

**Planning Committee:** 24 June 2014

**Item Number:** **6**

**Application No:** W 14 / 0775

**Town/Parish Council:** Whitnash

**Case Officer:** Robert Mason

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**Registration Date:** 15/05/14

**Expiry Date:** 14/08/14

**Land to the south of, Fieldgate Lane, Whitnash, CV31 2QJ**

Application for the approval of reserved matters of appearance, landscaping, layout and scale of the development of 111 dwellings with details of public open space and associated infrastructure (Outline ref: W/13/0858) FOR Bovis Homes Limited

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This application is being presented to Committee due to an objection from Whitnash Town Council having been received.

**RECOMMENDATION**

Planning Committee is recommended to GRANT the reserved matters application, subject to conditions.

**DETAILS OF THE DEVELOPMENT**

This application is for 111 houses and flats, consisting of 67 market houses and 44 affordable dwellings. Details are provided of the house and flat types, garage types, and boundary fences, together with areas of open space, parking spaces, and the layout of estate roads and turning areas. Landscaping and Drainage Plans have also been submitted.

Parts of the site are reserved for open space, including land adjacent to the southern boundary for a play area, land along the eastern boundary which would also provide a noise buffer from the railway line, and an area in the north east corner which would have a surface water balancing pond. External finishes would be in a variety of brick, render and tiles.

This Reserved Matters application is accompanied by a Design and Access Statement, a Statement on Housing Mix, and relevant drawings.

A legal opinion sought under the previous application confirmed that although this application includes more houses than was envisaged on the indicative plan at the outline stage (94 dwellings), it should be still be regarded as a reserved matters application.

The Design and Access Statement submitted with the application describes how the development contains a hierarchy of roads and pathways designed using a variation in width and materials to encourage low speeds, has a comprehensively designed landscaping scheme, with public open space placed for ease of use, dwellings that will follow a scale that is in keeping with the adjacent landscape, and a wide range of house types which will create a broad based community and will allow families to move within the scheme as needs and aspirations change with time.

The applicant has made a number of amendments in response to objections, including:

- An amended Transport Assessment which predicts the level of additional traffic generation on nearby roads
- 4 Plots have been moved back from the north west corner of the site and there would be additional planting along the western boundary of the site with Golf Lane to address the objections raised by the golf club in response to the previously withdrawn reserved matters application.
- All houses along the boundary with the railway line have gable ends aligned towards the railway and their internal layouts adjusted to mitigate against noise objections
- A footpath would be provided through the open space/noise buffer area to the east near the railway embankment
- A footpath link/emergency access would be provided to Fieldgate Lane from the north west corner of the site
- The substitution of house types to provide generally smaller private houses without offices upstairs which could be used as bedrooms
- All house types to have two storeys and a ridge height of less than 9 metres to comply with Condition 22 of the Outline Planning Permission.
- The inclusion of feature windows, brick architectural features on certain gable ends to avoid prominent blank side walls and chimneys on prominent houses to provide more identity to the roofscape
- Parking spaces and garages have been moved away from the open space/buffer area along the eastern boundary
- An electrical sub station has been added adjacent to the proposed footpath link to Fieldgate Lane.
- Numerous amendments to the siting of individual houses to avoid privacy and daylight infringements between the windows of habitable rooms
- Boundary fencing to include lattice work on top to improve security

The applicant is also offering to provide screen planting to a neighbour living on Fieldgate Lane opposite the vehicular access of the site. However this is outside the scope of this application.

