

Planning Committee: 24 September 2013

Item Number: 6

Application No: W 13 / 1016

Town/Parish Council: Warwick
Case Officer: Rob Young

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Expiry Date: 15/10/13

Land between Myton Road and Europa Way, Warwick, CV34 6QD

Construction of up to 800 dwellings; a mixed-use neighbourhood centre (up to 500 sq m) to include retail development (Class A1 to A5) and/or community and health uses (Class D1); provision of a one form entry dual-use primary school (Class D2); formal and informal open spaces, including sports and recreation provision, children's and youth play areas and allotments/orchards; strategic landscaping and drainage work including surface water attenuation ponds as part of a sustainable urban drainage system; provision of three vehicular accesses off Europa Way, Saumur Way and The Malins; car parking; new footpaths and cycleways; and ground remodelling (outline application including details of access). FOR The Europa Way Consortium

This application is being presented to Committee because it raises significant issues that should be considered by Committee.

RECOMMENDATION

Planning Committee are recommended to REFUSE planning permission for the reasons stated at the end of this report.

DETAILS OF THE DEVELOPMENT

This is an outline application with all matters reserved apart from access. The application proposes the erection of up to 800 dwelling together with a mixed-use neighbourhood centre, a primary school and public open space. The main vehicular access is proposed to be provided from Europa Way via a new signal-controlled junction opposite Olympus Avenue. Two further vehicular accesses are proposed off Myton Road; one via Saumur Way (serving approximately 50 dwellings) and the other via Myton Crescent / The Malins (serving approximately 13 dwellings).

It is proposed that the development would be predominantly two storey, with some areas of 2.5 and 3 storey development. The development would have a density of 33 dwellings per hectare (based on a net residential area of 26ha).

The neighbourhood centre is proposed to provide either retail development (Use Classes A1 to A5) and / or community and health uses. The neighbourhood centre

would include land for a doctor's surgery to serve this site and the other southern development sites.

The proposed primary school would be a single storey 1 form entry (210 place) facility with early years provision. The applicant proposes that this would be designed as a dual-use facility. The strategic masterplan that has been submitted indicates that this would be located towards the centre of the site, alongside the main spine road for the development, with the neighbourhood centre located opposite.

A total of 13.37ha of public open space is proposed within the site. This would include a range of typologies of open space including amenity green space, parks and gardens, natural areas, allotments, outdoor sports and children's / youth play areas.

In terms of drainage, the application proposes that surface water run off from the site will be controlled via a range of Sustainable Urban Drainage System techniques, including permeable paving, swales and attenuation ponds.

The application proposes only 20% affordable housing on the basis that the applicant considers that any greater provision of affordable housing would render the scheme unviable. The applicant has submitted a viability appraisal to support this argument. The proposed tenure split for the affordable housing would be 80% affordable rented and 20% shared ownership.

The application was accompanied by extensive supporting documentation, including an Environmental Statement. The applicant's Design and Access Statement concludes that "the development proposals will deliver a 'garden suburb' for the 21st Century which is sustainable, green, environmentally responsible, minimises traffic movements and provides a quality housing environment for a range of future residents; a development which the landowners, Warwick and the District Council can be proud of".

THE SITE AND ITS LOCATION

The application site is situated adjacent to the southern edge of Warwick. The site measures 39 hectares and is currently in agricultural use. The Agricultural Land Classification of the site is predominantly Grade 2, with small areas of Grades 1 and 3 and unclassified land.

The site forms part of "Myton Garden Suburb" which was a preferred option for housing or mixed use development in the May 2012 Local Plan Preferred Options consultation. The site also forms part of the "South Sites" allocation within the June 2013 Revised Development Strategy for the Local Plan (allocated for housing, a primary school and local centre).

The northern boundary of the site is formed by the footpath and cycleway that runs alongside the houses in Saumur Way and Aragon Drive, while the eastern boundary

is formed by Europa Way. Leamington Shopping Park and the Tachbrook Park employment area are situated on the opposite side of Europa Way. The southern boundary of the site adjoins part of Warwick Technology Park and further agricultural land (also included as a residential and employment land allocation in the Local Plan Preferred Options and the Revised Development Strategy). The western boundary of the site adjoins Round Oak School, the farmhouse and former farm buildings at Brook Farm (no longer in agricultural use) and houses in Brittain Lane, Myton Road, Myton Crescent and The Malins.

There are two farmhouses on the site, both with associated farm buildings. King Henry VIII Farm is located close to the northern boundary of the site, alongside the existing access from Saumur Way. This comprises an early 20th Century farmhouse together with traditional brick barns and more modern metal framed and clad barns. Cottage Farm is located close to the eastern boundary of the site, alongside Europa Way. This comprises a Victorian farmhouse together with traditional brick barns and more modern metal framed and clad barns. Some of the farm buildings adjacent to Brook Farm are also within the site.

Two overhead power lines cross the site; a 33kV line running from north to south through the centre of the site and a 132kV line running from north to south towards the eastern edge of the site.

The site is situated within an area designated as an Area of Restraint in the current Local Plan.

PLANNING HISTORY

There have been a number of previous planning applications relating to different parts of the application site. Most of these are not relevant to the consideration of the current proposals. However, in 1980 and 1981 two planning applications were refused for residential development on the northern part of the current site (Refs. W80/1419 & W81/0432). The reasons for refusal were as follows: (a) contrary to the Structure Plan; (b) prematurity in relation to the allocation of sites for residential development in the Structure Plan; (c) loss of high quality agricultural land; and (d) highway concerns about the need for two accesses onto Myton Road (Europa Way did not exist at the time). A subsequent appeal in relation to application no. W80/1419 was dismissed.

The above applications included the land around Saumur Way / Aragon Drive that was subsequently developed for housing. The Saumur Way / Aragon Drive development was a scaled down version of the schemes that were refused permission in 1981.

RELEVANT POLICIES

- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- National Planning Policy Framework
- Affordable Housing (Supplementary Planning Document - January 2008)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- Warwickshire Landscape Guidelines SPG
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Object on the following grounds:

1) The site is included as a possible development within the District Council's consultation on the new local plan and any approval would prejudice the consultation and in particular the District Council's decision to analyse consultation responses and to take these responses into account before reaching a conclusion before the next round of consultations on a draft local plan.

2) The land to which the application relates is not allocated for housing purposes.

3) It is not accepted that the District Council do not have sufficient land to meet development for the next five years. There are currently outstanding permissions for the development of 1700 homes and the recent appeal decision to allow development of a further 200 plus homes on land at South Sydenham, provides a total of almost 2000 homes. To this total, can be added the land designated for housing for which permissions have not been sought and brown field development sites. Housing completions between 2006/2007 and 2011/2012, a period of six years, saw only some 1978 homes built (an average of 330 homes per year). From 2009/2010 to 2011/2012 a period of low economic growth, only an average of 141 homes were completed with a high of 188 in 2009/2010. Government forecast is for austerity and low growth to continue until 2018 and this very considerable constraint will limit demand to levels below the number of houses which can be built on available land in the next five years. The District Council's decision to seek to provide housing (some 12,300 homes) greatly in excess of that needed to meet local needs, has contributed directly to the assertion that the Council do not have sufficient land to meet a five year demand, and the District should seek to review the number of houses included in the local plan to provide for the real local needs of the District, and the consequent reduction would clearly show that the existing land allocation would meet local needs.

