



Delegated Decisions by the Head of
Development Services Agenda

23 July 2020

**Note: This Agenda covers those matters to be considered
by the Head of Development Services, in consultation with
the Chairman of Planning Committee**

Planning Applications

- 1 **W/19/2112 – Land South of Lloyd Close, Hampton Magna, Budbrooke
MAJOR APPLICATION**
- 2 **W/20/0486 – 49 St Michaels Road, Saltisford, Warwick**
- 3 **W/20/0502 – Land off Rugby Road and Coventry Road, Cubbington
MAJOR APPLICATION**
- 4 **W/20/0594 – Four Brothers Farm, Five Ways Road, Shrewley, Warwick**
- 5 **W/20/0747 – Land South of Arras Boulevard, Hampton Magna,
Budbrooke**
- 6 **W/20/0775 – 10 Almond Avenue, Royal Leamington Spa**

Extended Delegated Decisions Meeting: 23 July 2020

Item number: 1

Application No: [W 19 / 2112](#)

Town/Parish Council: Budbrooke

Case Officer:

Lucy Hammond

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Registration Date: 13/12/19

Expiry Date: 13/03/20

Land South of Lloyd Close, Hampton Magna, Budbrooke

Application for Reserved Matters pursuant to condition 1 of planning permission ref: W/17/2387 for details of access, appearance, landscaping, layout and scale of 147 dwellings together with associated works, including vehicular/pedestrian access from Daly Avenue, green infrastructure including a play area, open space and other landscaping and sustainable drainage. FOR Bellway Homes South Midlands

This application is being presented to the Extended Delegated Decisions Meeting due to the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

That planning permission be approved, subject to the conditions listed at the end of this report, together with advisory notes as recommended by relevant statutory consultees (in respect of ecology, highways for example).

DETAILS OF THE DEVELOPMENT

This is a reserved matters planning application for the access, appearance, landscaping, layout and scale for the construction of 147 dwellings pursuant to the outline planning permission, approved by W/17/2387. Although access was considered as part of the original outline application, this reserved matters application includes access, which is shown in the same location as previously approved. The development also proposes all associated works including pedestrian access from Daly Avenue, green infrastructure including a play area, open space and landscaping.

THE SITE AND ITS LOCATION

The application site extends to approximately 6.98 hectares (17.25 acres) within a larger field located on the south-eastern periphery of Hampton Magna. The site is an arable agricultural field bounded by mature hedgerows which are interspersed with hedgerow trees. The agricultural access to the field is from the adjoining fields however there are pedestrian accesses from several of the surrounding cul-de-sacs.

On the north and west sides of the site is existing two storey residential development. Along part of the western and northern boundaries is a public right of way (WS4). A further public right of way crosses to the south of the application

site within the remainder of the field. Part of the eastern site boundary is defined by an existing field hedge while to the south is agricultural land.

There is a gradual downward slope running west to east across the site. Outside the site the land is slightly undulating to the south and east across adjoining fields.

Hampton Magna is identified in the Local Plan as one of the District's Growth Villages, containing local facilities and services which meet the day to day needs of the local community including a convenience store, public house, medical centre, community hall, café and primary school. The site makes up site allocation H51 in the Warwick District Local Plan 2011-2029, which Policy DS11 initially identified as one of the Growth Villages allocations which was anticipated would be developed for 115 dwellings. The Inspector's Report (July 2017) on the Local Plan, in considering this site, stated that development of this site would also involve an extension of the built up area into surrounding countryside, removing the current openness of the land and significantly altering its character and appearance. However, the development would not extend further south or east than adjoining residential areas and would be seen in this context.

The Inspector's Report concluded that there were exceptional circumstances which justified altering the Green Belt. To that end, and in order to facilitate development coming forward on this allocated site, the land within the identified site allocation boundary was removed from the West Midlands Green Belt. The surrounding land however, i.e. the adjoining land on the eastern and southern boundaries remains in the Green Belt.

There is a TPO tree near the south west corner of the application site, situated on the boundary. There are no heritage assets or other landscape designations relevant to the site or immediate surroundings.

PLANNING HISTORY

W/17/2387 - Outline application with all matters reserved except for access, for the erection of up to 147 dwellings together with vehicular/pedestrian access from Daly Avenue; Green Infrastructure including a play area, other open space and landscaping; sustainable drainage; and other related infrastructure - Refused 11 June 2018, subsequently allowed at appeal 05 June 2019.

W/18/1811 - Outline application with all matters reserved except for access, for the erection of up to 131 dwellings together with vehicular/pedestrian access from Daly Avenue with an emergency access from Mayne Close; Green Infrastructure including a play area, other open space and landscaping; sustainable drainage; and other related infrastructure - Application withdrawn by applicants.

It is noted, in relation to the more recent application above, that the revised scheme for 131 dwellings had a resolution to grant permission, following a referral to planning committee and was awaiting the completion of a S.106 Agreement. However, in the intervening time, the Planning Inspector determined the appeal on the first decision which led to the withdrawal of the revised scheme and the decision by the applicants to submit a Reserved Matters application pursuant to the original outline permission (for the higher number of dwellings).

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- SC0 - Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- DS18 - Green Belt
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Open Space (Supplementary Planning Document - April 2019)
- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Garden Towns, Villages and Suburbs Design Guidance (2012)
- Neighbourhood Plan
- Budbrooke Neighbourhood Plan (2018-2029)
- Development Principles - Housing Allocations H27 (Arras Boulevard) and H51 (Land South of Lloyd Close)
- Scale and Type of New Housing Within Hampton Magna and Hampton-On-The-Hill
- Design of Development in Budbrooke Parish
- Protecting and Enhancing Local Landscape Character
- Traffic Management and Traffic Improvements
- Sustainable Transport Measures

SUMMARY OF REPRESENTATIONS

Budbrooke Parish Council: Objection for the following reasons:

- Concerns about surface water drainage and where this will drain into
- The affordable housing appears to be blocked together and not spread around the site
- There are concerns arising from some of the content of the Design & Access statement; for example, the proposed density does not reflect the existing, concerns about accessibility for wheelchair users at the pedestrian access onto Mayne Close, additional air pollution arising from the development, design concerns about the proposals e.g. the fact that the existing village has a predominant use of integral garages whereas the new development proposes hardly any thus it is not in keeping and lastly, general comments regarding safety and security
- Comments are made about the allotments and play area; the Parish Council would like to be involved in discussions about the equipment planned and suitable fencing and safety arrangements
- References are made to the relevant policies of the Budbrooke Neighbourhood Development Plan
- There are concerns about parking within the development for both residents and visitors
- There are concerns about infrastructure, specifically, electric vehicle charging points and foul water drainage
- There are not enough bungalows proposed
- There are concerns about noise pollution

WCC Highways: No objections subject to conditions and advisory notes

Environmental Health: No objections

Housing Strategy & Development Officer: No objections

Tree Officer: No objections subject to condition requiring development to be carried out in accordance with tree protection measures set out in submitted tree report

WCC Ecology: No objections

WCC Landscape: Recommendations made about the particular type of species mix for tree and hedge planting; therefore condition recommended to require additional details prior to the commencement of any development

Open Space: No objections

Sport and Leisure: No objection; request for S.106 contribution
(Officer note in relation to the above – a S.106 request was secured on the original outline and as such cannot be secured again as part of the reserved matters permission)

Waste Management: No objections providing that bin collection areas are no more than 15m from the kerbside

Public Response:

78 letters of objection received (from 54 individuals) and 1 anonymous objection letter, raising the following material planning considerations:

- Sewage and drainage
- Surface water drainage and potential flooding
- Increased traffic
- Additional pressure on existing infrastructure e.g. school, doctor's surgery
- Parking pressure on street will be exacerbated
- There is insufficient parking for the allotments
- Bus service has been reduced and is therefore not as frequent as the application suggests
- Hampton Magna is unsuitable for further development
- The cumulative impact of this and the other allocated site (H27 adjacent) is too much for the village
- Too many houses are proposed over and above the allocation number of 115 identified in the Local Plan
- Density is too high
- Density of housing does not accord with the Neighbourhood Plan
- Building on Green Belt land is unacceptable
- The development encroaches into parts of the site which are still within the Green Belt
- The number of dwellings should be reduced to ensure there is no inappropriate development on Green Belt land
- Impact on the rural landscape
- Erosion of the green buffer between Hampton Magna and the A46/M40
- Loss of character for the village
- Impact on ecology
- Impact on TPO trees
- Impact on the public right of way
- Loss of residential amenity
- Overlooking
- Garden sizes are inadequate
- Noise from development on existing residents
- Road noise from A46/M40 on future residents
- Disturbance from construction
- Light pollution will occur which is harmful to the existing residents
- Affordable housing should not be closely clustered together
- There are not enough bungalows proposed
- Concern about water supply in the village
- Discrepancies in submitted plans (e.g. drawings of 2.5/3 storey house types not included in the proposed schedule)

A number of other non-material planning considerations were raised including, but not limited to:

- There is no mention of what tenure (i.e. freehold or leasehold) the market properties will be
- There is a suggestion that the whole development will just be a dormitory
- There is no indication that heat pumps and/or electric under floor heating will be used
- People with modest incomes should be encouraged to live in the town centre rather where there is less need to be reliant on a car
- There are houses on other new developments which are not selling and/or whose selling process have been reduced

- These properties will be difficult to insure/mortgage due to potential flooding issues
- Tree planting/root systems will potentially damage neighbouring property and garden structures
- There was no pre-application engagement or consultation
- Additional dwellings will exacerbate an existing black-out problem in the village
- The Inspector's decision, which goes against the Highway Authority's earlier recommendations, is questionable
- Objection is raised to the naming of new developments by developers
- Complaints about recent activity on the site, for example, erection of Herras fencing, hedge trimming and the potential obstruction of the public right of way

ASSESSMENT

As this is an application for the approval of reserved matters, it is not possible to reconsider the principle of development. This was considered in the assessment of the outline planning application (W/17/2387) and was found to be acceptable. The outline planning permission also approved the vehicular access to the site off Daly Avenue although this is shown on the submitted plans that form part of this reserved matters application, incidentally, in the same position, as previously approved.

Since the principle of development cannot be re-visited, consideration of the current application can only include issues related to the detailed access, appearance, landscaping, layout and scale of the 147 dwellings proposed by Bellway Homes.

In view of the above, the main issues relevant to the consideration of this application are as follows:

- Design and layout;
- Landscaping and open space provision;
- The impact on the living conditions of nearby dwellings;
- Highway safety and parking;
- The ecological impact of the proposals;
- Drainage and flood risk;
- Health and wellbeing.

Design and layout

Policy BE1 of the Local Plan requires new development to positively contribute to the character and quality of its environment through good layout and design. Certain ways through which the policy stipulates this might be achieved include (but are not limited to):

- harmonising with, or enhancing the existing settlement in terms of physical form, patterns of movement and land use,
- relating well to local topography and landscape features,
- reinforcing or enhancing the established urban character of streets, squares and other spaces,

- reflect, respect and reinforce local architectural and historical distinctiveness,
- respect surrounding buildings in terms of scale, height, form and massing,
- adopt appropriate materials and details,
- provide for convenient, safe and integrated cycling and walking routes within the site and linking to related routes and for public transport.

