

24 July 2026

PLANNING COMMITTEE - 5 AUGUST 2026

A meeting of the Planning Committee will be held at 5.30pm on Wednesday 5 August 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 1 July 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
6. Planning Appeals Update
7. Delegated Decisions – 11 June 2026 to 15 July 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 – 5 August 2026
Report of the Strategic Director for Place
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	R25/0225	Change of Use of residential garage to be used as cosmetic medical services – 18 Boughton Close, Rugby, CV22 6BZ	3
2	R26/0069	Retrospective extension of existing gypsy and traveller site by 3 residential pitches - Land south west of Foxons Corner, Fosse Way, Monks Kirby, Rugby, CV23 0RT	14

Reference: R25/0225

Site Address: 18, BOUGHTON CLOSE, RUGBY, CV22 6BZ

Description: Change of Use of residential garage to be used as cosmetic medical services.

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/40613>

Recommendation

1. Planning application R25/0225 be approved subject to:

the conditions and informatives set out in the draft decision notice appended to this report; 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.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination because the proposed development has been called to Committee by Councillor Bennett due to the disruption from traffic, the storage of medical devices such as syringes in a residential development and the impact on local businesses in the village who also offer similar services.

2.0 Description of site

2.1 The application dwelling is a large two storey detached property located on Boughton Close, which is located within the parish of Dunchurch. The area which the property is located is a relatively new development with the outline application being approved in 2014 and the reserved matters application being approved in 2016. The properties in the surrounding area all have private driveways with these properties all having garages, some are attached whilst others are detached.

2.2 The property is designed in cream brick with grey slate roof tiles, white UPVC window and door openings. The property has a driveway to the side of the property that leads to a detached double garage. To the rear of the property there is a relatively large rear amenity space that is mostly laid to lawn, with some paving near the rear wall of the property. The property is located on a corner and is near the entrance to the estate. There is a large boundary fence that surrounds the rear amenity space of the dwelling. The property is set back from the street scene and is residentially characterised due to the mix of the type of residential dwellings in the area and lack of commercial or industrial buildings.

3.0 Description of proposals

3.1 This application seeks permission for the Change of Use of residential garage to be used as cosmetic medical services.

3.2 This application seeks permission for the change of use of the existing residential garage to a cosmetic services building. The proposed change would see internal alterations to the layout

of the garage as well as an alteration to the side and rear elevations that would see a window and door located on the side elevation and two windows on the rear elevation.

Planning History

R23/1068	Single storey rear extension and new porch	Approval 15/01/2024
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Relevant Planning Policies

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.

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.

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development

GP2: Settlement hierarchy

ED3: Employment Development Outside Rugby Urban Area

SDC1: Sustainable design

SDC4: Sustainable Buildings

D2: Parking facilities

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.

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

S1: Settlement Hierarchy

CL4: Climate adaption

E2 Employment development

EN8: Environmental protection and amenity

D1: Well-designed places

I2: Parking

The Local Plan for 2025-2042 was submitted for examination on 27th April 2026 currently carries significant weight in decision making.

National Planning Policy Framework, 2024 (NPPF)

Supplementary Planning Documents

Climate Change & Sustainable Design and Construction– 2023; including Residential Design Guide

Technical consultation responses

RBC Environmental Health – No Objection.

WCC Highways – No Objection.

Third party comments

Parish Council – No objection, however, noted that the development may be in breach of restrictive covenants.

Objections were received from 11 neighbouring properties

- Breach of restrictive covenant.
- Impact on traffic due to increase in trips.
- Adverse impact on Highway safety.
- Adverse impact on on-street parking.
- Adverse impact on residential access into Earle Gardens.
- Adverse impact on character of the residential area.
- Adverse impact on the street scape with the design of the proposal.
- Adverse impact on residential amenity.
- Inappropriate use for this type of location.
- Inaccuracies of provided plans.
- Public Safety and CQC Oversight.
- Concerns in relation to the precedent this development would set.
- Cumulative impacts of the development on site.
- Concerns regarding potential thefts of equipment.

4.0 Assessment of proposals

4.1 The key issues to assess in the determination of this application are the principle of development, character and design, impact on neighbouring properties, highway safety & parking.

5.0 Principle of development

5.1 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 11(d) details that in cases where the policies most important in determining an application are out of date the “tilted balance” is engaged and permission must be granted unless policies within the NPPF provide a strong reason for refusal or the adverse impacts would significantly outweigh the benefits. The engagement of the tilted balance will be concluded in the planning balance.

5.2 Policy GP2 of the Local Plan and Policy S1 of the Submission Local Plan both state that development will be allocated and supported in accordance with the settlement hierarchy. The site is located within the main rural settlement of Dunchurch as defined in both policy GP2 and S1, as such development will be permitted within existing boundaries.

5.3 Whilst the proposal would be of a relatively small scale it would result in the re-use of an existing building to be used for business purposes; this provides a semi-homeworking capability for the applicant. Policy E2 of the Submission Local Plan outlines that within settlement boundaries but outside of Strategic Employment Sites and employment allocations the development of employment uses will be permitted, subject to compliance with other policies of this plan. As such this application is considered to comply with both policy ED3 and E2.

5.4 Subject to detailed consideration being given to the impact of the proposed scheme, having an acceptable impact on the character and appearance of the area, residential amenity, and ensuring it complies with national and local policies detailed above, the principle of development is considered acceptable.

6.0 Design

6.1 Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the

proposals are of scale, density and design that responds to the character of the area in which they are situated, and developments should aim to add to the overall quality of the areas in which they are situated. Policy D1 of the submission Rugby Local Plan 2025-2042 states that new development shall create or contribute to well-designed places. Development that is not well-designed will not be permitted.

6.2 Section 12 of the NPPF states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 135 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 135 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

6.3 An initial proposal was submitted which would have seen the installation of 2 large glass doors on the front elevation, this design was amended. The proposed development would now see the retention of garage doors on the front elevation to ensure the garage appears in keeping with the character of the area. The only visible exterior alterations would be on the side and rear elevations and would not have a detrimental impact on the character of the area.

6.4 The proposed change of use would change the character of the surrounding area from being entirely residential to being a mixed-use area with a mix of residential and commercial uses. This would impact the character of the area and would detract from the residential nature of the area. However, the impact of this would be reduced due to the fact that the commercial nature of the building would not be visible from the street scene.

6.5 The proposed development would conflict with R23/1068 as the window and door of the side elevation of the garage would be blocked by the approved extension. This means only one of these applications could be implemented on site. It is not considered that this would result in the application being refused as it is the LPA's understanding that R23/1068 has not commenced and therefore would not be in conflict with this application. As only one permission can be implemented on site the cumulative impact of the proposals needs not be considered, however, even if both were to be compatible and introduced the cumulative impact of the development would not be great enough to warrant a refusal of the application.

6.6 RBC Environmental Health were invited to comment on this application and advised that they had no objection to the proposal as the applicant has advised that the procedures would not create any noise.

6.7 The proposal is not considered to impact adversely upon the character of the local area to any significant extent and is in accordance with Policy SDC1 of the Rugby Borough Council Local Plan 2011-2031 and Policy D1 of the submission Rugby Local Plan 2025-2042.

7.0 Impact on neighbouring properties

7.1 Policy SDC1 of the Local Plan states that proposals for new development will ensure that the living conditions of existing and future neighbouring occupiers are safeguarded. Policy EN8 of the submission Local Plan relates to environmental protection and amenity and states at b) new development should not have an unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land. Section 12 of the National Planning Policy Framework states that planning should always seek a high standard of amenity for existing and future users of developments.

7.2 With reference to the Climate Change & Sustainable Design & Construction SPD (2023), it states that the council should assess the impact on residential amenities enjoyed by the occupiers of the surrounding properties.

7.3 A number of concerns have been raised by neighbouring properties. One of the main concerns raised is in relation to the potential breach of a restrictive covenant, this is because there is a restrictive covenant in place restricting the change of use of their private garage to be used for any trade or business purposes. It should be noted that this would not be a material planning consideration and whilst an application can be approved, it may not be able to be implemented if it is not in accordance with restrictive covenants. A number of concerns were raised in relation to parking and Highway Safety which is addressed in section 7 of this report. The proposal is considered to have a negligible impact on the character of the area in relation to the design of the building as it ensures the existing character of a garage is maintained. The impact on residential amenity will be assessed later in this section of the report. It is considered that the principle of development in this location would be acceptable as has been assessed in section 4 of this report. Concerns have been raised in relation to public safety due to the potential thefts of equipment on site, this would not be a material planning consideration for this application. Finally, concerns have been raised regarding the potential precedent that this application would set, whilst a development may be approved this does not mean that a precedent has been set as each applications individual planning considerations much be assessed.

7.4 There would be no additional overlooking concerns created through the proposed development as the nearest properties that faces the front elevation of the garage is over 14 metres away. There would be no overshadowing created as there are no additions being constructed on the garage. It is unlikely that any neighbouring properties would be impacted by the overshadowing or overlooking impacts due to the changes proposed on site due to the design of the proposed development.

7.5 The proposed development may not impact any nearby properties due to additional overlooking or overshadowing; however, RBC Environmental Health have been consulted on the application and have advised that they do not have any concerns with the proposed development.

7.6 The amenity of nearby neighbouring properties may be impacted through the parking provision of the proposal, however, the impact on parking is covered in Section 7 of this report and any of its impacts will be assessed in this section.

7.7 A condition (condition 5) which would limit the use of the building to be for cosmetic services by Dr Sing Khien Tiong and for no other purpose. This would ensure that this building cannot be sold off separately from the main dwellinghouse and cannot be used for any other purposes than those approved. This ensures that no businesses with additional harm to the neighbouring area can be introduced on the site.

7.8 It is considered that the impact on neighbouring properties in relation to light and privacy is acceptable. This application is therefore considered to be in accordance with policy SDC1 of the Local Plan, policy EN8 of the submission Rugby Local Plan and the Climate Change & Sustainable Design & Construction SPD (2023).

8.0 Highway Safety & Parking

8.1 Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy D2 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking facilities. Policy I2 of the submission

Local Plan also reinforces the requirement for parking facilities.

8.2 Condition 11 of R11/0726 states the following:

“The accommodation for car parking and cycle parking required by condition 11 shall be provided before the occupation of the development to which it relates and shall be retained permanently for the accommodation of vehicles of persons residing in or calling at the properties and shall not be used for any other purpose.” The reason for this condition was: “In order to ensure that satisfactory parking and access arrangement are provided and maintained within the site”. This condition relates to this application as the works cannot be done under permitted development, this condition was likely imposed due to the potential impact on parking in the surrounding area if the garage were to be converted.

8.3 The proposals will result in the property retaining 5 bedrooms and the Council’s standards require 3 car parking spaces in this location for the dwelling. The current use class of cosmetic services falls under Class E; however, the previous use class would be D1. The parking requirements outlined in the RBC Local Plan state that Doctors Surgery, Dentists Surgery, or Veterinary Surgery require 4 spaces per consulting room and Health Centres require 6 parking spaces per consulting room. The proposed development would not fall within either of these categories therefore a reasonable approach must be taken, the applicant has advised they expect no more than 2 vehicles arriving at any time and therefore a fair approach would be to require 2 parking spaces to be provided on site for parking. Policy I2 of the Submission Local Plan outlines that Medical services not attached to the home of the practitioner should provide 4 spaces per consulting room in a low access area and 2 in the high access area. This would be the parking requirement closest to that of the works proposed and as the proposal is within the same plot as the home of the practitioner it is considered as reasonable to only require 2 parking spaces to be provided for the proposed development in addition to the 3 parking spaces required for the dwelling house.

8.4 The provided block plan shows that there would be insufficient space for the parking of 5 vehicles on site with one parking bay crossing the red line boundary of the site and only 4 parking spaces being indicated on the plans. Only 3 of the parking spaces can fit within the area of the site that is marked for parking which would be a deficit of 2 parking spaces.

