

Application No: W 13 / 0858

Town/Parish Council: Whitnash
Case Officer: Penny Butler

Registration Date: 25/06/13

Expiry Date: 24/09/13

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Land to the South of Fieldgate Lane, Whitnash, Leamington Spa

Outline application for residential development with all matters reserved apart from access FOR Richborough Estates Ltd

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

RECOMMENDATION

Planning Committee are recommended to grant outline planning permission for the development subject to the receipt of a satisfactory Section 106 Agreement and subject to the conditions listed along with any other conditions required by WCC Ecology, WCC Archaeology, and the Environment Agency. Should a satisfactory Section 106 Agreement not have been received by 24 September 2013, Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposals make inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

The application is made in outline with all matters reserved apart from access. Access is proposed from Fieldgate Lane part way along the northern side boundary, past the junction with Mullard Drive. Pedestrian and cycle accesses are also proposed off Golf Lane. The development proposes an urban extension to the southern side of Whitnash and the indicative layout shows 94 dwellings, 40% of which would be affordable. This would achieve a density of 29 dwellings per hectare and the maximum storey height proposed is two. A range of green infrastructure is proposed which would include a children's play area, footpaths and cycle ways, foul and surface water drainage infrastructure, including an attenuation pond near the railway bridge and other ancillary infrastructure and ground remodelling.

The application is supported by extensive documentation. This includes a Transport Assessment, a Planning Statement, Ecological and Archaeological Reports, Landscape Appraisal and Design & Access Statement. The Transport Assessment (TA) submitted with the application models the impacts of the developments on the road network and along with further modelling work carried out since submission demonstrates that the highway network will 'generally

operate within capacity or with little change to the background operation with the proposed development in place', with a low residual cumulative impact.

THE SITE AND ITS LOCATION

The application site comprises a square single arable field bounded by field hedges. The site area is some 9.77 acres (3.95 ha.). It is sited to the south of Whitnash, adjoining the residential development on the opposite side of Fieldgate Lane. The land rises by about 10m from its northern to southern boundaries, forming a north facing slope which is visible from land to the north. The site is bound by the railway embankment in the east which is marked by a tall tree and hedge line, beyond which is a single dwelling. To the north is a patchy tree and hedge line alongside the watercourse. To the south and west are tall hedge/tree lines. Adjoining the southern boundary is a single residential property set off the shared boundary with its driveway this side, and to the west is the golf course. Golf Lane is a narrow country lane without foot ways and is a public bridle way. Vehicular access to the site is gained via Golf Lane from its junction with Heathcote Lane, or from Morris Drive.

The application site is allocated as part of the rural area and an Area of Restraint under the current Local Plan. All of the site is Grade 3 (Good to moderate) agricultural land. This site was a 2012 Preferred Option for development. The site is included in the 2013 Revised Development Strategy as a Strategic Development Site (5.2 Whitnash and South of Sydenham).

PLANNING HISTORY

There is no planning history.

RELEVANT POLICIES

- RAP1 - Directing New Housing (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)
- DP12 - Energy Efficiency (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)
- 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)
- RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Warwickshire Landscape Guidelines SPG
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)
- 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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Whitnash Town Council: Object on the following grounds-

- This is an Area of Restraint in the current Local Plan
- Additional housing will have an impact on schools in Whitnash, surgeries and local amenities
- Access to this development and increased traffic on Golf lane and surrounding roads is a concern
- Infrastructure is a major concern
- Flooding in area is also a concern
- The junction of Fieldgate Lane and Golf Lane needs to be properly formalised
- Transportation links also need to be considered

Bishops Tachbrook Parish Council: Object on the following grounds:

- Contrary to NPPF.
- Contrary to current Local Plan, whose policies should continue to be given weight according to their degree of consistency with the NPPF.
- Local Plan policies for the Area of Restraint and Rural Area are consistent with the NPPF.
- Decisions should be made in accordance with the Local Plan unless material considerations indicate otherwise and are of more weight.
- The proposal is submitted before the new Local Plan has been adopted. Site should not be considered in isolation until consultation on this is complete.
- The site is on a hill rising southwards from about 60m AOD at Fieldgate Lane to about 72m AOD in its southwest corner. The gradient of the slope increases towards the southern end of the site, to a gradient of 1 in 8. Golf Lane approaches the site from the north from a high point of about 70m AOD

falling towards Fieldgate Lane, from which the site is clearly visible giving a definite contrast between town and country on the line of Fieldgate Lane.