The above is further supported by Policy BNDP7 in the Budbrooke Neighbourhood Plan which states that new development will be supported where it makes a positive contribution to that distinctive character and be of good design and quality, citing particular principles as follows:

- contributes to local identity and sense of place,
- is suitable in terms of overall design and appearance,
- uses local and traditional materials,
- ensures the use of space and landscape design is appropriate,
- relates to the street/active frontage,
- respects local settings,
- ensures movement to/within/around the development is acceptable,

In addition to the above policies in the Development Plan, which is the starting point for consideration, there are additional supplementary guidance documents referenced below, which are relevant to the consideration of this development.

The Garden Towns, Villages and Suburbs Approach

The Council's 'Garden Towns, Villages and Suburbs' Prospectus seeks to bring together the key characteristics of the garden suburbs and villages approach, which include coherent and well planned layouts, high quality design and consideration of long term management arrangements. The site is considered as a 'neighbourhood edge' area; lying at the edge of existing established built development to the north and west, with adjoining countryside to the east and south.

It is considered that the proposed scheme would conform to the garden suburb design principles by exhibiting characteristics of an overall verdant, well designed residential neighbourhood within which open space and structural landscaping is an integral part.

The development is for 147 dwellings and this is an allocated site in its own right which does not form part of a wider site. Therefore, this does not form one phase of a larger development and as such a central spine road through the site would not be expected to connect to other adjoining phases of development. It is worth noting that while there is another allocated site to the north/north-east of this site (H27 – land south of Arras Boulevard) these two sites are not physically linked or inter-connected and there are no proposals for the roads to connect through; moreover, the only part of each of the sites where the boundaries physically adjoin are where the area of public open space in which the allotments and sustainable urban drainage features are proposed for the subject application in this case, thus precluding any road connectivity through.

In this case, the principal street which comes off Daly Avenue to the north, leads into the development and turns in a westerly direction as well as continuing in a

southerly direction, providing a circular route through the development except the two roads do not connect at the southern end of the development as they lead to a private drive and provide a number of connections to other private and shared drives along the way. The overall sense of the development however is a circular route around and through, which pedestrians and cyclists still have the option to take as none of the roads are physically blocked; they preclude vehicle movements through the installation of removable bollards but similarly facilitate emergency access in the event this were necessary.

There is a clear hierarchy of streets; the principal street provides the entry into the development, which, albeit short in length, contains amenity green space and tree planting on one side with house types that provide dual aspects and legible frontages that address the road. At the end of this primary street, where it splits into two secondary roads that circulate through the rest of the development, the main focal point of the development which is in full view of anyone entering the site is the central feature of open space, on which it is also proposed to place the LEAP. This is positioned in a prominent part of the site creating a strong, central focal point of the development which all residents will see on first entering the site no matter where within the development they live (with the exception of one of the six road fronting units along the northern edge looking towards Daly Avenue). This central area of open space forms the core around which all of the residential development blocks are arranged, while a network of tertiary streets provide access to the rest of the dwellings, some of which are positioned around the periphery of the development on private drives. Around the perimeter of the site, there are footpath links providing complete access around the development for pedestrians.

It is noted that the footpath network provided connects through the areas of public open space to the east of the proposed built development and provides a link through to the public right of way which travels along the site's northern boundary. This in turn provides the ability to connect to the wider cycle links that were secured and would be delivered as part of the planning permission that was approved on the adjacent allocated site (H27) which would connect from the public right of way and lead south, most likely through the public open space, in order to head south and link up to the existing cycle network that leads into Warwick town centre. Though there is no committed scheme at the present time, an indicative route supported the S.106 request in association with the adjacent site, into which footpath links from this site would interlink.

To the west of the site, an additional access point is proposed onto Mayne Close. This is not proposed for vehicles and would be unsuitable for vehicular use due to its width and construction; its purpose is for pedestrians and cyclists only, to offer an alternative form of access and egress to/from the development for residents, particularly those on the west/south-west side to access the village without having to rely on the Daly Avenue access.

Overall, the layout and street hierarchy presents a clear and legible form of development with appropriate pedestrian and cycle connectivity, not only through, the development itself, but also by providing footpath links and the potential to provide connections to future wider cycle links that will be delivered as part of the adjacent allocation.

The prospectus indicates that the linear layout can be less regimented for the 'neighbourhood edge' with a looser urban pattern of semis and detached houses. The layout provides a balanced mix of detached and semi-detached properties, with very limited use of terraced properties, with frontages that provide ample space for soft landscaping opportunities, particularly along the primary spine roads, that would add to the verdant, garden suburb character.

The Council's Residential Design Guide (2018) sets standards for the distance separation between the windows of habitable rooms in dwellings. Across the development, all properties which share a back to back or a back to side relationship, either satisfy the minimum distance, or exceed it. Officers therefore consider that the scheme creates an overall character of spaciousness, which positively meets the aims and objectives of the garden suburb prospectus and ensures a good standard of amenity for future occupiers.

General design and layout considerations

The development comprises a predominance of two storey dwellings, with a small number of bungalows (ten in total), through a mix of mostly detached and semi-detached dwellings. For the avoidance of doubt and to clarify a number of objectors' letters which have picked up on this point, 2.5 storey dwellings have never been proposed in this development. Some elevation plans for 2.5 storey house types from the Bellway portfolio were regrettably submitted in error with this application but as will be noted from the proposed housing schedule on the layout plan, from the outset, the development has always comprised a mix of two story dwellings only, with a small number of bungalows interspersed in response to the Budbrooke Neighbourhood Plan.

The proposed density of the development, based on the total site area, is 21 dwellings per hectare, which is very low, however officers recognise that this calculation takes into account the area of public open space which sits to the east of the built development on which the SUDS and the allotments would be located. If this area is excluded therefore and the density re-calculated, the total is 25 dwellings per hectare, which although higher, is still considered relatively low, is wholly appropriate to this edge of settlement location where the site adjoins open countryside to the south and east and is broadly comparable with the existing built form in the established part of the village to the north and west which is a little lower (at around 24 dwellings per hectare) but not dissimilar. Ultimately, the layout represents an efficient use of land and results in a well-spaced and legible layout that accords with the general design principles set out in the aforementioned design guidance.

In terms of appearance, the development incorporates a wide-ranging variety of house types, though one of the features of the development as a whole, is a sense of understated character. Perhaps unusually, typical features generally associated with new-build houses, such as dormers and chimneys, are absent from this development. Instead, the focus is on specific architectural detailing such as arched heads and cills along with other feature brickwork and detailing on principal elevations. Additionally, there are porches and canopies which add visual interest to frontages and the use of gables and gablettes are typical on a large proportion of the proposed house types in this development.

A materials plan has been submitted with the application which illustrates that a predominant use of red brick and multi red brick is proposed across the development. The Design and Access Statement alludes to the occasional use of buff brick and some cladding and it is considered appropriate to impose a condition on any forthcoming reserved matters permission to require samples of the materials to be used on the external surfaces of the buildings, to ensure that the external appearance remains visually appropriate and in keeping with the context of the surrounding character and locality. Officers consider that the proposed design and architectural style of the dwellings would result in a high quality and diverse finish and appearance.

Overall, it is considered that the proposed design and layout would result in an appropriate form of development in visual terms and would not give rise to any harm to the general character of the area.

Housing mix

Policy H4 of the Local Plan requires residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district in accordance with the latest SHMA and as summarised in the most recent guidance document 'Provision of a Mix of Housing' (June 2018), based on current and demographic trends, market trends and the needs of different groups in the community. This proposal provides the following mix:

Market Housing

House Type by bedroom	Total	Suggested Mix	Actual Mix	Difference
1-bedroom	4	5 - 10%	4.6%	- 0.4%
2-bedroom	22	25 - 30%	25%	+/- 0%
3-bedroom	37	40 - 45%	42%	+/- 0%
4-bedroom	25	20 - 25%	28.4%	+ 3.4%
Total	88	100%	100%	

While it is noted that the above mix would result in a marginal over provision in 4+ beds, when this is considered against the remaining market housing mix, where the 1 to 3 beds are all within the ranges specified above (the 1-beds being only 0.4% under) officers do not consider that this is sufficient reason to consider refusing the market mix as proposed. Moreover, it is worth noting that the 3.4% over provision on the 4-beds, against a total of 88no. market dwellings, in reality equates to just three units, further supporting officers' view that when taken as a whole, this is not considered a damaging market mix across the development.

Affordable Housing

The proposed affordable housing mix for this phase of development is as follows:

House Type by bedroom	Total	Suggested Mix	Actual Mix	Difference
1-bedroom	8	30 - 35%	13.6%	- 16.4%
2-bedroom	34	25 - 30%	57.6%	+ 27.6%
3-bedroom	15	30 - 35%	25.4%	- 4.6%
4-bedroom	2	5 - 10%	3.4%	- 1.6%
Total	59	100%	100%	

This proposal would provide 40% affordable housing comprising the mix of dwelling sizes set out in the above table. The Housing Development and Strategy Officer has considered the proposals put forward by this reserved matters application and confirmed there is no objection to the affordable housing mix as proposed in the table above. Consideration has also been given to the S.106 agreement that was secured as part of the outline permission in respect of the affordable housing provision for the development.

The layout plan illustrates how the affordable housing would be distributed across the site. Of particular note are the fact that a number of affordable units are located along two of the principal streets (on the west and the east sides of the development) and as such these would have a primary outlook onto the main thoroughfare through the development. Additional affordable units are placed, in officers' opinion, evenly across the remaining development blocks of the site layout such that there are no pockets in which it is overly concentrated when compared to other part of the development.

The placement of affordable housing is not however just about how evenly it appears to be distributed in plan form. The actual experience future residents would feel is also an important consideration, insofar as how the development would be experienced when driving or walking around by day or by night. Most importantly therefore, the affordable dwellings are located along streets which are passed to gain access to other streets within the development. In cases, where they are placed in cul-de-sacs, it is noted that they are evenly mixed among market dwellings, and/or they are positioned such that market dwellings are located beyond the affordable units, thus necessitating the need to have to pass them to access other parts of the development in which the market units are placed.

Taking Road. No. 5 as an example, while there are 12no. affordable units along this cul-de-sac, it is noted that market dwellings are placed between the affordable units, near to the turning head and moreover, this is the only access residents have to the private drive which heads north back towards the public open space where there is a row of market dwellings. The overall result of distributing the affordable units in this way is a sense of integration and all-round more cohesive development. The affordable units are not grouped together in isolated cul-de-sacs, nor do they form segregated parts of the development which would only be accessed by occupiers of the affordable units and accordingly, the development encourages social inclusion. Officers therefore consider that the affordable housing

is evenly spread across the site in a satisfactory manner and the development is acceptable in this regard.

Landscaping and open space provision

This application includes landscaping though it is important to distinguish that some matters are dealt with separately by condition in pursuance of the outline permission, for example the Landscape and Ecological Management Plan. There are also matters which are covered by the S.106 obligation discharge process and accordingly these matters do not form part of the reserved matters application considerations.