### Market Housing

HOUSE/FLAT/ BUNGALOW	BEDROOMS	TOTAL	PROPOSED %	WDC RECOMMEND %	DIFFERENCE
Flat	1	0		7	-7%
House	2	7	10	26	-19%
House	3	30	45	43	+2%
House	4 & 5	30	45	24	+21%
TOTAL		67	100	100	

### Affordable Housing

HOUSE/FLAT/BUNGALOW	BEDROOMS	TOTAL
Flat	1	8
House	2	22
Bungalow	2	1
House	3	12
House	4	1
TOTAL		44

## **THE SITE AND ITS LOCATION**

The application site consists of 9.77 acres of grassland south of the residential area north of Fieldgate Lane. To the east, the Chiltern Railway line runs on an embankment with open countryside beyond, to the west is Golf Lane, which at this point is a narrow track/bridleway with the Leamington and County Golf Club beyond, and to the south is essentially open countryside with some large residential properties.

The site's ground levels rise in a southerly direction towards a large residential property adjoining the southern boundary. There are trees and some sections of hedgerow along the northern and western boundaries. There is also a hedge and some Poplar trees on the western side of Golf Lane.

It is understood that Leamington and County Golf Club has submitted a planning application to erect a 30 metre high golf ball stop fencing along part of its eastern boundary with Golf Lane.

## **PLANNING HISTORY**

**W13/0858** - Outline planning permission granted subject to s.106 agreement. Access details were approved with an entrance from Fieldgate Lane. The indicative plan showed 94 houses in the draft layout.

**W14/0142** - A separate application was submitted for the Variation of Condition 7 of the Outline Permission regarding sustainable energy provision, but this was refused.

**W14/0216** - Reserved matters application for 111 houses and flats, consisting of 67 market houses and 44 affordable dwellings - Withdrawn.

## **RELEVANT POLICIES**

Warwick District Local Plan 2011-2029 Publication Draft - published April 2014.  
Relevant policies: DS2, DS3, DS5, DS6, DS7, DS10, DS11, HO, H1, H2, H4, SC0, BE1, BE2, BE3, TR1, TR2, TR3, TR4, HS1, HS4, HS5, HS6, HS7, CC1, CC2, CC3, FW2, FW3, FW4, HE1, HE6, NE2, NE3, NE4, NE5, W1, DM1.

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- National Planning Policy Framework
- Affordable Housing (Supplementary Planning Document - January 2008)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- 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)
- 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)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

## **SUMMARY OF REPRESENTATIONS**

**Whitnash Town Council** - Objections raised are in connection with proposed housing mix, the increase in numbers from 94 at the Outline Stage to 111 with this application, the siting of 3 storey dwellings on high ground, the proposed density, highway safety regarding the junction of Fieldgate Lane and Golf Lane, lack of infrastructure eg schools, medical etc.

**Police Crime Prevention Design Advisor** - The developer has taken account of my recommendations, and therefore there are no objections.

**WCC Ecology** - Comments remain the same as before ie the developer must comply with the relevant conditions on the Outline Permission.

**Housing Strategy** - The current application has the same number and type of affordable units as the previous reserved matters application and is therefore acceptable in those respects. There have been some changes to their location on site but the revised layout continues to provide a reasonable degree of integration with the market

housing and is acceptable. The new layout plan now includes details of the tenure of the units and while the totals (35 rented, 9 shared ownership) are acceptable there will need to be some minor changes:

- two of the two-bedroom houses need to be re-designated from rented to shared ownership; while
- two of the three-bedroom houses need to be re-designated from shared ownership to rented.

**Public Response** - 5 objections received on the following grounds:

- Houses are not needed
- Local schools are overcrowded
- Loss of countryside
- Proposed footpath on to Fieldgate Lane impact on trees
- Surface water drainage
- Increased traffic on Golf Lane

## **Assessment**

### **Policy Aspects**

#### Housing Mix

Policy SC1 of the Warwick District Local Plan 1996-2011 requires residential development to make provision for a range of sizes and types of dwellings, and the Council has also published a supporting Policy Guidance document "Guidance on the Mix of Market Housing". The housing mix in the policy guidance reflects the findings of the Strategic Housing Market Assessment (SHMA) (March 2012) in terms of the future demand for housing. The document is consistent with the NPPF and was

agreed by the Council's Executive on 19th June 2013. However, this document has not been through the formal development plan framework process and does not have the status of a supplementary planning document.

