

PLANNING COMMITTEE 31st March 2015

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 5: W/15/0271 – Grove Farm, Harbury Lane (outline phase 2)

Negotiations are continuing with regard to the proposed Section 106 agreement which will accompany a grant of planning permission. It is expected that this will secure the following:-

1. Preparation and agreement with the local planning authority of an Employment & Training Strategy to link local people with employment, training and contract opportunities arising from the development during its construction phase.
2. Preparation and agreement with the local planning authority of the design, management and maintenance of SUDS, adoption of SUDS and payment of the management/maintenance fees for 13 years.
3. Preparation and agreement with the local planning authority of a Biodiversity Offsetting Scheme or off-site compensation/contribution. management/maintenance costs for at least 25 years.
4. Requirement for children's play space to be provided in accordance with a scheme to be submitted for approval.
5. A contribution towards the cost of off-site highway improvement schemes (currently under discussion).
6. A contribution towards the provision of a bus service to the site (currently under discussion).
7. A contribution towards the cost of improvements to public rights of way (currently under discussion).
8. A contribution of £75 per dwelling for sustainable welcome packs to help promote sustainable travel in the local area.
9. A contribution towards education provision (currently under discussion).
10. A contribution of £242.22 per dwelling to fund police infrastructure.
11. A contribution towards library facilities (currently under discussion).
12. A contribution of £768 per dwelling towards the provision of a country park.
13. A contribution of £831.04 per dwelling to fund improvements to indoor sports halls and swimming pools within Warwick District.
14. A contribution of £56.73 per dwelling to fund improvements to outdoor sports facilities within Warwick District.
15. Provision of 40% affordable housing.

There have been a further 61 objections to the scheme reflecting concerns already identified within the report.

Bishops Tachbrook Parish Council objects to the proposal identifying the following main issues:

- a) The proposal is for more development than the draft local plan sets out in DS11;
- b) It increases the planned infrastructure needed for the cumulative effects of

all the proposals for the south of Warwick that has not been tested against the assessments carried out to date;

- c) The scheme does not meet the policies in the draft Local Plan
- d) It is not needed to determine that a 5 year housing land supply exists;
- e) It will not deliver most of the planned development until after March 2020, such that the application is premature.

Warwick Town Council: The Town Council **recommend that the application be refused.**

The Town Council has submitted objections to the Draft Local Plan and considers that until a new Local Plan is approved and adopted by the District Council, the District Council as the Local Planning Authority should be considering planning applications on the basis of the existing Local Plan policies.

The high number of permissions for residential planning permission which have been granted reflect the District Councils intention to effectively implement the Draft Local Plan by default for national population growth projections and household occupancy figures do not support the excessive numbers of houses proposed by the Draft Local Plan.

In granting those permissions the LPA have ignored policies which require that planning permission should be determined in accordance with the Development Plan, rather than an unadopted draft Local Plan. Only if developers were able to demonstrate that there was not sufficient land to meet a five year housing supply should the District Council have considered the grant of planning permissions outside the scope of the development plan. District council officers have now determined that in excess of a five year housing supply is currently provided in the District.

CPRE Warwickshire Branch: objects to this application on the following grounds:-

- The housing proposed is not necessary and is premature in relation to the Warwick District Local Plan, now at Examination.
- The District now has considerably more than a five-year supply of housing land.
- New household projections and other recalculations indicate that the housing requirement in Warwick District is less than is proposed in the Local Plan (by 2,500 fewer for the period to 2029).
- This location is likely to be found to be unnecessary to meet the revised housing requirement.
- The location was rejected as a housing site when proposed by a developer at the Inquiry into the previous District Local Plan, in 2005. The Inspector concluded, and the Council accepted, that the land should not be allocated for housing development within the Plan period or be identified for longer-term development.
- The proposal is also contrary to the following planning policies in the submitted Local Plan now at Examination stage:

DS4(d) development which would lead to coalescence of settlements should be restricted

DS3(d)- landscape: protection of areas of significance including high quality landscapes

DS3(b) caring for cultural and natural heritage: the development will harm the setting of the Bishops Tachbrook Conservation Area, which is at the northern end of the village. The application is also contrary to the NPPF para 112. This policy protects the best and most versatile agricultural land from development. Land classified Grade 2 and Grade 3a is to be protected according to the NPPF, but land of this quality will be lost under the application.