- The Inspector's comments who considered the current Local Plan remain relevant:

"... while the rising nature of the ground at Fieldgate Lane/Golf Lane from north to south means that development would not be visible from Bishops Tachbrook, it would be clearly seen from southern parts of Whitnash where the land contributes to the rural setting of the town. It would also, I feel, be intrusive in long range views from east of the railway line. I find that the whole of the area (that is, the golf course and the land at Fieldgate Lane) contributes to the objectives of the AoR. The land has a role to play in the structure and character of this part of Whitnash, provides open areas in and around the town, safeguards its setting and helps prevent urban sprawl. In addition, the south-western section of the golf course maintains separation between Whitnash and Bishops Tachbrook. Consequently, I see no case for excluding the golf course or the Fieldgate Lane site from the AoR.

Finally, the objector considers that as the Fieldgate Lane site is bordered by housing to the north and south it should be considered as part of the urban area, rather than one where the Plan's Rural Area Policies apply. I do not agree. As the District Council points out, all rural areas have an urban edge. In my opinion, that boundary is properly set by the suburban housing to the north of Fieldgate Lane. "

- The site is not suitable for housing because of the gradient, and the NPPF (para 50) requires LPA's to "plan for a mix of housing based on ... the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities ...)" Access to homes would be impractical for the elderly, people with disabilities and mothers with push chairs.
- Particularly important is the statement that The land has a role to play in the structure and character of this part of Whitnash, provides open areas in and around the town, safeguards its setting and helps prevent urban sprawl. Whitnash is a concentrated town with few open spaces within it. Open areas in and around towns are important for the well-being of people and this site gives an important contribution to providing a balanced town structure.

Public response: 63 objections received from local residents are as follows:

- Application is premature and should not be considered prior to the adoption of the new Local Plan or the outcome of the Proposed Development Strategy consultation. Approval would prejudice the outcome of the planning process by predetermining decisions about the location of development, which should be examined in a public inquiry
- Within an Area of Restraint and contrary to Policy DAP2
- The Inspector's report on the current Local Plan agreed the area is not suitable for development and nothing has physically changed since.
- Adverse visual impact which will be exacerbated by the sloping site
- The area has poor public transport links and no cycle track on Golf Lane

- The required housing numbers are not based on local need but in-migration to the District
- Emergency services are located to the north of the river and are difficult to access given traffic issues. No evidence has been submitted to show how this impact will be mitigated therefore the services will be further adversely affected
- increased noise and air pollution
- Increased traffic congestion on local roads where junctions are already at capacity and poorly aligned with many associated accidents. Proposed highway mitigation measures are unacceptable and the submitted Transport Assessment is deficient.
- Harm to local residents quality of life as a result of more people and cars
- Excessive density of development and insufficient plot sizes which would be out of character with adjoining low density housing
- Insufficient parking provision
- Harm to rural landscape and loss of green space
- Harm to local ecology and Great Crested Newts
- There are no bungalows proposed and the sites slope would make it unsuitable for the elderly or mobility impaired.
- Pressure on local services, surgeries, hospitals and schools which are already at capacity.
- Loss of archaeology and ridge and furrow system
- Increased flood risk, especially since site is sloping and regularly floods
- Potential for future expansion of housing towards St. Fremund Way development and precedent for other development nearby
- Insufficient capacity in sewer system
- Loss of light and privacy to adjacent residents
- Water, gas and electricity services to houses further off Golf Lane will not be adequate for further development
- Potential for nuisance and safety complaint from occupiers of the development arising from stray golf balls from the adjacent Leamington & County Golf Club

Highways Agency: Raise no objection as the development is unlikely to have a significant effect on the operation of the M40.