Leamington Spa Town Council: No objection, but comment that the developer should work closely with the District Council and County Council to ensure that suitable infrastructure is put in place prior to commencement. The development should not commence until the financial contribution towards the total infrastructure has been agreed not just within the development itself but covering the wider area.

Bishops Tachbrook Parish Council: Object on the following grounds:

- contrary to the rural area policies of the Local Plan;
- contrary to Local Plan Policy DAP2;
- contrary to the recommendations of the Local Plan Inspector (in 2006) who concluded that this should remain an Area of Restraint, due to the role that this area plays in separating Warwick and Leamington;
- with recent permissions granted for new housing, the District now has a 5.11 year supply of housing land in respect of the 12,300 dwelling requirement; and
- premature in advance of the new Local Plan.

Public response: 102 objections have been received, raising the following concerns:

- Warwick District does not need 12,300 new homes;
- inappropriate to have a vehicular access crossing the well used cycle track behind Saumur Way;
- contrary to the Local Plan;
- this is an Area of Restraint;
- this would merge Warwick and Leamington together;
- approving this development would be premature in advance of the new Local Plan;
- new development should be spread more evenly around the District;
- more brownfield land should be developed first;
- harm to the historic character and setting of Warwick;
- harm to the rural landscape and the setting of Warwick Castle;
- loss of high grade agricultural land;
- loss of ecology;
- loss of green space;
- turning The Malins / Myton Crescent and Saumur Way from small cul-de-sacs into through roads;
- access should be via Europa Way only;
- traffic congestion;
- harm to highway safety;
- insufficient parking;
- noise and air pollution;
- loss of privacy;
- pressure on local infrastructure and services;
- loss of archaeology; and
- adjoining properties already suffer flooding and this will be made worse.

One representation in support has been received, making suggestions in relation to maximising south facing roofs and the possibility of incorporating a marina.

Myton School: Although the plan appears to show a pedestrian/cycleway access to the rear of the Myton School site, no explanation is given as to how this may be achieved.

Conservation Advisory Forum: Significant concerns were expressed about this scheme and the impact upon the Conservation Areas, particularly the impact of traffic was of concern and the possible changes necessary to Castle Bridge and Castle Hill to accommodate the level of traffic coming from this new development. This would lead to visual alterations to the roads, signage and would lead to more traffic being filtered through the Warwick Conservation Area. The problem of coalescence by filling in this gap was also considered an important reason for refusal. Concerns were also expressed about the air quality that would be damaged by the pollution from vehicle servicing at these sites. There was a strong feeling that the application should be refused.

Natural England: No objection. The development is likely to affect bats and great crested newts through disturbance and the damage or destruction of a breeding site

or resting place. However, Natural England are satisfied that the proposed mitigation is broadly in accordance with their guidelines and should maintain the populations identified in the survey reports. Recommend a condition to require a detailed mitigation and monitoring strategy. Request clarification in relation to the agricultural land classification information submitted by the applicant. Other comments are made in relation the amount and layout of green infrastructure and the opportunities for biodiversity enhancements.

Environment Agency: No objection, subject to conditions. Make various recommendations to be dealt with at reserved matters stage in relation to matters such as drainage, flood risk, biodiversity, waste and water quality.

Highways Agency: Raise concerns about the traffic modelling that has been used in relation to the likely impact on the M40 junctions. Therefore have issued a holding direction preventing the Council from granting planning permission until 22 November 2013 or until such time as their concerns have been addressed or overcome.

Sport England: No objection. Request a contribution towards an indoor bowls facility (£32,896) and a further contribution towards outdoor sports facilities (no amount specified).

Canal and River Trust: The site is 25m from the Grand Union Canal and therefore the development does not appear likely to have any significant direct impacts on the canal. Make comments regarding drainage and the canal and welcome the opportunity to discuss proposals for enhancement of the canal to be provided by this development.

Inland Waterways Association: As this development is barely visible from the Canal corridor, the Inland Waterways Association (Warks branch) wish to remain neutral to the proposals.

Severn Trent Water: No objection, subject to a drainage condition.

Stagecoach: Strongly support the allocation and early development of this land due to the sustainable location of the site. However, object to the current proposals on the grounds that it represents a speculative large-scale piecemeal development being brought forward in advance of the wider impacts of this and development of adjoining land to the south being property and duly tested through the Local Plan. This development and adjoining sites should include comprehensive proposals for a high quality bus corridor linking a suitable virtual park and ride facility on land to the south through the site and on to Leamington Town Centre and the pump-priming of high quality bus services. The absence of any such comprehensive proposals would adversely affect the ability to provide a suitable bus service to the site. Also raise concerns regarding the density of development along the spine road, the lack of bus priority measures on Europa Way, the absence of measures to incentivise the use of bus services and the low level of affordable housing provision and the resulting adverse impact on bus service viability.

National Grid: Advise that they have gas transmission apparatus in the vicinity of the proposed development. However, raise no objection to the proposals.

English Heritage: Raise concerns about the impact on Warwick Castle and the associated historic park. Advise that further work is required by the applicant to establish the lack of impact on the setting of the Castle and its attendant park before the scheme can be considered acceptable from the historic environment perspective.

Warwickshire Police: No objection, but make recommendations for security measures to be incorporated into any reserved matters application.

Ramblers Association: A new rear pedestrian / cycle entrance to Leamington Shopping Park is needed to link with the proposed pedestrian crossing of Europa Way. This is necessary to discourage car use and to encourage walking and cycling.

South Warwickshire NHS Trust (Acute and Community Healthcare): Request a contribution of £1,678 per dwelling from all residential developments in Warwick / Stratford Districts towards providing a new ward block at Warwick Hospital and providing additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at the Warwick and Leamington hospital sites.

NHS Property Services (Primary Care): Advise that this is the most appropriate site for the new doctor's surgery that is required to serve the southern development sites. Therefore request that the development provides a serviced site of 0.47 hectares for a 5 GP doctor's surgery together with a contribution of £329,775 towards the cost of constructing the facility.

WCC Highways: Object on the following grounds:

- whilst the principles of the access are accepted, there are outstanding concerns regarding the access onto Europa Way, the applicant has failed to submit a safety audit to support the signalised junction;
- WCC are awaiting the submission of the S-Paramics models to support the results in the transport assessment;
- the proposed mitigation works also need to be input into the S-Paramics model;
- it is unlikely that the 68 bus service could be diverted into the site due to existing pressures on the timetable for that service. Discussions have taken place regarding subsidy for a new bus service for this and other proposed development sites but the applicant has yet to agree to provide the necessary funding;
- concerns about increases in queuing at certain nearby junctions and the absence of any proposed mitigation to deal with this;
- various other technical concerns with the traffic modelling, the phasing of the proposed signals at the new Europa Way junction and the layout of the signalised Europa Way / Queensway / Tachbrook Park Drive junction; and

- a contribution of £6,000 per open market dwelling would be required towards wider off-site highway mitigation schemes.

WCC Fire & Rescue: No objection, subject to a condition to require details of water supplies and fire hydrants.

WCC Education: Request a contribution of £6,410,485 towards education provision, together with the provision of a 1.1 hectare site for a primary school and a 4 hectare site for sixth form provision.

WCC Libraries: Request a contribution of £136,554 towards library facilities.