The Open Space officer initially reviewed the plans and supporting information submitted with the application and offered comments in relation to matters which are S.106 obligation requirements in pursuance of the outline permission, for example, requiring details of bins, benches, 'welcome' signage, technical details of the SUDS etc. The developers are still required to submit a Public Open Space Scheme to the Local Planning Authority for written approval in pursuance of the discharge of the relevant planning obligation as set out in the legal agreement that forms part of the outline planning permission, prior to the commencement of development which is separate to any landscaping scheme being considered here. As such the comments made by the Open Space officer in this regard are not matters for the reserved matters application and cannot form part of the landscaping and layout considerations.

As far as this application is concerned, the legal agreement expects any reserved matters approval to ensure that the public open space provision will accord with the standards specified within the Council's adopted Open Space SPD (2019). To that end, the table below sets out the open space being provided within the development against the standards required by the adopted SPD for each typology:

Typology	WDC Requirement	Development provision	Difference
	%	equates to (sq.m.)	(sq.m.)
Amenity Space	17%	3661.8 sq.m	3660sq.m - 1.8 sq.m
Parks & Gardens	35%	7539 sq.m	7540 sq.m + 1 sq.m
Natural Areas	35%	7539 sq.m	7540 sq.m + 1 sq.m
Allotments	7%	1507.8 sq.m	1510 sq.m + 2.2 sq.m
Children & Youth	6%	1292.4 sq.m	1290 sq.m - 2.4 sq.m

As can be seen from the table above, the public open space, which totals 21,540 sq.m. (or 2.1ha) is in accordance with the adopted Open Space SPD and provides all the expected typologies of open space in the appropriate amounts across the development.

In addition to the above, it is noted that the development proposes a further 3,039 sq.m. of public open space and this is proposed along the southern edge of the site where the development adjoins the open fields to the south and where this southern edge marks the transition from the built edge of the village to the adjoining countryside, which is still designated Green Belt land.

The largest expanse of public open space is undoubtedly the area to the east of the proposed dwellings where the SUDS and the allotments are proposed. This area is still within the Green Belt. thus no built form is proposed on this part of the site which accords with the parameters plan and the general principles of the outline permission. A significant area surrounding the SUDS is annotated as parks and gardens and the amount proposed accords with the amount required by the SPD.

The central focal space near the entry into the development is also where the LEAP is proposed to be located. No objections are raised to this in terms of siting or design by the Open Space officer though it is noted that technical details approval on the LEAP itself would form part of the S.106 obligation discharge process when the Open Space scheme is submitted for written approval.

In terms of the actual landscaping, i.e. tree and hedge planting, species mix etc, the Landscape Officer initially raised objection to the application and made recommendations about the landscape strategy, species mix and other aspects of the landscaping proposed for the development. A number of revisions have since been made to the soft landscaping proposals and the composite landscape plan which reflect the majority of those recommendations. The Landscape Officer no longer has any objections to the scheme, though there are still some remaining comments, specifically about planting species, which officers consider can be dealt with by way of a condition requiring further details to be submitted, notwithstanding the details submitted thus far.

The Tree Officer has confirmed that the tree constraints and tree protection information submitted with the application is very thorough and competent. Provided that the control measures referred to are fully implemented in a timely fashion and properly maintained and monitored throughout the duration of the development the Tree Officer is satisfied that the retained trees should be protected from harm. Officers therefore consider a condition to this effect is necessary and appropriate to ensure that the development is carried out in accordance with the approved measures as set out above.

A pumping station is proposed at the southern end of the site which the Landscape Officer commented on, suggesting it might interrupt the area of public open space in which it was proposed and to that end suggested it might be better re-located to elsewhere where it would have less of an impact. For the avoidance of doubt, the pumping station is proposed in this location because this is the lowest part of the site and it is therefore practically necessary to be in this area but moreover, it is entirely underground, with the only visible sign above ground of its presence, being an area of hardstanding which covers the site. While the layout plan illustrates it would be enclosed by a form of boundary treatment, no such enclosure has been agreed and officers consider it is appropriate that notwithstanding the provisions of Part 2 of the GPDO which might otherwise allow

a means of enclosure to be erected under permitted development, details of the proposed enclosure surrounding the pumping station should first be submitted for written approval by the Local Planning Authority. To that end, a condition is proposed to this effect.

Subject to the aforementioned conditions, officers are satisfied the landscaping proposals are acceptable overall.

The impact on the living conditions of residential properties

Policy BE3 of the Local Plan states that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development. This is echoed in Policy BNDP6 of the Neighbourhood Plan which states at (d) that development should provide appropriate residential amenity for future occupiers as well as Policy BNDP7 which states at (e) development should include adequate [...] private and public amenity space for future residents.

The proposed layout and design of this development is in accordance with the garden suburb approach and having regard to the general ethos of the Residential Design Guide, would provide a high level of residential amenity to the future occupiers of the development within an attractive setting. The separation distances to surrounding, existing properties to the north and west are considered to be acceptable; for the most part they all exceed the minimum distances set out in the Residential Design Guide, and across the rest of the development, between new dwellings, distance separation either meets or exceeds the minimum standards set out in the guidance.

Having regard to garden sizes, minimum standards are set out in the Residential Design Guide, based on the number of bedrooms per dwelling. The garden sizes meet (or exceed) the standards set out for dwellings, by type, and to that end, the residential amenity enjoyed for future occupiers would not be compromised in officers' opinion.

Highway safety / car parking

Policy TR1 of the Local Plan expects development to provide safe, suitable and attractive access routes for all users and particularly requires development proposals to demonstrate they are not detrimental to highway safety and create safe and secure layouts for all users, integrating the access routes into the overall development. The policy also requires, where practical, the incorporation of facilities for charging plug-in and other ultra-low emission vehicles where any off street parking is proposed.

The above is supported by Policy BNDP7 of the Budbrooke Neighbourhood Plan which states that new development should include adequate parking, garaging and private and public amenity space for future residents as well as Policy BNDP9 which requires all new development to satisfy the traffic management and transport improvements criteria set out within the policy. Essentially, this requires the safety of all road users not to be compromised, for adequate off-road parking to serve the development in accordance with the Council's SPD, for there to be

safe access and egress and to ensure existing on-street parking problems are not exacerbated by the proposals. While BNDP10 is relevant in principle, this relates to the provision and securing of financial contributions and other obligations deemed necessary to make the development acceptable in planning terms. Since this is a reserved matters application, this is not applicable.

The access into the development is off Daly Avenue, in the location approved under the outline permission. The number of objections received from neighbours and the Parish Council citing highway safety and access as a fundamental concern is noted, however, this cannot be re-considered as part of this application because it is already approved in this location. Similarly, matters related to the impacts of the development on existing village infrastructure (e.g. school, doctor's surgery, highway network) are matters which go to the principle of development, which were considered under the outline and which cannot be re-considered now.

The internal road layout was subject to an initial objection from the County Highways Authority who raised a number of points requiring technical clarification, additional information and revised plans in order to resolve the objection. A Stage 1 Road Safety Audit (RSA) was also required prior to determination which was submitted to the Road Safety Team for review and approval.

On receipt of revised plans, additional supporting information and a Stage 1 RSA, the Highways Authority has now removed its objection and confirmed there are no longer any outstanding reasons to object to the reserved matters layout, as proposed, subject to some conditions, as recommended, requiring the development to be carried out in accordance with the stipulated revisions of the layout plans to which no objections are raised, the laying out of the access and estate roads prior to occupation and the submission of a Construction Management Plan. In respect of the latter, while this would not normally be a condition requirement on a reserved matters approval, it is deemed appropriate on this occasion. The Planning Inspector did not impose such a condition on the outline permission and the Highway Authority consider it necessary to require such information from the developers prior to the development commencing on site. Officers are therefore satisfied that such a condition meets all of the tests of a planning condition as set out in paragraph 55 of the NPPF.

Based on the types and numbers of dwellings, a total of 309 allocated parking spaces should be provided in accordance with the Council's Vehicle Parking Standards. There are however, 320 allocated parking spaces provided across the development and these are proposed relative to the correct dwelling types. Only four of the sixty garages have been counted towards providing the third parking space for a 4 bed dwelling (Plots 3, 62, 126 and 147) and in these cases, the garage has been provided to the appropriate internal dimensions stipulated in the Parking Standards so that it can be utilised as the third parking space in a satisfactory manner. Garages will not normally be counted as part of the parking provision since the starting point should be sufficient off-street parking should be provided without having to rely on garages. In this instance however, officers are satisfied that with only four of the total 147 dwellings proposed across the development utilising the garage as the third parking space, this is acceptable on balance.

A total of 139 electric vehicle charging points are proposed on this development; this equates to over 94% of the total allocated parking provision across the development. In reality, this translates to all plots where parking spaces are located within 2-3 metres of the dwellings.

The Car Parking SPD also places a requirement on housing schemes to provide unallocated parking, equating to 20% of the total allocated parking provision, which the SPD states is anticipated will likely be provided on street. The Design and Access Statement was updated with an addendum, specifically in relation to parking, which sets out how this is expected to be achieved. Essentially, it is anticipated that the 20% provision can be achieved across the development without impacting on junctions, access points, visibility splays etc and all spaces maintain a minimum 6m manoeuvrability into designated parking spaces which is in line with Manual for Streets. This particular requirement, unlike the allocated parking, cannot be prescriptively shown on a plan because by its nature, on-street parking is transient and it is not possible to predict how residents will choose to park within the layout when assessing the tracking for refuse vehicle and fire appliance. It is inevitable on-street parking will occur and while the Highway Authority acknowledge that the parking standards are set by the Local Planning Authority it highlights that any shortcomings within this *might* impact on the general accessibility of the layout, which in turn might create difficulties for the servicing of the site by the refuse vehicle and general amenity of residents. However, this is acknowledged by the Highway Authority to be more of a consequence of where residents choose to park than the layout of the development and officers note that this is something over which the Local Planning Authority have no control.

Concerns have been raised over the amount of parking proposed for the allotments. The adopted Open Space SPD sets out the requirement for 1 space per 3 plots. The size of the proposed allotments equates to the provision of 6 plots which would mean 2 spaces are needed in total for the allotments. The SPD also requires the parking to be placed near the site entrance. While it is noted that the site entrance for the allotments would be accessed off 'Road No.3' and there are no marked out spaces on-street in this road, it is further noted that there are off-road spaces marked out along the road to the site's frontage along the northern boundary which is easily capable of accommodating two vehicles. This is immediately adjacent a footpath link connecting into the allotments and officers are therefore satisfied that there is sufficient parking provision for the allotments.

Bin collection points have been provided where necessary, having regard, where possible, to the guidance which requires a maximum 15m distance for bins to be carried from properties to bin collection points, and from collection points to kerbside.

Overall, the development is not considered to be detrimental to highway or pedestrian safety and accordingly complies with policies TR1 and TR3 of the Local Plan.