WCC Highways: Raise no objection subject to conditions requiring visibility splays, access locations in accordance with the transport assessment and improvement works to the Fieldgate Lane/Golf Lane junction/bend. Contributions are also required under a S106 for £6,000 per market dwelling towards strategic highway infrastructure and measures to improve walking and cycling within the Leamington, Warwick and Whitnash areas, with payments required upon occupation of 50% and 100% of market dwellings, and £50 per dwelling for sustainable welcome packs to promote sustainable local travel.

WCC Education: Comments awaited and to be reported in the additional observations at the meeting.

NHS Public Health/South Warwickshire NHS Foundation Trust: Request contribution of £1572.95 per dwelling from all housing developments based on

an increase of 12,300 houses, based on the requirement for £8 million towards providing a new ward block at Warwick Hospital and £8 million towards additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at Warwick and Leamington hospital sites. 92 dwellings would amount to £144,711.

NHS Property Services: Request contribution of £772.86 per dwelling towards the capital costs of the construction of a new five GP facility based on an increase of 12,300 houses, the total cost of which would be £2,902,385. Phased provision would be required to provide a temporary 2 GP facility for 2 years, followed by Phase 1 of construction of the 5 GP surgery to accommodate 3 GP's and then Phase 2 to extend to accommodate all 5 GP's.

Housing Strategy: Support the amount of affordable housing proposed and expect the site to deliver a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. On the element of affordable rent, the level of rent should be restricted to 65% of open market rent. The requirements for the size and type of property provided needs some adjustment and may need further change to take account of current demand at the time of submission of reserved matters.

Community Protection: No objection subject to conditions requiring prior approval of drainage details and a requirement to obtain discharge consent from Severn Trent Water.

WCC Flood Risk: Recommend a condition requiring the prior approval of drainage details and the implementation of recommendations made in the Flood Risk Assessment.

Cultural Services: Request increased provision of public open space on site with a contribution towards improvements to open space in the area owned by Whitnash Town Council. The LEAP play area meets the standards and the retention of existing green features is welcomed. There is no requirement for allotments as the site is below the 100 dwelling threshold. Further comments are awaited and to be reported in the additional observations at the meeting. Also request a contribution of £784.61 per dwelling towards improvements to swimming pools and sports halls. 92 dwellings would amount to £72,184.12.

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

Warwickshire Police (Community Protection): No objection subject to consideration of gated rear accesses, glazing to BS standards, doors to PAS24 standard, perimeter fencing to be 2m high, lighting to BS standard, and fencing to open space to prevent vehicles.

WCC Footpaths: Request a contribution (£3,560) towards the improvement of public rights of way within 1.5 miles of the sites as a result of increased use by future residents. Also request notes advising of need for bridleway to remain open at all times and for new hedging to be 2m from edge.

Ramblers: No objection as the bridleway will not be unreasonably affected.

Environment Agency: Raise objection and require a revised Flood Risk Assessment (FRA) which complies with the requirements of the Technical Guidance to the NPPF, in particular which assesses the existing capacity, hydrology, and flood risk to the development proposals from the watercourse at the northern site boundary. Comments on the revised FRA are awaited and will be reported in the additional observations at the meeting.

Natural England: The proposal is unlikely to affect statutorily protected sites or landscapes. Further bat and Great Crested Newt surveys are required. Measures to improve biodiversity and enhance landscapes should be considered.

WCC Ecology: Require further reptile and Great Crested Newt surveys prior to determination of the application, as well as proposed biodiversity offsetting to compensate for the loss of biodiversity on the site, or if this is not possible then credits must be purchased for the offsetting to be provided elsewhere, and should be required under S106. Recommend conditions for a Construction and Environmental Management Plan, a Landscape and Ecological Management Plan, a buffer zone to protect the Local Wildlife Site, tree protection measures and lighting details. Comments on the further surveys are awaited and will be reported in the additional observations at the meeting.

WCC Archaeology: Comments are awaited and will be reported in the additional observations at the meeting.

WCC Sustainable Communities: Request a contribution of £16,045 towards the library service but have not provided information to demonstrate how this would be CIL compliant.