WCC Ecology: Recommend that the application is refused due to potential biodiversity loss. An assessment should be carried out to determine the overall biodiversity impact. Six of the hedgerows on site are considered to be important under the wildlife and landscape criteria of the Hedgerow Regulations, a number of trees are classified as veteran trees and there is a native black poplar on site (a rarity for Warwickshire). Hedgerow removal should be kept to a minimum. Further bat survey work should be carried out prior to works commencing, as well as further badger survey work. The existing orchard on site should be retained and enhanced rather than being replaced with a new orchard elsewhere on site. Recommend conditions to require a Construction and Environmental Management Plan to demonstrate how protected species will be dealt with as well as a Landscape and Ecological Management Plan to secure ecological enhancements. Also recommend conditions regarding tree and hedgerow protection and lighting details.

WCC Archaeology: No objection, subject to a condition to require a programme of archaeological works to be carried out.

WDC Housing Strategy: 40% affordable housing should be provided, unless the applicant can demonstrate that this would render the scheme unviable.

WDC Environmental Health: Recommend conditions to require a Contamination Assessment, a Construction Management Plan, details of lighting and details of noise insulation measures in relation to road noise. Raise concerns about the Air Quality Assessment. Also make comments in relation to plant and equipment at the proposed local centre and renewable energy equipment.

WDC Tree Preservation Officer: No objection in principle. The detailed layout can be designed to mitigate the impact on important trees and hedgerows.

WDC Community Protection: No objection, subject to conditions. Advise that further drainage / flood risk information will have to be submitted at the detailed design stage.

WDC Neighbourhood Services: The green space within this development meets the Council's standards in terms of overall size, but there are some deficiencies in relation to certain types of open space. However, with the proposal for an off-site

contribution, this variation is acceptable. Various detailed comments made regarding the design, layout, maintenance and access to the proposed open space within the site.

ASSESSMENT

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

- the principle of development;
- the impact on the living conditions of nearby dwellings;
- noise;
- air quality;
- landscape impact;
- impact on trees and hedgerows;
- heritage impacts;
- traffic impact / highway safety;
- the impact on local services;
- the ecological impact of the proposals;
- provision of open space; and
- drainage and flood risk.

The principle of development

Five year housing supply

The site is within open countryside adjoining the edge of the urban area and set within an Area of Restraint, where the relevant Local Plan Policies are RAP1 - 'Directing New Housing' and DAP2 - 'Protecting the Areas of Restraint'.

The National Planning Policy Framework (NPPF) 2012 states (para.49) that relevant policies for the supply of housing should *not* be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement. Whilst the Council can demonstrate a five year supply against the requirements of the revoked Regional Spatial Strategy 2008, these requirements do not reflect the most up-to-date evidence in terms of objectively assessed housing need. In terms of the most recent evidence of housing need, the Council cannot demonstrate a five year supply.

The latest Annual Monitoring Report (June 2013) indicates that the housing land supply is 2.8 years. The five year requirement (2012-2017) is 4,550 dwellings with 2,575 already provided, leaving 1,975 to be provided. Since that time, planning permission has been granted for 490 more dwellings, but this still leaves a significant shortfall in relation to the five year requirement. Accordingly, only limited weight can be afforded to Policies RAP1 and DAP2, and in these circumstances the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. This states at paragraph 14 that, where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

The scheme will contribute towards helping the Council meet its five year requirement and granting outline permission for this site would increase the supply of land for housing which carries significant weight in this determination. While the Council has no control over whether a site will be deliverable, given that they cannot require a developer to deliver houses once permission is given, and that further reserved matters approval would be required before work can start, it is nevertheless reasonable to assume that the site with planning permission would be deliverable with a realistic prospect that development on this site would be achievable within a five year period.

Current policy position

The site was included in the Local Plan Preferred Options report in 2012, and is included in the Revised Development Strategy 2013 (RDS). Little weight is attached to the 2012 Preferred Options as these have been superseded by the Council's preferred options in the 2013 Revised Development Strategy (RDS) and have not therefore been carried forward. Significant weight cannot be attached to the 2013 RDS since the public consultation has only recently been completed and the outcomes of the consultation have yet to be assessed. However, this does represent the Council's current preference for development based on the most up to date evidence base. The intention is that the public response to the RDS will inform the policies within the Draft Local Plan, which is scheduled for public consultation in Spring 2014. The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. This forms the Development Plan, which decisions should be made in accordance with, unless material considerations indicate otherwise. The NPPF is a material consideration, as are other policies under preparation such as the RDS.

The RDS (paras. 5.2.23-5.2.28) contains justification for the development of the application site and the other sites south of Warwick and Whitnash, as it will not be possible to provide land for the 12,300 new homes needed between 2011 and 2029 within the existing urban area. This is the interim level of growth adopted by the Council based on current evidence including the 2012 Strategic Housing Market Assessment (SHMA). However, the Inspector considering Coventry's Core Strategy requested that Coventry City Council withdraw their Core Strategy in order to work with other councils in the sub-region in preparing a Joint Strategic Housing Market Assessment. Warwick District Council is one of these councils and therefore the timetable for the preparation of Warwick's Submission Draft Local Plan will be delayed until Spring 2014, at which stage it will gather more weight.

The RDS states that as it is not possible to provide for 12,300 homes within the existing urban areas, it will be necessary to allocate new development on green field and Green Belt sites. In comparison with other possible green field sites, this area has significant advantages which justify its inclusion in the RDS. This includes

that the landowners are willing, the location at the edge of the existing urban area is sustainable, the land is not Green Belt, and the 5 year housing supply position.

Prematurity

The application site physically adjoins other strategic development sites to the south. However, the development of adjacent allocated land in the RDS would not be prevented by the development of the application site. Furthermore, as the adjacent sites are neither dependent on, nor incompatible with, the application site in terms of principle or layout, the development of the application site would not prejudice the outcomes of the preparation of the Local Plan and it could not therefore be demonstrated that the permission should be refused on the grounds of prematurity.

Assessment of the proposed housing provision

In terms of the market housing being provided, the size and mix of housing would be a matter to be considered under a reserved matters application. There would be a requirement for this to accord with the Development Management Guidance on Achieving a Mix of Market Housing.

The proposed affordable housing provision does not accord with the requirements of Local Plan Policy SC11 in terms of the number of units. The affordable housing provision also does not accord with the current Strategic Housing Market Assessment (SHMA) in terms of tenure split. The application proposes only 20% affordable housing, whereas Policy SC11 requires 40%. Of these 20%, the application proposes that 80% would be affordable rented and 20% would be shared ownership, whereas the SHMA requires a split of 50% social rented, 30% affordable rented and 20% shared ownership. The applicant has argued that any greater level of affordable housing provision would make the scheme unviable. A viability appraisal was submitted with the application in support of this position.

The Council have employed a viability consultant to verify the information submitted by the applicant. The Council's viability consultant has advised that the viability information that has been submitted does not demonstrate that the scheme would not be viable if greater than 20% affordable housing was provided. Therefore it is concluded that the proposals fail to make adequate provision for affordable housing, both in terms of amount (less than the 40% required by Policy SC11) and tenure (not providing any social rented housing, therefore failing to meet the needs identified in the SHMA).

The proposals would therefore be contrary to Local Plan Policy SC11. Policy SC11 is consistent with Paragraph 50 of the NPPF which states that, where the Council have identified that affordable housing is needed, they should set policies for meeting this need on site. Paragraph 50 also refers to the objective of creating mixed and balanced communities.

