

**Application No:** [W 21 / 1280](#)

**Town/Parish Council:** Burton Green

**Case Officer:** Lucy Hammond

01926 456534 [lucy.hammond@warwickdc.gov.uk](mailto:lucy.hammond@warwickdc.gov.uk)

**Registration Date:** 02/07/21

**Expiry Date:** 01/10/21

**Land South of Westwood Heath Road, Burton Green, Coventry**

Reserved Matters application pursuant to condition 2 of planning permission W/17/2357 for details of appearance, landscaping, layout and scale of 296 dwellings for the remaining phases 2, 3 and 4 of the site, together with public open space, landscaping and associated works. FOR Crest Nicholson Operations Limited

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

**RECOMMENDATION**

That planning permission be granted subject to the conditions set out at the end of this report.

**DETAILS OF THE DEVELOPMENT**

This application seeks reserved matters approval for the remaining residential phases (referred to as phases 2-4) of the Westwood Heath development, originally granted as a hybrid planning permission where Phase 1 (129no. dwellings) was permitted in detail and the remainder of the site was approved in outline, to include up to 425no. dwellings (including the 129no. permitted in detail), a convenience store of up to 400sq.m., open space and associated infrastructure, access and ancillary works.

The reserved matters approval before Members proposes a total of 296no. dwellings together with public open space, landscaping and associated works and seeks approval for appearance, landscaping, layout and scale. Access formed part of the original hybrid permission and is not a matter for consideration at this time.

**THE SITE AND ITS LOCATION**

The site is irregular in shape and comprises approximately 24 hectares of agricultural land. The site edged red which forms the subject of this application for the residential phases 2-4 comprises a little under 17 hectares and excludes the north east corner of the site on which the detailed phase 1 has already been approved. The whole site lies immediately south of Westwood Heath Road and is bounded by Bockendon Road to the east. The rear gardens of properties in Cromwell Lane define the western edge of the site. The southern edge is defined by the edge of Black Waste Wood and the existing mature hedgerows. There is a

change in levels across the site from east to west of some 30 metres, while the change in levels from north to south is less significant. An oil pipeline runs across the north east corner of the site which requires a 6m easement.

The site makes up site allocation H42 in the Warwick District Local Plan 2011-2029. Policy DS11 identifies this as one of the edge of Coventry allocations; anticipated for development of 425 dwellings including a health centre, community facilities and retail facilities (a convenience store of no more than 500 sq.m. gross floor space). The site was taken out of the Green Belt as part of the Local Plan allocation.

For the avoidance of doubt, in terms of on-site health care provision, it was established during the hybrid application that the South Warwickshire and Coventry and Rugby CCGs were looking at the existing provision of health care across the area and rather than require a health centre on this site, would require financial contributions instead to go towards the improvement/extension of otherwise of existing facilities. The S.106 agreement for the site sets out the requisite financial obligations in this regard.

During the course of the original hybrid application, a site known as "the Moat", located some 50 metres south of the application site, was designated as a scheduled ancient monument. There are no other relevant designations.

Work is currently underway in pursuance of the original hybrid permission and some of the dwellings approved in the detailed phase are under construction.

## **PLANNING HISTORY**

W/17/2357 - Hybrid planning application for the erection of up to 425 dwellings (detailed first phase of 129 dwellings with the remainder of the site being outline including details of access), convenience store of up to 400 sqm gross together with the erection of formal and informal open space including allotments, infrastructure provision and associated work together with means of access onto Westwood Heath Road and agricultural access onto Bockendon Lane – Granted

W/21/0427 - Variation of conditions 4 (approved plans) and 26 (approved plans in relation to highway works) of planning permission W/17/2357 (*Hybrid planning application for the erection of up to 425 dwellings [including detailed first phase of 129 dwellings with remainder of the site being outline including details of access], convenience store, open space, infrastructure provision and means of access onto Westwood Heath Road / agricultural access onto Bockendon Lane*) to allow changes to the house types and the layout of the secondary roads within the detailed phase (129 dwellings) of the site - Granted

W/22/0055 - Variation of condition 4 (approved plans) and 24 (approved Design Code) of planning permission W/21/0427 (*Variation of conditions 4 and 26 (approved plans) of original hybrid planning permission W/17/2357 to allow changes to the house types / layout of the secondary roads within the detailed phase of 129 dwellings*) to allow the substitution of some house types together with other minor design and layout alterations to the Phase 1 layout. An

amendment to the Design Code is also sought to include a reference to a small number of 2.5 storey dwellings across the development - Granted

There have also been some non-material amendments approved for minor changes such as design changes to the affordable flats, as well as adding to the list of approved drawings, the set of landscaping drawings which had been omitted from the original decision notice in error.