WCC Highways- No objection as the applicants have now carried out the required modelling to an acceptable standard.

Environmental Health- have suggested conditions.

Environment Agency – have no objections and recommends that the applicant contact WCC as LLFA

Police - Contributions sought

Warwickshire Wildlife Trust- Objects to the application in its current form but would be willing to reconsider this position subject to a number of amendments and additions to the biodiversity Impact Assessment and the production of a Habitat Management Plan.

Item 6: W/14/1865 – Grove Farm, Harbury Lane (RM Phase 1)

WDC Contract Services:- No objection and further comments.

Public response - One further letter has been received reiterating points already made.

Bishops Tachbrook Parish Council **objects** to this application and requests that Planning Committee defer this item until the following details have been further considered as set out below.

1. The tenure mix, which doesn't include private bungalows units that might allow downsizing for older people. There should also be a supply of a number of Lifetime Homes that would cover lifetime's eventualities.
2. The concentration of affordable units is grouped in one area of the site.
3. In keeping with the 'Garden Suburb' design requirements, the provision of features such as pull-ins along the grass verge on the road into the site feeding the 1st phase, to prevent roadside parking.
4. The insufficient provision for recreational space, such as allotments and for community facilities, such as a shop or Community Centre to serve the new residents.

5. The detail of the landscape layout, ecology management and mitigation of biodiversity impact. It is important for example that existing hedgerows are maintained and the rural character of the area is reinforced through measures such as appropriate native tree planting.
6. The absence of consideration given to the Policies detailed in the emerging Bishop's Tachbrook Neighbourhood Plan.
7. The absence of the appellant's co-operation with the Bishop's Tachbrook Parish Council in not agreeing to meet to review the detailed design of this development and to address the concerns of local residents.
8. The prominence of the site from both Harbury lane and from the southerly direction across the Tachbrook Valley. The southern boundary should have a substantial shelter belt rather the few trees shown on the drawing and there needs to be greater attention to the garden village concept and the depth of the shrubbery between the western boundary and Heathcote Park should be substantially greater to reduce the loss of amenity to the existing properties.

Item 7: W14/0967 – Land North of Gallows Hill, Warwick

Further objections following reconsultation on amended proposals

Warwick Town Council: Reiterate the concerns previously made and listed in the Committee Report. Also make the following further comment:-

The development will be located adjoining an education and community hub, intended to accommodate a 5,000 seat football stadium and Government advice is that football stadiums should not be built in locations which would impact on residential areas and the approval of the application would mitigate against such development on the reserved land.

County Councillors Warner, Holland and St. John: Object on the following grounds:

- Increased traffic and pollution;
- Travel from the new houses is too far to walk, too dangerous to cycle and without adequate public transport;
- Air quality is already outside safe limits;
- Increased pollution will affect the structure of historic buildings;
- There are no primary schools in Warwick south of the river;
- S106 payments will be rolled back and CIL will not be paid, particularly as there are empty spaces in schools north of the river; and
- The proposal is detrimental to public health.

Public response: Two further objections have been received, reiterating concerns listed in the Committee Report.

Access to adjoining Gallagher site

Gallaghers have submitted further representations to back up their previous request for the applicant to be required to provide access to their adjacent site. They have requested that this be secured by the imposition of a condition and a clause in the Section 106 agreement. They have submitted a legal opinion from Paul Tucker QC in support of their request. Access to their site direct from Europa Way is not desirable on highway grounds. They consider that the failure to secure access through the current application site by a condition and a clause in the Section 106 agreement will prevent their site coming forward to contribute to the housing needs of the District and will prejudice the comprehensive development of this Local Plan allocation.

