ecology),
5 (Ecology) and 8 (Contaminated
Land) of R23/0133.
Change of use of an existing
building to a residential dwelling
and associated parking.

R26/0315
Conditions
Approval
22/04/2026

154, HILLMORTON ROAD,
RUGBY, CV22 5AL

Details of condition 5 (Air Quality)
of R25/0679.
(Proposed change of use from 6
Bedroom C4 HMO to 9 Bedroom
Sui Generis HMO including
extensions and alterations.)

LAND AT NORTH OF, HYDES

Delegated

Conditions Applications Approved

LANE, STRETTON
BASKERVILLE

R26/0226
Conditions
Approval
24/04/2026

Details of condition 19 (Surface Water Drainage) of R23/0047. Proposed development for construction and operation of a battery storage facility and associated infrastructure on land at Hydes Lane, Hinckley

R26/0289
Conditions
Approval
27/04/2026

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Details of condition 4 (Fixed Plant & Equipment) of R24/0257. (Full planning application for the erection of a Vehicle Maintenance Unit (VMU), as an ancillary development within the yard area of the Unit 1 building (B8 use) at Padge Hall Farm, with associated yard, drainage and infrastructure works.)

R26/0290
Conditions
Approval
28/04/2026

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Details of condition 6 (fixed plant machinery and ventilation equipment) in respect of Unit 1 of R24/0081. (Variation of Condition 1-plans, 14- Surface Water Drainage Scheme, 46- approved detail including drainage and 48- flood risk assessment attached to R21/0985)

Delegated

Conditions

Applications Approved

HOLYWELL HOUSE, WATLING STREET, NEWTON, LUTTERWORTH, LE17 6AR

R25/0743
Conditions
Approval
30/04/2026

Approval of Conditions 7 (Construction Management Plan), 8 (Foundation Construction Details) 11 (Landscaping Scheme), 12 (Habitat Management and Monitoring Plan) of R22/1311 (Erection of 2 steel framed storage buildings and associated hardstanding)

R26/0164
Conditions
Approval
30/04/2026

LAND AT PADGE HALL FARM, WATLING STREET, BURBAGE

Details of condition 7 (BREEAM) in respect of Unit 1 of R24/0081. (Variation of Condition 1-plans, 14- Surface Water Drainage Scheme, 46- approved detail including drainage and 48- flood risk assessment attached to R21/0985 (Hybrid planning application comprising: Outline application (all matters reserved except for site access from the A5) for the demolition of existing structures and the erection of distribution and industrial buildings (Use Class B2 and B8) including ancillary offices and associated earthworks, infrastructure and landscaping, and highways improvements at Dodwells roundabout; a Full

Delegated

Conditions Applications Approved

application for the development of a distribution building (Use Class B8), including ancillary offices with associated access, hard standing, parking, and on plot landscaping. The proposals include improvements to the existing railway bridge on the A5 Watling Street including increased height clearance. This is a cross boundary application with Hinckley and Bosworth Borough Council and Nuneaton and Bedworth Borough Council (EIA development.) dated 20th December 2023.)

R26/0177
Conditions
Approval
30/04/2026

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Details of condition 5 (BREEAM) of R24/0257.
(Full planning application for the erection of a Vehicle Maintenance Unit (VMU), as an ancillary development within the yard area of the Unit 1 building (B8 use) at Padge Hall Farm, with associated yard, drainage and infrastructure works.)

R26/0252
Conditions
Approval
05/05/2026

LAND AT NORTH OF SQUIRES
ROAD, SQUIRES ROAD,
STRETTON-ON-DUNSMORE

Details of condition 18 (Drainage) of R17/1767.
(Outline application with all matters reserved, aside from

Delegated

Conditions Applications Approved

access into the site, for residential development.)

R26/0067
Conditions
Approval
06/05/2026

Land at Hydes Lane, Hinckley,
LE10 3DP

Details in relation to conditions 4 (CEMP) and 5 (HMMP) of R23/0047 - Proposed development for construction and operation of a battery storage facility and associated infrastructure on land at Hydes Lane, Hinckley

R26/0119
Conditions
Approval
08/05/2026

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Details of condition 15 (SuDS Management & Maintenance Plan) of R24/0081. Variation of Condition 1-plans, 14- Surface Water Drainage Scheme, 46- approved detail including drainage and 48- flood risk assessment attached to R21/0985.