The provision of a significant amount of new market housing would represent a benefit of the scheme. However, the scheme fails to make adequate provision for affordable housing and therefore it would not meet housing needs within the District. Furthermore, the failure to provide any social rented housing would run contrary to the objective of creating mixed and balanced communities (NPPF para. 50) because the development would comprise a large new estate of 800 houses without a single social housing tenant. As the amount and mix of affordable housing would not meet the housing needs of the District, only limited weight can be attached to housing provision as a benefit of the scheme.

Impact on the living conditions of nearby dwellings

The application site is situated alongside a number of dwellings in The Malins, Myton Crescent, Brittain Lane, Saumur Way and Aragon Drive, as well as the dwelling at Brook Farm. The site currently provides a rural outlook for many of those dwellings. However, protecting the views of existing dwellings is not a material consideration in assessing a planning application. As this is an outline application, the detailed layout is not known at this stage. However, the size of the site is such that there is scope to design a detailed layout that would provide an acceptable relationship with neighbouring dwellings that would not cause unacceptable loss of light, loss of outlook or loss of privacy. Furthermore, the footpath / cycleway and associated hedgerow along the northern boundary of the site provides an existing buffer from some of the neighbouring dwellings.

The impacts on nearby dwellings in terms of noise and air quality are discussed under separate headings below.

Noise

The proposals would result in increased traffic along surrounding roads and this would have implications in terms of noise. However, the Environmental Statement submitted with the application concludes that there would only be a limited increase in road traffic noise attributable to the proposed development and that this will not result in significant effects. The conclusions of the Environmental Statement have been accepted by Environmental Health. The impact of traffic noise is likely to be most noticeable along The Malins / Myton Crescent and Saumur Way, which would be secondary vehicular access routes to the development. However, these accesses would be limited to serving approximately 13 and 50 dwellings respectively, with the main vehicular access being from Europa Way, away from nearby dwellings. Considering the small number of dwellings that would be accessed along these existing cul-de-sacs, it is not considered that this would result in unacceptable additional traffic noise for the existing dwellings along those roads.

In terms of construction noise, the applicant proposes to prepare a Construction Environment Management Plan and this would include measures to control construction noise. This could be secured by condition. All construction traffic is proposed to access the site via Europa Way, enabling this to be routed away from sensitive receptors.

In terms of the impact of noise on the proposed dwellings, the main source would be traffic on Europa Way. The Environmental Statement advises that the installation of standard double glazing will provide sufficient noise attenuation across the majority of the development, with higher specification glazing required for those properties facing over Europa Way. The process of designing the detailed layout will also provide the opportunity to position and orientate the proposed dwellings to minimise noise. Environmental Health have raised no objection on these grounds, subject to a condition to require a scheme to be submitted to protect residents of the development from traffic noise.

Air quality

The Environmental Statement submitted with the application includes a chapter on air quality. Environmental Health have requested further information in relation to the impact of emissions from increased road traffic. This is expected to be submitted shortly and an update will be provided in the addendum report to Committee.

Landscape impact

In terms of existing landscape character, the Warwickshire Landscape Guidelines include the application site within the Feldon and Dunsmore character area and the Feldon Parklands landscape type. The Guidelines advise that this landscape type is characterised by rolling topography, woodland and scatter farmsteads.

The entire site is located within a wider Area of Restraint defined in the current Local Plan and subject to Policy DAP2. This seeks to protect these areas from proposals that could alter their predominantly open character. The supporting text to Policy DAP2 notes that the value of the Areas of Restraint lies in their contribution to the structure and character of the urban area, providing open areas around towns. The development proposal would therefore be contrary to Policy DAP2 since it would harm the open nature of the area. However, the need for new housing within the District is considered to outweigh Policy DAP2. This designation is unlikely to form part of the future Local Plan as this site is included within the Revised Development Strategy as an option for growth. Areas of Restraint must be regularly reviewed to ensure that there is still sufficient developable land to accommodate the housing needs of the towns.

Objectors have raised concerns about development in this particular part of the Area of Restraint contributing to the coalescence of the towns of Warwick and Leamington. In this regard, it is notable that the supporting text to Local Plan Policy DAP2 does not specify this as a purpose of the Policy; the only comments about coalescence refer to preventing surrounding villages merging into the towns, rather than the towns merging together. The merging of Warwick and Leamington has already taken place to a large extent, including the development around Saumur Way and Aragon Drive immediately to the north of the application site.

Furthermore, the application site is arguably the most sustainable area for an urban extension south of Warwick and Leamington and therefore it is considered that the

sustainability benefits of developing this site rather than other more remote sites would outweigh any concerns about further coalescence of the two towns.

The development of this site will have an adverse visual impact on the rural setting by introducing large scale built development on a green field site. The site is visible from the adjoining residential and commercial development to the north, east and west and from the countryside to the south. In order to inform the assessment of potential residential development sites, the Council commissioned a Landscape Consultant (Richard Morrish Associates) in 2009 to carry out a Landscape Character Assessment of land to the south of Warwick and Leamington, including the current application site.

The conclusions from the 2009 "Landscape Character Assessment" for the application site (and adjoining land to the south) were: *"Although this wedge of undeveloped land has been a strategic break between Warwick and Leamington, we feel its value to the setting of the towns has been greatly diminished by surrounding land use. We feel that carefully considered development here could enhance the setting of the towns and provide a better transition from rural to urban land"*.

The site was considered within a further 2012 assessment by the same consultants: "Options for Future Urban Expansion in Warwick District Considerations for Sustainable Landscape Planning". This report assessed the cumulative impact of development on the application site and further development sites to south of Gallows Hill and Harbury Lane. This did not raise any objections in principle to development on the application site.

In accordance with the Landscape Consultant's recommendations, it is considered that the landscape impact of development on the application site would be acceptable and could be mitigated to minimise the impact on the rural landscape and character. In terms of the impact on the wider rural landscape, development on the current application would have considerably less impact than development on the other sites included in the Revised Development Strategy. Out of all of the potential urban extension sites, the application site has arguably the most urban setting at present, being adjoined by the existing urban area to the west, north and east and further proposed development sites to the south. Consequently there would be little impact on the wider rural landscape as a result of development on the application site.

The detailed layouts and heights of buildings, and the detailed landscape mitigation and open space layout will be subject to the consideration of a reserved matters application. However, in principle, it is considered that the development of this site could be mitigated to an appropriate standard that would avoid serious and unacceptable visual harm to the rural landscape or to the setting of Warwick and Leamington.

The illustrative material submitted with the application indicates that there would be a mix of 2, 2.5 and 3 storey buildings. The detailed heights and size of building

would be considered at reserved matters stage, but this mix of building heights is considered to be acceptable in this location.

Notwithstanding the mitigating factors outlined above, the development of this greenfield site would have a degree of adverse landscape impact. However, this needs to be balanced against the housing needs of the District. The benefits of securing 800 new dwellings to contribute towards housing needs in the District are considered to outweigh the limited landscape harm that has been identified (subject to securing an appropriate level of affordable housing).

Impact on trees and hedgerows

There are a number of trees and hedgerows across the application site. As this is an outline application, the impact on these trees and hedgerows will not be known until reserved matters stage. The exception to this would be trees and hedgerows affected by the access works, which are proposed in detail at this stage. A short section of hedgerow would be removed alongside the proposed Saumur Way access and a section of hedgerow and small trees that would be removed to make way for the proposed access from Europa Way. This is considered to be acceptable because it relates to very small sections of hedgerow and the affected trees are not significant specimens.

In order to accommodate a detailed residential layout it is likely that other less important trees and hedgerows will have to be removed. However, the appropriateness of this would be considered in the assessment of any subsequent reserved matters submission. There is scope for the layout to be designed around the important trees and hedgerows.