### **RELEVANT POLICIES**

- National Planning Policy Framework

#### **Burton Green Neighbourhood Development Plan 2019-2029**

- BG2 - Trees and Hedges (NE)
- BG3 - Wildlife and Biodiversity (NE)
- BG4 - Public Rights of Way (NE)
- BG6 - Valued Vistas and Skylines (NE)
- BG7 - Responding to Local Character (BE)
- BG8 - Community Aspects of Design (BE)
- BG12 - Electric Charging Points (BE)
- BG13 - Parking Provision (BE)
- BG14 - Use of Renewable Energy (BE)
- BG15 - Flooding (BE)

#### **Warwick District Local Plan 2011-2029**

- DS5 - Presumption in Favour of Sustainable Development
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- DS20 - Accommodating Housing Need Arising from Outside the District
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE2 - Developing Strategic Housing Sites
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- 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

- HE1 - Protection of Statutory Heritage Assets
- HE4 - Archaeology
- 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- June 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Strategic Local Plan Site H42 Westwood Heath

### **SUMMARY OF REPRESENTATIONS**

**Burton Green Parish Council:** Objection on the following grounds:-

- Housing mix is not appropriate; significantly different to the approved (detailed) Phase 1 application, number of 1-bed flats is out of character with the area;
- Concern about increased traffic and pollution
- Concern about increased demand on school places
- Flawed ONS population projections for Coventry
- Insufficient information provided about biodiversity offsetting
- Electric vehicle charging points should be mandatory for every new dwelling

[Officer note - the first point above is relevant to the consideration of the reserved matters application but all the other points raised were either considered at the time of the original hybrid application and/or are matters which are covered by condition i.e. details would need to be submitted and approved prior to the commencement of any phase of the development.]

**WCC Highways:** No objection subject to conditions

[Officer note - suggested conditions are awaited from WCC Highways at the time of writing this report; as such, relevant conditions and their wording will be reported in the updates to planning committee)

**WDC Housing:** No objection

**WDC Conservation:** No objection

**Health & Community Protection - Environmental Sustainability:** No objection; note that there are conditions on the outline which are still required to be discharged pursuant to these phases

**Waste Management:** No objection subject to suitable provision per plot

**Open Space:** No objection; comments offered on particular areas in relation to landscaping, biodiversity

**WCC Landscaping:** No objection; final comments offered on boundary treatments and planting species in specific areas of the development

**WCC Ecology:** No objection

**Forestry Commission:** Neither objection nor support but provision of standing advice

**LLFA:** Insufficient information on surface water management to be able to provide detailed comments

[Officer note - surface water management is dealt with by condition on the original hybrid permission. Further consideration on this point is set out in the report]

**WCC Public Rights Of Way:** No objection; advisory notes to be attached

**Designing Out Crime Officer:** No comments to make

**Birmingham Airport:** No comments to make

**British Pipeline Agency:** No objection; standing advice given and advisory note to be attached

**Coal Authority:** No objection; standing advice provided

**Public response:**

31 objections raising the following material planning considerations:

- highway infrastructure cannot support further development
- proposals will lead to an increase in traffic movements
- development will urbanise the area
- detrimental to wildlife and other ecological features
- harmful to the character of the area
- insufficient infrastructure such as doctors and schools
- additional 4/5 bed houses changes the dynamic of the village
- impact on air quality
- increased noise
- affordable units should be restricted to local occupancy and prohibited from being used as 'buy to let' for student rent
- development density is too high
- loss of privacy
- harmful to the rural landscape and general character of the area
- harm to the scheduled ancient monument to the south of the site
- concerns in relation to drainage

- there are areas on the plans not showing any development and there are concerns about potential future development
- concerns about the proposed housing mix

Other non-material planning considerations raised, as well as numerous comments made (some listed above) which relate to the principle of development, already approved at outline stage and as such are not matters for this application. This is covered within the report.

1 general comment raising no material planning considerations.

## **ASSESSMENT**

### **History/Background**

A hybrid planning permission has been approved on the site for the erection of up to 425 dwellings (the detailed first phase of 129 dwellings with the remainder of the site being outline including details of access), convenience store of up to 400 sqm gross together with the erection of formal and informal open space including allotments, infrastructure provision and associated work together with means of access onto Westwood Heath Road and agricultural access onto Bockendon Lane.

The approval of the aforementioned permission has therefore granted the principle of development for up to 425 dwellings across the site in its entirety as well as a convenience store, public open space, allotments and all associated works. It is noted that 129 dwellings (phase 1) have already been approved in detail as part of the hybrid permission leaving the remaining phases of the wider site (for up to 296 dwellings) and the convenience store to a future reserved matters application (or applications).

This particular reserved matters application seeks approval for the remaining residential phases of the development (referred to as phases 2-4) but does not include the convenience store. Whilst its location is shown on the submitted layout, which concurs with the approved outline and Design Code, no specific details have been submitted for this aspect of the development and it is anticipated this will form the basis of a separate, subsequent reserved matters application.