R26/0142
Conditions
Approval
08/05/2026

LAND AT PADGE HALL FARM,
WATLING STREET, BURBAGE

Details of condition 18 (Drainage Management Plan) of R24/0257. (Full planning application for the erection of a Vehicle Maintenance Unit (VMU), as an ancillary development within the yard area of the Unit 1 building (B8 use) at Padge Hall Farm,

Delegated

Conditions Applications Approved

with associated yard, drainage and infrastructure works.)

R25/0869
Conditions
Approval
12/05/2026

Land North of Projects Drive,
Rugby

Details of condition 11 (Detailed Surface Water Drainage Scheme) and 21 (Estate Road Layout) of R24/0103.

R26/0235
Conditions
Approval
12/05/2026

ELMS FARM, OXFORD ROAD,
MARTON, RUGBY, CV23 9RQ

Details of conditions 11 (Bat & Bird Boxes) and 13 (Ecological and Landscaping Scheme) of R21/0469. (Conversion of barns and stables to 6 dwellings with annex to House 1. Extension of 5 new detached Dwellings. Associated access, drainage and landscaping works.)

R26/0057
Conditions
Approval
13/05/2026

FIELD VIEW, BACK LANE,
HARBOROUGH MAGNA,
RUGBY, CV23 0HT

Details of condition 3 (Materials), 4 (Tree Planting), 5 (Contamination), 6 (Demolition and Construction Management Plan), 7 (BMP Ecology), 8 (PSMS Ecology) and 9 (Bin & cycle stores) of R25/0389. (Demolition of existing storage buildings and replacement with a new dwelling and outbuilding and associated gates and boundary treatments.)

Committee

Discharge of Conditions

Applications Approved

R13/0690	DIPBAR FIELDS, DAVENTRY ROAD, DUNCHURCH, RUGBY, CV22 6NT	Outline planning application for the development of the site for up to 86 dwellings (Use Class C3) and associated works including means of access from the A45/M45 roundabout and an emergency access from Daventry Road. All other matters are reserved.
15/04/2026		
R18/0936	LAND SOUTH OF COVENTRY ROAD AND CAWSTON LANE, COVENTRY ROAD, CAWSTON, RUGBY,	Outline planning application for up to 210 dwellings, a two form entry primary school, and creation of associated vehicular access, pedestrian /cycle and emergency accesses, highway improvements to Cawston Lane, parking, landscaping, drainage features, open space and associated infrastructure (all matters reserved except vehicular access to the site).
01/05/2026		
R22/0928	LAND NORTH OF DUNCHURCH, SOUTH OF BILTON, RUGBY	Full planning application for the delivery of an all-traffic single carriageway link road (the Homestead Link Road), including 2m verge, 2m footway and 3m cycleway on the development side of the carriageway, a Pegasus crossing, new junctions with the B4429 Coventry Road,
06/05/2026		

Committee

Discharge of Conditions Applications Approved

Cawston Lane, Alywn Road, the A426 Rugby Road and to adjacent land allocated for residential development, plus realigned side road accesses to several existing residential properties. A new junction off Alwyn Road, its partial re-alignment and construction of a future 'spine road' (part only) that will provide access to other land allocated for residential development at SW Rugby. Associated works including street lighting, landscaping, surface water drainage infrastructure, utility diversions and ground remodelling, plus demolition of existing agricultural buildings. Creation of a landscaped buffer between the Homestead Link Road and Dunchurch, to include informal footpaths, new and enhanced ecological habitats, plus the same combination of features on land west of the Link Road.

Delegated

Listed Building Consent Applications

Applications Refused

R26/0029 2-6, ALBERT STREET, RUGBY,
Listed Building Consent CV21 2RS
Refusal
24/04/2026

Retrospective application for
Listed Building consent to display
a 1X illuminated advertisement
above the entrance door and 2 X
non-illuminated signs on the fascia
and an internally illuminated
projecting sign

Applications Approved

R25/1050 CLOCK HOUSE, FRANKTON
Listed Building Consent ROAD, BIRDINGBURY, RUGBY,
Approval CV23 8EW
27/03/2026

Listed building consent for
proposed restoration of existing
external sash windows.

R26/0023 H M PRISON SERVICE
Listed Building Consent COLLEGE, NEWBOLD REVEL
Approval ROAD, STRETTON UNDER
16/04/2026 FOSSE, RUGBY, CV23 0TH

Listed Building Consent for the re-
roofing of a residential block as
part of a listed building.