Environmental Health: Recommend conditions requiring measures to prevent nuisance from railway noise to occupiers, land contamination assessments and potential remediation, a construction management plan and consideration of renewable energy generation impacts.

ASSESSMENT

Key issues to be assessed include the following:

- The principle of development taking into account the Five Year Housing Supply position, the current policy position, prematurity and an assessment of the proposed housing;
 1. Highway matters/access issues including the impact of the development on the surrounding highway network;
 2. The impact on landscape and heritage assets;
 3. The impact on ecology;
 4. The impact on residential amenity;
 5. Flood risk and drainage matters;

6. Socio-economic impacts, including the contribution that would be made to health, education, open space, affordable housing and community facilities;
7. Other matters

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 further dwellings further reducing the outstanding requirement. Accordingly, only limited weight can be afforded to Policy RAP1, 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 currently under consultation.

Little weight is attached to the 2012 Preferred Options although these were the subject of public consultation, 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. Little weight can be attached to the 2013 RDS since the public consultation has not been completed or its outcomes 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 late 2013. The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. The Warwickshire Structure Plan 1996-2011 contains saved policies but none are relevant to housing supply. The current Local Plan and the Warwickshire Structure Plan form 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 Fieldgate Lane and Whitnash East sites 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 late 2013, 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

Although the application site at Fieldgate Lane would need to link with land uses and accesses on adjacent sites it does not physically adjoin any of the other strategic development sites to the south or east of Warwick and Whitnash. The development of surrounding allocated land in the RDS would not be prevented by the development of the application site. Furthermore, as the surrounding 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 type of housing being provided, 40% would be affordable and the affordable mix would accord with the affordable housing needs of the District in accordance with the current SHMA (50% social rented; 30% affordable rented; 20% intermediate tenure/shared ownership). The size and type of the affordable dwellings would be subject to further consideration under a reserved matters application, which would have to meet the requirements of the Housing Strategy Officer.

In terms of the market housing being provided, this would also be subject to consideration under a reserved matters application, and would be required to accord with the Development Management Guidance on Achieving a Mix of Market Housing by condition.

Complying with these requirements in terms of the affordable and market housing mix, sizes and house types, would comply with Policy SC1 which requires a range of sizes and types of dwelling and SC11 which requires 40% affordable housing and provision in accordance with local needs. The NPPF (para.50) sets out the need to "plan for a mix of housing based on current and demographic trends, market trends and the needs of different groups in the community". The granting of outline consent would significantly increase the supply of land for meeting the unmet market and affordable housing needs of the District and would therefore represent a key benefit of the scheme.

Highway matters/access issues including the impact of the development on the surrounding highway network

The Transport Assessment (TA) submitted with the application models the impacts of the development on the road network and demonstrates that it can be accommodated with at most a 'low residual cumulative impact'. WCC Highways have been liaising with the developer's transport consultant regarding the technical work supporting the application, and they are aware that there are local concerns regarding the traffic impact of the development. The developer carried out their assessment following an agreed scope of work and carrying out traffic counts at locations to provide a baseline position for assessing the impacts. The junction modelling shows that junctions will still operate within or at capacity following development, and this is not considered unacceptable. The NPPF (para.32) states development should only be prevented or refused on transport grounds where the residual impacts of development are severe, and the Highway Authority do not consider this is the case for this application. The configuration of the bend/junction of Fieldgate Lane and Golf Lane will be addressed by a scheme submitted by the applicant to highlight the alignment of the road for approaching drivers. Minor changes which can be dealt with under a reserved matters application would remove the proposed foot way on the southern side of Fieldgate Lane, and provide pedestrian access alongside Golf Lane. The proposal is therefore considered acceptable from a highway safety and capacity point of view and would not represent a negative impact of the scheme.

The application would trigger the need for cumulative transport mitigation measures identified as necessary by WCC as part of their Phase 3 Strategic Transport Assessment (STA) which is part of the evidence base for the RDS. The STA demonstrates that the network can accommodate an increase in traffic arising from 12,300 houses with significant improvements to the highway network locally and further afield. The required mitigation measures would be funded via contributions secured by a legal agreement under Section 106 from all new housing developments, and amounts to £6,000 per market dwelling.