Having considered the comments of Gallagher carefully, a further condition is recommended to require the developer to construct an access up to the boundary with the Gallagher land. However, it would not be reasonable or necessary to impose any further obligations on the applicant to grant Gallaghers or any other future developer rights of access. To do so would amount to an unreasonable and unnecessary interference in a private land ownership issue. There is insufficient justification in the public interest for such an interference in this case. The recommended condition will ensure that the applicant's scheme does not prevent access to the Gallagher site. The actual granting of rights to use that access is a commercial matter to be agreed between two private landowners. The recommended condition reads as follows:

*Within two years of the first occupation of any of the dwellings hereby permitted, design and construction details of a vehicular access between the main spine road through the development (annotated as "3. Primary Road" on drawing no. 32662-LEA147e) and the prospective residential development site identified as Area 11 on drawing no. 32662-LEA147e shall be submitted to and approved in writing by the local planning authority. Within five years of the first occupation of any of the dwellings or prior to occupation of 65% of the dwellings, whichever is the sooner, the vehicular access shall be completed in strict accordance with the approved details to provide a continuous unrestricted vehicular, cycle and pedestrian link from the spine road to the boundary of Area 11. **REASON:** In the interests of good urban design and a comprehensively planned development, in accordance with the NPPF, Policy DP1 of the Warwick District Local Plan 1996-2011 and Policies DS7, DS15 & BE2 of the Warwick District Local Plan 2011-2029 (Publication Draft 2014).*

Affordable housing

It should be clarified that, in the event that the stadium land does not come forward for that purpose, the Section 106 agreement will require the full 40% affordable housing provision.

Other matters

The plan number in Condition 5 has been corrected to refer to the amended plan.

Item 8: W/15/0083 – Land at Commainge Close, Warwick

4 further letters of **objection** to the scheme has been received stating that:-

- Not all highways and access issues have been resolved.
- It has not been made clear how many spaces are to be retained in the car park.
- The collection of refuse has not been properly considered.
- There would be a risk to pedestrians.
- No reference is made to the Warwick Town Centre Plan.
- This car park is the most popular and heavily used of all Town Centre car parks in Warwick. It's loss will undermine the health and vitality of the Town Centre today and no reference is made in any submitted document to the future car parking needs in the town, particularly given the scale of new housing now proposed in and around Warwick.
- The report prepared by your Officers is itself rushed and contains a number of significant flaws and omissions: there is no evidence on the web site that the site was even properly visited by them
- The design of the proposed development is an overdevelopment of this restricted site which will have an unacceptable overbearing impact on existing residents, particularly to the west of the site. The scheme would also take the only sunlight they get in their gardens in the early morning.
- The car parking survey was undertaken during the week beginning 14th July when the car park would not have been at its busiest – the private schools had broken up and the state schools were due to break up the following week.
- The Councils car park strategy 2007/2012 specifically stated that Linen Street car park was an old car park which failed to meet the quality of off street car parking which the Council wished to provide, noting it would be very costly to maintain in future.

The total of some 77 objections have been received in respect of this application.

The Warwick Chamber of Trade: objects to this application on the basis of the loss of car parking spaces which will have an impact on the economy of the town and further drive customers away to where they can park easily.

WCC Highways: Following the receipt of further information relating to the number of car spaces lost; the retention of pedestrian linkages and the analysis of the car parking surveys undertaken, the Highways Authority has withdrawn its objection to the scheme.

Item 11: W/15/0161 – The Barn, 1 Sabin, Weston Under Wetherley,

1 further letter of support has been received, stating that the land looks like it belongs to the property and is only used by dog walkers.

The applicant has submitted further information in support of the scheme which has been emailed directly to members of the Planning Committee.

Item 15: W/15/0185 – Plot 3001 Tournament Fields, Warwick

Warwick Town Council: No objection.

The Coventry and Warwickshire Local Enterprise Partnership: support the scheme for the following reasons:-

- This application is seeking approval for the development of a new specialist centre for a company involved in the production of technical manuals and documentation for the automotive sector.
- Advanced manufacturing and the automotive sector are of critical importance to the future growth of the Coventry & Warwickshire Local Enterprise Partnership (CWLEP) area. The Strategic Economic Plan (SEP), published in March 2014, outlined a blueprint for unlocking economic growth in our area. This potential investment not only fits with one of the CWLEP priority sectors, identified within the SEP, but it is also aligned with the principles of our City Deal, "Re-engineering Engineering: Raising our Game".
- This project is for exactly the type of company that we want to support in the area and will add value to Coventry and Warwickshire's growing international reputation as a world-class hub for innovative automotive manufacturing. The investment will add value to the reputation of the area, in terms of jobs and engineering skills, as the place to invest in the automotive sector.

2 further letters of objection have been received relating to highways and parking matters previously raised.