8.5 WCC Highways have stated that Earle Gardens and Boughton Close are both located on private roads that are not maintainable on the public expense and therefore the Highways authority assessed the impacts on the nearest public highway which would be Rugby Road. They have advised that if clients are unable to park on site, then they would likely park on Earle Gardens and Boughton Close which would not impact Rugby Road. WCC Highways have advised that the proposal would likely not impact on the nearest public highway.

8.6 WCC Highways have provided comments on this application; however, they are relatively limited due to the proposal not impacting the public highway. Whilst the proposal would likely have no impact on the public highway, it is considered that the proposal may have a detrimental effect on the highway and neighbouring amenity due to insufficient parking provided on site. The roads around the site are relatively narrow with a limited amount of space for on street parking. At least 1 car would be expected to park on the street at all times whilst the business is operating. Whilst this would reduce the visibility of neighbouring properties using their driveways, this would not be to an unacceptable level as this type of obstruction can be found on the street in the morning and evening. This would result in additional harm to the area through its impact on residential amenity. When undertaking the case officer site visits it was determined that the harm would likely not be great enough to warrant a refusal as there is on street parking available on site, however, a

condition to limit the hours of operation is recommended to avoid customers cars being parking on the public highway at a time that could result in a detrimental impact on Highway Safety. The applicant has advised that the business would operate from 9:00-18:00 Monday-Friday, however, the LPA consider that the hours of operations should be restricted to 10:00-16:00 Monday-Friday to minimise the impact the proposal of neighbouring properties. This would ensure that business operates outside of the hours where nearby occupiers of dwellings may be in their properties and therefore reduces the impact on residential amenity to an acceptable level.

8.7 A number of objections raised were regarding the fact that plans were not drawn correctly to demonstrate the access into Earle Gardens correctly, this would have a limited impact on the proposal as it has been determined that there would be no impact on Highway Safety from the proposed development by WCC Highways. Whilst the proposed development would result in additional vehicles accessing the site it is unlikely that this would have a detrimental impact on this access.

8.8 Sufficient parking cannot be provided on site this application is not considered to be in accordance with policy D2 of the Local Plan and policy I2 of the Submission Local Plan, however it is considered to be in accordance with policy D1 of the Local Plan and I1 of the Submission Local Plan.

9.0 Climate Change and Sustainable Design

9.1 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.

9.2 Local Plan Policy SDC4 read in conjunction with the Climate Change and Sustainable Design and Construction SPD, which 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. Policy CL4 of the submission Local Plan relates to climate adaption requiring all development to be resilient to and adapt to the future impacts of, climate change.

9.3 The application is accompanied by sustainability checklist which provides details of how the development proposes to incorporate energy efficient design techniques such as utilising energy efficient design techniques and complying with the building regulations limit of 110 litres of water usage per day.

9.4 It is considered that the applicant has demonstrated how energy efficiency and sustainability has been incorporated within the development and therefore the development complies with Policy SDC4.

10.0 Community Infrastructure Levy

10.1 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.

10.2 In this case, the proposal is for the change of use to a cosmetic surgery studio which is not a form of chargeable development and therefore is not liable for CIL.

11.0 Equality Implications

11.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

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.

11.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

11.3 There are no known equality implications arising directly from this development.

11.4 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).

12.0 Planning Balance and Conclusion

12.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. It is considered that the most important adopted policies (as referenced within paragraph 11 of the NPPF) for determining the application is policies GP2, SDC1 and D2 of the Local Plan (2019) significant weight is given to submission Local Plan policies S1, E2, D1 and I2.

12.2 In this instance, policies GP2, SDC1 and D2 of the Local Plan are considered to be up to date, therefore the basket of policies most important for determining the application is up to date. The “tilted balance” is therefore not engaged, and the application should be determined in accordance with the development plan policies and submission Local Plan policies.

12.3 The proposed development would only consist of alterations to the outbuilding which is currently used as a garage. There would be some exterior alterations, however, these would be to the side and rear of the building and therefore not visible from the street scene. All other alterations would be internal. This would result in the proposal having a negligible impact on the character of the area. The proposed development would have no impact on neighbouring properties when considering overlooking and overshadowing, RBC Environmental Health were consulted on this application and raised no concerns regarding potential noise impacts on neighbouring properties through the introduction of the proposed development. WCC Highways do not believe that the proposed development would have an impact on Highways safety of the public highway. It is considered that the development cannot provide sufficient parking for the proposed use, this results any clients being required to park their vehicles on the pavement of the public highway which impacts the amenity of neighbouring properties. However, condition 4 would limit the hours of operation to 10:00-16:00 Monday-Friday, which would mean this impact on neighbouring properties would be greatly reduced as the business would operate in the hours that most neighbours would not be in their dwelling. The proposed development has demonstrated how energy efficiency and sustainability has been incorporated within the development.

12.4 The design of the development would have a neutral impact on the proposal as any changes that are proposed cannot be seen from the street scene. The proposal would have a

neutral impact on neighbouring amenity in relation to overlooking and overshadowing as there would be no extensions to the building and any new windows created would face into the rear amenity space and would be at the ground floor level which has a fence separating the amenity space of the application site and the nearest neighbouring property. There would be an impact on neighbouring amenity in the form of parking as the proposed development would result in insufficient parking, this is considered to have a substantial impact on the proposal. This impact is considered to be mostly mitigated through the introduction of a condition restricting the hours of operation to be between 10:00 and 16:00 Monday to Friday as will limit its impact on residential amenity by ensuring the business cannot operate at the hour's most nearby neighbours would be home. The proposed development would have a negligible impact on Ecology as there would be limited impact on ecological matters on this site and the proposal would have a negligible impact on climate change and sustainability as it would see the re-use of an existing building. The proposed development would result in the creation of a new business within the borough that would contribute business rates, the operators of the business would also likely be able to contribute a greater amount to the local economy due to their increased income.

12.5 Due to the reasons above, the application is considered to be in accordance with the NPPF, Local Plan and Submission Local Plan. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the NPPF, it is considered that this application should be approved subject to conditions.

13.0 Recommendation

1. Planning application R25/0225 be approved subject to:
the conditions and informatives set out in the draft decision notice appended to this report; 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.

DRAFT DECISION

REFERENCE NO:

R25/0225

DATE APPLICATION VALID:

17-Mar-2025

APPLICANT:

Mr Sng Khien Tiong 18 Boughton Close, Rugby, Warwickshire, CV22 6BZ

AGENT:

Alan Pearson, RCI Design Ltd RCI Design Ltd, 156 Hawkes Mill Lane, Allesley, Coventry, CV5 9FN

ADDRESS OF DEVELOPMENT:

18, BOUGHTON CLOSE, RUGBY, CV22 6BZ

APPLICATION DESCRIPTION:

Change of Use of residential garage to be used as cosmetic medical services.

CONDITIONS, REASONS AND INFORMATIVES:**CONDITION 1:**

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

REASON:

To comply with Section 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:

Application Form received by the Local Planning Authority 05-Mar-25
ApplicationForm.pdf (Application Form)

Plans received by the Local Planning Authority 27-Jan-26
Drawing No:9593-011 Rev:A (Proposed Plans 1:100 and Elevations 1:50)

Plans received by the Local Planning Authority 04-Mar-26
SKM_C25826030410470.pdf (Site Location Plan 1:1250)

Plans received by the Local Planning Authority 21-Jul-26
Drawing No:9593-010 Rev:A (Proposed Site Block Plan 1:200)

REASON:

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

CONDITION 3:

The facing materials to be used on the external walls shall be as specified on the application form, received by the Council on 05-Mar-25 and on plans outlined in Condition 2.

REASON:

To ensure a satisfactory external appearance and in accordance with Policy SDC1 of the Local Plan (2019).

CONDITION 4:

The premises shall not be opened for business other than between the hours of 10:00-16:00 Monday to Friday and shall not be open on Weekends or Bank Holidays.

REASON:

To protect the amenity of nearby properties from unacceptable harm in accordance with Policies SDC1 and D1 of the Local Plan (2019).

CONDITION 5:

The development hereby permitted shall only be occupied and used for purposes linked to the operational use of the cosmetic medical services business of Dr Sing Khien Tiong and their residential occupation of 18 Boughton Close.

REASON:

To protect the amenity of nearby properties from unacceptable harm in accordance with Policy SDC1 of the Local Plan (2019).

CONDITION 6:

No external plant or equipment shall be installed without the prior written approval of the Local Planning Authority.

REASON:

To protect the amenity of nearby properties from unacceptable harm in accordance with Policy SDC1 of the Local Plan (2019).

Reference: R26/0069

Site Address: Land south west of Foxons Corner, Fosse Way, Monks Kirby, Rugby, CV23 0RT

Description: Retrospective extension of existing gypsy and traveller site by 3 residential pitches.

Web link: <https://planning.agileapplications.co.uk/rugby/application-details/41706>

Recommendation

1. Planning application R26/0069 be approved subject to:
the conditions and informatives set out in the draft decision notice appended to this report
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.

1.0 Introduction

1.1 This application is being reported to Planning Committee for determination because the development has been called to Committee by Councillor Gillias due to 'blatant Intentional Unauthorised Development, within the Green Belt, on this site'.

2.0 Description of site

2.1 The site is located within the Green Belt. The application site occupies a narrow strip of land located between Withybrook Spinney and the Fosse Way. Access to the site is via a recessed gated entrance immediately off the highway, opposite the junction of Fosse Way and Millers Lane. The site is also adjacent to the junction of Fosse Way and Bow Lane.

2.2 The site has been enclosed by 2m+ high close boarded timber fencing, and the access is secured by a 5-bar timber gate which opens into the site. Along the boundaries with the adjacent highways remnants of roadside hedging remain. There is also a shallow drainage ditch that runs through Withybrook Spinney (to the rear of the site). At the time of the site visit 5 caravans were located within the site, however, the agent has advised that these have been removed.

2.3 The application site is wholly within the West Midlands Green Belt. Prior to the applicant occupying the site in December 2020, the land had last been used for forestry purposes, with the then owners operating a willow harvesting and crafting business from the site. Prior to that, the land was essentially a small paddock, undeveloped and largely left to nature. Neither of these uses would be classed as development in planning terms, and as such the site retained "green field" status (as opposed to the "brown field" status of sites that have been previously developed).

3.0 Description of proposals

3.1 This application seeks permission for a retrospective extension of existing gypsy and traveller site by 3 residential pitches.

3.2 This application seeks retrospective permission for the extension of an existing gypsy and traveller site to include an additional 3 residential pitches with spaces for vehicle parking. Each of the mobile homes would approximately measure 4.25 metres wide by 12.2 metres in length and as such would each have an area of 51.75m². The plan demonstrates 2 touring caravans located on site.

Planning History

R19/0906	Certificate of Lawfulness for retention of 2no. mobile structures used for forestry purposes.	Refusal 28/08/2019
R20/1062	Change of use of land to use as a residential caravan site for 2no. gypsy families, including siting of 2no. static caravans and 2no. touring caravans together with laying of hardstanding and erection of 2no. stable/utility buildings (retrospective). Permission sought for a temporary period of 3 years.	Refusal 30/06/2021
R23/0850	Change of use of land to use as a residential caravan site for 1no. gypsy family, static with 1no. caravan together with laying of hardstanding and erection of 1no. stable/utility building. Appeal APP/E3715/W/24/3339499	Refusal 14/12/2023 Appeal Allowed 19/03/2025

Relevant Planning Policies

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

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.

Rugby Borough Local Plan 2011-2031, June 2019

GP1: Securing Sustainable Development
 GP2: Settlement hierarchy
 GP5: Neighbourhood Level Documents
 DS1: Overall Development Needs
 DS2: Sites for Gypsy, Travellers and Travelling Showpeople
 SDC1: Sustainable design
 SDC4: Sustainable Buildings
 HS5: Traffic Generation and Air Quality, Noise and Vibration
 NE1: Protecting Designated Biodiversity and Geodiversity Assets
 D2: Parking facilities

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.