Heritage impacts

English Heritage have stated that the proposals could lead to less than substantial harm to the significance of designated heritage assets. Therefore, in accordance with Paragraph 134 of the NPPF, this less than substantial harm should be weighed against the public benefits of the proposals. English Heritage have requested a further assessment of the impact of the proposed development on the setting of Warwick Castle (a Grade I Listed Building and Scheduled Ancient Monument) and its associated historic park (a Grade I Registered Park and Garden), and have made comments on the potential adverse impact on the Castle Bridge, a Grade II* Listed Building and Scheduled Ancient Monument.

The applicant has submitted further information in response to the comments from English Heritage. This has been forwarded to English Heritage and a response is awaited and will be included in the addendum report to Committee.

In terms of the impact on the Castle Park, the application site is located approximately 700m from the eastern boundary of the Park. The site is separated from the Park by Warwick Technology Park. Therefore the proposed development will not bring the urban area any closer to the Park. Furthermore, the proposed

development would not be visible from within the Park due to the screening provided by existing trees within the Park, the local topography and the presence of Warwick Technology Park on the intervening land.

The site would be visible from the Castle itself. However, this would be at a distance of 1.5km, with the site separated from the Castle by the development along Myton Road. Furthermore, the site is viewed in amongst the existing urban form of Warwick and Leamington, including large scale buildings to the east (Leamington Shopping Park / Tachbrook Park) and south-west (Warwick Technology Park). Therefore development of the application site would not impact on any notable rural outlook from the Castle. Development on the application site will also not impact on the relationship between the Castle and the Castle Park.

With regard to the impact on the Castle Bridge, there are no proposals to make any changes to this structure to mitigate the traffic impacts of the proposed development. On-going maintenance of the structure is the responsibility of the Highway Authority.

Objectors have raised concerns about increased traffic through the historic centres of Warwick and Leamington and resulting harm to the relevant Conservation Areas. However, significant traffic congestion already occurs within these Conservation Areas and therefore traffic from the proposed development would not have a material impact in Conservation terms. Furthermore, any residential development within or on the edge of the towns is likely to have a similar impact within the Conservation Areas, but such development is essential to meet the need for new housing within the District.

With regard to the two existing farmhouses on the site, the indicative plans show that one of these is to be retained (Henry VIII Farm) and the other is to be demolished (Cottage Farm). Cottage Farm is a Victorian farmhouse and therefore it does have some heritage value. However, whilst the loss of this building is regrettable, it is not worthy of being Listed and the site is not situated within a Conservation Area. Consequently there are no statutory or policy grounds to support its retention. Furthermore, given the position of the farmhouse in line with the main access to the site from Europa Way, the retention of the building within the proposed scheme is not feasible.

Paragraph 134 of the NPPF requires the Council to weigh the public benefits of the proposed development against any less than substantial harm to designated heritage assets. As discussed above, if there is any harm to heritage assets, this is limited harm. In terms of public benefits, the proposals would provide a significant number of new dwellings to meet housing needs within the District. This is considered to be a significant public benefit given the lack of a 5 year supply of housing land. Therefore, if there is some limited harm to the designated heritage assets referred to above, it is considered that this is outweighed by the public benefits of the scheme (subject to securing an appropriate level of affordable housing).

The applicant has carried out an archaeological evaluation and this concludes that there are unlikely to be any sub-surface archaeological remains of heritage significance present on the site. However, part of the site has not been subject to evaluation trenching. The County Archaeologist has advised that there is potential for archaeological features to survive across the remainder of the site and has recommended that a condition be imposed to require a further programme of archaeological work to be carried out. It is considered that this condition would ensure that any archaeological remains are adequately protected.

There is evidence of ridge and furrow earthworks on three areas of the site. However, these are isolated remnants and therefore they are considered to be of low heritage significance.

Traffic impact / highway safety

The proposed development would increase traffic on the local highway network. The Transport Assessment submitted by the applicant considers the traffic impact of the proposed development, taking account of other committed developments and highway schemes. The Transport Assessment concludes that the traffic impacts of the scheme as a standalone development could be mitigated by geometric changes to 3 nearby junctions, to include widening / realignment of the arms of these roundabout junctions. The 3 junctions are:

- the Princes Drive / Old Warwick Road / Europa Way / Myton Road roundabout;
- the Europa Way / Queensway / Tachbrook Park Drive roundabout; and
- the Banbury Road / Myton Road / Bridge End roundabout.

The Transport Assessment accepts that more extensive mitigation works will be required to these 3 junctions and other junctions on the local highway network when the cumulative impact of other proposals within the Revised Development Strategy are taken into account. It is proposed that this would be secured via an off-site contribution. However, the Highway Authority have objected to the proposals and have raised a number of detailed concerns about the traffic modelling within the Transport Assessment, including the adequacy of the proposed mitigation works and the design of the junctions. As a result, based on the information that has been submitted to date, it is not considered that the applicant has demonstrated that the impact on the local highway network can be satisfactorily mitigated. Therefore, at this stage it can only be concluded that the proposals would have an adverse traffic impact and would be detrimental to highway safety.

The Highways Agency have also raised concerns about the impact of the development on the strategic highway network (the M40 and A46). In particular, they are concerned about the traffic modelling that has been undertaken and have raised doubts about the low trip generation rates that have been assumed in relation to junctions 13 and 14 on the M40. As a result, the Highways Agency have issued a Direction under the Town and Country Planning (Development Management Procedure) Order 2010 to prohibit the Council from granting planning permission until this issue is resolved. Therefore it must be concluded that the

applicant has failed to provide sufficient information to demonstrate that the development would not adversely affect the operation of the strategic highway network.

A Framework Travel Plan was submitted with the application and this outlines a number of options for bus service provision. This includes a combination of routing the existing 68 route through the site and providing a new bus service to link the site to Leamington Town Centre. However, these are only outlined as options, with no firm proposals for bus service provision included within the application. The objection from WCC Highways includes concerns about the appropriateness of diverting the existing 68 route and the failure of the applicant to agree to provide the necessary funding for a new bus route. There has also been an objection from the local bus operator (Stagecoach) who have raised concerns about the absence of any comprehensive proposals for the provision of a quality bus service to the site. Taking these comments into account, in the absence of any firm proposals for bus provision for the site, it has to be concluded that the application fails to make adequate provision for public transport. The majority of the proposed dwellings would be more than 400m from any existing bus routes.

In terms of provision for pedestrians and cyclists, the Framework Travel Plan indicates that an extensive network of both shared use and segregated walking and cycling routes will be created within the site which will connect to the existing external network. Detailed provision for walking and cycling within the site would be a matter to be considered as part of any reserved matters submission.

Notwithstanding the above concerns, in general sustainability terms this site is arguably one of the most sustainable locations for an urban extension to Warwick or Leamington. It is situated in close proximity to a wide range of shops, services and employment opportunities and is as close to Warwick and Leamington Town Centres as an urban extension could be. Therefore, subject to the provision of appropriate local services and sustainable transport infrastructure to serve the development, there can be no objection in principle on sustainability grounds.

It is proposed that a pedestrian and cycle link would be provided from the proposed development to the rear of Myton School. This could help to alleviate existing problems associated with school traffic on Myton Road and should be considered as a benefit of the proposed development. The detailed layout could also provide the opportunity for vehicular access to the school if that was considered to be desirable.