It is worth noting that the site on which reserved matters approval is being sought forms part of the allocated housing site H42 [Westwood Heath] in the Local Plan and Policy DS11 sets out the number of dwellings and other infrastructure requirements anticipated for the site as a whole. It is also worth noting, by way of a reminder following the approved hybrid application, that DS11 further makes it explicit (at 2.49) that in view of the infrastructure constraints, especially along the strategic and local highways network, the housing to be provided on the site is capped at 425 during the current plan period.

Noting many of the comments which have been received by neighbours and third parties it should be remembered that not only has the principle of development at this site for residential-led, mixed use development been accepted, the Local Plan also made specific provisions for this site in terms of restricting the numbers of

dwellings to be built in this plan period which is explicitly related to the existing infrastructure and highway network.

In further noting third party comments, the hybrid permission was subject to a S.106 agreement which captured a number of obligations in relation to education, healthcare, highway works, indoor/outdoor sports, public open space, SUDs, affordable housing, biodiversity offsetting and other relevant obligations.

As a final point in setting out the background to this application, it is noted that although the current proposals have been under consideration by the Local Planning Authority for some time, during the process, the development has been the subject of a number of amendments which have been made mostly in response to the comments of statutory consultees but which have also sought to address initial officer concerns in matters relating to the housing mix, affordable housing provision and distribution, layout and parking.

### **Matters to be considered**

As this is an application for the approval of reserved matters, it is not possible to reconsider the principle of development or the overall number of dwellings. As set out above, this was considered in the assessment of the hybrid planning application and was found to be acceptable. The outline planning permission also approved the vehicular accesses to the site from Westwood Heath Road as well as the location and physical construction of the element of the spine road serving the detailed phase 1 of the development.

Consideration of the current application therefore can only include issues related to the detailed appearance, landscaping, layout and scale of the 296 dwellings proposed by Crest Nicholson.

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

- Design and layout;
- Housing mix;
- Landscaping and open space provision;
- The impact on heritage assets;
- The impact on the living conditions of nearby dwellings;
- Standards of amenity for future occupiers;
- Highway safety/car parking;
- The ecological impact of the proposals;
- Drainage and flood risk;
- Sustainability; and
- Any other relevant considerations.

### **Design and layout**

#### *The Garden Towns, Villages and Suburbs Approach*

Though explicitly referencing Leamington, Warwick and Kenilworth, the general principles of this document are still relevant to the south of Coventry development

sites as this prospectus seeks to bring together the key characteristics of the garden suburbs and villages approach, which include coherent and well-planned layouts and high-quality design. The site is considered to fall within the category of 'neighbourhood edge', lying at the edge of the developable area and adjoining countryside.

The proposed scheme would provide a high quality residential environment which conforms to the garden suburb design principles exhibiting the characteristics of a leafy, well designed residential neighbourhood within which open space and structural landscaping is an integral part, paying particular regard to the areas of public and incidental open space to the north and eastern edges of the development (already approved in detail as part of the hybrid permission) as well as through the centre of the site and the western and southern edges. The tree lined boulevard approach was adopted for the main spine road into the development as part of the detailed element of the hybrid permission and is continued through the remaining phases, following a circular route down and back through the development encouraging permeability and legibility.

From the spine road, the development provides a legible hierarchy of streets and spaces with secondary and tertiary roads as well as a number of private drives.

The layout provides well defined perimeter blocks with frontages and rear gardens providing an acceptable level of amenity space and ample space for soft landscaping opportunities that would add to the verdant, garden suburb character. The central area of these phases comprises an oval shaped central green and LEAP surrounded on all sides by tree planting, onto which a number of properties, both market and affordable, would face on both sides. This provides a positive outlook for future occupiers of those particular units as well as providing natural surveillance onto it.

### *The Design Code*

The original hybrid permission included as part of the supporting documents a Design Code for the whole site which formed part of the approved permission. This document has been updated more recently to take account of the proposed inclusion of a small number of 2.5 storey properties in key or other prominent locations, without increasing the maximum ridge height of 9.5m approved in the Code. While this relates to the whole site it incorporates the larger area of the site on which this particular application now seeks the approval of reserved matters for 296 dwellings.

A Design Code Compliance Statement was submitted with the application demonstrating in detail how the proposed design and layout of phases 2-4 comply with the approved Design Code (most notably within Section 5: 5.0 – 5.11). Officers are satisfied that the development proposed has taken into consideration all the relevant principles within the approved Design Code appertaining to this part of the wider site and to that end find no conflict with the approved document.

### *General design and layout considerations*



In line with the outline permission and the approved Design Code, the site is predominantly proposed as two storey although there is a small number (9 in total) of 2.5 storey dwellings, which are proposed around the Central Green and generally found on corner plots or otherwise in a prominent position along the spine road centrally opposite the green space. While no bungalows are proposed in these phases, it is noted that the Design Code sets out a vision for the development which is made up almost entirely of two storey properties and moreover there is no particular need for bungalows set out either in the most recent Housing Needs Survey (2018) or the more recent Neighbourhood Development Plan (2022). Overall, officers are satisfied that the layout in this regard is compliant with the approved Design Code.