Ecological impact

The Ecologist was satisfied at outline stage that any ecological impact could be successfully mitigated through planning conditions and these were imposed upon

the original outline application W/17/2387. In addition, a S.106 agreement secured a maximum financial contribution to be paid towards biodiversity offsetting which was directly related to a maximum biodiversity unit loss identified at the time, which should not exceed 4.49 units. With the layout now determined and the landscaping and open space proposed as part of the final layout, a revised BIA calculation was undertaken to establish the actual biodiversity loss which was 4.46 units.

Since this is broadly the same figure as that which was identified in the outline permission and consequently corresponds to the original financial contribution secured in the S.106 agreement, the County Ecologist has no objections to the application and has recommended no conditions or additional notes, leaving it to those originally imposed on the outline which the developer is still required to discharge prior to the commencement of any development on site.

Overall, officers are satisfied that the proposals are acceptable in this respect and the development therefore accords with Policies NE2 and NE4.

Drainage and flood risk

The proposed site layout illustrates an attenuation basin in the same location as the one indicatively shown on the illustrative layout plan submitted with the outline application. This proposal therefore does not differ from the indicative layout shown insofar as surface water is concerned and in any event, such matters are covered by conditions imposed on the outline permission which are required to be formally discharged prior to the commencement of any development on site.

A pumping station is proposed towards the south eastern corner of the site, where the land levels are at their lowest, to deal with foul water. This has always been the proposed method for dealing with foul water, though it was shown further north on the illustrative site layout plan submitted with the outline application. The proposed location of it in this reserved matters application is logical given that the site is at its lowest point along the southern edge and the land naturally slopes down towards this area. The connections into the mains and/or the potential adoption process of the pumping station however, would be subject to separate negotiations between the developers and Severn Trent Water in their role as statutory undertakers.

Overall, officers are satisfied that the reserved matters application is acceptable in relation to flood risk and drainage matters and accordingly Local Plan Policies FW1 and FW2 are complied with.

Health and well being

The proposals would provide housing to meet the housing needs of the district, including an element of affordable housing for people in housing need. This is a benefit that contributes to health and well-being. Additionally, the provision of open space in the manner in which it would be laid out, including an over-provision in total, would be seen as a positive benefit that adds to the effective layout of the scheme and provides an enhanced environment in which to live for future occupiers. The proposed footpath and cycle links around and through the site would provide much improved cycle and footpath provisions linking the site to the adjacent development as well as the rest of the village and connecting it to

Warwick all of which would be a significant benefit for existing occupants of the village and future occupants of the development.

Other matters

Budbrooke Neighbourhood Plan – Policy BNDP5

Policy BNDP5 of the Neighbourhood Plan relates specifically to the two housing allocations in Hampton Magna, H27 (Arras Boulevard) and H51 (the application site being considered here). The policy applies particular development principles to these two sites and states that development will be supported where these principles are addressed in a sensitive fashion.

The principles relate to density, traffic, layout, design, affordable housing and self-build. While the vast majority of these points have already been encapsulated within the body of the report under the respective key issues above, officers considered it appropriate to set out a separate section specifically in response to BNDP5 which should demonstrate that this policy has formed an integral part of the decision making process when considering the proposals put forward.

Taking each principle in turn then: the density, as set out above, is considered to be broadly in line with the existing residential development in the surrounding area. Traffic calming measures have been incorporated in line with the advice obtained from the Highway Authority and the primary streets within the development are predominantly tree-lined, in accordance with the Garden Suburbs approach.

The site is served by an existing public right of way along the northern site boundary; the proposed development is well connected through the use of new footpath links around the periphery which connect to the existing public footpath and there are footpath links to a secondary access onto Mayne Close to the west side. New cycle links are also proposed and there is the ability to link the site to the proposed cycle improvements that will be delivered as part of the adjacent development at Arras Boulevard. Overall, the development is well connected for pedestrians and cyclists.

Parking is proposed in accordance with the Council's Parking SPD. A total of 10no. bungalows are also included within the development.

The application was accompanied by a Design and Access Statement which satisfies point 8 of the BNDP5.

For the reasons set out in the relevant section of this report in regard to the design and visual impacts, it is considered that the design not only accords with Local Plan Policy BE1 but also BNDP7.

Boundary treatments are appropriate to the rural environment; none other than soft landscaping are proposed along the southern edge of the site which is the most important boundary of the development that should be afforded the highest level of protection in terms of safeguarding against inappropriate boundary treatment given its relationship to adjoining open countryside. The boundary treatment plan submitted shows a mix of timber fencing around the private

gardens of individual houses which is not uncommon and would not lead to visual harm in the wider sense.

Detailed arboricultural information has been submitted with the application including tree retention and protection measures and it is proposed to condition this to ensure no harm comes to those trees proposed for retention.

There are no houses in the development proposed at more than two storeys. A mix of house types and sizes are proposed across the site to meet a range of housing needs, including bungalows; the market and the affordable mixes conform with the current guidance and meet with the approval of the Council's Housing and Development Strategy Officer. The design of the affordable units is such that they are tenure blind across the development and are adequately distributed across the site such as to promote social integration and inclusion and result in a cohesive form of development.

It is understood that the development will be catered for in terms of broadband provision. Bungalows within the development will meet the needs of older residents, while some other house types are equally conducive to meeting the needs of a variety of different age groups and requirements.

Officers are satisfied that the section on affordable housing (17-20) is adequately covered in the relevant section of the report above and without repeating the relevant point, the proposals are acceptable in this regard.

Finally, point 21 states that proposals for self-build and custom-build dwellings will be supported. While acknowledging this, officers have also had regard to the fact it is not a policy requirement for the allocated site to incorporate or deliver self-build units; rather for a mix of house types and sizes to be required across the site to meet an identified range of housing needs including the provision of bungalows and self or custom build homes as evidenced by up to date housing needs surveys (HNS)/information. It is noted that the latest HNS is dated 2014 and does not contain a specific requirement for self-build homes.

By way of a summary, officers are satisfied that the principle contained within this relevant policy BNDP5 have all been satisfied by the proposed development and to this end, the reserved matters layout is therefore acceptable.

The number of dwellings proposed relative to the allocation

This application proposes 147 dwellings; a number which is acknowledged to be higher than the estimated number for the allocation in the Local Plan, which was stated as 115. There are two key points to be noted in respect of this; in the first instance, the number in the Local Plan is not intended as definitive or a finite number. It is an estimate and the explanatory text to Policy DS11 (Allocated Housing Sites) at 2.40 makes it clear that sites were assessed against the spatial strategy and accordingly, estimated figures for the number of dwellings of each site is shown but it is recognised that this may vary dependent on detailed planning at the application stage.

The second point to note is that notwithstanding the above, there is an extant outline permission at this site for the erection of up to 147 dwellings. This was

allowed at appeal by a Planning Inspector who was of the view that it would be for the reserved matters approval process to demonstrate that this many dwellings could be accommodated within the application site without causing demonstrable harm and which was not contrary to the Development Plan, and that there was nothing to show that the lower number would be any less harmful.

Encroachment on the Green Belt

This issue, in principle, is not a matter for consideration at the reserved matters approval stage because the impact of the development on the Green Belt was considered when the outline planning permission was allowed by the Planning Inspector. Moreover, the allocated site was taken out of the Green Belt through the examination and adoption stages of the Local Plan leaving only the part of the application site edged red to the east, in which the SUDS and allotment are proposed still within the Green Belt and a small portion of the southern periphery where the application site extends beyond the allocation boundary. The extension of the application site beyond the boundary of the allocation is also not for consideration at this time as this has already been accepted through the approval of the outline permission.

What officers seek to clarify at this stage of the reserved matters approval process however, is that, for the avoidance of doubt, and in accordance with the terms of the outline permission, no built development is proposed within any part of the site which is still designated Green Belt land. The proposed SUDS and the allotment constitute appropriate development in the Green Belt in their own right and the structural landscaping proposed along the southern periphery of the site's boundary are a welcome benefit in landscape and visual terms as they create a green buffer which eases the transition between the built edge and the adjoining countryside to the south.

Officers are therefore satisfied there is no encroachment into the Green Belt as a result of the proposed development, the extent of which is line with condition 5 of the outline permission which requires the approval of any reserved matters to be in accordance with the general principles of the Design Parameters Plan submitted with the outline application.

Non-material planning considerations raised

While it has been noted above that a number of non-material planning considerations have been raised amongst the third party letters of objection received in response to this planning application, which would not usually be acknowledged, there are one or two points which, for the avoidance of doubt, officers would like to clarify in this report.

It has been noted that there was a lack of pre-application engagement and/or consultation prior to the submission of both this application and incidentally (though not relevant to the RM submission) the original outline application. For the avoidance of doubt, there is no requirement for the developer to undertake prior consultations with the local community before submitting an application to the Local Planning Authority. While it can often be beneficial this is not an obligatory part of the planning process. Separate to any consultations the developers may choose to undertake with the local community, where a formal pre-application enquiry has been submitted to the Local Planning Authority for a

verbal/written response prior to the submission of a planning application, such enquiries are confidential until such times as a planning application is received. Such details of pre-application advice in this regard therefore would not have been publicised at the time.

In recent weeks, a number of enquiries have been received from local residents regarding activity on the site. Any potential enforcement matters are for the enforcement team to deal with accordingly and should not influence the consideration, nor the outcome of a live planning application, which should be determined on its own merits having regard to the proposals as assessed against the relevant policies in the Development Plan. For the avoidance of doubt, it is officers' understanding that the recent activity on the site involved the erection of Herras fencing which can usually be erected under permitted development (i.e. without planning permission), the trimming of the existing hedge along Daly Avenue supported by photographic evidence of the works which had taken place and lastly suggestions that the public right of way had been or was continuing to be obstructed. In respect of the latter point, this is not a planning matter per se but public rights of way should remain open and unobstructed at all times unless there is a relevant Direction to either stop up or divert the right of way. An advisory note can be attached to remind the developers of the need to ensure the public right of way remains open at all times.

SUMMARY/CONCLUSION

As this is an application for the approval of reserved matters, it is not possible to reconsider the principle of development. This was considered in the assessment of the outline planning application (W/17/2387) and was found to be acceptable. Since the principle of development therefore cannot be re-visited, consideration of the current application can only include issues related to the detailed access, appearance, landscaping, layout and scale of the 147 dwellings proposed by Bellway Homes.

Officers consider the proposed development would provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing, where the affordable housing is distributed evenly across the site. The dwellings themselves are varied in their architectural styles and a predominant use of red brick is proposed which is characteristic of the local area. The development would be well landscaped with the various typologies set out in the open space SPD all being met with an additional over-provision of open space over and above that which is necessary for the size and type of development; the additional open space being positioned along southern edge of the site which provides the green buffer and transition from the built edge to the adjoining countryside.

There would be no harm caused to the amenity of existing neighbouring properties, and future occupiers of the development would be provided for with garden sizes and distance separation that either meets or exceeds the standards set out in the Council's adopted guidance.

There would be no detriment to highway safety, flood risk / drainage or ecology and biodiversity offsetting. While a number of non-material planning considerations have been raised, which are not relevant to the determination of

the application, some of these have been referenced for completeness and clarification purposes above.