Objectors have raised concerns about the proposed access from Saumur Way crossing the existing well used cycle route along the rear of Saumur Way / Aragon Drive. However, these concerns are not shared by the Highway Authority. This access would only serve approximately 50 dwellings and priority for pedestrians and cyclists would be retained through the provision of a raised crossing. Give way lines will be painted on the road to indicate that pedestrians and cyclists have priority and signage and barriers will be added to the cycle route to warn pedestrians and cyclists of the presence of the access.

The Ramblers Association have requested a new rear pedestrian / cycle entrance to Leamington Shopping Park to link with the proposed pedestrian crossing of Europa Way. However, this would require land within and adjacent to the Shopping Park that is in third party ownership. Furthermore, a neighbourhood centre is proposed within the site which would be easily accessible from all of the dwellings by walking and cycling and there are good pedestrian and cycling links from the site to convenience retail facilities on Myton Road (Lidl) and Old Warwick Road (Morrisons). Furthermore, providing a rear entrance to the Shopping Park would only reduce the walking / cycling distance from the proposed Europa Way junction to the entrance of Sainsburys by 200m (compared with following the route along the Europa Way footway and round to the main entrance of the Shopping Park). Therefore it is concluded that there is insufficient justification to require the developer to provide the suggested link.

Issues relating to the detailed internal road layout and car parking would be considered as part of any reserved matters approval.

Impact on local services

The proposed development would create significant additional demand for local services. The relevant service providers have been consulted on the proposals and have requested contributions towards the costs of providing these services and building new facilities to accommodate the increased demand, including a requirement for land to be set aside for these facilities in some cases.

WCC Education have requested a contribution of £6,410,485 towards education provision. They have also advised that the development should include a 1.1 hectare site for a primary school and a 4 hectare site for sixth form provision. However, the applicant has only agreed to provide the 1.1 hectare site for the primary school. The applicant has stated that they do not consider that there is justification to provide a site for sixth form provision, given that there is no mention of this in the Revised Development Strategy. They consider that the necessary secondary school capacity should be provided by way of a new school on the site at Lower Heathcote Farm that is identified in the Revised Development Strategy (the Gallaghers site), or by way of expansion of existing secondary schools (Campion and Myton) on land outside of the current application site.

The issue of providing additional capacity for secondary education has been carefully considered by the Education Authority. Given the uncertainties over the amount, location and timing of development that will take place across the southern development sites and the need to reach agreement with the existing secondary schools, it is considered necessary to secure options for expansion to the existing secondary schools as well as a potential new secondary school. The site for the potential new secondary school will be secured at Lower Heathcote Farm. In terms of reserving a site for the possible expansion of Myton School, the most appropriate location would be within the current application site because this is the only allocation within the Revised Development Strategy that shares a boundary with the existing school. Therefore, as the applicant has declined to provide land

within their site to secure this option, the proposals fail to make adequate provision for education facilities to serve the proposed dwellings. Furthermore, ruling out any secondary education provision on the application site would undermine the proper planning of education provision across the southern development sites. Therefore the proposals would be contrary to Local Plan Policy SC14.

The NHS Primary Care Trust have advised that this would be the most appropriate site to accommodate a new doctor's surgery to serve the southern development sites. Therefore they have requested that land is provided within the site for a doctor's surgery, together with a contribution of £329,775 towards the cost of constructing the surgery. The Primary Care Trust have advised that a 0.47ha site is required. The applicant has suggested that the doctor's surgery could be accommodated within the proposed neighbourhood centre. However, the neighbourhood centre is not large enough to accommodate the size of surgery that the NHS have advised is required. Furthermore, even if it could be accommodated, this would not leave space for any other facilities within the centre. As a result, this large development would be devoid of any other local facilities. Therefore it is considered that the proposals fail to make adequate provision for primary care facilities, contrary to Local Plan Policy SC14.

The other requests that have been received from consultees relate to off-site contributions. These are detailed below but the applicant has yet to confirm whether they agree to make these contributions. In the absence of confirmation that these contributions will be paid, it has to be concluded that the applicant has failed to make adequate provision for these various community facilities to serve the proposed dwellings. In this respect the proposals would therefore be contrary to Local Plan Policy SC14.

South Warwickshire NHS Trust have requested a contribution of £1,678 per dwelling towards the cost of providing a new ward block at Warwick Hospital and providing additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at the Warwick and Leamington hospital sites.

A contribution of £784.61 per dwelling is required towards the cost of providing indoor sports facilities, while a contribution of £56.73 per dwelling is required towards the provision of outdoor sports facilities.

The WCC Rights of Way Team have requested a contribution of £13,850 towards the cost of improvements to rights of way within 1.5km of the application site.

Sport England have requested a contribution of £41.12 per dwelling towards the cost of providing an indoor bowls facility. However, it is not considered that this would be justified in addition to the general indoor sports facility contribution outlined above.

WCC Libraries have requested a contribution of £136,554 towards the cost of library facilities. However, this request is not considered to be CIL compliant

because no evidence has been provided of existing shortfalls in provision, or of what infrastructure the contributions would fund, or of how the money would be directly and reasonably related to the development.

The ecological impact of the proposals

The development will result in the loss of existing wildlife habitats and has the potential to increase contaminated surface water run-off into watercourses. As the proposals are likely to result in a net biodiversity loss, WCC Ecology have recommended that a full Biodiversity Impact Assessment is carried out by the applicant to include details of how the loss of biodiversity will be offset through on or off-site compensation. However, no further ecological information had been submitted at the time of writing this report. Therefore WCC Ecology have advised that the application should be refused.

In the absence of a full Biodiversity Impact Assessment, there is insufficient information available to demonstrate that onsite compensation or offsetting would be deliverable. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible. Therefore, as insufficient information has been submitted to demonstrate that the proposals will not result in a net loss of biodiversity, the development is considered to be contrary to the NPPF.

With regard to protected species, there is a population of great crested newts in a pond on the site. This pond would be removed to make way for the proposed development. Retention of the existing pond is not feasible because it is located in line with the main access to the site from Europa Way. However, mitigation measures are proposed, including the creation of two ponds and suitable habitats for great crested newts. Natural England have raised no objection to the proposals on this basis. Full details of mitigation measures could be secured by condition.

The bat surveys carried out by the applicant identified various species of bats foraging on site, together with maternity roosts in one of the outbuildings at Henry VIII's farm. WCC Ecology have recommended that the building identified as supporting bat roosts should be retained. This would be a matter to be considered at reserved matters stage.

WCC Ecology have recommended that a condition be imposed to require a Construction and Environmental Management Plan to be produced to include measures for the protection of species during and after development. This would include measures for the protection of all notable and protected species that have been identified on site, including bats, great crested newts and badgers.

Provision of public open space

The application proposes to include 13.37ha of public open space within the site. In terms of size, this area of public open space is in accordance with the requirements

of the Council's Open Space Supplementary Planning Document (SPD). Within this overall provision some types of open space would exceed the areas required by the SPD, whereas for others there would be an under-provision ('Parks and Gardens' and 'Natural Areas'). WDC Neighbourhood Services have advised that this would be acceptable, subject to a suitable off-site contribution.

WDC Neighbourhood Services have raised some queries about the details of the proposed on site open space and a response to these queries is awaited from the applicant. The amount of the off-site contribution has also yet to be agreed between the applicant and WDC Neighbourhood Services. A further update on these issues will be provided in the addendum report to Committee. Subject to the satisfactory resolution of these matters, the proposed development will make adequate provision for public open space.

