



Thurlaston Parish Council
Thurlaston
Rugby

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5th January 2021

Joanne Orton (posted by email to joanne.orton@rugby.gov.uk)
Development Team
Rugby Borough Council
Evreux Way
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CV21 2RR

Dear Ms Orton,

**Rugby Borough Council Planning Application R20/1030
Thurlaston Meadows Care Home, Main Street, Thurlaston, Rugby, CV23 9JS**

This document is Thurlaston Parish Council's (TPC) submission with regard to planning application R20/1030.

Our recommendation is that planning permission for R20/1030 should be denied.

The Applicant's proposal is not compliant with the status of the Thurlaston Conservation Area and the associated settlement, and Sustainability requirements (social, economic and environmental).

Our observations:

- The location of the site is predominantly outside of the settlement boundary (reference Local Plan Policy GP2).
- Substantial harm to the Thurlaston Conservation Area.
- Harm to the character and appearance of the area in townscape/landscape terms.
- The sustainability of the location for residential accommodation for Older People.

Settlement boundary

The site lies predominantly outside the settlement boundary of the small rural settlement of Thurlaston. Policy GP2 Rugby Local Plan requires that new development be 'within existing boundaries only'. The policy also provides that on the land beyond the boundaries, comprising the countryside, new development 'will be resisted' unless national policy allows development in a countryside location. The scheme conflicts with Policy GP2, given that it proposes a new development on land outside the settlement boundary not supported by the provisions of the NPPF.

Moreover, the specific position of housing for Older People is recognised in the development plan. Policy H6 of the Local Plan provides that the Council will 'encourage' the provision of such specialist housing subject to (i) need and (ii) accessibility of services. The SHMA explained that there was a need for housing for Older People. However, the SHMA was last updated in 2015 and the current position has not been established in an appropriate assessment of need. The application lacks the necessary evidence and therefore justification for this significant departure from the development plan and national planning policy.

The Applicant's Planning Statement does not establish a reason as to why conflict with Policy GP2 should be overridden – it states that the proposal would benefit from the presumption in favour of development, however it is not explained why that should be the case. There is no clear statement about engaging paragraph 11(d) of the NPPF. It is the Parish Council view that the tilted balance outlined in Paragraph 11 of the NPPF is NOT engaged.

Thurlaston's Heritage

The site is partially within the Thurlaston Conservation Area. By Section 72 Planning (Listed Building & Conservation Areas) Act 1990, the Council must pay special attention to preserving or enhancing the character and appearance of the area. Moreover, there is a policy requirement in the NPPF (para.193-194) to ensure the Conservation Area is not harmed by development within its setting. In context, this will apply to the development outside the Conservation Area boundary.

The magnitude of the change to the Conservation Area and its setting would result in substantial harm to the heritage asset. In accordance with paragraph 195 of the NPPF, the Council should refuse planning permission. In the event that the Council considers the harm to be less than substantial, in accordance with paragraph 196 of the NPPF, planning permission should still be refused on the basis that the Applicant has failed to provide any evidence that the proposal would provide any public benefits.

The Impact on the Character and Appearance of the Area

This site is visible from a number of public vantage points – notably Main Street, Biggin Hall Lane and the public right of way (R310) to the west. To the east of R310 green space will be replaced by the 40 dwelling housing estate.

The purpose of Local Plan Policy NE3 is to ensure that significant landscape features are protected and enhanced and that landscape design is a key component in the design of new development. Planning applications will be required to submit a landscape analysis and management plan in appropriate cases. The Council has a strict policy on landscape protection which draws upon various landscape studies as part of its supporting evidence. The Applicant has not presented a 'Landscape and Visual Appraisal' and only limited commentary on the site context is contained within the 'Design and Access Statement'.

Thurlaston is a dark sky village in keeping with the surrounding countryside. The building of a housing estate, with street lamps and a concentrated light source conflicts with paragraph 180 of the NPPF.

The Applicant has failed to demonstrate how the proposal will provide compliance with Local Plan Policy NE3. TPC requests that RBC provides an extension to 28th February 2021 for TPC to commission and submit an independent landscape architecture report.

Sustainability Appraisal

Sustainability Appraisal encapsulates the social, economic and environmental effects of a plan to ensure it reflects sustainable development objectives. Sustainability Appraisal is required for all development plan documents.

National policy states that significant developments should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes (NPPF, para.103). This is particularly important for a development designed for Older People, who may not have access to a car and are therefore likely to be significantly more reliant on public transport to retain a degree of independence and integration to the community.

We cite that on 30th October 2020 RBC denied planning approval for application R20/0281. This was for a modest four dwelling complex on the Coventry Road (B4429) approximately 400m from the Thurlaston settlement. The proposed development site benefits from a regular public bus service. The nearest shopping and healthcare facilities are 1.7km away at Dunchurch. By comparison the Thurlaston Conservation Area is 2.1km from Dunchurch and does not benefit from a bus service and has no amenities. WCC Gritting services and Bus service providers do not service the village due to road accessibility constraints. The village can therefore be a hostile environment particularly for Older People during inclement weather periods.