Having regard to all of the above, officers consider the scheme complies with the relevant policies of the Development Plan, and accordingly, it is recommended that planning permission be approved.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings ECO2 'Ecology 02 Plan' submitted on 15 May 2020 and PL_ENG_024 'Pump Station Details' submitted on 12 May 2020 as well as the following approved drawings received by the Local Planning Authority on the following specified dates:-

20 April 2020

SO2+_PLAN_01, S03_PLAN_01, S04_PLAN_01, S08_PLAN_01, S12_PLAN_01, JO-2B-2S-P1, JO-2B-2SCB-E, MA-3A-2S-P1, MA-3B-2S-CB-E, SC-4B-2S-P1 Rev.A, SC-4B-2S-CB-E Rev.A, BL-2B-2S-P1, BL-2B-S-CB-E, WO-2B-1S-P1, WO-2B-1S-CB-E, FR-3B-2S-P1, FR-3B-2S-CB-E, SY-3B-2S-P1, SY-B-2S-CB-E, BO-4B-2S-P1, BO-4B-2S-CB-E, GO-4B-2S-P1, GO-4B-2S-CB-E, LO-4B-2S-P1 Rev.A, LO-4B-2S-CB-E, WE-4B-2S-P1, WE-4B-2S-CB-E, A/plcGa/00/001 Rev.F, A/plcGa/00/001 Rev.C, A/plcGa/00/002 Rev.B, A/plcGa/00/003, A/plcGa/00/004

30 June 2020

1496-02 Rev.R, 1496-04 Rev.F, 1496-05 Rev.E, 1496-06 Rev.E, 1496-07 Rev.E, 1496-08 Rev.E

16 July 2020

16-125-03 Rev.B, 19-125-04 Rev.B, 19-125-05 Rev.C, 19-125-06 Rev.C; and specification contained therein.

REASON: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 2 The development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities

and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

- 3 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 4 Notwithstanding the details submitted with the application, no development shall be carried out above slab level unless and until further details of the soft landscaping, specifically the proposed species and planting mix, shall be submitted to and approved in writing by the Local Planning Authority. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 5 No development shall be carried out above slab level unless and until details of the proposed boundary treatment to be installed around the perimeter of the pumping station have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with those approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 6 The arboricultural control measures that are described and illustrated in the 'Tree Survey, Constraints Advice and Retention & Removal Assessment' dated 18 December 2017 and undertaken by Midland Forestry, and the tree protection measures illustrated on the Tree Protection Plan 19-125-02 submitted on 13 December 2019 should be fully implemented in a timely fashion and properly maintained throughout the duration of the development.

The integrity of the arboricultural control measures should be monitored by a competent arboriculturist throughout the development to ensure their compliance with the arboricultural assessment, and the reports submitted to the local planning authority for verification.

REASON: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

- 7 The development hereby permitted shall not be occupied until the access has been laid out and constructed in accordance with drawing no. 1496-02 Rev R Planning Layout. **REASON:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 8 Each dwelling of the development hereby permitted shall not be occupied unless and until the car parking for that dwelling has been provided and thereafter those areas shall be kept available for such use at all times. **REASON:** To ensure adequate off-street car parking facilities in the interests of both highway safety and visual amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

- 9 No dwellings/buildings here permitted shall be occupied until the estate roads including footways serving it, have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority. **REASON:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 10 The construction of the estate roads serving the development including footways, verges and footpaths shall not be other than in accordance with the standard specification of the Highway Authority. **REASON:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the curtilage of any dwellinghouse fronting a highway or footpath.

REASON: That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties.

Application No: [W 20 / 0486](#)

Town/Parish Council: Warwick
Case Officer: Ankit Dhakal

Registration Date: 26/05/20
Expiry Date: 21/07/20

01926 456528 ankit.dhakal@warwickdc.gov.uk

49 St Michaels Road, Saltisford, Warwick, CV34 5RS

Demolition of an outbuilding and erection of single storey rear extension FOR
JANINE LETTS

This application is being presented to the Head of Development Services in consultation with the Chair of Planning Committee because the application property is owned by Warwick District Council.

RECOMMENDATION

The Head of Development Services in consultation with the Chair of Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks permission for the erection of a single storey rear extension following a demolition of the existing garage.

THE SITE AND ITS LOCATION

The application site relates to an end of terrace, two storey dwellinghouse, located on St Michaels Road, Warwick. The property is set back from the road behind a front garden and at the rear, the property benefits from a decent sized garden with timber fence on both sides. The property is in Flood Zone 3 and therefore appropriate Flood Risk Assessment has been carried out accordingly.

PLANNING HISTORY

There is no relevant planning history for the site.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- FW1 - Development in Areas at Risk of Flooding
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- [Guidance Documents](#)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection.

WCC Ecology: Recommended photos to be sent to determine whether initial bat survey is required.

WCC Local Lead Flood Authority: No objection.

Public Response: One objection has been received from No.47 - *"My property is next to the proposed demolition of outhouse, the wall of which is also my boundary wall. There is no reference to this and I want reassurance that my wall will be replaced with a new wall of equal height. The door of the proposed extension is less than 500mm from my property and therefore does not conform to current building regulations As the residents of 49 St Michaels Road all smoke and stand at their current back door to smoke I believe that they would then stand there and I would have the smell of smoke drifting over my property something that I object to very strongly especially if my grandson is in the garden. I have no objection to the plans being reversed so the doorway faces away from my property and the boundary wall is replaced with another brick wall of equal height or the extension is moved slightly to back up to the boundary and the doorway faces up St Michaels Road"*.

ASSESSMENT

The demolition of the detached garage does not require planning permission and therefore this aspect of the proposal will not be assessed in this application.

The main issues relevant to the consideration of this application are as follows:

- Design and the impact on the character and appearance of the area;
- The impact on the living conditions of neighbouring dwellings;
- Development in areas at risk of flooding;
- Parking
- Biodiversity

Design

Section 7 of the National Planning Policy Framework (NPPF) places significant weight on requiring good design which is a key aspect in achieving sustainable development. New development should positively contribute towards making places better for people.

Local Plan Policy BE1 requires all development to relate well and harmoniously with the architectural form of the surrounding built environment, in terms of scale and massing, and also through good design.

The proposed rear extension is of a modest size and design which will not be visible from the streetscene and it is therefore considered that the proposed extension would be acceptable in design terms and would comply with Policy BE1.

Amenity

Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. The Council's Residential Design Guide SPD provides a design framework for Policy BE3 and states that extensions should not breach a 45-degree line taken from the nearest habitable room of a neighbouring property. This serves to protect against loss of light and outlook.

The proposed rear extension would breach a 45-degree sightline taken from the nearest window in the rear elevation of No.47 St Michael's Road. However, the existing garage along that boundary already breaches the 45-degree line. The point at which the proposed extension projects further to the rear is some distance from the affected window. Furthermore, there would only be a limited increase in the eaves height compared with the existing structure. Therefore, it is considered that the proposal would not result in a material loss of light or loss of outlook compared with the existing situation.

There is no conflict with the 45-degree line in relation to the other neighbour at No.51 St Michael's Road.

Based on this it is considered that the proposal will not have an unacceptable impact on the neighbouring properties in terms of loss of light or outlook and having regard to Policy BE3.

Flooding

Local Plan Policy FW1 requires any new development that lies in an area of flood risk to be designed to be flood resilient.

The Flood Risk Assessment which accompanied the application sets out that the proposed development will be designed to be flood resilient. This can be secured by condition. Furthermore, the Local Lead Flood Authority are satisfied with the information provided and have no objection. It is therefore considered that the development is in accordance with Local Plan Policy FW1.

Parking

As the development creates an additional bedroom (from 3 to 4), the Council's Parking Standards SPD would require 3 off street parking spaces, one more than the current requirement.

Having carried out the site visit, it is considered that there is sufficient capacity in the street to accommodate the additional requirement. Furthermore, it is also noted that no objections have been received on grounds of parking. Therefore the proposals are in accordance with Local Plan Policy TR3.

Ecology

With regard to the comments of WCC Ecology, it is not considered that a bat survey would be appropriate. This is because the site is situated within an urban area and the existing building has a flat roof which is not ideal for bat roost and the building could be demolished without the need for planning permission. Of course, bats are protected by other legislation and the decision not to require a bat survey does not take away the applicant's legal requirement to notify Natural England in the event that bats are found during the course of development. The proposed development is considered to comply with Local Plan Policy NE2.

Other matters

A neighbour has raised some issues relating to the rebuilding of the boundary wall and the internal layout of the building. However, these are not considered to be material planning considerations relevant to the determination of this application.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
 - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 20107-002, 20107-003 & 20107-004, and specification contained therein, submitted on 27 Mar 2020. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
 - 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
-

Extended Delegated Decisions Meeting: 23 July 2020 **Item number: 3**

Application No: [W 20 / 0502](#)

Town/Parish Council: Cubbington
Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Registration Date: 30/03/20

Expiry Date: 29/06/20

Land off Rugby Road and Coventry Road, Cubbington, CV32 7JN

Provision of 13 additional dwellings on existing application site (approved for 120 under W/17/2371) through removal of larger units and provision of additional smaller dwellings within the existing site layout. FOR Bellway Homes South Midlands

This application is being presented to the Extended Delegated Decisions Meeting due to an objection from the Parish/Town Council having been received.

RECOMMENDATION

That subject to the completion of a Section 106 Agreement, planning permission be granted subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

This is a full planning application for the erection of 13 dwellings within an existing scheme granted planning permission on allocations H25 and H26 in Cubbington.

The overall site area is 5.41 hectares.

The original proposal granted under application W/17/2371 was for 120 dwellings and consisted of 72 open market dwellings and 48 affordable dwellings. The dwellings ranged in size from 1 bedroom to 5 bedroom dwellings and consisted of single storey, two and two and a half storey dwellings in a mixture of brick and render finishes. The scheme included the creation of a vehicular access from Coventry Road and Rugby Road together with the retention and improvement of the existing public right of way that crosses the site.

Following a review of the housing market, the applicants, Bellway Homes are seeking to omit the larger, 5 bedroom dwellings on the site and replace them with smaller 2 and 3 bed units to meet the demands of the housing market for smaller units.

The proposal results in a net gain of 13 dwellings. The scheme will result in an overall development with the following housing mix;

Private Units on Approved Scheme -W/17/2371

Size of Unit	No. Of Units	Total Bedrooms	Percentage
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1 Bed	2	2	2.77%
2 Bed	6	12	8.33%
3 Bed	41	123	56.94%
4 Bed	14	56	19.44%
5 Bed	9	45	12.5%
Total	72	238	

Private Units on Proposed Scheme – W/20/0502

1 Bed	2	2	2.5%
2 Bed	24	48	30%
3 Bed	40	120	50%
4 Bed	14	56	17.5%
5 Bed	0	0	0%
Total	80	226	

Affordable Units on Approved Scheme – W/17/2371

1 Bed	8	8	16.66%
2 Bed	26	52	54.17%
3 Bed	12	36	25%
4 Bed	2	8	4.17%
Total	48	104	

Affordable Units on Proposed Scheme – W/20/0502

1 Bed	10	10	18.87%
2 Bed	28	56	52.83%
3 Bed	13	39	24.53%
4 Bed	2	8	3.77%
Total	53	113	

THE SITE AND ITS LOCATION

The site is currently under construction in pursuance of application reference W/17/2371. The site was formed by two parcels of land allocated for housing in the Local Plan for a total of 100 dwellings. There were two distinct parcels of land; an old allotments site and a parcel of open agricultural land.