Although the proposed mix does not entirely accord with the guidance document, a greater proportion of smaller market houses are being proposed in comparison to the previous application which was withdrawn. It is considered that the difference between the proposed mix and the mix specified in the guidance do not provide sufficient justification on this ground alone to outweigh the strong presumption in the NPPF in favour of residential development in areas where there is a housing land shortage.

In addition, it is noted that the existing house types and sizes within the District are heavily weighted (circa 75%) towards smaller accommodation, and therefore the inclusion of larger houses is also needed. Accordingly, the proposed mix of market dwelling sizes is considered appropriate in this context.

#### Affordable Housing

40% of the total housing units will be affordable, and the type, size and mix of these units accords with policy requirements for social rent/affordable rent/shared ownership. The Housing Officer has confirmed that there is no objection on these issues. The management of the units is also covered by the existing S106 agreement with the Outline Permission.

The affordable units are nearly all located in the eastern part of the site. The applicant has indicated that this would assist in future estate management, and that the western part of the site is generally more suited to market houses reflecting the existing housing estate to the north.

#### Contributions

The indicative plan submitted with the outline application showed 94 houses, while the current detailed application proposes 111 houses. In terms of financial contributions, the outline application secured the following contributions on a per dwelling basis: GP surgery, highway, hospital, indoor sports facilities, outdoor sports facilities, school transport and sustainability packs and therefore the necessary contributions relating to the additional 17 dwellings will be secured in relation to these areas. The s.106 agreement secured fixed sum contributions for the following areas: Education, footpath, off site parks, gardens and allotments and play area. It may be necessary for additional contributions to be made in relation to some of these areas which will need to be secured by way of a unilateral undertaking. The case officer is liaising with the relevant consultees, County Legal and the developers in this regard and further information on this will be presented in the additional observations report prior to the committee meeting.

## **Detailed Aspects**

### House Design

A wide variety of house types have been proposed, some with features such as single and double height bay windows or pitched roof dormers in traditional rural and post war suburban house styles. Those with prominent side walls would have feature windows and brick architectural features, and a number in more prominent positions would have chimneys. None of the smaller market house types would now have offices on the upper floor which could be used as a bedroom and hence actually be larger and less affordable. There would also be a variety of external finishes and samples would be requested for approval by way of a planning condition.

### Layout - Privacy/Daylighting/Parking/Landscaping

The proposed layout provides affordable housing in two general groups within the site, and it is considered to be sufficiently integrated with the market housing. The general road layout and position of open space accords with the indicative layout provided at outline stage and meets the requirements of the Highway Authority.

The Council's Supplementary Planning Guidance - Distance Separation(2003) and referred to in the Adopted Local Plan set standards for the distance separation between the windows of habitable rooms in dwellings. In particular, the policy states that there should be 22 metres between two storey dwellings, although this standard is reduced when the distance is measured across public space or a road where there would be public activity. Whilst it is accepted that the eastern part of the proposed development would have a fairly high density, this area contains terraces of the smaller affordable dwellings required under the Outline Permission. Nevertheless, it is considered that the proposed scheme complies with the Council's standards in the Residential Design Guide regarding privacy and daylighting.

The amended plan shows a footpath link/emergency access to Fieldgate Lane from the northwest corner of the site, and another through the eastern open space/ buffer area. There would be no footpath link to Golf Lane because it is a private track and in order to maintain better security for the houses adjoining the western boundary of the site. It is considered that these arrangements would be satisfactory, subject to attaching a condition requiring lockable barriers/bollards to prevent motorbike access on those footpaths.

An initial appraisal of the proposed parking provision suggests that it meets the necessary standards, although comments from the Highway Officer are awaited.

Details of the proposed landscaping around all the boundaries have been provided, including proposals to thicken existing trees/shrubs on the western boundary together with tree planting along the main spine road. Detailed comments are awaited from the Landscape Officer on this issue.