Drainage and flood risk

The majority of the site (99.9%) is situated within Flood Zone 1 (i.e. land at lowest risk of flooding). The Myton Brook, a small tributary of the River Avon, crosses the site. The area immediately adjacent to this watercourse is situated within Flood Zones 2 and 3. However, the strategic masterplan shows the area either side of this brook designated as public open space. The proposed development plots could be accommodated on the parts of the site within Flood Zone 1 and therefore the site is considered to be suitable for residential development from a flood risk point of view.

There has been no objection from the Environment Agency, Severn Trent Water or the Council's Community Protection team. All of these consultees are satisfied that the drainage and flood risk information that has been submitted with the application is sufficiently detailed for these outline proposals. Conditions are recommended to require further details as part of any reserved matters submission.

The detailed drainage proposals will include Sustainable Urban Drainage Systems. WDC Community Protection would require these features to be adopted and this would be included in any Section 106 agreement, together with a requirement for a contribution towards the costs of future maintenance.

Neighbours in Myton Crescent and The Malins have raised concerns about existing surface water flooding problems affecting their properties. The relevant consultees have been made aware of these concerns and their responses have taken these concerns into account. Their advice is that a detailed surface water drainage scheme required by their recommended conditions should help to alleviate these existing surface water flooding problems.

Other matters

A number of objectors have raised concerns about the loss of productive agricultural land. The Agricultural Land Classification of the site is predominantly Grade 2, with small areas of Grades 1 and 3 and unclassified land. Consequently

the majority of the site is classified as the best and most versatile agricultural land as defined in the NPPF. However, it is considered that the need to provide new homes in a sustainable location overrides any concerns about the loss of productive agricultural land. The applicant has submitted further information in relation to Agricultural Land Classification in response to the queries raised by Natural England.

Details of how 10% of the predicted energy requirements of the development will be produced from renewable energy technologies will be provided at reserved matters stage. A condition could be applied to any outline permission to deal with this issue.

Two sets of overhead powerlines cross the site. These are the responsibility of Western Power Distribution and their comments are awaited. However, as an outline proposal, there is scope for the detailed layout to be designed around the powerlines.

SUMMARY/CONCLUSION

Due to the Council's lack of a Five Year Housing Supply only limited weight can be afforded to Policies RAP1 and DAP2. Therefore the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. This states at paragraph 14 that where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

There are three dimensions to sustainable development: economic, social and environmental. The development would deliver economic benefits through the generation of employment during the construction phase, and from the increased population which would contribute towards increased expenditure in the local area and dependence on local facilities. Social benefits would include the provision of a mix of types and sizes of market housing and the provision of open space. Environmental benefits would arise from the provision of open spaces, sustainable drainage measures and improved footpath/cycle way links. However, the proposed development would also have significant adverse impacts in relation to the economic, social and environmental dimensions of sustainable development.

In terms of the economic dimension, the proposals would have an adverse traffic impact, would be detrimental to highway safety and fails to make adequate provision for bus services (these issues also cross over into the social dimension). Turning to the social dimension, the development fails to make adequate provision for secondary education, primary care facilities and affordable housing on site or other off-site community infrastructure. Finally, in terms of the environmental dimension, the proposals would cause a net loss of biodiversity.

It is considered that these represent significant adverse impacts of the development. These adverse impacts relate to key issues in the assessment of

whether the development represents sustainable development, affecting all three dimensions of sustainable development. Therefore it has been concluded that these adverse impacts would clearly outweigh the identified benefits of the proposed development.

Therefore it is recommended that the application is REFUSED.

REFUSAL REASONS

- 1 Policy SC11 of the Warwick District Local Plan states that residential development on sites of 10 or more dwellings will not be permitted unless provision is made for a minimum of 40% affordable housing to meet local needs. This is consistent with Paragraph 50 of the NPPF. The latest Strategic Housing Market Assessment (SHMA) requires a tenure split for affordable housing of 50% social rented, 30% affordable rented and 20% shared ownership to meeting local needs.

The proposed affordable housing provision would not meet these requirements in terms of the number of units (only 20%) and the tenure split (no social rented units). The viability information that has been submitted does not demonstrate that the scheme would not be viable if greater than 20% affordable housing was provided. Therefore, in the opinion of the District Planning Authority, the proposals fail to make adequate provision for affordable housing. The failure to provide any social rented housing would also run contrary to the objective of creating mixed and balanced communities.

The proposals would therefore be contrary to the aforementioned policies.

- 2 Policy SC14 of the Warwick District Local Plan states that contributions will be sought towards community facilities in conjunction with new development where appropriate.

The application proposes the erection of a significant number of new dwellings and this would place significant pressure on local services. A development of this size would require significant additional capacity in terms of education facilities (new primary and secondary school buildings), healthcare facilities (a new doctor's surgery and a new wing at Warwick Hospital), indoor and outdoor sports facilities and rights of way improvements. The applicant has not confirmed that they agree to make the necessary contributions to secure the required additional capacity. The proposals also make no provision for the necessary land within the site for sixth form provision and make insufficient land available for the size of doctor's surgery that is required. Therefore, in the opinion of the District Planning Authority, the application makes insufficient provision for the increased capacity in local services that will be required to serve the proposed development.

The proposal is therefore considered to be contrary to the aforementioned policy.

- 3 Policy DP3 of the Warwick District Local Plan states that development proposals will be expected to demonstrate that they protect and/or enhance local ecology, including existing site features of nature conservation value. Meanwhile, paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible.

The development will result in the loss of existing wildlife habitats. Insufficient information has been submitted to demonstrate that onsite compensation or offsetting would be deliverable. Consequently the application has failed to demonstrate that the development will not result in a net loss of biodiversity.