Planning Application R20/0281 was refused planning consent. The reasons cited for refusal were:

- The proposal was at variance with the Local Plan's settlement hierarchy that provides a clear sequential approach to the selection of locations for sustainable development.
- Site located in the Countryside where new development will be resisted.
- The proposal would result in increased private vehicle movements and does not minimise pollution, or mitigate and adapt to climate change, or contribute to a low carbon economy.

R20/0281 was therefore refused planning consent as it was deemed contrary to policy GP2 of the Rugby Borough Local Plan 2011-2031 and the National Planning Policy Framework, 2019. These contraventions apply equally to R20/1030, which should therefore be refused planning consent for the same reasons.

With regard to R20/1030 the Applicant does not address social and economic aspects of sustainability. The Applicant is proposing dwellings for Older People that would increase the Thurlaston settlement population and housing stock, each by an estimated 30%, and significantly raise the median age of the community population. This would be contrary to supporting community vitality and sustainability at a time when the Parish Council is actively seeking to encourage young families into the community.

It was noted that the application makes no mention of provision for affordable Extra Care housing, which is not in line with Chapter 5, Paragraph 5.40 of the Rugby Local Plan, which indicates a total annual Extra Care housing requirement of 94, of which 22 (23%) should be affordable.

For these reasons the sustainability for the proposed 40 dwellings complex for Older People is not proven, and is in violation of Policy GP2.

Ecology

The Applicant has provided ecological assessments (Arboricultural, Biodiversity, Ecological) pertaining to the proposed site. Our contention is that the reports are superficial and incomplete. They call into question declared a priori assumptions. The community has not been consulted in any aspect of the development of this Application, which is unfortunate given there is resident wildlife expertise and knowledge pertaining to the site.

TPC has a Duty of Care to advise that the relevant meadow land has recent documented records of protected species; it is illegal to kill or destroy their habitat. Clearly this is an important consideration and the Applicant would benefit from understanding the detail of the ecology rather than making inaccurate, desk-based assumptions.

We record that TPC requested access to the proposed site to allow a professional ecology expert to undertake a detailed and independent appraisal. On 18th December 2020 RBC informed TPC that the Applicant refused access for this purpose. This refusal, and the enclosed desk-based review of the accuracy and conclusions of Eastdene's eco reports, calls into question the reports' validity. Against this background TPC has commissioned its own professional desk-based ecology appraisal; this is included here as part of our R20/1030 submission.

Community Engagement

The Applicant has not engaged with the Parish Council or residents during the development of this Application. This is clearly contrary to RBC guidance including its Statement of Community Involvement (2019).

Since publication of R20/1030, TPC proactively obtained resident opinion; approximately 75% of households responded and there is overwhelming (>99%) opposition to the proposal.

Whilst the current Thurlaston residents' views might not be considered a Material Consideration at this stage, it has motivated the Parish Council to work together to respond robustly to this planning proposal.

S106 / Community Infrastructure Levy

Whilst TPC have raised fundamental objections to this proposal, should RBC be minded to support this proposal, on a without prejudice basis, TPC requests under Section 106/CIL that the proposed community building has unrestricted availability for the whole parish in perpetuity and protected under Successors in Title. The current Village Hall is small, occupies a cramped site and has no parking. The increase in population together with current demand would warrant a larger community building, which should be identified as an Asset of Community Value for the continued use of everyone in the Parish.

Planning Conditions

Whilst TPC have raised fundamental objections to this proposal, should RBC be minded to support this proposal, on a without prejudice basis, TPC requests the following planning consent conditions:

1. Proper assessment of sufficiency requirement and provision for parking adjacent to the communal buildings, to avoid an overflow of visitors/shoppers parking on Main Street, where there are already regular parking problems.

2. Appropriate assessment and implementation of traffic management measures at the junction of Main Street and Coventry Road and to mitigate traffic speeding on Main Street, where the speed limit is 20mph (note that the application incorrectly states that Thurlaston's speed limit is 30 mph). Such measures must be sympathetic to the village design. This request is warranted by the increase in traffic brought by the proposed development in addition to existing traffic volumes.
3. Sympathetic restoration of the footpath that crosses the proposed site.
4. Strict controls to ensure building designs and building materials are in keeping with the surrounding village.

Conclusion

The Applicant proposes a 'Major Development' which lies within the Thurlaston Conservation Area (in part), and has far reaching and multi-faceted implications. Planning approval should be denied, because of the reasons presented in this report and in particular, its contravention/incompatibility with Local Plan Policies GP2 and NE3, Section 72 Planning (Listed Building & Conservation Areas) Act 1990, and NPPF (para.193-194).

In closing, TPC wishes to make further submissions to Council, which we will submit by the 28th February 2021. Please would you advise us as soon as possible if this date for submitting our extra information is too late for the date you decide upon for your Planning Committee Meeting; we would be very much obliged if you would acknowledge this request, and would keep us informed of any additional information supplied by the Applicant in the interim.

Yours sincerely,

Parish Clerk
Thurlaston Parish Council

cc PLANNING APPLICATION APPRAISAL: 'A desktop critique of the planning application and reports for the proposed development at Thurlaston Meadows Care Home and Patricksfield'.
by Adam Owen MSc, AA Tech Cert, iarbor.