Rugby Local Plan 2025-2042 (submission version 27 April 2026)

S1: Settlement Hierarchy

S4: Sites for Gypsies and Travellers
S5: Countryside protection
CL3: Water supply, quality and efficiency
CL4: Climate adaptation
EN1: Biodiversity and geodiversity protection
EN4: Biodiversity net gain
EN8: Environmental protection and amenity
EN9: Air quality
D1: Well-designed places
D3 Landscaping
I1: Transport
I2: Parking

The Local Plan for 2025-2042 was submitted for examination on 27th April 2026 and currently carries significant weight in decision making.

Supplementary Planning Documents

National Planning Practice Guidance (NPPG)

Climate Change & Sustainable Design and Construction– 2023; including Residential Design Guide

Air Quality - Supplementary Planning Document, July 2021

Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study (GTAA) September 2022.

Gypsy and Traveler, Travelling Show person and Houseboat Accommodation Assessment, 2025
Green Belt Contribution Study Strategic Assessment October 2025

National Planning Policy Framework, 2024 (NPPF)

The Planning Policy for Traveller Sites 2024 (PPTS)

Technical consultation responses

WCC Highways – No Objection subject to conditions and informatives.

WCC Ecology – No Objection subject to conditions.

WCC Archaeology – No Comment.

Warwickshire Police – No Objection.

Warwickshire Fire and Rescue – No Objection subject to informative.

RBC Environmental Health – No Objection

Third party comments

Withybrook Parish Council – Objection

- Development is intentionally unauthorised.
- Plans do not reflect what is on site.
- The proposal does not comply with policy S4 of the Submission Local Plan.
- The development does not make adequate provision for on-site services, particularly drainage, sewage and waste disposal.
- The site is not of sufficient size to allow adequate outdoor amenity space or privacy for residents.
- Access issues for vehicles moving on and off the site, due to the entrance of the site being located on the busy B4455 Fosse Way

Monks Kirby Parish Council – Objection

- The development represents inappropriate development within the Green Belt.
- The development has a significant harmful effect on the openness of the Green Belt and fails to safeguard the countryside from encroachment.
- The development is harmful to the character and appearance of the surrounding area.
- The site is not a sustainable location for the development by virtue of its distance from nearby settlements and lack of public transport facilities.

4.0 Assessment of proposals

4.1 The main considerations in respect of this application are the principle of development, character and design, impact on neighbouring properties, highway safety & parking and ecology.

5.0 Assessment of Strategic policies (including Green Belt considerations)

5.1 The starting point for consideration of the merits of a proposal is the provisions of the development plan. Section 38(6) states that “if regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”

5.2 Paragraph 2 of the National Planning Policy Framework (NPPF) states that planning law requires that application 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.

5.3 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy GP1 of the Local Plan (LP) set out a presumption in favour of sustainable development. The development plan in this instance consists of the adopted Local Plan (2019). Policy GP1 also states that when considering development proposals, a positive approach will be taken on development that improves the economic, social and environmental conditions of the area. Paragraph 8 of the NPPF sets out the same key objectives.

5.4 The Local Plan (2019) sets out the spatial vision for the borough and Policy DS2 sets out the required provision for Gypsy, Travellers and Travelling Showpeople. The evidence underpinning this policy was based on the Planning Policy for Traveller Sites (PPTS) 2015 definitions which has now been updated within the PPTS 2024. Therefore, policy DS2 is out of date. Policy S4 of the Submission Local Plan outlines that gypsy and traveller pitches must accord with national policy and other policies of the plan, additionally there must be adequate provision of on-site services for water supply, power, drainage, sewage and waste disposal; and the site must be of sufficient size to allow adequate outdoor amenity space and privacy for residents and accommodate necessary on-site facilities.

5.5 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.

5.6 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.

5.7 The Local Plan for 2025-2042 was submitted for examination on 27th April 2026 currently carries significant weight in decision making.

5.8 Policy GP2 sets out the development hierarchy for the borough and states that in Green Belt locations, development will only be permitted if allowed by national policy. Therefore, this aspect of the policy concerning Green Belt development is considered up-to-date. For the purposes of the assessment of the scheme against Local Plan Policy GP2, the site is outside of a settlement boundary and upon designated Green Belt land.

5.9 Footnote 8 to paragraph 11 of the NPPF states that where a local planning authority cannot demonstrate a 5-year housing land supply then the most important policies for determining an application which involves 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. Paragraph 11(d) states:

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."

5.10 The only area/asset referenced within footnote 7 in relation to 11di for consideration within this application is the fact that the site is located within the Green Belt. Therefore, an assessment is required as to the schemes assessment against Section 13 of the NPPF and whether the harm identified provides a 'strong reason for refusing the development proposed'. The key policies referred to in paragraph 11dii to which 'particular regard' is to given 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. The planning balance will set out the conclusion of paragraph 11d of the NPPF.

Whether the proposal is inappropriate development

5.11 Paragraph 142 of the NPPF states that the government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 143 of the NPPF states that the Green Belt serves five purposes as listed below;

A. to check the unrestricted sprawl of large built-up areas;

- B. to prevent neighbouring towns merging into one another;
- C. to assist in safeguarding the countryside from encroachment;
- D. to preserve the setting and special character of historic towns; and
- E. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.12 Paragraph 153 of the NPPF states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. Footnote 55 of the NPPF is relevant and states that when ensuring that substantial weight is attributed to any harm to the Green Belt, this shall be apparent other than in the case of development on previously developed land or grey belt land where it is then not considered as inappropriate.

5.13 When determining whether the proposal is inappropriate development within the Green Belt, paragraph 154 of the NPPF is relevant. This states that development is inappropriate unless one of the listed exceptions applies (listed a-h). The proposal does not apply to the listed exceptions and is therefore inappropriate development under this paragraph. This is reinforced in the Planning Policy for Traveller sites (December 2024) under Policy E: Traveller sites in Green Belt paragraph 16 which states that Traveller sites (temporary or permanent) in the Green Belt are inappropriate development unless the exceptions set out in Chapter 13 of the NPPF apply.

5.14 As the proposal is determined as inappropriate development in the Green Belt under paragraph 154, paragraph 155 of the NPPF is therefore relevant to the assessment for the principle of the scheme. This states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where the following criteria applies;

- A. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- B. There is a demonstrable unmet need for the type of development proposed;
- C. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- D. Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157.

5.15 Paragraph 18 contained within Policy E of the Planning Policy for Traveller sites (2024) confirms that the Golden Rules set out in paragraph 155 (d) of the NPPF as detailed above do not apply to traveller sites.

5.16 Footnote 56 contained within Section 13 of the NPPF identifies that when assessing a scheme against Paragraph 155 (b), in the case of traveller sites means the lack of a five-year supply of deliverable traveller sites assessed in line with the PPTS. Footnote 57 identifies that when assessing a scheme against paragraph 155 (c), in the case of development involving the provision of traveller sites, particular reference should be made to Planning Policy for Traveller Sites paragraph 13.

Paragraph 155 (a)

5.17 When assessing the proposal against the three relevant criteria as contained in paragraph 155 of the NPPF (paragraphs a-c), the first point (paragraph a) is to determine whether the proposal site will utilise 'grey belt' land. When applying this to the application site, the definition of 'grey belt' is contained in annex 2 of the NPPF (2024), as detailed below;

'For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. 'Grey belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.'

5.17 For the purposes of decision-making, the site does not comprise of previously developed land owing to the intentional unauthorised development which has taken place. Therefore, this aspect is not satisfied as the site is not previously developed through planning consent. Turning to the second part of the 'grey belt' eligibility, this states that any other land which is not previously developed must not 'strongly contribute' to any of purposes (a), (b) or (d) of the Green Belt as stated in paragraph 143 of the NPPF in order to classify as 'grey belt' land.

5.18 Taking the three points (a,b & d para 143) in reverse order, it is determined that the site does not preserve the setting and special character of historic towns and therefore does not strongly contribute to this purpose (d).

5.19 Moving to purpose (b), this is to prevent neighbouring towns merging into one another. Consideration is given to the terminology used in this section through the specific mention of 'towns', which in this scenario would be Rugby and Coventry, rather than 'large built-up areas' as noted in purpose (a). On such basis, an assessment is required to be made on this part with regards to the towns in the wider area of the site and whether the proposal would 'strongly contribute' to any merging into one another. According to the Green Belt Contribution Study this site provides a moderate contribution to purpose (b). On this basis, whilst the proposal would not 'strongly contribute' it would still provide a level of harm to this purpose of the Green Belt. However, when concluding the assessment of this proposal under the 'grey belt' definition, it does not 'strongly contribute' to this purpose which the definition details. Therefore, it is concluded that parts (b) & (d) of the 'grey belt' definition are not strongly contributed to in relation to this site and proposal.

5.20 With regards to purpose (a) of paragraph 143. The area of the borough in which the application site lies is relatively rural with few large built-up areas. The nearest settlements to the area are Monks Kirby and Withybrook which are not considered to meet the definition of large built-up areas as such the Green Belt Contribution Study concludes that this site has a weak contribution to purpose (a).

5.21 Owing to this, the application site can be considered as 'grey belt' land. As such an assessment must be undertaken to confirm whether the development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Paragraphs (a), (b) and (d) have been assessed to confirm that the site would be considered 'Grey Belt', as such purposes (c) and (e) must now be assessed to determine the impact of the proposal on the remaining Green Belt when considering the purposes taken together.

5.22 Purpose (c) is to assist in safeguarding the countryside from encroachment. The site is located in a rural location away from any large built-up settlements. Any form of development in this area would result in an encroachment into the countryside. The Green Belt Contribution Study

has assessed this area and determined that it would provide a strong contribution to protecting the countryside from encroachment. However, the limited scale of this proposal and its impact on the whole Green Belt area is limited.

5.23 Purpose (e) is to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The Green Belt Contribution Study affords the application site a neutral impact on this purpose.

5.24 To conclude, the application site would contribute towards purposes (a), (b) and (c) of paragraph 143, however, would not contribute to purposes (d) or (e). The weight afforded to the contribution to purpose (a) is weak, the contribution towards purpose (b) is considered to be moderate and the contribution to purpose (c) is considered to be strong. Overall, whilst the development would contribute to a number of purposes of the Green Belt, it cannot be considered that the proposal would fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. As such the development is considered to comply with NPPF paragraph 155 (a).

Paragraph 155 (b)

5.25 Moving to point (b) as contained within the criteria of paragraph 155. The Council cannot demonstrate its locally set target for Gypsy and Traveller provision across the borough and therefore the application proposal satisfies paragraph 155 (b). The previous published document on the matter is the Rugby Borough Council Gypsy and Traveller Accommodation Assessment Study (GTAA)(Sep 2022). This gave two projections for future need, one based on an “ethnic definition” (i.e. those who identify as ethnically Gypsies and Travellers) and the other based on the PPTS 2015 definition. The GTAA 2022 does not accord with the definition as defined in the Planning Policy for Traveller sites (2024) but was the most up to date evidence at the time of when the GTAA (2022) was published. According to the published Accommodation Assessment Study September 2022 (GTAA), there was a projected need for the provision of 79no. permanent pitches for Gypsies and Travellers by 2037 based on the ethnic definition.

5.26 During phase 1, the 5-year period between 2017-2022, there was an identified need of 35 pitches. A total of 20 pitches were granted permission by the LPA during this period to contribute to the requirement and as such there was a shortfall of 15 pitches. Moving to phase 2, three pitches were granted planning permission in the 2022-23 monitoring period. One pitch was approved during the 2023-2024 monitoring period. Since the 1st April 2017, a total of 24 pitches have been granted across the borough and confirms the shortfall of pitch provision to contribute to the requirement as set out in the GTAA (2022).

5.27 However, the GTAA (2022) was updated in 2025. The Rugby Borough 2025 Gypsy and Traveller Accommodation Assessment (GTAA) provides the latest available evidence to identify the accommodation needs of Gypsies and Travellers and Travelling Showpeople across the borough.