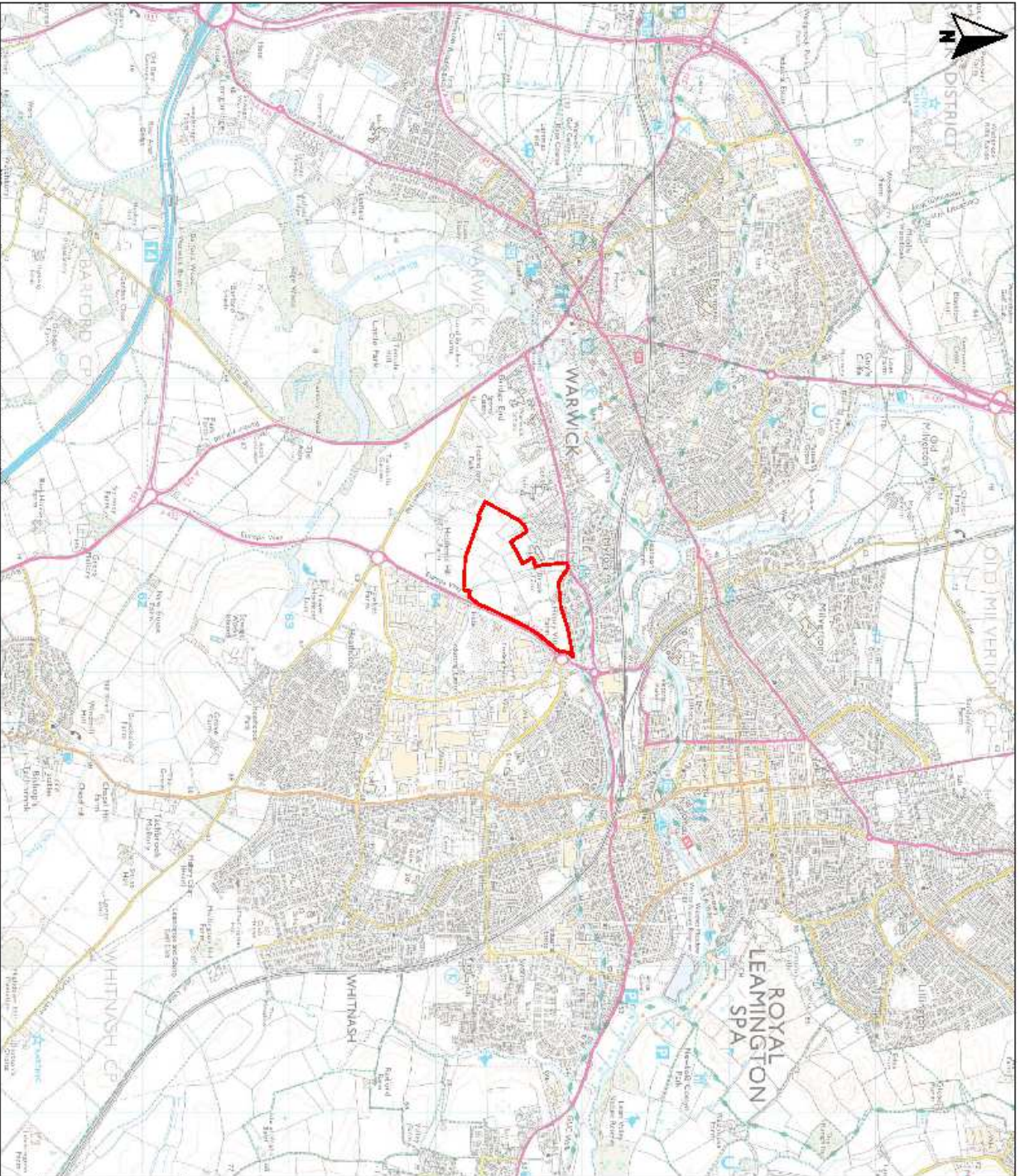
The proposals are therefore considered to be contrary to the aforementioned policies.

- 4 Policy DP6 of the Warwick District Local Plan states that development will only be permitted which provides safe, convenient and attractive access routes for pedestrians, cyclists, public transport users and other users of motor vehicles. Policy DP6 goes on to state that development proposals will be expected to demonstrate that they do not cause harm to highway safety and that they are designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services. Meanwhile, Policy SC12 states that contributions towards

sustainable transport improvement will be sought from all development that could lead to a material increase in traffic on the road network.

The proposals would generate a significant increase in traffic on the local highway network. The traffic modelling information and mitigation proposals that have been submitted are not considered to be adequate to demonstrate that the harmful impact of this additional traffic can be mitigated. There are also detailed concerns about the design of the proposed junctions and the ability to deliver an appropriate bus service to the site. Furthermore, insufficient information has been submitted to demonstrate that the development will not generate harmful additional traffic through junctions 13 and 14 of the M40. Therefore, in the opinion of the District Planning Authority, the applicant has failed to demonstrate that the proposals would not have an adverse traffic impact or be detrimental to highway safety.

The proposals are therefore considered to be contrary to the aforementioned policies.



Key
 Site boundary



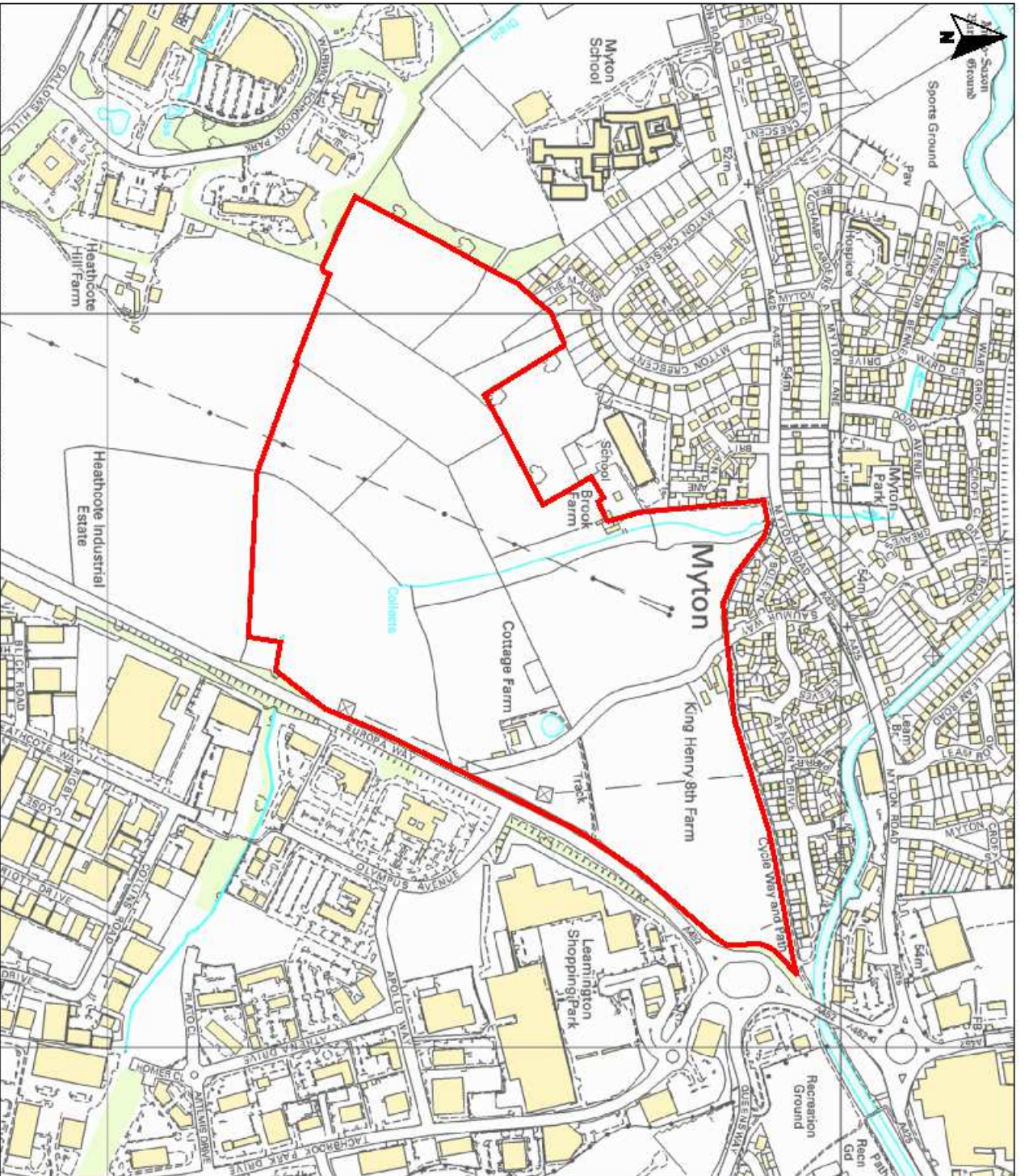
Land at Ayton
 Outline Planning Application

Figure 1
 Site Location Plan

June 2015
 2015-16 Licensing Plan



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Key
 Site Boundary



Land at Myton
 Outhwaite Farming Application

Figure 2
 Application Site Boundary

June 2018
 2000-LE2000/0001/0001



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