The allotment site has now been transferred to a new facility to the north of the application site. The boundaries are a combination of fencing to the residential property boundaries with hedgerows to the field boundary.

The area of the site is flanked to the east and partially to the west by existing residential properties.

The larger parcel was previously an open agricultural field delineated with hedgerow boundaries. A public right of way intersects the field from the south

eastern corner to the north western corner of the land. Within the field there are no landscape features.

PLANNING HISTORY

W/17/2371: Development of 120 dwellings (including 48 affordable units), formation of single access point from Coventry Road and single access point from Rugby Road, highway works, landscaping, public open space and ancillary works.
- **GRANTED 29.03.2019.**

RELEVANT POLICIES

- National Planning Policy Framework
- DS1 - Supporting Prosperity
- DS2 - Providing the Homes the District Needs
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS7 - Meeting the Housing Requirement
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities
- HS2 - Protecting Open Space, Sport and Recreation Facilities
- HS3 - Local Green Space
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- HE4 - Archaeology
- NE1 - Green Infrastructure
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Distance Separation (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council: Object to this revised application on the same grounds as our earlier objections, predominantly the number of properties far exceed the amount required in the local plan. The Objection to the planning application for the 120 dwellings still stands and the Parish Council objects to the proposed increase of a further 13 dwellings. Having compared the number and type of dwellings from the original application to the proposed amended application it is believed that: - The Density of the site has increased from 13.996ft²/acre to 14.598ft²/acre - The increased number of dwellings and therefore population will have an increased effect on the infrastructure and traffic generation. Additional traffic entering and exiting this development will cause additional congestion in and around Coventry and Rugby Road - Increase in number of residents will have an impact on schools, health services and amenities.

Warwickshire Police Major Development Officer: Request contribution of £3,225 towards additional policing requirements.

WCC Flood Risk Management: No objection as scheme in line with drainage strategy approved for W/17/2371.

Warwickshire Police Design Officer: Recommend Secured by Design Standards incorporated into the new dwellings.

WDC Sports and Leisure: Request total contribution of £15,152 towards improvements to indoor and outdoor sports facilities to mitigate the impact of the increased demand as a result of the development.

WCC Rights of Way: Public footpath (W137) crosses this wider development site which is proposed to be diverted. However, referring to the red line boundaries on the Location Plan it appears that the proposals covered in the current application do not directly affect the public footpath. I can therefore confirm that the Rights of Way team has no objection regarding this particular application.

WCC Highways: Having considered the existing Planning Permission for 120 units, the additional trip generation associated with the additional number of dwellings is not considered to have an adverse impact on the safety or capacity of the surrounding Highway Network, therefore, the response of Warwickshire County Council as the Local Highway Authority is one of no objection.

Severn Trent Water: No objection subject to condition.

WDC Environmental Health: No objection subject to noise and Air Quality Mitigation conditions.

South Warwickshire CCG: Do not require any additional S106 contribution for this scheme.

WCC Ecology: Note the loss of trees that would need to be mitigated.

WCC Landscape: Concern about potential reduction in available public open space and the number of trees, hedging and shrubs to be planted across the development site.

Public Response: A total of 2 letters of objection received making the following comments;

- Additional traffic entering and exiting this development will cause additional congestion in and around Coventry and Rugby Road
- Additional properties will cause strain on the nearby infrastructure. It's a busy road and the extra vehicles from the additional dwellings will cause chaos at rush hour
- Additional units will impact limited resources and facilities within the Cubbington area E.g Schools, Doctors, Dentist, shops etc

ASSESSMENT

Principle of Development

The adopted Local Plan is the most up to date evidence base for the allocation of new housing land and this site forms part of the strategic expansion of Warwick and Leamington as defined within Policy H1.

The application site is identified within the Warwick District Local Plan 2011-2029 as a site suitable for new housing development within the growth village envelope of Cubbington. The land is defined as two housing allocations; the H25 and H26 allocations which are formed of two different land parcels separated by a hedgerow running from east to west across the site.

The allocations identified a total of 100 dwellings across the two sites. The earlier scheme brought forwards had a total of 120 dwellings across the two sites, exceeding the overall allocation by 20 units or 20%.

This scheme would increase the overall numbers on the site to 133 when considered alongside the earlier permission.

The explanatory text to DS11 states that the sites were assessed against a number of criteria and an estimated figure for the number of dwellings for each site is identified. That explanatory text also sets out that at the detailed planning application stage that figure may vary. Paragraph 368 of the Inspectors report into the Local Plan stated that the Council's estimate of capacity is based on 50% of the site area being developed which would allow for substantial landscaping to create a strong edge to built development which is shown on the submitted plans despite the increase in numbers.

When considering the additional numbers above the allocation, Officers note that Strategic Policies DS2 and DS3 of the Warwick District Local Plan seek to support the provision of homes that are required within the District as identified within the Objectively Assessed Housing Need. These policies also require development schemes to provide an appropriate level of affordable housing and a mix of new homes of all tenures.

The above policies are based upon the Government objective of significantly boosting housing supply. Furthermore, Policy DS6 identifies a minimum of 16,776 new dwellings during the local plan period of 2011 to 2029. Current rates of new development require the provision of 1,098 dwellings per year for the remaining Local Plan period until 2029.

Policy DS7 sets out the methodology for the provision of new housing over the plan period. The figures set out that the plan period has a significant number of site completions, extant permissions, existing commitments and new dwellings proposed through the sites that are allocated within the plan.

In addition to the identified sites, an additional 1010 dwellings have been earmarked within the Local Plan housing figures that would potentially come forward through windfall sites.

In essence, the additional housing proposed on this site could be considered as a windfall insofar as they would be additional dwellings not identified within the allocation but capable of being satisfactorily assimilated onto the site which is located within a sustainable area.

The potential opportunities for seeking that level of windfall provision across the District on smaller sites is considered to be limited and would in all likelihood result in small, sporadic developments, a significant number of which may relate to sites of 10 or less units. Unlike the current proposals, in such circumstances, there would be no requirement for the provision of 40% of the units to be affordable housing. Therefore in circumstances such as that presented by the current application, there is an opportunity to provide an increased number of dwellings within a high quality scheme whilst also ensuring the provision of affordable housing at an appropriate level.

The proposals seek permission for the construction of an additional 13 dwellings to replace the larger units originally approved as part of the 120 dwelling scheme. The additional dwellings are wholly contained within the existing plot boundaries so the associated open space and green infrastructure remains unaffected.

In accordance with the provisions of Policy DS11 and having regard to the fact this is one of the District's allocated sites for housing, officers consider that the site is capable of delivering a high quality scheme notwithstanding the proposed increase in numbers. This conclusion has been drawn having regard to the above and taking into account the comments of the Inspector in his final report.

Other benefits are capable of accruing as a result of the increased number of dwellings proposed relative to those estimated at the time of the allocation. Within the context of the Government objective to significantly boost housing supply, the provision of addition dwellings in a sustainable manner within a high quality development is considered to be a positive outcome which as set out above increases opportunities for the provision of affordable housing and a wider tenure mix in a manner which may not otherwise be the case and in accordance with the relevant policies to suit the housing requirements of a variety of people.

The number of dwellings proposed relative to the allocation

This application proposes up to 133 dwellings which equates to a 33% increase over the estimated number for the allocation in the Local Plan.

The layout positively demonstrates that even with the additional numbers, a high quality development within a landscaped setting can be achieved that would provide desirable living environments in which future occupiers will live.

Other benefits are capable of accruing as a result of the increased number of dwellings proposed relative to those estimated at the time of the allocation. Within the context of the Government objective to significantly boost housing supply, the provision of additional dwellings in a sustainable manner within a high quality development is considered to be a positive outcome which as set out above increases opportunities for the provision of affordable housing and a wider tenure mix in a manner which may not otherwise be the case and in accordance with the relevant policies to suit the housing requirements of a variety of people.

By providing additional dwellings on this site, the requirement to find additional small scale sites to provide new housing is removed. In addition, by providing additional dwellings on this key allocation, the proportionate amount of affordable units are secured together with appropriate infrastructure contributions that may not result from smaller windfall sites of 10 or less dwellings. The additional provision on this site therefore has a significant benefit to the District in terms of infrastructure and affordable housing provision by resulting in a net gain of 5 affordable housing units on the site.

The overall housing mix to provide between 1 bed and 4 bed properties which reflects the policy requirements of Policy H4 and is applicable to Cubbington as well as responding to the wider District's needs.

Housing Mix

The latest figures on Housing Mix are set out in the 2018 Provision of a Mix of Housing document. The figures set out a market mix as follows;

House Type	Suggested Mix	Actual Mix	Difference
1 Bed	5-10%	2.5%	-2.5%
2 Bed	25-30%	30%	+/-0%
3 Bed	40-45%	50%	+5%
4+ Bed	20-25%	17.5%	-2.5%

The affordable mix is as follows;

1 Bed	30-35%	19%	-11%
2 Bed	25-30%	53%	+23%
3 Bed	30-35%	24.5%	-5.5%
4+ Bed	5-10%	4%	-1%

The market mix is considered acceptable as the thresholds are generally in line with the proposal. The affordable mix puts a focus on 2 bedroom dwellings. Whilst

not in accordance with the guidelines, this mix is supported by the WDC Housing Team.

Officers are satisfied that the proposed development is in accordance with the Warwick District Local Plan 2011-2029.

Impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The overall form of development will remain predominantly unchanged insofar as the green spaces within the site will be retained as per the existing approval. The experience of the area is of a green and pleasant development. Officers are satisfied that this form of development is an appropriate treatment for the parcel of land.

The site will retain the areas of open space to the boundary of the site with the open countryside giving a significant soft edge to the development where it meets the open countryside. As per the previous approval, all existing hedgerows are retained to delineate the existing boundary of the site.

Overall, the revisions to create the smaller units in lieu of the larger detached dwellings retain the character of the site that has been well designed to reflect the character of the setting. The proposal increases the overall density of the development by virtue of creating an additional 13 dwellings within the site area. However, Officers are satisfied that the character reflects the surrounding building densities of Cubbington. Within the northern element of the site, the character is defined by lower density development with larger areas of green space forming a natural transition into the open countryside by providing a soft edge to the development.