R26/0034 DUNCHURCH PARK HOTEL
Listed Building Consent AND CONFERENCE CENTRE,
Approval RUGBY ROAD, DUNCHURCH,
22/04/2026 RUGBY, CV22 6QW

Listed building consent for
proposed restoration of existing
glasshouse.

R26/0214 47, THE BEECHES, MAIN
Listed Building Consent STREET, WOLSTON,
Approval COVENTRY, CV8 3HH
28/04/2026

Listed building consent for
erection of porch at rear entrance

Major Applications

Applications Refused

R25/0883 Major Application Refusal 17/04/2026	Lentons Lane Solar Farm, Lentons Lane, Aldermans Green	Solar Farm Development including solar arrays, control buildings and associated infrastructure, internal access roads including landscaping and associated development.
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Applications Approved

R24/0936 Major Application Approval 26/03/2026	BRINKLOW MARINA, CATHIRON LANE, BRINKLOW, RUGBY, CV23 0JH	Proposed Change of Use of 30 Existing Leisure Moorings to Residential moorings and the erection of associated infrastructure at Brinklow Waterside and Marina, Cathiron Lane, Brinklow, CV23 0JH.
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R25/1123 Major Application Approval 09/04/2026	UNIT A-B, VALLEY DRIVE, RUGBY, CV21 1TN	Refurbishment of the existing warehouse comprising provision of external plant/equipment and repainting and maintenance of external facade.
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R26/0011 Major Application Approval 16/04/2026	College Of Policing, LEAMINGTON ROAD, RYTON- ON-DUNSMORE, COVENTRY, CV8 3EN	Variation of condition 4 of R22/1169 (Retention of one and two storey office, conference, dining and ancillary accommodation, car parking and internal site access road) to allow retention for up to 5 years.
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Prior Approval Applications

Prior Approval Applications

R26/0152 Prior Approval Extension Not Required 30/03/2026	1, NEWCOMBE CLOSE, DUNCHURCH, RUGBY, CV22 6ND	Prior approval for a proposed single storey rear extension measuring 5.5m long, 3.5m high and 2.25m at eaves.
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R26/0231 Agriculture Prior Approval Required and Refused 30/03/2026	PARK FARM, SPRING ROAD, BARNACLE, COVENTRY, CV7 9LG	Prior approval for a proposed extension to an agricultural building for the storage of machinery, straw, implements, fertiliser and workshop.
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R26/0241 Agriculture Prior Approval Not Required 01/04/2026	Calcutt House Farm, Calcutt Lane, Lower Shuckburgh, Daventry, Warwickshire, NN11 6EA	Prior approval for a proposed extension to existing steel framed building.
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R26/0239 Agriculture Prior Approval Not Required 02/04/2026	SHILTON FIELDS FARM, LEICESTER ROAD, WITHYBROOK, CV7 9LZ	Prior approval for a proposed agricultural building for storage of produce and equipment.
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R26/0313 Agriculture Prior Approval Not Required 15/04/2026	The Barn, Longdown Lane, Willoughby, CV23 8AG	Prior approval for a proposed steel frame building.
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Prior Approval Applications

Prior Approval Applications

R26/0319
Agriculture Prior
Approval
Returned by Planning
Dept
24/04/2026

72, LUTTERWORTH ROAD,
PAILTON, RUGBY, CV23 0QF

Prior approval for a proposed
agricultural building.

R26/0322
Agriculture Prior
Approval
Returned by Planning
Dept
24/04/2026

72, LUTTERWORTH ROAD,
PAILTON, RUGBY, CV23 0QF

Prior approval for a proposed
building.

R26/0099
Prior Approval
Extension
Not Required
28/04/2026

17, SEDLESCOMBE PARK,
RUGBY, CV22 6HL

Prior approval for a proposed
single storey rear extension
measuring 5m long, 3.60m high,
and 2.80 at eaves.

Committee

Withdrawn Applications

Applications Withdrawn

R22/1035
Major Application
Withdrawn by
Applicant/Agent

MYSON HOUSE, RAILWAY
TERRACE, RUGBY, CV21 3LS

Withdrawn Applications
Applications Withdrawn
01/04/2026

Outline planning application with all matters reserved for demolition of six storey office block and construction of 2no. six storey apartment blocks with associated external works and landscaping