5.28 The latest assessment concluded that there is a minimum requirement for 94 additional Gypsy and Traveller pitches across Rugby Borough over the period 2024/25 to 2041/42. Of this need, 35 are required in the first five years. Please see table 1 below;

Gypsy and Traveller pitch need 2024/25 to 2041/42;

PERIOD	PITCH NEED
5yr Authorised Pitch Shortfall (2024/25 to 2028/29)	35
Longer-term need	16

Over period 2029/30 to 2033/34	28
Over period 2034/35 to 2038/39	15
Longer-term need TOTAL to 2041/42 (13 years)	59
NET SHORTFALL 2024/25 TO 2041/42	94
Annual net need	5.2

5.29 Recent appeal decisions namely APP/E3715/W/25/3359149 at Greenacres, Top Road, Barnacle, APP/E3715/C/24/3354520 at 11 Watling Crescent, Newton & APP/E3715/W/24/3344241 at Land adjacent to Treetops, Shilton Lane, Shilton have all been determined since the submission of this application. These appeals were allowed and have subsequently reduced the council's shortfall of pitch provision during the first period to 30. Since then, a number of applications have been approved such as 6 additional pitches at Top Road and 8 pitches at Fern Field. This would mean that the Council would have a shortfall of 16 pitches.

5.30 The GTAA (2025) demonstrates the shortfall of provision across the borough and subsequently means that the application accords with paragraph 155 (b) of the NPPF.

5.31 The Council is working towards the adoption of a new local plan that would replace the current Rugby Borough Council Local Plan adopted 2019. The Submission Local Plan would see the borough no longer having a shortfall for Gypsy and Traveller pitches. Significant weight is attributed to the contribution this proposal would make to addressing a recognised need for more private Gypsy and Traveller sites at the local level at this current time.

Paragraph 155 (c):

5.32 With regards to the assessment against paragraph 155 (c) of the NPPF, the site is outside of any defined settlement boundary and would be in a location which would generally be resisted for new residential development. The location would represent a reliance on the private car and the lack of safe/suitable walking infrastructure to nearby settlements. It is important to note that Footnote 57 in the NPPF states that in the case of development involving the provision of traveller sites, particular reference should be made to PPTS (2024) paragraph 13.

5.33 Appeal A: APP/E3715/W/24/3339499 concerned the land under the ownership of the applicant adjacent to the site following the refusal of application R23/0850. The Inspector concluded the following on the matter of sustainability;

"The appeal site is not well placed to access everyday services and facilities by walking or cycling. I have not been provided with any details of public transport options, but no bus stops were noted during my site visit. As such, occupiers would be reliant on private vehicles to access everyday services and facilities. The appeal site is not therefore in a sustainable location for the purposes of Paragraph 155 of the Framework."

5.34 The Framework does not define what is meant by a 'sustainable location' but Paragraph 155 (c) particularly references Paragraphs 110 and 115 as policies to help guide this judgment. These policies are both found within the 'Promoting Sustainable Transport' chapter of the Framework and are concerned with prioritising sustainable transport modes. As a result, a 'sustainable location' for the purposes of Paragraph 155(c) is one where sustainable transport modes are prioritised, although it is necessary to take into account the type of development which can lead to a contrasting conclusion when assessing a scheme against paragraph 155 (c).

5.35 Paragraph 13 of the PPTS seeks to ensure traveller sites are sustainable economically, socially and environmentally. It therefore lists a broad range of factors that should be included in

development plan policies. However, it is important to note that Paragraph 155 (c) of the Framework states the development would be in sustainable location. It does not say that development should be sustainable. The latter is a judgement reached after looking at all economic, social and environmental matters in a planning balance. However, for the purposes of paragraph 155 (c) of the NPPF, the sustainability of the location is only one factor feeding into a judgement as to whether a proposal is 'sustainable' or not.

5.36 Turning to the assessment of this proposal against paragraph 155 (c), given the volume and speed of traffic on Fosse Way, the occupants of the site are highly unlikely to walk or cycle anywhere. It would be unsafe to do so as Fosse Way carries a 60mph speed limit and there is no suitable and safe footpath provision. As such both active travel and public transport are not realistic options. There would be no ability to promote sustainable travel patterns to employment, shops or health services.

5.37 This appeal decision concluded that the proposal would be in an unsustainable location for the purposes of Paragraph 155 of the Framework. In these respects, it would not accord with Local Plan policy GP2 or DS2 and conflict with the provisions of the Framework on the location of development and promoting sustainable transport when read as a whole. As such the development would conflict with policies S1 and S4 of the Submission Local Plan. Paragraph 110 of the National Planning Policy Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. That is highly relevant because PPTS does not prevent Gypsy or Traveller sites in rural or semi-rural areas and Travellers normally use private vehicles to work. Factors relevant to the sustainability of Gypsy and Traveller sites set out in PPTS paragraph 13 do not mention public transport or distance to shops and services. Instead, the PPTS references that there should be access to appropriate health services, ensure that children can attend school on a regular basis and provide a settled base that reduces both the need for long-distance travelling.

5.38 Paragraph 155 (c) specifically references with promoting active travel. However, it does state that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in decision-making as well as Footnote 57 which references paragraph 13 of the PPTS. On this matter it is therefore concluded that the proposal would not be located within a sustainable location with regards to paragraph 155 (c) of the NPPF.

Conclusion against paragraph 155 of the NPPF:

5.39 Whilst the proposal complies with paragraph 155 (a) & (b), it is not located within a sustainable location as stated in paragraph 155 (c). Therefore, the scheme is not compliant with all the criteria of paragraph 155 and constitutes inappropriate development in the Green Belt.

5.40 Therefore, as paragraph 153 of the NPPF states, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This will be considered later in this report.

Local Plan Policy DS2:

5.41 Policy DS2 of the Local Plan specifically focuses on the provision and enabling of sufficient sites for use by the Gypsy and Traveller and Travelling Showpeople communities. This policy identifies key criteria for consideration when assessing Gypsy and Traveller site applications:

- Does the site afford good access to local services such as schools and health facilities?

- Does the site satisfy the sequential and exception tests for flood risk and is it adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land?
- Is the development appropriate in scale compared with the size of the existing settlement or nearby settlements?
- Will the development be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby?
- Does the development have appropriate vehicular access?
- Does the development will comply with Policy SDC1 in respect of design and impact on the surrounding area and amenity of existing residents?
- Is the development well laid out to provide adequate space and privacy for residents?
- Does the development include appropriate landscape measures to mitigate visual impacts and to ensure adequate levels of privacy and residential amenity for occupiers and adjacent occupiers, but which avoids enclosing a site with an inappropriate amount of hard landscaping, high walls or fences?
- Does the development accommodate non-residential uses that may cause, by virtue of smell, noise or vibration, significant adverse impact on neighbouring business or residents?

5.42 The development will be assessed against each of these in turn;

Does the site afford good access to local services such as schools and health facilities?

5.43 The site is located near to, but not within, a number of local villages that collectively have a range of local facilities including primary schools (in Monks Kirby and (further afield) Wolvey); pubs (in Monks Kirby, Pailton and Withybrook); places of worship (St Edith's and St Joseph's churches in Monks Kirby, St Deny's church in Pailton, and the Church of All Saints in Withybrook); a dental practice (in Pailton); and a GP surgery (also in Pailton). None of the neighbouring villages support a local shop selling general groceries, although there is a general store in Wolvey. The area is also covered by emergency and hospital care via St Cross Hospital (in Rugby town centre) and University Hospitals Coventry and Warwickshire's Walsgrave site (in Coventry, near Junction 2 of the M6).

5.44 It is considered that in relation to the above there would likely be a reliance on the private motor car and could not be considered that there is good access to local services without this reliance. The PPTS reference to enabling gypsies and travellers to access education, health, welfare and employment infrastructure, does not refer to access by sustainable modes of transport only.

Does the site satisfy the sequential and exception tests for flood risk and is it adjacent to uses likely to endanger the health of occupants such as a refuse tip, sewage treatment works or contaminated land?

5.45 The site is in an area that experiences localised flooding, but it is not within an identified flood risk zone. Necessary access modifications would need to be undertaken in such a way to avoid affecting the effective capacity of any drain or ditch within the limits of the public highway. The site is not adjacent to any known hazardous land uses that could be likely to endanger the health of the occupants of the site.

Is the development appropriate in scale compared with the size of the existing settlement or nearby settlements?

5.46 The site is proposed for 3 residential pitches. The scale of the site is not considered inappropriate compared to nearby settlements.

Will the development be able to achieve a reasonable level of visual and acoustic privacy both for people living on the site and for those living nearby?

5.47 A solid timber boundary fence that encloses the site is sufficient to maintain the privacy of the site occupants, and it also prevents views from within the site towards the neighbouring dwelling. Whilst it may not be a visually subtle solution or reflect the character of the area it does achieve a reasonable level privacy.

Does the development have appropriate vehicular access?

5.48 There is already an existing access directly off Fosse Way. WCC Highways have advised that the access needs modification to widen the existing visibility splays due to the speed of the adjacent highway (Fosse Way) and the close proximity to junctions with adjacent highways. In the event of approval, access modifications should be undertaken in line with the conditions outlined by the Highways Authority (Conditions 10,11 and 12).

Does the development comply with Policy SDC1 in respect of design and impact on the surrounding area and the amenity of existing residents?

5.49 The application is for residential purposes only and does not include any non-residential uses that could cause these issues and subject to the granting of any approval, conditions 3 and 4 would be applied to limit the development to the purposes set out in the development description and make the permission personal to the applicants.

Is the development well laid out to provide adequate space and privacy for residents?

5.50 The existing provision is adequate to enable the three separate families to maintain an acceptable degree of privacy. There would be landscaping separating each of the families with some amenity space provided to each pitch. Each pitch would have a decent sized plot as outlined in section 6.7 of this report.

Does the development include appropriate landscape measures to mitigate visual impacts to ensure adequate levels of privacy and residential amenity for occupiers and adjacent occupiers, but which avoids enclosing a site with an inappropriate amount of hard landscaping, high walls or fences?

5.51 There is existing landscaping surrounding the site although this is located outside of the boundary of the application site. This landscaping provides a good level of screening of the site for a large part of the year, however, as the trees are deciduous this is not a permanent form of screening. There would be some landscaping between each of the pitches to provide additional privacy to the individual pitches.

Does the development accommodate non-residential uses that may cause, by virtue of smell, noise or vibration, significant adverse impact on neighbouring business or residents?

5.52 The application is for residential purposes only and does not include any non-residential uses that could cause these issues. Such non-residential uses would be restricted by way of conditions 3 and 4 in the event that Members approve this application. This would limit the development to the purposes set out in the development description.

Is there adequate provision for on-site services for water supply, power, drainage, sewage and waste disposal facilities?

5.53 The applicant has access to power and water already set up within the site, and they have registered for RBC domestic general waste and recycling collection services. There are currently no specific drainage arrangements within the site.

5.54 Overall, it is considered the development does not accord with the criteria outlined in Policy DS2 and this weighs against the granting of any approval.

Green Belt impact

5.55 Turning to the impact of the proposal on the Green Belt, the Planning Practice Guide (PPG) explains that an assessment of openness can have both spatial and visual aspects. The disposition and arrangement of development can also be relevant in gauging the effect on openness as can the duration of the development, its remediability and the degree of activity.

5.56 The application site includes land between the highway, Withybrook Spinney which is an area of woodland and Fosse Way. The site has limited depth and is longer in length with the fencing and features visible along a stretch of Fosse Way. Before the applicant moved onto the site the site was open land with no fencing and the cottage on the opposite side of Bow Lane was visible through the hedges as seen in the streetview history highlighting the lack of development in terms of buildings, fencing and hardstanding.

5.57 The use of the site by the applicant with the stationing of touring caravans and hardstanding are already present on site. The works carried out without permission have resulted in a loss of the Green Belt in spatial terms.

5.58 The caravans, building and fencing has a significant visual impact in comparison to the previously open appearance. The pitches would have a lesser visual impact than the caravans currently on site. Much of the site is screened for half of the year with deciduous trees and plants surrounding the site. The development would have an impact visually on the Green Belt, however, this would be an extension to an existing site which would reduce the harm when compared to the creation of a new site.