Officers are satisfied that the revised scheme maintains a development that is considered high quality within a well landscaped setting that has been sensitively designed to reflect the character of the wider area.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

All of the proposed dwellings are set away from the boundaries of the site which creates a substantial separation distance between existing and proposed properties. All separation distances between the existing and proposed dwellings exceed the required standards.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

All of the properties within the site have been provided with separation distances that meet or exceed the required standards. Officers are satisfied that the relationship between the proposed properties is acceptable in accordance with the Residential Design Guide. Where properties share a front to front relationship, consideration has been given to the fact that such dwellings would be positioned on opposite sides of a road or pedestrian route running through the development and accordingly regard is had to the more 'public' frontage these properties would have, from which views, certainly into ground floor windows, would be facilitated by pedestrians, cyclists and other passers-by. Overall, having regard to the relevant guidance, the proposals are compliant and the development is acceptable in this regard.

All dwellings have a private garden that is of an appropriate size in accordance with the required standards set out in the residential design guide. Many of the properties also benefit from further space to the frontage to enhance the setting for the occupiers.

Throughout the site there are high levels of open green space that further enhance the setting for future occupiers with areas of formal and informal space to enhance the overall landscape of the scheme.

Overall, having regard to the above, the development is considered to provide appropriate living environments for future occupants, which is further enhanced by the extent of the public open spaces proposed as part of the development.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The County Highways Officer has assessed the proposal and based upon the work carried out within the earlier scheme's transport assessments etc is satisfied that

the addition of 13 extra units of accommodation on the site would not have a demonstrable impact on highway safety.

All of the new plots are provided with the appropriate standard of parking based upon the guidance within the adopted Parking Standards SPD.

Officers are therefore satisfied that the scheme is acceptable having regard to Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The original application was submitted with detailed ecological surveys of the site and surrounding area which were assessed by the County Ecologist who recommended conditions to secure works appropriate to the protection of existing landscape features and potential impact on protected species.

Predominantly across the site, there are no details forming part of this scheme that encroach onto any green space or affect any landscape features beyond those affected in the original application. On the northern boundary, the subdivision of the dwelling creates a marginal intrusion onto the green space. However, the level of encroachment is minor in this location and I am satisfied that it would not undermine the ecological quality of the site.

Due to the revisions to the plots, Officers note that some tree species within garden areas have been omitted. In order to ensure that there is no net loss in tree planting, a condition is proposed to require a scheme of alternative planting to offset any losses.

On this basis, subject to the required conditions, Officers are satisfied that the proposal is acceptable having regard to Policy NE3 of the Local Plan.

Other Matters

Open Space

The areas of open space around the site equate to approximately 1.76 hectares of land which equates to approximately 33% of the overall site area. The on-site public open space is retained at this level and is considered acceptable.

Impact on local services

The proposed development increases the previously approved 120 dwellings to 133. Whilst there is an increase in unit numbers, there is a net loss of overall bedrooms created by the development as a result of the creation of smaller units in lieu of the larger 5 bedroom dwellings. The proposal has been assessed with regards to the potential additional demand for local services and where identified

by Consultees, contributions towards community facilities are required in addition to those already secured.

It is considered that the contributions are necessary to make the development acceptable in planning terms, are directly related to the development, and are fairly and reasonably related in scale and kind to the development (as required by Regulation 122).

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the time of writing, the following requests have been received;

- 40% Affordable Housing (5 units)
- £75 per dwelling for sustainable travel packs.
- £3,225 towards Warwickshire Police improvements.
- £10,250 towards improved indoor sports facilities.
- £919 towards improved outdoor sports provision.
- £3,983 towards additional grass pitches contribution.

Matters regarding the adoption of open space and SUDS have been adequately dealt with as part of the earlier permission for the site and remain unaffected by this proposal.

Conclusion

The development forms part of an earlier permission for allocated sites H25 and H26 for the construction of 120 dwellings together with the necessary infrastructure and associated works, including the provision of open spaces and SUD's. The scheme is considered to be acceptable in principle in accordance with Local Plan Policy DS11.

The proposal will result in an overall increase of units by 13 giving a total of 133 units.

Officers are satisfied that the proposals would provide high levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants in a well-designed and landscaped setting.

Officers are satisfied that the site layout demonstrates that the land is capable of being developed for this number of dwellings without causing material harm to neighbouring amenity or the general character of the surrounding area and still provides a high quality setting for future occupiers.

Appropriate contributions to offset the potential impact on infrastructure can be secured through an appropriate Section 106 agreement and detailed matters can be secured by condition.

Overall, the development is considered to accord with all relevant provisions of the Development Plan and for these reasons, it is therefore recommended that planning permission be granted.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) FULL-13-02, 1423-25, 1423-26, 1423-37, 1423-38, 1423-39, 1423-40, 1423-47, 1423-48, 1423-53, 1423-55, 1423-56, 1423-57, 1423-500-2B, 1423-501-2B and LILLY/2018/02 Bed, and specification contained therein, submitted on 31 March 2020. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those specified within the application documents. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted shall not be occupied unless and until a soft landscaping scheme has been submitted to and approved in writing by the local planning authority to demonstrate that a net gain in proposed tree planting is achieved. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 5 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive road traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road traffic noise has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

Extended Delegated Decisions Meeting: 23 July 2020

Item number: 4

Application No: [W 20 / 0594](#)

Town/Parish Council: Shrewley
Case Officer: Dan Charles
01926 456527 dan.charles@warwickdc.gov.uk

Registration Date: 20/04/20
Expiry Date: 15/06/20

Four Brothers Farm, Five Ways Road, Shrewley, Warwick, CV35 7JB

Full application for the erection of agricultural building. FOR Four Brothers Farm Ltd

This application is being presented to the Extended Delegated Decisions Meeting due to an objection from the Parish/Town Council having been received.

RECOMMENDATION

That planning permission is GRANTED with conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the erection of a new general purpose agricultural building on an existing agricultural holding of approximately 8.5 hectares.

The proposed building has a footprint of 480m² (24m x 20m) with an eaves height of 4.5m and a ridge height of 7.34m.

The building is to be constructed of 1.8m high concrete panelled walls with Yorkshire board timber cladding above. The roof is to be profiled fibre cement sheeting incorporating translucent roof light panels.

The building is to be located centrally within the land ownership adjacent to existing field boundaries. The building is served by two unmade tracks running from an existing access drive to the south as well as an existing field gate to the east both served from Five Ways Road.

THE SITE AND ITS LOCATION

Four Brothers Farm is an agricultural holding extending to approximately 8.5 hectares. Primary access is gained from Five Ways Road via an existing secure gated access. A secondary field gate is located further to the north serving the site.

The land holding is an approximate 'L' shape and the proposed building would be located near to the junction of the 'L'. This area is screened by existing mature hedge and tree boundaries. The area is also served by two rudimentary, unmade but well used tracks across the land from both access points.

The land is predominantly flat with no significant levels changes and contains a number of tree species within the site boundaries.

The current use of the land is for grazing of sheep and these were present at the time of the site visit.

To the south-western corner lies the existing barn serving the site that has an extant permission to convert to dwellings under the Class Q Prior Approval procedure.

There are no near neighbours to the site that would be affected by the development.

The site lies within an open countryside location and falls within the West Midlands Green Belt.

PLANNING HISTORY

W/19/1373: Prior Approval under Part 3, Class Q(a) and (b) for the change of use of existing agricultural building to 3 no. dwellinghouses including all ancillary works – **GRANTED 07.10.2019**

W/19/0411: Application for Lawful Development Certificate to convert agricultural building to 3 No. dwellings as proposed under application W/18/2177 – **REFUSED 26.04.2019**

W/18/2177: Notification for Prior Approval for a Proposed Change of Use of Agricultural Building to 3no. Dwelling Houses (Use Class C3) together with associated works to facilitate the conversion – **REFUSED 11.02.2019**

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity
- DS5 - Presumption in Favour of Sustainable Development
- DS18 - Green Belt
- PC0 - Prosperous Communities
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- FW2 - Sustainable Urban Drainage
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

SUMMARY OF REPRESENTATIONS

Shrewley Parish Council: Four Brothers Farm was granted Prior Approval under Part 3, Class Q(a) and (b) for the change of use of an existing agricultural building to 3 no. dwelling houses including all ancillary works on 7.10.19 (W/19/1373), which is on a site within 200m of the proposed new barn in the current application.

Exercising Class Q in respect of any building will suspend normal agricultural permitted development rights for a period of 10 years from completion. Applicants are advised by Planning Consultants to ensure that they have adequate replacement facilities in place prior to submission of a notification under Class Q, i.e. you cannot build a new barn to replace one that you are converting into dwellings.

Therefore, the Parish Council considers this application to be inappropriate development which by definition is harmful to the Green Belt and should only be approved in very special circumstances (Section 2.79 of the WDC Local Plan). As no very special circumstances have been detailed in the application, then this application should be refused.

In addition, there is no evidence of an existing track to this site (Google Earth) and the proposed new barn would require a new access trackway and entrance which we also consider to be inappropriate.

WCC Landscape: No objection. The proposed development is near to an existing hedgerow with possible hedge trees. An adequate buffer needs to be provided to safeguard the hedgerow during construction and to allow for future maintenance.

WCC Ecology: The proposed building will be erected adjacent to an intact hedgerow. I would recommend that a suitable buffer area is kept between the works and the existing hedgerow. I would recommend that notes relating to nesting birds, badger and amphibians and reptiles, as protected species, are attached to any approval granted to this application.

ASSESSMENT

History/Background

An application for prior approval under Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 to convert the existing agricultural building was approved by Officers under application reference W/19/1373. As there are no other buildings on the site, a new building is being applied for under this current application.

It is noted that under the Prior Notification regulations, agricultural businesses forfeit their right to apply for new buildings under the fast track Notification procedure for a period of 10 years following a change of use granted under the Class Q Regulations.

On that basis, the application before Officers is a full planning application for the erection of a new agricultural building.

Principle of Development

There is no specific policy within the Local Plan that makes reference to agricultural buildings and operations. In cases where the Local Plan is silent, the proposal must be assessed against the policies of the NPPF.

Paragraph 83 of the NPPF promotes the development of agricultural businesses, including their sustainable growth and expansion through well-designed new buildings, in order to promote a prosperous rural economy.

It is noted that the new building is required due to the loss of the existing building under separate regulations. However, the business is a viable agricultural business in an established location and the new building will allow the business to remain and promote its sustainable growth.

On this basis, Officers are satisfied that the development is acceptable in principle subject to an assessment of site specific criteria.

Whether the proposal constitutes appropriate development in the Green Belt

As the site lies within the West Midlands Green Belt, the proposal must be assessed against Policy DS18 of the Local Plan. The policy states development must be in accordance with the National Planning Policy Framework (NPPF) Green Belt provisions. Paragraph 145 states that new buildings for agriculture are appropriate development within the Green Belt.

Design and impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The building is a typical example of a modern agricultural building being a portal steel frame with concrete walls to the first 1.8m with Yorkshire timber boarding above under a fibre cement roof.

The views of the building would be from distance only and there are no public rights of way within the vicinity of the site. Notwithstanding the lack of visibility of the building, Officers clearly acknowledge that the building represents an appropriately designed agricultural building that is a common feature in rural areas.