The Planning Statement sets out an intention to provide parking provision in accordance with the Council's Vehicle Parking Standards SPD, and any reserved matters application would include the exact allocation and location. This approach would fully accord with Policy DP8 and the NPPF (para.39).

Improvements secured by S106 to local cycle and foot paths would represent a benefit of the development.

The impact on landscape and heritage assets

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, whose value and importance 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, this designation may not form part of the future Local Plan as it is included within the Revised Development Strategy for options 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.

The development of this site will have an adverse visual impact on the rural setting by introducing wide scale built development on a green field site, that is visible as part of long and middle distance views from the north, due to the rising topography of the site. The site is visible from the adjoining residential development of Whitnash to the north and at long distance from the east. In recognition of the major impact that potential residential development in the District would have, the Council commissioned a Landscape Consultant Richard Morrish Associates to assess potential development sites.

The conclusions from the 2009 "Landscape Character Assessment" were that the site is well contained topographically and by vegetation, and development here would not have a major impact on the overall setting of the towns. However, it has some historical value due to the existence of good ridge and furrow patterns. Although there are other examples nearby, such features are becoming scarcer. It could also set a precedent for further expansion of development on the finger of land between Golf Lane and the railway line to the south. Such development would be relatively hidden from the towns but could lead to a creeping urbanisation of this corridor. The site was not considered within the further 2012 assessment ("Options for Future Urban Expansion in Warwick District

Considerations for Sustainable Landscape Planning”) as this only looked at areas where development could lead to physical or perceived settlement coalescence. The site is strongly separated from the land to the east by the railway line, beyond which is the land between Sydenham/Whitnash/Radford Semele which was assessed.

In accordance with the Landscape Consultant's recommendations, it is considered that the landscape impact would be acceptable and could be mitigated to minimise the impact on the rural landscape and character. The indicative layout shows a large area of open space along the southern boundary at the highest and most visible part of the site along with layers of new tree planting throughout the site to soften views from the north. The indicative layout provides a density of 29 dwellings per hectare, which is comparable with the adjoining residential development of 23-29 dwellings per hectare. The detailed layouts and heights of buildings, and the detailed landscape mitigation and open space will be subject to the consideration of a reserved matters application, but 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 this rural landscape. The Design and Access Statement sets out an intention for two storey development only, and this can be conditioned setting a maximum for the assessment of scale and appearance at reserved matters stage. It is considered that the visual impact would not be so significant, that it would outweigh the public benefits of the development, and the development would therefore not conflict with the NPPF. However, the visual impact would represent an adverse impact of the development, and would conflict with Local Plan Policy DAP2.

The loss of ridge and furrow earthworks will be considered by WCC Archaeology who will make recommendations regarding any further investigative work that needs to be carried out. Providing they do not raise objection, the development could proceed in accordance with their recommended conditions. Their response will be provided to Committee.

The impact on ecology

The development will result in the loss of existing wildlife habitats and has the potential to increase contaminated surface water run-off into watercourses. This matter has been carefully considered by the Environment Agency, Natural England, the Community Protection Officer, and WCC Ecology. Further wildlife surveys were requested which have been carried out and an updated response from WCC Ecology will be reported to Committee. On the basis that the impact can be mitigated through the imposition of conditions requiring further survey work and mitigation, the development would be acceptable. The detailed design of reserved matters application will provide an opportunity to secure further protection and mitigation. Biodiversity offsetting for the loss of existing habitats and biodiversity would be required as part of a S106. This requires compensatory works to achieve a net increase in biodiversity through the provision of suitable habitats either on site or in the vicinity that the developer would be required to fund. This approach is currently being piloted by Warwickshire as part of a National Pilot on Biodiversity Offsetting where conservation activities deliver

biodiversity benefits in compensation for losses arising from development, in a measurable way. Since the impact on ecological matters can be addressed this would not represent a negative impact of the scheme, whilst the improvements that would be required to biodiversity and the provision of enhanced habitats would represent a benefit.