The whole development is predominantly made up of detached and semi-detached properties, with some very limited terracing sporadically placed throughout. Any rows of terraces consist of no more than four units which are considered to be appropriate in visual terms.

Officers have considered the proposed layout of the dwellings and how these relate to the internal road network, the wider spine road and how this phase will relate to the already approved phase 1. It is considered that 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 as well as the approved Design Code. Moreover, there is a substantial amount of green space proposed as part of this wider development which is considered in more detail in the relevant section of this report below.

With respect to bin storage, a refuse strategy plan shows bins being stored largely within rear gardens, or, for example in the case of maisonettes, in a dedicated bin storage area. Bin collection points are also annotated on the plan and shown to be positioned within the requisite distances set out in the relevant guidance. The Waste Management team has raised no objection to the scheme providing the appropriate provisions are made, which officers are satisfied is the case and the development is therefore considered to be acceptable in this regard.

In terms of appearance, this phase of the development is split into two character areas; the Village Core, to the north western corner and the Southern Heart which covers the lower (southern) half of the whole site. While the over-arching sense is still two storey dwellings across the whole development, each of these areas would contain design characteristics and materials reflective of its particular area and is wholly in accordance with the Design Code.

The proposed densities are also designed to reflect the characteristics of the individual character areas. The Village Core represents the highest density area (the Design Code allows for 40-50dph) as this part of the development fronts Westwood Heath Road and lies in closest proximity to the established settlement and built form to the west and north of the development site. The Southern Heart represents the lowest density (30-40dph in the Design Code) since this forms the edge of built development and offers the transition into the adjoining countryside. There are other features within this Southern Heart such as large areas of open space, informal areas for sport and recreation, opportunities for biodiversity

offsetting and the provision of an additional buffer to separate the new development from the heritage asset to the south which is considered in further detail in the relevant section below.

The actual densities calculated for both areas based on the proposed layout are broadly in the region of 35dph for the Village Core and 28dph for the Southern Heart, each falling below the averages stipulated in the Design Code but still, in officers' view, representing an effective use of land.

A wide range of house types is proposed across the market and affordable units which would ultimately lead to a varied character and appearance within the finished development. Various design elements suggested by the Design Code have been incorporated into the proposals where appropriate, including features such as chimneys, porches, gables and gablets, bay windows, arched heads and eaves detailing. Dormer windows are limited (but appropriate) to just a handful of house types and add visual interest to the street scene.

A materials plan has been submitted with the application which reflects the design principles and character area traits set out within the Design Code illustrating that the dwellings will be constructed from a mix of different bricks, incorporating both solid and multi bricks which would blend well together. The use of render is also proposed, though this would mostly be reserved for upper floors and/or gable features on buildings.

Notwithstanding these details, it is considered appropriate to condition samples of materials given the wide range proposed across the development to ensure that the mix proposed results in an acceptable finish and appearance.

Overall, officers consider 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. Accordingly, it is considered the development accords with Policy BE1 of the Local Plan and BG7 of the Burton Green NDP.

## **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 phase of development provides:

### Market Housing

<b>Bedrooms</b>	<b>Total</b>	<b>Suggested Mix</b>	<b>Actual Mix</b>	<b>Difference</b>
1-bedroom	6	5 - 10%	3.4%	- 1.6%
2-bedroom	50	25 - 30%	28%	+/- 0%

3-bedroom	71	40 - 45%	39.9%	- 0.9%
4-bedroom	51	20 - 25%	28.6%	+ 3.6%
Total	178	100%	100%	

Having regard to the table above, it is noted that the 1-beds are slightly under provided while the 4+ beds are slightly over provided; the 2-beds and 3-beds are broadly in line with the above-mentioned ranges.

Factored into this assessment is also the detailed phase 1 layout which over provided on the 3-beds and 4+ beds, while the 2-beds were under provided. When taken altogether and the mix is considered across the development as a whole, the market mix is broadly in line with the ranges set out above, noting only a slight over provision on the 4 beds.

In relation to this, officers have had regard to two additional points for consideration. Firstly, the housing mix has been the subject of significant amendments through the course of this application, not only in response to officer concerns about the housing mix as initially proposed but also in response to the Parish Council's concerns about the same as well as a number of third parties. The substantial changes made to the totals of all dwelling types are noted, but in particular, the 2-beds which have been increased from 32no. to 50no. and the 5-beds which have been reduced from 45no. to 27no.

The second point, which is intrinsically linked to the changes made, is in relation to the character areas within Phases 2-4. The majority of the site edged red for this reserved matters application comprises the 'Southern Heart' character area which is the lowest density area and contains the highest proportion of green space. The mix of house types is considered balanced overall, however the proportion of larger units found towards the southern edge of this character area is typical of the rural edge and transition to adjoining countryside that this part of the development represents.