The proposal is therefore considered acceptable having regard to Policy BE1.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

There are no near neighbours to the site that would be affected by the proposed new building. The use of the land associated with the building would remain as existing for the grazing of sheep associated with the business.

Officers are satisfied that the development is acceptable having regard to Policy BE3.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The development benefits from an existing high quality access from the Five Ways Road. This will be retained. Within the site the building would be served by existing unmade tracks that cross the site from the existing vehicular access serving the site as well as a secondary access from a field gate access to the east.

The site contains sufficient space for the parking and turning of vehicles associated with the use of the land. As the building is a replacement only, Officers are satisfied that there would be no intensification of the use.

The proposal is therefore considered acceptable having regard to Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The proposal has been assessed by the County Ecologist who has raised no objection to the scheme subject to the protection of the existing hedgerow. This is to be controlled by condition. In addition, a range of explanatory notes are recommended to be attached to any decision granted.

Officers are therefore consider that the proposal is acceptable having regard to Policy NE3.

Conclusion

This is a full application for the erection of a new agricultural building. Officers are satisfied that the development is for a defined agricultural need and therefore acceptable in principle.

The development is considered to be appropriate development within the Green Belt and would not result in any demonstrable harm to the character of the local area or residential properties. Matters relating to ecology can be addressed through the use of planning conditions and associated explanatory notes.

For the above reasons, the application is recommended for approval.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 1433-20/01, and specification contained therein, submitted on 20 April 2020. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless tree protection measures in accordance with BS:5837 2012 (Trees in Relation to Design, Demolition and Construction) have been put into place in full accordance with the approved details and thereafter shall remain in place for the full duration of any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 4 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those specified within the application documents. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

Extended Delegated Decisions Meeting: 23 July 2020 **Item number: 5**

Application No: [W 20 / 0747](#)

Town/Parish Council: Budbrooke
Case Officer: Rebecca Compton
01926 456544 rebecca.compton@warwickdc.gov.uk

Registration Date: 21/05/20
Expiry Date: 16/07/20

Land South of, Arras Boulevard, Hampton Magna, Budbrooke
Display of 3no. freestanding signs and 4no. flagpoles FOR Mr. A. Greenslade

This application is being presented to the Head of Development Services in consultation with the Chair of Planning Committee due to an objection from the Parish Council having been received.

RECOMMENDATION

The Head of Development Services in consultation with the Chair of Planning Committee is recommended to grant Advertisement Consent, subject to the standard conditions for Advertisement Consents and the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The application proposes the display 4 flags and 3 free standing signs relating to the approved residential development at the site. The flags are 0.7m x 2.7m on 5.8 metres high flag poles. The flags are located to the entrance of the residential development granted under ref: W/19/0691 along Arras Boulevard. The free standing signs are located at the edge of the residential development which abuts the new residential road.

THE SITE AND ITS LOCATION

The application site forms part of the wider housing development south of Arras Boulevard, Hampton Magna.

PLANNING HISTORY

W/19/0691 - Full planning application for a residential development of 130 units including associated access, landscaping, open space and drainage infrastructure (resubmission of W/18/1331) - Granted.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- Budbrooke Neighbourhood Plan (2018-2029)

- Design of Development in Budbrooke Parish
- Traffic Management and Traffic Improvements

SUMMARY OF REPRESENTATIONS

Budbrooke Parish Council: Object to the flagpoles on the grounds that they are unnecessary in this location.

Public Response: 2 letters of objection raising concerns about noise from the flags, unnecessary in a residential area and the visual impact of the signage.

ASSESSMENT

Impact on visual amenity

Applications for Advertisement Consent can only be considered in terms of amenity and public safety.

In terms of visual amenity, the signage would be appropriately positioned and proportional to the scale and context of the development site. The free standing signs are limited to display only the development name and related information. There are only two located on either side of the main entrance and a further sign is located to the west along Arras Boulevard. It is considered that this, relatively limited, number of simple, well designed, signs is acceptable on this frontage.

The flagpoles are spread out along the frontage. It is considered that these flagpoles are, again, not unreasonable and do not have a significant impact on amenity.

Local concern has been raised regarding the proposed signage and flagpoles in a residential area. It is considered that the signage proposed is considered proportionate to the scale of development that has been approved on this site. The signage and flagpoles are mainly located around the main entrance.

It should be noted that 3 flagpoles could be erected without the need for Advertisement Consent as the site has permission for over 100 residential units; it is considered that a further flagpole would not have a significant impact on amenity. The signage and flagpoles are temporary in nature, however, it is considered appropriate to impose a condition to ensure the signage and flagpoles are removed once all the residential units have been occupied.

The question of 'need' for the signs has been referred to by the objectors. However, need is not a material consideration in the determination of an application for Advertisement Consent.

The proposal complies with Local Plan policies BE1 and BE3 and Neighbourhood Plan Policy BNP7.

Public Safety

No public safety issues are identified. The signage will be set in from the highway and would not obstruct views for vehicles entering or exiting the site. Therefore, it is considered that the proposed signage would not be harmful to public safety.

The proposal complies with Local Plan Policy TR1 and Neighbourhood Plan Policy BNP9.

SUMMARY/CONCLUSION

The proposed signage is appropriately positioned within the development and proportioned relative to the overall scale and character of the wider development site and would not result in any visual harm to the amenity of the area nor would there be any detriment to highway safety. Accordingly it is recommended that Advertisement Consent be approved.

CONDITIONS

5 standard Advertisement Consent conditions, and:

- 6 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) HM/SIGN/01, and specification contained therein, submitted on 21st May 2020. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

 - 7 Within 14 days of the occupation of the last residential unit approved under application reference W/19/0961, or any subsequent amendments, the advertisements hereby permitted shall be removed in full. **REASON:** In the interest of visual amenity in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
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Application No: [W 20 / 0775](#)

Town/Parish Council: Leamington Spa
Case Officer: Ankit Dhakal

Registration Date: 26/05/20
Expiry Date: 21/07/20

01926 456528 ankit.dhakal@warwickdc.gov.uk

10 Almond Avenue, Leamington Spa, CV32 6QD

Demolition of existing single storey side wing, erection of a two storey side extension, erection of single storey front extension, single storey rear extension and front porch. FOR Mr and Mrs Lightfoot

This application is being presented to the Head of Development Services in consultation with the Chair of Planning Committee because of the number of letters of support received and the application has also been requested to be referred by the Ward Councillor, Bill Gifford.

RECOMMENDATION

The Head of Development Services in consultation with the Chair of Planning Committee is recommended to refuse planning permission for the reasons set out at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks permission for the demolition of the existing single storey side wing and the erection of a two storey side extension as well as the erection of single storey front extension, a single storey rear extension and a front porch.

THE SITE AND ITS LOCATION

The applicant's site relates to a two storey dwellinghouse, located on Almond Avenue, Leamington Spa. The property itself is unique to the streetscene as it is the only one that resonates a typical Dutch-style architecture with gable extending to the front, a two-storey wing to one side and single-storey wing to the other. The character of the areas is predominantly large detached dwellings on large plot of land, set back from the road for off-street parking.

RELEVANT PLANNING HISTORY

There is no relevant planning history related to the site.

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- [Guidance Documents](#)

- Residential Design Guide (Supplementary Planning Document- May 2018)
 - The 45 Degree Guideline (Supplementary Planning Guidance)
 - Royal Leamington Spa Neighbourhood Plan (2019-2029)
 - Housing Character Outside the Conservation Areas
- Officer Note - While this is not yet formally made (as it has not yet been through a referendum) the above document has been through its final examination and as such is afforded substantial weight in the decision making process.

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: No objection.

WCC Ecology: Recommended initial bat survey.

CLLR Syson: An email expressing support - the proposed development is of a good design and sympathetic to the original property.

Public Response: 5 letters of support have been received relating to the development being of a good design and sympathetic to the streetscene.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Design and the impact on the character and appearance of the area;
- Impact on the living conditions of neighbouring dwellings;
- Ecological impact

Design and the impact on the character and appearance of the area

Section 7 of the National Planning Policy Framework (NPPF) places significant weight on requiring good design which is a key aspect in achieving sustainable development. New development should positively contribute towards making places better for people. The NPPF clearly states that permission should be refused if a development constitutes poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Policy RLS4 of the Royal Leamington Spa Neighbourhood Plan expects applicants to demonstrate how extensions have taken in to account, and responded to, the predominant character (including local building styles and materials) in the street. This policy further encourages householders to take into account other guidance available from the Council such as the Residential Design Guide SPD.

Policy BE1 of Warwick District Council's Local Plan 2011 – 2029 reinforces the importance of good design as explained by the NPPF. The Policy requires all development to respect surrounding buildings in terms of scale, height, form and massing.

The Local Plan requires development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its

relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide SPD provides detailed guidance for extensions to dwellings and a design framework for Policy BE1. This includes a requirement for extensions to be subservient to the original dwelling, incorporating a set-back of 450mm for first floor side extensions and a 225mm step down in the ridge line. The reason for this is to make extensions clearly distinguishable from the original dwelling - a key concept of good design as envisaged by the SPD.

The proposed first floor side extension is not set down from the ridge level and nor is it set back from the front elevation as required by the Council's Residential Design Guide SPD. As stated in the design guide, set back and set down are required in order that new development remains subordinate to the existing dwelling and this helps to visually integrate new extensions. The extension fails to meet this requirement as such the extension will be consolidated into and read as the original dwellinghouse, which is contrary to the objectives of the Residential Design Guide SPD.

The applicant has not provided justification why the extension cannot conform to the SPD and therefore it is considered that the proposal would constitute poor design in principle contrary to Neighbourhood Plan Policy RLS4, Local Plan Policy BE1, the Residential Design Guide SPD and the NPPF.

Impact on neighbouring properties

Warwick District Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of all neighbouring residents, in terms of light, outlook and privacy. Furthermore, the District Council has also adopted Supplementary Planning Guidance on the 45 Degree Guideline which aims to prevent any unreasonable effect on neighbouring properties by reason of loss of daylight or outlook.

The proposed extension will not breach the 45-degree line taken from windows serving habitable rooms on the rear elevations of the adjacent properties, and as a result it is considered acceptable in terms of the impact on light and outlook for the neighbours. Furthermore, it is not considered that the scheme would result in any material harm through overlooking or loss of privacy to neighbours. The proposed extension is therefore considered not to result in any material harm to the amenity of the neighbouring dwellings.

It is considered that the development will comply with Warwick District Local Plan Policy BE3.

Ecology

The property is well sealed and it therefore considered that a bat note would be sufficient in the event that the application was recommended for approval.

REFUSAL REASONS

- 1 Policy BE1 of the Warwick District Local Plan 2011-2029 states that development will only be permitted which positively contributes to the character and quality of the environment through good layout and design.

The Council has also adopted The Residential Design Guide as a Supplementary Planning Document.

The proposed first floor side extension is not set down from the ridge level of the house nor is the first floor set back from the front elevation as required by the Residential Design Guide SPD. As a result, the proposal would result in an extension which would not appear as a subservient addition to the property and is therefore considered to constitute poor design.

The development is thereby considered to be contrary to the aforementioned policies.