The impact on the residential amenity

Dwellings on Fieldgate Lane face the site on the opposite side of the road so will have direct views of the development. The indicative layout shows a narrow landscaping strip on this frontage of the development with the retention of major trees, whilst dwellings would be set back behind shared driveways and the attenuation pond. Hazelmere is the dwelling to the south of the site which is positioned well off its boundary with a driveway alongside. A foot path is proposed alongside this boundary with a wide green space providing a buffer. It is not considered that the proposed uses would lead to an unacceptable loss of light, loss of outlook or loss of privacy to neighbours, and the final layout of boundary treatments and facilities would be submitted under a reserved matters application. A reserved matter application would address the required separation standards between dwellings but these would be easily achievable, and the provision of new housing alongside these existing dwellings would not lead to unacceptable standards of amenity.

Some noise mitigation measures will be required for dwellings adjacent to the railway to safeguard the amenities of future occupiers and the Environmental Health Officer is content this can be dealt with by condition therefore there should be no significant noise/pollution issues to future occupiers of the development. The indicative layout shows that the steeply sloping nature of the site has been taken into account to minimise accessibility issues for future residents, and a reserved matters scheme would address this further.

Flood risk and drainage matters

The site is within Flood Zone 1. The scheme will implement Sustainable Urban Drainage (SUDS) techniques to assist in reducing flood risk, and these measures are acceptable to WDC Health and Community Protection subject to conditions. The Environment Agency requested further work on the submitted Flood Risk Assessment that has been carried out and their revised comments will be reported to Committee, in addition to any further suggested conditions. The SUDS will improve water quality, increase biodiversity and provide no worse, if not better, surface water discharge from the site than its current state. Therefore, subject to development in accordance with the submitted details, it is considered that the proposals would be acceptable in terms of flood risk and would not increase the risk of flooding elsewhere. The S106 would require the SUDS systems to be adopted and the maintenance costs to be provided for the first 13 years.

Socio-economic impacts, including the contribution that would be made to health, education, open space, and community facilities

There is significant concern from local residents with regard to the scheme resulting in further pressure on public services, in particular schools, doctors and hospitals.

In terms of schools provision Warwickshire County Council have previously indicated a financial contribution of £8,005 per dwelling will be required for schools provision to upgrade pupil capacity. A formal response from the Education Department is awaited and comments will be updated in the additional observations at Committee.

NHS Property Services have assessed the additional demand that 94 dwellings will generate (an estimated 219 future residents based on the existing average household size within the District of 2.33 persons per dwelling) and the capacity at two existing primary health care facilities within reasonable travelling distance likely to serve the proposed development, Warwick Gates Health Centre and Whitnash Medical Centre. The NHS confirm that there is insufficient capacity for an additional 219 patients within the surgeries and in order to make the development acceptable in planning terms a financial contribution towards primary health care facilities is required, which equates to an estimated £772.86 per dwelling to be applied to all development within the RDS. Contributions will be used to build a new facility of commensurate size to and strategically located away from existing surgeries.

The NHS South Warwickshire Foundation Trust requires a contribution of £1572.95 per dwelling to fund a new ward block at Warwick Hospital and additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at Warwick and Leamington hospital sites.

WDC Housing Strategy supports the 40% affordable housing on the proposed development and expects the site to deliver a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. In addition, on the element of affordable rent, it is expected the level of rent to be restricted to 65% of open market rent. The size and type of property have been suggested, however Housing Strategy acknowledged that these may need to be revisited and adjusted as the scheme progresses to take account of changing demand.

WDC Health and Community Protection require the SUDS systems to be adopted and the maintenance costs to be provided for a set number of years.

WCC made a request for contributions towards general library improvements, but this request is not considered CIL compliant as no evidence has been provided of existing shortfalls in provision, no evidence provided of what infrastructure the contributions would fund, and no evidence of how the money would be directly and reasonably related to the development.

Outdoor sports facilities will be provided for via an offsite contribution of £56.73 per dwelling. Indoor sports facilities will be improved by an offsite contribution of £784.61 per dwelling. 0.7 hectares (1.74 acres) of public open space is to be provided on site. Cultural Services final recommendations regarding the requirement for off-site contributions towards the remaining space will be provided to Committee. An allotment contribution is not required as the site is below the 100 dwelling threshold requirement. The proposed play area meets the local play area standard.