Taking all of the above into account, officers are satisfied with the amended housing mix, do not consider it damaging to the market mix across the development when taken as a whole, and are satisfied that the mix is in conformity with the guidance (2018). These phases are therefore considered acceptable.

#### Affordable Housing

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

Bedrooms	Total	Suggested Mix	Actual Mix	Difference
1-bedroom	38	30 - 35%	32.2%	+/- 0%
2-bedroom	45	25 - 30%	38.1%	+ 8.1%
3-bedroom	31	30 - 35%	26.3%	- 3.7%
4-bedroom	4	5 - 10%	3.4%	- 1.6%

Total	118	100%	100%	
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The total number of affordable units proposed in these phases equates to the 40% provision required by Policy H2. In terms of the tenure splits proposed, the Housing Officer confirms they are broadly in line with the expectations, noting a slightly higher proportion of social rent. However, since the small variation is in favour of extra social housing units, the proposed mix is considered acceptable.

As for the size and type, the proposals do not precisely match the expected breakdown, but they are still considered within tolerance since they prioritise the delivery of 1-bed accommodation which is in high demand.

Overall, the proposed mix, type and tenure split is considered acceptable by the Housing Officer and no objections are raised to the proposals. The latest version of the amended layout, following a number of changes being made to better disperse the affordable units throughout the whole development, is now considered acceptable by officers. The affordable units are distributed evenly across the development, but perhaps more importantly are located in more prominent areas such as fronting the spine road and on secondary and tertiary routes rather than solely focussed onto private drives. There are greater prospects for social integration and a more cohesive feel to the development and notably limited opportunities for areas of the development to feel as though they are only accessible to occupiers of the affordable units.

The development is considered overall to have addressed all previous concerns regarding housing mix, tenure splits and distribution of affordable units and is now considered acceptable.

### **Landscaping and open space provision**

One of the benefits of this whole development, in officers' view, is the amount of landscaping and green space proposed; made up of public open space, incidental open space, both formal and informal areas of play together with amenity space, allotments and land specifically reserved for biodiversity offsetting.

The Open Space officer has confirmed, based on the typologies plan submitted, that there is an over provision of every typology proposed, which is welcomed. Amongst the more detailed comments were some suggestions and/or commentary regarding specific details such as locations/types of bins, benches, play equipment etc. It is noted that the most recent set of amended landscaping plans have sought to address the comments from the Open Space officer and officers note that there are no objections from the Green Space team. It is further noted that as part of the outline permission, there is a requirement to formally discharge the S.106 obligations in relation to the public open space and the play areas (LEAP and NEAP). Further details and specifications will be required to ensure that such aspects of the development conform to the Green Space requirements and are deemed acceptable. For the purposes of this reserved matters application therefore, the landscaping plans presented are considered acceptable.

There are no objections from the County Landscape officer who, in their latest response, raised two final points for consideration. The first relates to the proposed landscaping of the boundary between Plots 130 and 147 and the area to the north, reserved for the mixed use/convenience store. The enclosures plan illustrates that this would be bounded by a 1.8m close board fence which is not unusual given that this boundary marks the private gardens and side facing boundaries of two residential dwellings which would adjoin the convenience store land at its southern edge. The layout plan suggests some tree planting along this boundary, which it is anticipated would be on the northern side of the boundary, i.e., within the site of the mixed use/convenience store. While the reserved land is within the site edged red, no details have been included for the convenience store as part of this reserved matters application which focuses entirely on the residential phases of development. To that end, when a separate reserved matters application is submitted for the mixed use/convenience store, it is anticipated (and will be expected) that additional tree planting and soft landscaping will be included along this boundary further enhancing the buffer between the mixed use development and the residential development to the south, as per the comments of the landscape officer.

The secondary point made by the landscape officer relates to plant species, advising that there is a preference for varieties of Vinca not to be used within planting schemes. Given that the soft planting scheme is considered acceptable overall, it is considered sufficient to place an advisory note on any forthcoming permission that makes the developer aware of the landscape officer's preference in this regard.

The development includes the provision of allotments which would be located towards the western edge of the scheme, within a wider area of public open space. Full details of the allotments have not been included with this application which was noted by the Open Space officer. However, in this particular case, it is not yet known who will be managing the allotments (i.e., a Management Company, the Parish Council or other). The preferences and requirements of whoever ultimately manages this area may differ which in turn would have implications on the specification and layout of the allotments. To that end, landscaping details have been excluded from the landscaping information submitted with this application and officers consider it reasonable to impose a condition requiring these details to be submitted for formal approval at such times it becomes known who the responsible body will be.

Overall, officers are satisfied that the proposed landscaping is in accordance with the approved Design Code, there are no objections from the relevant consultees, any areas of concern have been suitably addressed through revised landscaping plans and/or will be dealt with at the appropriate time (by further condition and S.106 obligation discharge). Accordingly, the scheme is acceptable and complies with Policies NE4 and HS4 of the Local Plan and BG2 of the Burton Green NDP.