5.59 The Local Plan's approach to Green Belt development as contained in Policy GP2 aligns itself with Government guidance. The Framework states that substantial weight should be given to any harm to the Green Belt. It adds that inappropriate development should not be approved except in very special circumstances. These circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness as identified above, and any other harm, is clearly outweighed by other considerations. This is supported by policies S1 and S5 of the Submission Local Plan.

Personal circumstances:

5.60 Evidence of the personal circumstances of the current applicants has been received and considered by the LPA. Due to the nature of the evidence, it is considered that this should be kept confidential.

5.61 In line with the above, the applicant has provided sufficient evidence to establish that they would qualify as having Gypsy and Traveller status for the purposes of assessing planning applications.

5.62 The lack of sufficient provision for Gypsy and Traveller sites is a key consideration in favour of this development. Where the application to be refused and the applicants family members evicted, the extended wider family units would be left with very few options available to them. Given the lack of formal provision in the Borough (as detailed in paragraphs 5.25-5.31), it is likely that they would have to resort to an unauthorised encampment elsewhere in the Borough. These are factors that weigh in favour of this development on the grounds of very special circumstances.

5.63 Policies C and E of the PPTS 2024 cover sites in rural countryside locations and those in the Green Belt. Policy E in particular makes it clear that even Gypsy and Traveller provision in the Green Belt is considered inappropriate unless very special circumstances exist that would outweigh the harm. Whether very special circumstances are demonstrated which outweighs the harm identified will be weighted and determined accordingly in the planning balance when all planning matters have been appropriately addressed.

5.64 Levels of existing provision (and the lack thereof) are also a key consideration within Policy H of the PPTS 2024, being identified as a specific consideration in Paragraph 28 alongside the availability or lack of alternative sites and the personal circumstances of the applicants. Policy H also encourages the use of planning conditions as a means of overcoming concerns and objections regarding such developments.

Intentional unauthorised development

5.65 A Written Ministerial Statement (WMS) dated 31st August 2015 establishes that Intentional Unauthorised Development (IUD) is a material consideration to be weighed in the determination of planning applications and appeals. The applicants have moved onto the site without permission thus resulting in the retrospective nature of the permission. In moving on to the site, an area with a lawful agricultural use in the Green Belt has seen operational development and a change of use take place.

5.66 As permission was granted for the neighbouring pitch under APP/E3715/W/24/3339499 it cannot be said that the applicant was not aware that permission had to be sought for the works undertaken as outlined in this application. It is therefore considered that the application proposal is intentional unauthorised development. Consequently, in accordance with the Government's Planning Policy Statement of August 2015 this is a material consideration.

5.67 However, the Written Ministerial statement is not punitive because the planning system does not prevent an individual undertaking works and then applying retrospectively. Instead, it is concerned with the harm that is caused when the development of land has occurred in advance of obtaining planning permission. Overall, the intentional unauthorised development weighs against the scheme.

6.0 Design and Visual Impact

6.1 Policy SDC1 of the Local Plan states that all development will demonstrate high quality, inclusive and sustainable design and new development will only be supported where the proposals are of scale, density and design that responds to the character of the area in which they are situated, and developments should aim to add to the overall quality of the areas in which they are situated.

6.2 Section 12 of the NPPF states that the creation of high-quality buildings and place is fundamental to what the planning and development process should achieve. Furthermore, paragraph 135 (a) states that buildings will add to the overall quality of the area, not just for the short term but over the lifetime of the development. Paragraph 135 (b) states that buildings are visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Policy D1 of the submission local plan outlines that new development shall create or contribute to well-designed places. Development that is not well-designed will not be permitted.

6.3 In addition to the impact of the development on the character and appearance of the Green Belt, a key factor of any development is the impact it has on the visual character of an area, and

on how it will affect the character of it. In this case, this site is located in an area away from the nearest villages of Monks Kirby, Pailton and Withybrook. There are however a few dwellings in the immediate locality of the site, including one on the opposite side of Bow Lane and a few on Millers Lane. The surrounding area is predominantly farmland and woodland, with boundaries generally either open or marked with field hedges and open post and rail fencing. The general aesthetic of the area is of a largely natural landscape with little in the way of development.

6.4 There are no footpaths on Fosse Way and traffic runs rapidly past the site, it is not a location where the site would be readily visible to walkers or cyclists. However, from using the junction or passing the site in a vehicle, the use of the site as a caravan site is very evident.

6.5 Based on the location of the site the fence provides privacy and helps the impact of noise on the domestic use of the site. Although there is a hedge along the roadside it is made up of native plants which are mainly deciduous, and the fence is clearly visible through the hedge in winter.

6.6 No specific measures are proposed as part of this application to address the impact of the fence on the area. As appeal decision APP/E3715/W/24/3339499 approved the siting of caravans in the adjacent site, the proposal is not considered to be out of character with the surrounding area.

6.7 Policy S4 of the Submission Local Plan outlines that planning applications for Gypsy or Traveller pitches must accord with national policy and other policies of this plan. Additionally:

- there must be adequate provision of on-site services for water supply, power, drainage, sewage and waste disposal; and
- the site must be of sufficient size to allow adequate outdoor amenity space and privacy for residents and accommodate necessary on-site facilities.

It is considered that there would be adequate provision of on-site services provided to each of the pitches. The pitches are also considered to be of a sufficient size to allow adequate outdoor amenity space and privacy for residents. Each pitch would be over 160 square metres including all amenity land, with each of the pitches having a different size. The smallest pitch measures to be approximately 170 square metres, followed by 193 square metres and the largest pitch being 240 square metres. Each pitch is over 15 metres in length and 10 metres in width. Whilst not all of this space is private due to the requirement of access to the set in pitches, much of this space can be utilised as private amenity space.

6.8 The proposal is not considered to be harmful to the character and appearance of the surrounding area and therefore the proposals are considered to be acceptable in terms of design and character of the area, and as such are in accordance with Current Local Plan Policy SDC1 and Submission Local Plan Policies D1 in this regard.

7.0 Impact on neighbouring properties

7.1 In addition to seeking development to respect the character of an area, Policy SDC1 of the Local Plan seeks to safeguard the living conditions of existing and future neighbouring occupiers. Section 12 of the National Planning Policy Framework states that planning should always seek a high standard of amenity for existing and future users of developments. Policy EN8 of the submission Local Plan relates to environmental protection and amenity and states at b) new development should not have an unacceptable impact on the amenity of existing or proposed users or occupants of neighbouring buildings or land.

7.2 The development would take place next to land that is owned by the applicant. There would be a large fence separating the site and the applicant's other land. The nearest neighbouring property not owned by the applicant is approximately 140 metres away and there it is highly unlikely that they would face any detrimental impacts from the development.

7.3 The neighbouring properties most affected by the proposals would be Fosse Cottage. This dwelling is located a considerable distance away from the application site and on the opposite side of the site. The development would have no impacts on overlooking or overshadowing onto this property. It is also highly unlikely that there would be a detrimental noise impact on this neighbouring property.

7.4 The application has been considered by RBC Environmental Health and identify that the change of use of the land introduces new, more sensitive receptors. RBC Environmental Health have no objection to the proposal.

7.5 It is considered that the impact on neighbouring properties in relation to light and privacy is acceptable. This application is therefore considered to be in accordance with policy SDC1 of the Local Plan, policy EN8 of the Submission Local Plan and the Climate Change & Sustainable Design & Construction SPD (2023).

8.0 Highway Safety & Parking

8.1 Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy D1 of the Local Plan states that sustainable transport methods should be prioritised with measures put in place to mitigate any transport issues. Policy D2 states that permission will only be granted for development incorporating adequate and satisfactory parking facilities. Policy I2 of the Submission Local Plan reflects this outlining that appropriate and secure parking shall be provided for bicycles and vehicles (including motorcycles) in accordance with the parking standards in Appendix 2.

8.2 Section 9 paragraph 115 of the NPPF states that it should be ensured that under paragraph (b) a safe and suitable access to the site can be achieved for all users and that under paragraph (d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

8.3 Paragraph 116 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.

8.4 WCC Highways were consulted on the application and requested additional information to be provided. Once this additional information had been provided, they raised no concerns or objections in terms of impact on the road network resulting from the proposal subject to of conditions (10,11 and 12) and informatives and therefore paragraph 115 (d) of the NPPF is complied with.

8.5 The provided drawings demonstrate that there would be a total of 9 parking spaces provided on site which would equate to 3 parking spaces per pitch. Whilst there are no set requirements for parking for Gypsy and Traveller sites within Appendix 5 of the Rugby Local Plan, it can be assumed that a reasonable number of parking spaces would be in line with that of a 1–2-bedroom dwellinghouse which requires 1.5 spaces per unit in the low access zone. As the

pitches would have 3 parking spaces each, it is considered that sufficient parking can be provided on site.

8.6 This application is therefore considered to be in accordance with Section 9 of the NPPF, policies D1 and D2 of the Local Plan and policy I1 and I2 of the Submission Local Plan.

9.0 Ecology

9.1 Policy NE1 states that the Council will protect designated areas and species of international, national and local importance for biodiversity and geodiversity, supporting the aims and objectives of Section 15 of the NPPF. Policy EN1 of the Submission Local Plan outlines that national policy and legislation will be applied in determining planning applications that have potential to harm biodiversity. As part of this, both local and national planning policy details the need to consider biodiversity as part of the planning process, with the aim to seek opportunities to protect and enhance biodiversity and protected specials through all types of development whenever possible.

9.2 Policy NE1 also states that development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy. Paragraph 187 (d) of the Framework explains the development should provide net gains for biodiversity. The site prior to its occupation for Gypsy and Traveller purposes was open countryside. Therefore, the intentional unauthorised development which has been carried out has resulted in a net loss for biodiversity which is contrary to Local plan policy NE1 and paragraph 187 (d) Section 15 of the NPPF.

9.3 WCC Ecology were consulted on this application and advised that the national requirement for biodiversity net gain is not applicable to retrospective applications and therefore a mandatory 10% biodiversity net gain does not apply to this site, however, as policy NE1 of the Rugby Local Plan requires a gain in biodiversity on site the applicant must show what additional habitat creation or planting will be proposed to achieve a gain/neutral. A biodiversity management plan condition (Condition 14) has been recommended to ensure that there would be biodiversity gains on site.

9.4 Therefore, it is considered that the application will be in accordance with Current Local Plan Policy NE1, Submission Local Plan Policy EN1 and the relevant BNG requirements subject to the recommended conditions (Conditions 13 and 14).

10.0 Noise, Air Quality and Contamination

10.1 The environmental implications of development must be carefully considered, particularly as the Rugby Borough Council Local Plan 2011-2031 has reinforced the need to consider offsetting the impact of development through its policies GP1, HS5, SDC4 and SDC7. These in turn reinforce the wider importance and focus raised on these issues within Sections 2 and 12 of the NPPF 2024.

Noise

10.2 Paragraph 187 and 198 of the NPPF and policies HS5 and SDC1 of the Local Plan set out the need to ensure that the development would not be adversely affected by noise. Policy EN7 of the submission Local Plan reiterates that development shall not cause unacceptable impacts through noise contamination.

10.3 RBC Environmental Health did not raise any further concern in regard to noise on the site.

Air Quality

10.4 Paragraph 187 of the NPPF and policy HS5 of the Local Plan set out the need to consider the impact of the proposal on air quality. Further detailed guidance is outlined in the Air Quality SPD. Policy EN7 of the submission Local Plan reiterates that development shall not cause unacceptable impacts through air contamination.

10.5 The application site is not in the air quality management zone and Environmental Health did not raise any further concern in regard to air quality.

Contamination

10.6 Paragraphs 196 of the NPPF set out the need to ensure a site is suitable for its proposed use taking account of risks arising from contamination. Policy EN7 of the submission Local Plan reiterates that development shall not cause unacceptable impacts through land contamination.

10.7 RBC Environmental Health did not raise any further concern in regard to contamination on the site.

11.0 Climate Change and Sustainable Design

11.1 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.