It is considered that the proposed layout as amended during negotiations complies Adopted Local Plan Policies D2.

#### Noise from Railway

The houses on the east side of the site have been realigned so that the side gable ends face towards the railway line in order to reduce the noise impact from passing trains. The Environmental Health Officer has accepted these amendments to the layout provided the internal ventilation details are resolved under the discharge of Condition 12 of the Outline Permission. It is considered therefore this aspect complies with Adopted Local Plan Policy DP9.

#### Sustainable Buildings

A separate application was recently submitted and refused for the variation of condition 7 on the Outline Permission, to allow a 'fabric first' approach instead of the provision of renewable technologies. This issue is therefore being considered separately.

#### Public Open Space

It is considered that sufficient Public Open Space would be provided bearing in mind the amount indicated on the layout plan submitted with the Outline Application. No objection is raised to the location of the children play area although the play equipment should be commissioned by the Council.

#### Ecology

The Council's Ecologist has raised no objection to the proposed development provided the 6 relevant conditions on the Outline Permission are fully discharged.

#### Drainage

The Severn Trent Water Authority has raised no objection to the proposed development in principle subject to a condition being attached to the permission. No response has yet been received from the Council's Drainage Officer.

### **Summary/Conclusion**

The proposed development is considered to provide an appropriate level of affordable housing, an acceptable mix of market housing, good house and layout design including public open space and therefore complies with the policies listed.



## **CONDITIONS**

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings Design Statement, WHIT/02/0700B, WHIT/02/600,WHIT/02/500WHIT/02/300,LEAM/02/200 B,SF05 HT LINDSEY 01,C2.2 HT BARFORD 01,S241 HT RADFORD 01,S351 HT CUBBINGTON 01, S461 HT BUDBROOKE 01,PC425 HT HARBURY 02 REV A, P404 HT CANTERBURY 02REV A, P502 HT ARUNDEL 01, P502 HT ARUNDEL 02 REV A, P507 HT ASCOT 01, P507 HT ASCOT 02 REV A, P404vt HT CANTERBURY 01 REV A,P306 HT EPSOM 01, P306 HT EPSOM 02,PC425 HT HARBURY 01 REV A, PMARS HT MAR 01, P2301 HT OAKLEY 01 REV A, P303 HT SHE 01 REV A, P303 HT SHE 02 REV A, P303 HT SHE 03 REV A, P303 HT SHE 04 REV A, P506 HT WINCHESTER 01, P506 HT WINCHESTER 02 REV A< ,and specification contained therein, submitted on 15/5/14. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 2 Prior to the commencement of development on site full details of the proposed sub-station shall be submitted to and approved in writing by the local planning authority, and the development shall then be carried out in accordance with the approved plans. **Reason**: To safeguard the visual amenity of the area in accordance with Adopted Local Plan Policy D2.
- 3 Prior to the commencement of development on site sample details of the proposed brick and tiles shall be submitted to and approved in writing by the local planning authority, and the development shall be carried out only in full accordance with the approved sample 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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 Prior to the commencement of development on site drainage details shall be submitted to and approved in writing by the local planning authority, incorporating a Sustainable Drainage System (SUDS) and responding to the hydrological conditions (soil permeability, watercourses etc) within the application site, including a long term management and maintenance plan. The development permitted shall only be undertaken in strict accordance with the approved systems and thereafter retained, managed and maintained in strict accordance with the approved details unless alternative drainage methods have been approved in writing by the local planning authority. **REASON**: To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which Promotes and maintains the good stewardship of the natural and built environment in accordance with

Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.

- 5 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON** : To ensure that adequate parking facilities are provided and retained for use in connection with the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
  - 6 The existing hedges indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedges fall below 5 metres at any point without the written consent of the local planning authority. Any hedge removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced within the next planting season with hedging, trees and/or shrubs of such size and species details of which must be submitted to and approved by the local planning authority. All hedging, trees and shrubs shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect that hedging which is of significant amenity value to the area in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
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