### **The impact on heritage assets**

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making

decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal. Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

The nearest neighbouring property to the south of the development site known as The Moat is a Scheduled Ancient Monument. This was designated during the course of assessing the original hybrid application (before it was determined) and accordingly, provision was made to limit the impacts of development on its setting through a planning condition requiring a management plan for the area of public open space to the southern edge of the site. This planning condition has since been approved and the reserved matters proposals ensure that there remains a significant buffer between the southern edge of built form within the site and The Moat. The conservation officer has confirmed there are no objections to the scheme and officers are satisfied that there would be no harmful impacts to the setting of the heritage asset.

In making this assessment, officers have had regard to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

### **The impact on the living conditions of nearby dwellings**

Given the location of the application site and the character of the surrounding area, there are not many existing residential properties in close proximity of the proposed new dwellings which are likely to be impacted by the development. The area most likely to be affected is to the western edge of the development where there are some properties located via a private drive off Westwood Heath Road and one neighbouring property to the south (The Moat). The distance separation involved is such that officers are satisfied there would be no material harm by reason of loss of privacy, loss of outlook or loss of light, to the amenity of existing residential properties and as such the development accords with Policy BE3.

### **Standards of amenity for future occupiers**

The Council's adopted Residential Design Guide (2018) sets standards for the distance separation between the windows of habitable rooms in dwellings. The development proposes a layout where these minimum separation requirements are satisfied, and garden size standards set out in the RDG are either met or exceeded across the development. Overall, officers are satisfied that the scheme creates a general 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. The development is therefore considered to be compliant with Policy BE3.

### **Highway safety / car parking**

There are two entry points into the development. Both are off Westwood Heath Road to the north, and both are located within the site edged red appertaining to the detailed phase 1 development which formed part of the original hybrid permission. Access therefore does not form one of the reserved matters for which approval is being sought as this has already been established under the original permission. Approval is sought however for the layout of the remaining parts of the spine road which runs through phases 2-4.

While the Highway Authority initially raised objection to the application, this was based primarily on detailed matters concerning the layout, and the need for additional information and clarification. Following a substantial period of discussion between the applicants, the Local Planning Authority and the County Highway Authority together with the submission of various revised drawings, additional information and a Stage 1 Road Safety Audit (RSA) the Highway Authority has stated that previously identified issues and concerns have since been addressed.

Now that all outstanding matters have been resolved, the Highway Authority has removed its objection. At the time of writing this report however any recommended conditions from a highway perspective have not yet been received by the Local Planning Authority but should there be any, it is anticipated these will be received shortly and will be added to the updates sheet reported to the Planning Committee (as well as being added to the draft list of conditions at the end of this report upon which the approval of permission would be dependent).

Each property has an appropriate level of parking in accordance with the Council's adopted Parking Standards SPD. It is acknowledged that some 4-bed properties would gain their third parking space from the proposed garage but on this point amended plans have been received to ensure that where this is the case, the garages have been designed to meet the internal dimensions set out within the Parking Standards SPD. It is considered appropriate to add a condition to any forthcoming permission requiring the garages on those particular plots to be retained for vehicle parking in perpetuity. Accordingly, officers are satisfied there would be no detriment to highway safety.

In terms of parking layout, the development has endeavoured to keep parking to the sides of dwellings, in tandem if necessary, with individual drives as opposed to rows of parking spaces creating parking bays in the street. Amended plans have been received throughout the course of the application showing previously proposed areas of frontage parking substantially reduced thus keeping it to a minimum across the development as a whole. Where it has been unavoidable, it has been designed in rows of no more than 3-4 spaces, in accordance with the Design Code, and interspersed with landscaping features, such as low-level hedging and ornamental planting to help soften the effects and break it up in the street scene.

Overall, officers are satisfied that the development is adequately provided for in terms of parking, the parking layout is acceptable from a design point of view and there would be no detriment to highway safety as a result of the proposed layout.

Overall, the development is not considered to be detrimental to highway or pedestrian safety and accordingly complies with policies TR1, TR3 and BE1 of the Local Plan and Policy BG13 of the Burton Green NDP.

### **Ecological impacts**

Ecological matters are dealt with in the conditions on the outline planning permission and in the associated Section 106 agreement. The detailed layout proposed in this reserved matters application would have no greater ecological impact than that indicated in the outline application. Therefore, the development remains acceptable from an ecological point of view, with sufficient safeguards provided by the section 106 agreement and conditions on the outline permission.

The County Ecologist has provided a series of responses to the reserved matters application which together, largely raise no objection to the proposals themselves and also make reference to the CEMP and LEMP (which are two matters covered by conditions on the outline permission). The request for an updated Biodiversity Impact Assessment is noted, however, this is not something which can be required as part of a reserved matters application. The outline permission was subject to conditions as well as relevant provisions set out in the S.106 relating to biodiversity offsetting and it is a requirement of the outline permission that these are all discharged in accordance with stipulated triggers set out in both.