11.2 Local Plan Policy SDC4 read in conjunction with the Climate Change and Sustainable Design and Construction SPD, which 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. Policy CL4 of the submission Local Plan states that all developments shall be resilient to and adapt to future impacts of Climate Change.

11.3 The application is accompanied by sustainability checklist which has been completed. There is no sustainable transport provision and no feasible means of achieving this based on the site location. There is limited built footprint within the site, but the removal of soft landscaping and introduction of hard surfaces will have had an impact as a result of unauthorised development. The sustainability checklist does not demonstrate any ways in which energy efficiency has been incorporated into the development.

11.4 It is considered that the applicant has not demonstrated how energy efficiency and sustainability has been incorporated within the development and therefore the development does not comply with Policy SDC4 and Policy CL4 of the Submission Local Plan.

12.0 Community Infrastructure Levy

12.1 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. Owing to the nature of the development proposed, the scheme is not liable for a CIL contribution.

13.0 Equality Implications

13.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

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.

13.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application.

13.3 The equality implications arising from this application relate to persons with protected characteristics as identified within the Equality Act 2010. This has been addressed in the assessment of the application by having regard to the National Planning Policy Framework (December 2024), the Planning Policy for Traveller Sites (2024), and other National Guidance. Equality implications relating to residents of the surrounding villages and hamlets has also been considered. This is addressed within the assessment of the application through the relevant policies and the NPPF.

13.4 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).

14.0 Planning Balance and Conclusion

14.1 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.

14.2 The most important policies when determining this application are considered to be policies GP2, DS2, SDC1 and D1. Policies SDC1 and D1 are considered to be up to date whilst Policies GP2 and DS2 are considered to be out of date. Therefore, the basket of policies most important for determining the application is out of date.

14.3 The “tilted balance” in paragraph 11(d)ii of the Framework applies where the permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole (with particular regard given to policies within footnote 9 of the NPPF).

14.4 Paragraph 11d of the NPPF states that 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 either paragraphs (d) (i) or (ii) are engaged. Paragraph 11 d(i) states that policies in the NPPF that protect areas or assets of particular importance as listed in footnote 7, provides a ‘strong reason’ for refusing the development proposed. Green Belt is listed in footnote 7 and therefore the harm to the Green Belt identified has to provide a ‘strong reason’ for refusing the development.

14.5 Policy DS2 is out of date in relation to the evidence base which underpins the requirement for Gypsy and Traveller sites across the borough and therefore is afforded limited weight. However, in relation to identifying the key assessment criteria for Gypsy and Traveller site applications Policy DS2 is consistent and is afforded significant weight.

14.6 Section 5 of this report, identified the harm to Green Belt arising from the application proposal, through inappropriateness and the scheme's effect on openness and the purposes of including land in the Green Belt. Local Plan Policy GP2 aligns itself with Government guidance. Submission Plan policies S1 and S4 also support government guidance on the Green Belt. The NPPF states that substantial weight should be given to any harm to the Green Belt. It adds that inappropriate development should not be approved except in very special circumstances which is also echoed in Policy E of the PPTS (2024). These circumstances will not exist unless the development's harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. It is therefore concluded that in accordance with government guidance, the harm to the Green Belt is substantial and the proposal is contrary to Local Plan policy GP2 and Submission Local Plan policies S1 and S4.

14.7 The occupation of the site has taken place without planning permission and has resulted in intentional unauthorised development. In moving on to the site, an area with a lawful use in the Green Belt has seen operational development and a change of use take place.

14.8 With regards to the unmet need in the borough, it is accepted that there is a shortfall which has been ongoing for a period of time and is evidenced in the GTTA (2022) and then in the most recent revision in 2025. This has been evidenced in detail in section 5.25–5.31 of this report. Therefore, the council does not have a 5-year supply of deliverable sites at this time. However, it is important to note that the new Local Plan will hopefully be adopted by 2027 which may resolve this current issue. Until then however, the only means of addressing the identified shortfall will be through windfall proposals being assessed against the criteria-based Local Plan Policy DS2, Submission Local Plan Policy S4 and other relevant policies and considerations. This provides significant weight in favour of the proposal.

14.9 Turning to the personal circumstances demonstrated. The proposal will provide a settled base and a home for its occupiers, and the alternative would highly likely be a roadside existence for the applicants or 'doubling up' on other pitches across the borough. Under the Public Sector Equality Duty (PSED) regard has been had to the 3 aims given in The Equality Act 2010 to eliminate discrimination, to advance equality of opportunity between those who share a protected characteristic and those who do not, and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The applicant and their family identify as being Gypsy and Travellers. They therefore wish to reside on the site to enable them to remain within their family and community and continue to practice their cultural behaviours. The proposal provides the applicant and their family with a home within their cultural and familial links which carries substantial weight in favour of the application. The personal circumstances outlined in the documents submitted and considered by the local planning authority provide moderate weight in favour of the application.

14.10 The development does not detrimentally impact on the residential amenity of residents living outside of the site to a level which warrants a refusal on this aspect alone, and the relationship and level of residential amenity for both the applicant and those living within the site is considered acceptable to all parties affected. This affords limited weight in favour of the proposal.

14.11 Turning to highway safety, there are no concerns on this part and WCC Highways department offered a stance of no objection subject to a number of conditions. Additionally sufficient parking can be provided to each of the pitches. Which provides limited weight in favour of the proposal.

14.12 Local Plan policy NE1 states that development will be expected to deliver a net gain in biodiversity and be in accordance with the mitigation hierarchy. Paragraph 187 (d) of the Framework explains the development should provide net gains for biodiversity. As the application is retrospective, the mandatory 10% BNG is not required on this site as such the proposal is only required to demonstrate that there would be no net loss of biodiversity on site. Both a BNG matrix and statement have been submitted to demonstrate that there would be gains on site that would go above the mandatory 10% BNG. Therefore, there is not a net loss on site, and the development complies with Local plan policy NE1, Submission Local Plan EN1 and EN4 and paragraph 187 (d) Section 15 of the NPPF. A condition has been recommended by the County Ecologist to ensure that the gain to biodiversity is secured on site. This provides limited weight in favour of the scheme.

14.13 The NPPF establishes that substantial weight should be given to any harm to the Green Belt and that inappropriate development, such as the application proposal, is by definition harmful to the Green Belt and should not be approved except in very special circumstances.

14.14 The development would not have principle of development and would result in inappropriate development within the Green Belt, which provides substantial weight against the development. The design of the development is considered to be suitable when considering the character of the area, this provides moderate weight in favour of the development. It is considered that the proposal would provide sufficient private amenity space to each of the pitches and would not result in an unacceptable level of harm to neighbouring amenity, this provides limited weight in favour of the development. The development would not impact Highways Safety and would provide sufficient parking; this provides limited weight in favour of the development. The development would provide a biodiversity gain of over 10% which is greater than the no net loss that is required for the site, this provides moderate weight in favour of the development. The development cannot demonstrate that sustainability has been accounted for, this provides moderate weight against the development. The intentional unauthorised development is a factor which weighs moderately against the scheme. The proposal would aid in reducing an unmet need which weighs significantly in favour of the proposal. The personal circumstances provided weigh moderately in favour of the proposal. The personal circumstances taken with the identified unmet need, are considered to be sufficient to justify occupancy of the site when weighed against the harm identified to the Green Belt. As such very special circumstances are demonstrated as to outweigh the harm on the Green Belt.

14.15 On balance, protecting the Green Belt is a matter of great importance, however, the cumulative considerations of personal circumstances and the council's unmet need would clearly outweigh the totality of harm identified. Accordingly, the very special circumstances necessary to justify the development have been demonstrated.

15.0 Recommendation

1. Planning application R26/0069 be approved subject to:
The conditions and informatives set out in the draft decision notice appended to this report.
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:

R26/0069

DATE APPLICATION VALID:

03-Mar-2026

APPLICANT:

Mr Teddy Jones Land south west of Foxons Corner, Fosse Way, Monks Kirby, Rugby, CV23 0RT

AGENT:

Mr Rob Leahy 16 Brown's Bridge Road, Southam, CV47 1PA

ADDRESS OF DEVELOPMENT:

Land south west of Foxons Corner, Fosse Way, Monks Kirby, Rugby, CV23 0RT

APPLICATION DESCRIPTION:

Retrospective extension of existing gypsy and traveller site by 3 residential pitches.

CONDITIONS, REASONS AND INFORMATIVES:**CONDITION 1:**

This permission shall be deemed to have taken effect on 06-Aug-26.

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:

Documents received by the Local Planning Authority 21-Jan-26

713225-App_v1_Redacted.pdf (Application Form)

BNG_report.pdf (BNG Report)

SCL.pdf (Sustainability Checklist)

Document received by the Local Planning Authority 23-Feb-26

1 Copy of BNG_Matrix_Rugby_Excel.xlsx (BNG Matrix)

Plan received by the Local Planning Authority 05-May-26

1317-11 Rev:G (Site Location Plan 1:1250 & Site Block Plan 1:500)

REASON:

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

CONDITION 3:

The development hereby permitted shall only be occupied and used for the purposes of being a Gypsy and Traveller site and for no other purpose.

REASON:

To ensure the proper operational use of the site.

CONDITION 4:

No commercial activities shall take place on the land, including the storage of plant, machinery and materials and the transfer of materials.

REASON:

To protect the Green Belt from inappropriate development and in the interests of the amenities of the area.

CONDITION 5:

Other than those hereby approved, no additional structures or enclosures shall be erected within or around the site. This includes (but is not limited to) both temporary and permanent structures, fencing, gates, and outbuildings, as well as any additional mobile homes.

REASON:

To protect the Green Belt and in the interests of the visual amenities of the area.

CONDITION 6:

Within 3 months of the date of this decision notice, details of drainage and wastewater disposal shall be submitted to and approved in writing with the Local Planning Authority. The details shall then be carried out and implemented in full within a 3 month period following the approval of the details.

REASON:

To ensure that risks to the future users of the land and neighbouring land are minimised, and to ensure that the development is carried out safely without unacceptable risks to neighbours, and other off-site receptors.

CONDITION 7:

No more than three pitches for gypsy/traveller accommodation shall be created on the land edged re on Site & Location Plans Buildings Plans and Elevations Drawing No. 1317-11 Rev:G, with the pitches containing no more than a total of three mobile home and two touring caravan at any one time as defined by the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968.

REASON:

To protect the Green Belt from inappropriate development and in the interests of the visual amenities of the area.

CONDITION 8:

No external lighting shall be erected.

REASON:

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

CONDITION 9:

Visibility splays shall be maintained at the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 215 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON:

In the interest of Highway Safety.

CONDITION 10:

Within three months of the date of this planning permission, the vehicle manoeuvring area shown on Drawing Number 1317-11, Rev G shall be provided with a sealed (macadam) surface in accordance with details to be approved in writing by the Local Planning Authority.

REASON:

In the interest of Highway Safety.

CONDITION 11:

Within three months of the date of this planning permission the road sign located within the visibility splay to the left (north) of the site access shall be relocated closer to the site boundary such that it does not obstruct visibility.

REASON:

In the interest of Highway Safety.

CONDITION 12:

The on-site parking and vehicle manoeuvring areas shown on Drawing Number 1317-11, Rev G shall be maintained in perpetuity and shall be used for parking and manoeuvring.

REASON:

In the interest of Highway Safety.

CONDITION 13:

Within three months of the date of this planning permission a scheme for the provision of two bat roosting features and two bird nesting boxes to be erected on trees within the site, shall be submitted to and approved by the Local Planning Authority. The scheme must include box type, location, and timing of works. Thereafter, the box/es/features shall be installed and maintained in perpetuity.

REASON:

To enhance the biodiversity of the site in accordance with Local Plan Policies NE1, NPPF, ODPM Circular 2005/06 and NERC Act (2006, as amended).

CONDITION 14:

Within three months of the date of this planning permission a Biodiversity Management Plan (BMP) to include a plan of habitats and protected and priority species mitigation, biodiversity enhancements, long-term management and monitoring (to include location of measures, installation timescale, timing of works, replacement planting details if applicable, and species lists for proposed planting) shall be submitted to and approved in writing by the Local Planning Authority. Such measures will be shown on all applicable annotated site plans and elevations, such approved mitigation and enhancement measures shall thereafter be implemented in full and maintained in strict accordance with the approved details in perpetuity.

