



Appeal Decision

Site visit made on 11 February 2025

by **S Burch BSc MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 06 March 2025

Appeal Ref: APP/E3715/D/24/3348758

7 Rotary Close, Houlton, Rugby, Warwickshire, CV23 1ES

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Tew against the decision of Rugby Borough Council.
 - The application Ref is R24/0292.
 - The development proposed is described as “installation of Georgian style black steel double driveway gates (retrospective)”.
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Decision

1. The appeal is allowed and planning permission is granted for Georgian style black steel double driveway gates at 7 Rotary Close, Rugby, Warwickshire, CV23 1ES in accordance with the terms of the application, Ref R24/0292, subject to the following condition:
 - 1) The development hereby permitted relates to the following approved plans: Block Plan; Proposed Elevation Plan, Revision 1; Image of gates (no title or reference).

Applications for costs

2. An application for costs was made by Mr & Mrs Tew against the Council. This application is the subject of a separate decision.

Preliminary Matters

3. The development that is the subject of the appeal has been completed. The description of the development used in the banner header above alludes to this by including the word ‘retrospective’. However, as ‘retrospective’ is not an act of development I have deleted it from the description used in the grant of planning permission.
4. There have been changes to the National Planning Policy Framework (the Framework) since the determination of the planning application. Having reviewed them, I am satisfied that as far as their substance relates to the main issue in the appeal, further consultation with the main parties would not be necessary since they have not materially affected or prejudiced the cases of the parties. I have proceeded on this basis, with reference to the 2024 version of the Framework.

Main Issue

5. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

6. The appeal property is a modern detached dwelling, which is situated within a residential area that forms part of a large urban extension in Houlton. The property is located to the rear of houses that line the southern side of this residential cul-de-sac and is accessed via what appears to be a private driveway off Rotary Close. The driveway also serves a neighbouring dwelling, 7 Rotary Close. Surrounding development comprises of mainly residential development and variation in house type and design is evident. During my site witness I witnessed a range of boundary treatments including wooden fencing, brick walls and railings.
7. The black steel double driveway gates are located approximately halfway down the shared driveway, off a parking area which appears to serve houses on Houlton Way. Views from the main highway of Rotary Close are limited given the gates positioning down this driveway. Views from the adjacent green space are also limited due to the hedging and shrubbery between the appeal site and this space. Moreover, the nature of the gates, which are open in design, helps further soften any visual impact of the proposal.
8. The case officer report discusses how the gates, by virtue of their siting and scale, are more visually prominent within the locality than examples provided in the appellants supporting statement. However, I do not consider the gates to be excessive in scale in the context of surrounding boundary treatments. I note that during my site visit I observed a wide variety of gates and fences in the local area, including a post and rail fence which encloses the adjacent green space, a brick wall which appears to enclose the garden of 9 Rotary Close and a number of black railing fences. Given this mixture of boundary treatments, the black steel gates would complement its surroundings. Moreover, views from public viewpoints are relatively limited given the gates positioning down a driveway. I am therefore not persuaded that the gates are out of keeping with the character and appearance of the surrounding area, nor are they an intrusive or incongruous feature in the locality.
9. For these reasons, I conclude that the gates are well designed and are in keeping with the character and appearance of the area. Accordingly, I find no conflict with Policy SDC1 of the Rugby Borough Council Local Plan 2011-2031 (2019) which seeks to ensure that new development is in keeping with the character and appearance of the surrounding area. I also find no conflict with the aims and objectives of the Framework in this regard.

Conditions

10. The Council has suggested conditions in the event of the appeal being allowed. A condition specifying the date of this permission is not necessary as this is the decision date which is given in the title to this decision.
11. For confirmation and clarity, a condition is imposed specifying the approved plans.

Conclusion

12. For the reasons given above the appeal should be allowed.

S Burch

INSPECTOR