It is further worth noting that part of the site edged red is set aside specifically for biodiversity offsetting and part of the S.106 obligation discharge process will need to entail the submission of an updated Biodiversity Impact Assessment. While it is therefore not a matter for this particular application, the comments made by the County Ecologist have not been disregarded but will instead be directed to the appropriate processes through which to address them, i.e., the discharge of planning conditions and the S.106 obligations. Incidentally, officers note that the CEMP (which is site-wide) has already been discharged and while the LEMP has not formally been discharged as yet (but is being considered at the time of writing this report) this should not delay the approval of the reserved matters permission which, in the context of ecological matters, is considered acceptable.

On the basis of the comments made pursuant to this application, and in light of the context of the wider site and the duties on the applicant to fulfil their responsibilities in discharging all relevant conditions/S.106 obligations pursuant to the outline permission, officers are satisfied that so far as this application is concerned, the development is acceptable with respect to ecological impacts and accords with Local Plan policies NE2 and NE3 and Policy BG3 of the Burton Green NDP.

### **Drainage and flood risk**



Matters related to drainage are covered by planning conditions attached to the outline permission, which, if not already approved, would be expected to be discharged prior to the commencement of development on site. It is noted however that the condition appertaining to surface water drainage has been discharged.

The comments of the Lead Local Flood Authority advised that further information would be required in order to provide full comments on the application. The additional information requested related to surface water drainage which, as set out above, was covered by condition on the outline and has since been discharged in any event. To that end officers are satisfied that this matter has been dealt with accordingly and the for the purposes of this reserved matters application, the development is acceptable in accordance with Policies FW1 and FW2 and Policy BG15 of the Burton Green NDP.

## **Other matters**

### Adapting to Climate Change/Air Quality Mitigation

Whilst not a matter for consideration under the Reserved Matters, officers note condition 29 of the outline permission requires the submission of a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) prior to first occupation.

In addition to the above, the Design Code compliance statement sets out sustainability principles of the development which include (but are not limited to) the development adopting the fabric first approach, improving natural energy efficiency, construction waste reduction and recycling during the construction process, the use of photovoltaic cells or solar and water efficiency measures.

The significant benefit of providing new dwellings on the site is that the development would result in significantly improved dwellings in terms of sustainable construction methods. For completeness, officers consider it appropriate to add a condition to any forthcoming permission requiring a wider ranging sustainability statement. Overall, officers are satisfied that the development is acceptable in this regard.

### Third party comments

The comments made by neighbours and third parties raise a number of non-material planning considerations, or matters which are material, but not relevant to the consideration of reserved matters. For the avoidance of doubt, this section of the report is intended to address those comments, where relevant, either to confirm that such matters have either been dealt with at the outline stage and/or will be dealt with at the appropriate time, through conditions and/or the S.106 discharge processes. Officers also wish to offer some comfort that due regard has been given to all relevant planning considerations so far as they are applicable to the specific reserved matters approval being sought.

It has already been mentioned elsewhere in this report that while forming part of the original hybrid permission, this current application does not include proposals for any mixed use or convenience store, which will be subject to its own application

at a later stage. This therefore cannot form part of the considerations for the residential phases.

It has also been alluded to that the original hybrid permission was subject to a number of conditions as well as S.106 obligations (for example in relation to education, healthcare, highway improvements and more) and to that end, since this is an application seeking the approval of reserved matters only, the principle of development along with the associated impacts on those aforementioned matters are not for consideration at this time since they have already been dealt with.

Linked to the principle of development is the concern expressed by some that the site was originally allocated based on incorrect housing figures for Coventry. The site forms one of many allocations in this Local Plan and was allocated some years ago now. Coupled with the fact the outline permission has been established some four years and this seeks approval for those specific reserved matters, the basis on which the site was allocated is not a matter for consideration.

It is noted that some comments have suggested the affordable units should be restricted such that they can only be made available to people who satisfy qualifying 'local occupancy' criteria and furthermore should be prohibited from being used on a 'buy to let' basis for student rent. It is neither acceptable nor appropriate to impose such restrictions on a reserved matters permission principally because the occupation of the affordable housing is strictly governed by the relevant clauses set out in the S.106 agreement. Additionally, it would not be possible, by their very nature as affordable units, for them to be purchased on a 'buy to let' basis in the same way that a market unit potentially could.

Concern has been expressed at the areas of undeveloped green space shown on the proposed layout and the potential this may present for future development. In the first instance the areas of green space are designated specifically for associated purposes as set out within this report; i.e., areas of public open space, sport, recreation and play, allotments and biodiversity offsetting. Any permission approved to date is subject to conditions and other requirements ensuring that these areas are delivered for those intended purposes. Any departure from the approved plans, conditions, S.106 requirements and Masterplan/Design Code for the site would need to be considered as a further application and without prejudice to any such application, plans to build on any of these green spaces would undermine not only the original purposes for which they were intended, but also relevant policies of the Local Plan which seek to safeguard areas of open space.