REASON:

To enhance the nature conservation value of the site and ensure biodiversity net gain in accordance with the NERC act, NPPF, ODPM Circular 2005/06.

INFORMATIVE 1:

Condition 12 requires works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team. This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515 to request the necessary application form (Form A – VAC). In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

INFORMATIVE 2:

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

INFORMATIVE 3:

The applicant/developer is advised that the development will need to comply with Approved Document B, Volume 2, 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/fireguidance-commercialdomesticplanning Where compliance cannot be met, the applicant/developer will need to provide details of alternative measures intended to be put in place. Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18, Access for Emergency Vehicles. In addition, 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.

AGENDA MANAGEMENT SHEET

Report Title:	Planning Appeals Update
Name of Committee:	Planning Committee
Date of Meeting:	5 August 2026
Report Director:	Strategic Director - Place
Portfolio:	Growth and Investment, Digital and Communications
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:	This report relates to the following priority(ies): ☐ A Healthier Rugby – To support people to live healthier, longer, and more independent lives. ☒ A Thriving Rugby – To deliver a thriving economy which brings Borough-wide investment and regenerates Rugby Town Centre. ☒ A Greener Rugby – To protect the environment and ensure the Borough adapts to climate change. ☐ A Fairer Rugby – To reduce inequalities and improve housing across the Borough. Corporate Strategy 2025-2035 ☐ This report does not specifically relate to any Council priorities but
Summary:	This report provides information on determined planning appeals and appeals currently in progress for the quarterly period 1 April 2026 to 30 June 2026.
Local Government Reorganisation Implications:	N/A
Financial Implications:	Increases the scope for related costs claims within the Planning Appeals process.

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 - 5 August 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 April 2026 to 30 June 2026, a total of 7 planning appeals were determined, of which 6 were dismissed and 1 was withdrawn.

A total of 2 enforcement appeals were determined, of which both notices were varied and 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 30 June 2026 there were 3 planning appeals and 0 enforcement appeals still in progress. A schedule of these appeal cases is attached for information (see Appendix B).

Name of Meeting: Planning Committee
Date of Meeting: 5 August 2026
Subject Matter: Planning Appeals Update
Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY ☐ YES ☐ NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

☐ Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

Nature of problem	Location	Case Officer	Case No.	PINS reference	Appeal Hearing type ENF	Appeal decision date	Appeal decision ENF
Alleged unauthorised alterations to structure without planning permission	THE CHALET, HINCKLEY ROAD, WOLVEY, HINCKLEY, LE10 3HQ	Chris Davies	E23/0415	APP/E3715/C/24/3348732	Written Representations	07/05/2026	Notice varied and upheld
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	Chris Davies	E23/0177	APP/E3715/C/26/3377300	Hearing	14/05/2026	Notice varied and upheld

Location	Full development description	Application number	Case Officer	PINS Reference	Decision date	Decision description	Appeal Decision	Appeal Decision Date
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	17th June 2025	Refusal	Dismissed	11th May 2026
90, RUGBY GYM CLUB, LOWER HILLMORTON ROAD, RUGBY, CV21 3TF	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.	R24/0986	Dan Smith	6007658	11th December 2025	Refusal	Withdrawn	8th June 2026
67, LONDON ROAD, STRETTON-ON-DUNSMORE, RUGBY, CV23 9JB	Proposed extension to replace existing Utility	R25/0512	Pippa Smart	6001885	8th October 2025	Refusal	Dismissed	27th April 2026
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	R25/0565	Lucy Davison	6003106	24th December 2025	Non-determination appeal received	Dismissed	22nd May 2026

	160 dwellings, and creation of associated vehicular access off Rugby Road, pedestrian/cycle access points, parking, 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	16th January 2026	Refusal	Dismissed	7th April 2026
107, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AY	Erection of Fence and Gate (Retrospective)	R25/0885	Pippa Smart	6005040	28th January 2026	Refusal	Dismissed	7th April 2026
MANOR FARM, FLECKNOE ROAD, FLECKNOE, RUGBY, CV23 8AT	Construction of a new annex.	R25/0967	Paul Varnish	6006403	5th February 2026	Refusal	Dismissed	24th June 2026

Nature of problem	Location	Case No.	PINS reference	Appeal Hearing type ENF	Case Officer

Location	Full development description	Application number	Case Officer	PINS Reference	Stage Description	Appeal Type	Decision date	Decision description	Decision level
41, BOW FELL, RUGBY, CV21 1JF	Change of use from healthcare surgery (Class E) to church (Class F1), ground floor side extensions and first floor extensions, new parking area to rear with new drop kerb access to Bow Fell.	R25/0003	Pippa Smart	6009122	Appeal Lodged	Written Representations	12th November 2025	Refusal	Committee
Land To The North Of Arthur James Drive, Churchover	Erection of two self-build dwellings, landscaping, access and associated works.	R25/0475	Calum Mason	6009342	Appeal Lodged	Written Representations	10th November 2025	Refusal	Delegated
MILLFIELD, MILL ROW, WOLVEY, HINCKLEY, LE10 3HS	Use of existing residential annexe (Class C3) as dwellinghouse (Class C3)	R25/0988	Adam Kerr	6011478	Appeal Lodged	Written Representations	21st January 2026	Refusal	Delegated

AGENDA MANAGEMENT SHEET

Report Title:	Delegated Decisions - 11 June 2026 to 15 July 2026
Name of Committee:	Planning Committee
Date of Meeting:	5 August 2026
Report Director:	Strategic Director - Place
Portfolio:	Growth and Investment, Digital and Communications
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:	This report relates to the following priority(ies): ☐ A Healthier Rugby – To support people to live healthier, longer, and more independent lives. ☒ A Thriving Rugby – To deliver a thriving economy which brings Borough-wide investment and regenerates Rugby Town Centre. ☒ A Greener Rugby – To protect the environment and ensure the Borough adapts to climate change. ☐ A Fairer Rugby – To reduce inequalities and improve housing across the Borough. Corporate Strategy 2025-2035 ☐ This report does not specifically relate to any Council priorities but
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 - 5 August 2026

Delegated decisions - 11 June 2026 to 15 July 2026

Public Report of the Strategic Director - Place

Recommendation

The report be noted.

Name of Meeting: Planning Committee

Date of Meeting: 5 August 2026

Subject Matter: Delegated Decisions - 11 June 2026 to 15 July 2026

Originating Department: Growth and Investment

DO ANY BACKGROUND PAPERS APPLY

☐ YES

☐ NO

LIST OF BACKGROUND PAPERS

Doc No	Title of Document and Hyperlink

The background papers relating to reports on planning applications and which are open to public inspection under Section 100D of the Local Government Act 1972, consist of the planning applications, referred to in the reports, and all written responses to consultations made by the Local Planning Authority, in connection with those applications.

☐ Exempt information is contained in the following documents:

Doc No	Relevant Paragraph of Schedule 12A

DECISIONS TAKEN BY THE STRATEGIC DIRECTOR FOR PLACE UNDER DELEGATED POWERS

Report Run From 11/06/2026 To 15/07/2026

APPENDIX 1

Delegated

8 Weeks Advert

Applications Approved

R26/0429	Unit 23, Elliots Field Shopping	Advertisement consent for 1no.
8 Weeks Advert	Park, Leicester Road, Rugby,	internally illuminated main fascia
Split	CV21 1SR	sign, 5no. non illuminated fascia
03/07/2026		signs and 2no. non illuminated
		glazing graphics to front
		elevation.

8 Weeks PA Applications

Applications Refused

R26/0107	63, Wood Street, Rugby, CV21	Retrospective change of use of a
8 Weeks PA	2NY	C3 dwellinghouse to 2no. studio
Refusal		flats and 1no. 2-bedroom flat.
26/06/2026		

R26/0156	1, Anthorn Close, Rugby, CV23	Variation of condition 2 and 3 of
8 Weeks PA	1EU	R24/1133 to revise plans,
Refusal		drawings and materials as
26/06/2026		changes during construction.
		(Proposed single storey side
		extension.)

R26/0111	42, LAWFORD ROAD, RUGBY,	Proposed Infill/front door
8 Weeks PA	CV21 2DY	relocation

Delegated

8 Weeks PA Applications

Applications Refused

Refusal

14/07/2026

Applications Approved

R26/0261 31, SOUTH VIEW ROAD, LONG
8 Weeks PA LAWFORD, RUGBY, CV23 9BP

Approval

11/06/2026

Retention of front boundary
fence. (Retrospective)

R26/0298 347, NEWBOLD ROAD, RUGBY,
8 Weeks PA CV21 1EH

Approval

12/06/2026

Erection of single storey front
extension and garage conversion

R25/1016 1 & 2 GRANGE COTTAGES,
8 Weeks PA COVENTRY ROAD, CHURCH
Approval LAWFORD, RUGBY, CV23 9HB

16/06/2026

Demolition of two cottages and
construction of 1 No. replacement
dwellinghouse and change of use
of an area of agricultural land for
the purposes of Biodiversity Net
Gain (BNG) enhancement.

R26/0176 86, Montague Road, Rugby,
8 Weeks PA CV22 6LU

Approval

17/06/2026

Reconstruction of existing garage
with first floor side and rear
extension and proposed single
storey rear extension.

Delegated

8 Weeks PA Applications Applications Approved

R26/0255 8 Weeks PA Approval 18/06/2026	THE OLD SCHOOL HOUSE, MAIN STREET, WITHYBROOK, COVENTRY, CV7 9LT	Conversion of garage to habitable space.
R26/0276 8 Weeks PA Approval 18/06/2026	11, Colledge Close, Brinklow, Rugby, Warwickshire, CV23 0NT	Proposed single storey rear and side extensions.
R26/0412 8 Weeks PA Approval 18/06/2026	32, The Ryelands, Lawford Heath, Rugby, Warwickshire, CV23 9EN	Replacement of walls of existing rear extension (Partially Retrospective)
R26/0266 8 Weeks PA Approval 22/06/2026	CLIFTON C OF E PRIMARY SCHOOL SCHOOL, STATION ROAD, CLIFTON UPON DUNSMORE, RUGBY, CV23 0BT	Replacement of existing timber fence and gates with new 1.5m high bowtop metal fence.
R25/1021 8 Weeks PA Approval 23/06/2026	54, RUGBY ROAD, BINLEY WOODS, COVENTRY, CV3 2AX	Erection of Fence and gate (Retrospective)

Delegated

8 Weeks PA Applications Applications Approved

R25/1043 8 Weeks PA Approval 23/06/2026	130, Dunchurch Road, Rugby, Warwickshire, CV22 6DR	Single storey side and rear extension, front canopy, front vertical rooflight, new PV panels, part garage conversion to form utility room.
R25/1045 8 Weeks PA Approval 23/06/2026	THURLASTON MEADOWS CARE HOME, MAIN STREET, THURLASTON, RUGBY, CV23 9JS	Variation of conditions 2 and 17 of R21/0152 (various extensions) changes to previously approved plans.
R26/0279 8 Weeks PA Approval 23/06/2026	LONDON MIDLAND RAILWAY CLUB ASSOCIATION, HILLMORTON ROAD, RUGBY, CV22 5AL	Single-storey front and side extension to existing clubhouse, with associated external alterations.
R26/0373 8 Weeks PA Approval 23/06/2026	30, Village House, The Green, Rugby	Proposed new entrance door to existing retail unit.
R26/0424 8 Weeks PA Approval 23/06/2026	90, CLIFTON ROAD, RUGBY, CV21 3QX	Single storey side / rear extension.