## **Summary / Conclusion**

The site edged red forms part of a wider allocated site for housing and mixed-use development. An original hybrid permission was approved in 2018 which established the principle of development for the site as well as granting in detail the first residential phase of development for 129no. dwellings. Reserved matters approval is now sought for the remaining 296no. dwellings which make up phases 2-4 of the site as a whole. This application excludes plans for the convenience

store, land for which is reserved and shown on the proposed layout that forms part of this submission.

Officers consider the proposed development would provide a high-quality residential environment in accordance with the garden suburbs principles, and which accords with the principles of the approved Design Code for the wider site. A number of amendments have been made to the layout throughout the course of the application which have sought to address concerns noted by both officers and statutory consultees and the latest series of amendments are found to be acceptable for the reasons set out in this report.

The proposed development would include an appropriate mix of market and affordable housing and acceptable house and layout design solutions, including significant areas of landscaping and an over provision of public open space. There would be no harm arising in terms of neighbour amenity, highway safety or ecology and the standards of amenity for future occupiers are considered to either meet or exceed the guidance. As such officers consider the scheme therefore complies with the policies listed in this report and accordingly, it is recommended that planning permission be approved.

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and the following approved drawings:-

A934\_13 and specification contained therein, submitted on 02 July 2021;

A934\_12 Rev.A and specification contained therein, submitted on 25 July 2022;

A934\_05 Rev.E; A934\_06 Rev.E; A934\_07 Rev.E; A934\_08 Rev.E; A934\_09 Rev.F and 'House Type Brochure' June 2021: Rev.F and specification contained therein, submitted on 11 October 2022;

DR-0500 S4-P6; DR-0501 S4-P5; DR-0502 S4-P5; DR-0503 S4-P5; DR-0504 S4-P5; DR-0505 S4-P5; DR-0511 S4-P4; DR-0512 S4-P4; DR-0513 S4-P4; DR-0514 S4-P4; DR-0515 S4-P4; DR-0516 S4-P4; DR-0517 S4-P4; DR-0518 S4-P5; DR-0519 S4-P5; DR-0520 S4-P5; DR-0521 S4-P5; DR-0522 S4-P5; DR-0523 S4-P5; DR-0524 S4-P5; DR-0525 S4-P5; DR-0526 S4-P5; DR-0527 S4-P5; DR-0528 S4-P5; DR-0534 S4-P4; DR-0535 S4-P4; DR-0536 S4-P4; DR-0537 S4-P4; A934\_02 Rev.J (Sheets 1-3 of 3) and A934\_61 Rev.C and specification contained therein, submitted on 25 January 2023;

DR-0528 S4-P5; DR-0529 S4-P5; DR-0530 S4-P5; DR-0531 S4-P5; DR-0532 S4-P5; DR-0533 S4-P5 and A934\_04 Rev.F and specification contained therein, submitted on 30 January 2023; and

A934\_71; A934\_03 Rev.F and A934\_11 Rev.F and specification contained therein, submitted on 06 March 2023.

**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 Notwithstanding the landscaping details submitted, no part of the development hereby permitted shall commence unless and until further landscaping details (both hard and soft) for the allotments illustrated on Drg. No. 03 Rev.F and approved under this application have been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of any proposed boundary walls, railings or gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. **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.
- 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 details contained within the approved documents, no development hereby permitted, other than site clearance and any other preparatory works, shall commence until a Sustainability Statement including an energy hierarchy scheme and a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;

  - a) How the development will reduce carbon emissions and utilise renewable energy;
  - b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;
  - c) How proposals will de-carbonise major development;

- d) Details of the building envelope (including U/R values and air tightness);
- e) How the proposed materials respond in terms of embodied carbon;
- f) Consideration of how the potential for energy from decentralised, low carbon and renewable energy sources, including community-led initiatives can be maximised;
- g) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

For the avoidance of doubt, the scheme must accord with any relevant Development Plan Document and Supplementary Planning Document relating to sustainability which has been adopted by the Council at the time the scheme is submitted.

No dwelling/ building shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

**REASON:** To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019).

- 5 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 on any land between the front or side elevation of any dwelling and any road or footpath. **Reason:** Due to the open plan layout of the proposed development it is considered important to ensure that control is maintained over boundary treatments fronting the public highway.
- 6 The garaging and car parking areas for Plots 133, 140, 164, 165, 194, 196, 199, 217, 220, 243, 245, 246, 273, 276, 289, 296, 303, 307, 308, 310, 317, 318, 319, 328, 322, 323, 329, 330, 331, 332, 347, 348, 362, 363, 394, 401, 409 and 425 shall be used for the parking of private vehicles for the benefit of the occupants of those dwellings to which they relate and shall be retained and kept available for such purposes in perpetuity. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and residential amenity in accordance with Policies BE3 and TR3 of the Warwick District Local Plan 2011-2029.