Delegated

8 Weeks PA Applications Applications Approved

R26/0132 8 Weeks PA Approval 24/06/2026	1 CALDECOTT STREET, RUGBY, CV21 3TH	1no. replacement dwellinghouse on the footprint of a previously existing lawful residential property and other associated works
R26/0442 8 Weeks PA Approval 24/06/2026	111, Norton Leys, Rugby, CV22 5RS	Two Storey Side & Single Storey Front Extension
R26/0469 8 Weeks PA Approval 24/06/2026	10, Webb Ellis Road, Rugby, CV22 7AU	Single storey rear extension.
R26/0504 8 Weeks PA Approval 24/06/2026	2, SHERIDAN CLOSE, RUGBY, CV22 5RL	Single storey side and rear extension; side extension of front dormer
R25/1088 8 Weeks PA Approval 25/06/2026	11, Rathbone Close, Rugby, CV21 4EP	Proposed two storey side extension to dwelling. Retrospective application for single storey rear extension and rear dormer.

Delegated

8 Weeks PA Applications Applications Approved

R26/0295 8 Weeks PA Approval 25/06/2026	2, South View, Broad Street, Brinklow, Rugby, Warwickshire, CV23 0LT	Demolition of existing garage & replacement new garage
R26/0403 8 Weeks PA Approval 26/06/2026	8, Great Brook Meadow Close, Rugby, CV23 1DN	Garage Conversion To A Habitable Room
R26/0144 8 Weeks PA Approval 30/06/2026	BROWNSOVER HALL HOTEL, BROWNSOVER LANE, RUGBY, CV21 1HU	Single storey rear glazed infill extension
R26/0249 8 Weeks PA Approval 30/06/2026	9, Garratt Close, Long Lawford, Rugby, CV23 9DL	First floor side extension with ground floor rear and side extension
R26/0291 8 Weeks PA Approval 30/06/2026	Rugby Gymnastics Club, Kilsby Lane, Rugby, CV21 4PN	Erection of external staircase/fire escape
		1no. 4 bedroom self build

Delegated

8 Weeks PA Applications Applications Approved

R26/0277 8 Weeks PA Approval 01/07/2026	LANDSCAPE VIEW, MAIN STREET, WILLEY, RUGBY, CV23 0SH	dwelling with associated driveway and attached double garage.
R26/0258 8 Weeks PA Approval 03/07/2026	321, Lower Hillmorton Road, Rugby, CV21 4AD	Single storey side and rear extension.
R15/0007 8 Weeks PA Not Required 06/07/2026	RUGBY BOROUGH COUNCIL, TOWN HALL, EVREUX WAY, RUGBY, CV21 2RR	TEST
R26/0154 8 Weeks PA Approval 06/07/2026	FIELD VIEW, FRANKTON ROAD, BOURTON-ON- DUNSMORE, RUGBY, CV23 9QT	Variation of condition 2 of R25/0645 to alter the design and update plans. (Two storey extension with glass link and alterations including the demolition of existing extensions and outbuildings).
R26/0086 8 Weeks PA Approval 08/07/2026	BARNYARD CARS, HALL FARM, BROWNSOVER LANE, RUGBY, CV21 1HY	Variation of condition 2 of R22/0085 to extend current use within the existing parameters of the existing planning permission

Delegated

8 Weeks PA Applications Applications Approved

for the land for a further 3 year period.

R26/0106
8 Weeks PA
Approval
08/07/2026

SATELLITE MEDIA SERVICES,
MAST AT WEATHER STATION,
LAWFORD HEATH LANE, LONG
LAWFORD,

Proposed erection of 6no. Low
Earth Orbit (LEO) satellite
antennas alongside associated
equipment cabinets, LED lighting
posts, fencing and access track
on current agricultural land to the
north of their existing facility

R26/0359
8 Weeks PA
Approval
08/07/2026

90-92, SOMERS ROAD,
RUGBY, CV22 7DH

Temporary external siting of 4 no.
construction cabins (mobile
welfare and office units) and the
parking of operational plant and
machinery for a period of 36
months to facilitate a phased
business relocation to the site.

R26/0433
8 Weeks PA
Approval
08/07/2026

10, Southfield Road, Rugby,
Warwickshire, CV22 5NJ

Single storey rear extension.

R26/0317
8 Weeks PA
Approval
09/07/2026

76, Sewell Place, Pettiver
Crescent, Rugby, CV21 4AQ

Rear dormer with loft conversion

Delegated

8 Weeks PA Applications Applications Approved

R26/0358
8 Weeks PA
Approval
09/07/2026

112, Cornwallis Road, Rugby,
CV22 7SL

Single storey side extension.

R26/0439
8 Weeks PA
Approval
09/07/2026

VILLAGE HALL, CHURCH
LANE, THURLASTON, RUGBY,
CV23 9JY

Part retrospective for erection of
rear pergola and side extension
to village hall for additional
storage

R26/0284
8 Weeks PA
Approval
10/07/2026

190, Hillmorton Road, Rugby,
Warwickshire, CV22 5AP

Rear/side two storey pitched roof
extension, rendering and new
windows.

R26/0212
8 Weeks PA
Approval
13/07/2026

DUTCH BARN, BURNTHURST
LANE, PRINCETHORPE,
RUGBY, CV23 9QA

Conversion of existing carport
and storage area to study/home
office and garage alongside the
installation of sliding doors.

R25/1076
8 Weeks PA
Approval
14/07/2026

262, Dunchurch Road, Rugby,
Warwickshire, CV22 6HX

Alterations, Extension to include
First Floor Extension to existing
Bungalow and Two Storey Front
and Rear Extensions to from two
storey dwelling

Single storey rear /side infill

Delegated

8 Weeks PA Applications Applications Approved

R26/0229
8 Weeks PA
Approval
14/07/2026

61, LIME TREE AVENUE,
RUGBY, CV22 7QT

extension

Certificate of Lawfulness Applications Applications Approved

R26/0331
Certificate of
Lawfulness
Approval
12/06/2026

1 , Teasel Close, Brownsover,
Rugby, Warwickshire, CV23 0TJ

Lawful development certificate for
a proposed single storey rear
extension, internal alterations and
changes to levels of existing rear
garden.

R26/0454
Certificate of
Lawfulness
Approval
25/06/2026

LESSINGHAM HOUSE,
BIRDINGBURY ROAD,
LEAMINGTON HASTINGS,
RUGBY, CV23 8DY

Lawful development certificate
(existing) of R22/0571 and
R22/0572 to confirm lawful
commencement of works.

R26/0392
Certificate of
Lawfulness
Approval
26/06/2026

YORK HOUSE, BURNTBURST
LANE, PRINCETHORPE,
RUGBY, CV23 9QA

Lawful development certificate for
a proposed single storey rear
extension.

Delegated

Certificate of Lawfulness Applications Applications Approved

R26/0353
Certificate of
Lawfulness
Approval
02/07/2026

57, Ratliffe Road, Rugby,
Warwickshire, CV22 6HB

Lawful development certificate for
a proposed outbuilding.

Conditions Applications Approved

R26/0344
Conditions
Approval
16/06/2026

10, NORTH ROAD, CLIFTON
UPON DUNSMORE, RUGBY,
CV23 0BW

Details of condition 4 (Tree
Protection) of R24/0931.
(Single storey front and two
storey side and rear extension)

R25/0893
Conditions
Approval
18/06/2026

Rugby Gateway, Leicester Road,
Rugby

Approval of condition 20
(Drainage) for Parcels R5 and R6
of R10/1272 . (Outline application
for residential development (up to
1300 units)

R26/0480
Conditions
Approval
24/06/2026

Canal Green, Houlton (Rugby
Radio Station), Key Phase 4,
Watling Street, Rugby, CV23 0AS

Details of condition 3
(Construction Management Plan)
of R23/0007.
(application for the approval of
reserved matters relating to
access, appearance,
landscaping, layout and scale

Delegated

Conditions Applications Approved

pursuant to outline planning permission R17/0022 dated 28th June 2017).

R26/0604 Conditions Approval 25/06/2026	Crowner Fields Farm and Home Farm, Hinckley Road (B4065), Ansty, Warwickshire, CV7 9JA
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Application for the approval of details relating to condition 18b & 18c (Archaeology) of R23/1027 (Creation of an employment-led headquarters campus development)

R26/0181 Conditions Approval 30/06/2026	49, Lawford Road, Rugby, Warwickshire, CV21 2EB
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Details of condition 6 (Bin and Cycle Stores) of R24/0538. (Conversion of existing 4 bedroom HMO to a 7 room HMO including a rear flat roof dormer extension and a ground floor rear enlargement.)

R25/0495 Conditions Approval 08/07/2026	Land south of Coventry Road and Cawston , Land off Coventry Road, Cawston, Rugby
--	--

Approval of condition 22 (Construction Management Plan) of R18/0936. (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,

Delegated

Conditions Applications Approved

open space and associated infrastructure (all matters reserved except vehicular access to the site)).

R26/0326
Conditions
Approval
09/07/2026

CEMEX HOUSE, EVREUX WAY,
RUGBY, CV21 2DT

Approval of details in relation to condition 19 and 21 (partial) attached to R22/1102 - Demolition Traffic Management Plan and demolition/construction access

R25/0106
Conditions
Approval
13/07/2026

5, MARKET PLACE, RUGBY,
CV21 3DY

Approval of Conditions - 3 (Window and Lintel Details), 4 (Details of Window), 6 (Noise Assessment), 7 (Odour Impact Assessment) of R20/0043 for Change of Use of First Floor of 5,5b and 6 Market Place

Committee

Discharge of Conditions Applications Approved R18/0936

Discharge of Conditions Applications Approved

08/07/2026

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).

Delegated

Listed Building Consent Applications Applications Approved

R26/0145 BROWNSOVER HALL HOTEL,
Listed Building Consent BROWNSOVER LANE, RUGBY,
Approval CV21 1HU
30/06/2026

Listed Building consent for a
single storey rear glazed infill
extension

Major Applications Applications Approved

R25/0210 Coton Park East, Central Park
Major Application Drive, Rugby
Approval of Reserved

Delegated

Major Applications

Applications Approved

Matters

08/07/2026

Reserved matters application for infrastructure works (installation of new link road, footways / cycleways, 4no. bus stops and temporary drainage) pursuant to outline planning permission R20/0787

Prior Approval Applications

Prior Approval Applications

R26/0428 29, Bridget Street, Rugby, CV21
Prior Approval 2BH
Extension
Not Required
16/06/2026

Prior approval for a proposed single storey side extension measuring 6m long, 4m high and 3m at eaves.

R26/0372 37, WOODLANDS ROAD,
Prior Approval BINLEY WOODS, COVENTRY,
Extension CV3 2BZ
Not Required
19/06/2026

Prior Approval for single storey rear extension measuring 7m long, 2.85m high and 2.85m at the eaves.

R26/0512 Land To West Of, Bond End,
Agriculture Prior Monks Kirby
Approval
Not Required

Prior approval for a proposed extension to agricultural building.

Delegated

Prior Approval Applications

Prior Approval Applications

19/06/2026

R26/0028
Prior Approval change
of use
Required and Approved
23/06/2026

BIGGIN HALL FARM, BIGGIN
HALL LANE, THURLASTON,
RUGBY, CV23 9LD

Prior approval for conversion of
existing poultry barns to create 6
dwelling houses.

R26/0582
Demolition Prior
Approval
Returned by Planning
Dept
01/07/2026

Rolls Royce Shop No 4, Pilot
Way, Coventry, CV7 9PU

Prior approval for proposed
demolition of a building.

R26/0540
Non-domestic solar
prior approval
Required and Approved
07/07/2026

UNIT 8, EUROPARK, WATLING
STREET, NEWTON, RUGBY,
CV23 0AL

Prior approval for installation of
132no. solar panels totalling
60.06kWp of solar.

R26/0457
Prior Approval
Extension
Not Required
09/07/2026

53, Sandford Way, Dunchurch,
Rugby, CV22 6NB

Prior approval for a single storey
rear extension measuring 5m
long, 3.5m high and 2.5m at
eaves.

89, Murray Road, Rugby, CV21

Delegated

Prior Approval Applications Prior Approval Applications

R26/0552	3JP	Prior approval for a single storey rear extension measuring 4.5m long, 3.8m high and 2.9m at eaves.
Prior Approval		
Extension		
Not Required		
09/07/2026		