The provision of contributions towards funding new facilities for doctors surgeries, hospitals, and schools would benefit local residents by increasing choice, whilst improvements to walking and cycling routes would also be of benefit to local residents.

Other matters

A condition is required to ensure reserved matters applications accord with current Local Plan Policies DP12 and DP13 in respect of generating 10% of the energy needs from renewable sources.

The loss of productive agricultural land is a negative impact of the development but this land is not the best and most versatile. However, it is considered that the need to provide new homes in a sustainable location outweighs concerns about the loss of productive agricultural land.

The golf course concerns related to stray golf balls are noted but given the two lines of vegetation between the course and the site on Golf Lane it is considered that the potential for risk to safety and complaint from stray golf balls would be small. Other dwellings adjoining the golf course have a much closer relationship.

All other issues raised by objectors have been carefully considered, including light pollution, and overdevelopment. However, these do not amount to concerns that would justify a refusal of planning permission or can be dealt with by the recommended conditions.

SUMMARY/CONCLUSION

Due to the Council's lack of a Five Year Housing Supply only limited weight can be afforded to Policy RAP1, 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. Business would also benefit economically

through the provision of highway network improvements. Social benefits would include the provision of a mix of types and sizes of market and affordable housing to meet identified local needs, the provision of open space, and improvements to shared infrastructure. Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, provision of open spaces, sustainable drainage measures and improved footpath/cycle way links. The site is sustainably located adjacent to the urban area and will be integrated into the existing settlement by sustainable transport links. It is therefore concluded that the development represents sustainable development by satisfying the three dimensions.

It has been concluded that the issues raised can be satisfactorily addressed through the assessment of reserved matters applications, the provision of new facilities, and the provision of new infrastructure by way of financial contributions. The development would have an adverse impact on the surrounding landscape in terms of the loss of openness, rural character and ridge and furrow, however this impacts need to be balanced against the wider benefits of the development listed above.

In the particular circumstances of this application, it is not considered that the adverse impacts on the landscape and rural area and heritage assets significantly and demonstrably outweigh the benefits of the development. The development is considered to comply with all current Local Plan policies aside from RAP1, which the NPPF advises can carry only limited weight, and to comply with the policies of the NPPF as a whole. The presumption in favour of sustainable development carries substantial weight, as does the contribution the development would make to the provision of housing to meet the needs of the District. The fact that the site is identified as a preferred option in the RDS needs to be given serious consideration due to its stage in the plan process, but the evidence base that lead to the inclusion of the site in the RDS carries some weight. It is therefore concluded that the development should be granted.

Further responses are awaited from WCC Education, WCC Archaeology, WCC Ecology, WDC Cultural Services and the Environment Agency, which will be reported at the Committee meeting.

Section 106 Agreement Heads of Terms

The applicant is proposing to enter into a Section 106 Agreement with Warwick District Council and Warwickshire County Council. The NPPF (para.173) requires that the requirements of any obligations should enable a development to be deliverable and viable. It is considered that the requirements would not affect the viability of the development, and no evidence has been submitted to the contrary from the developer. The measures identified so far that the applicant would be required to provide under the agreement are listed below:

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 from the date on which planning permission was granted.
3. Preparation and agreement with the relevant local planning authority prior to the commencement of development of a Biodiversity Offsetting Scheme for off-site compensation to be identified in a Biodiversity Offsetting Report. The applicant would then deliver the agreed Scheme by funding the offsetting measures and their management/maintenance costs for at least 25 years from the date on which planning permission was granted.
4. Preparation and agreement with the local planning authority of a Site Wide Infrastructure Design, Management and Maintenance Strategy for areas of public open space within the site which shall provide for public access to open spaces in perpetuity. Payment of the management/maintenance fees for 13 years from the date on which planning permission was granted. Payment of any off-site contribution (to be advised by WDC Cultural Services)
5. Contribution of £6,000 per open market dwelling towards the cost of off-site highway improvement schemes as required by WCC Highways.
6. Contribution of £3560 towards the cost of improvements to public rights of way within 1.5 mile radius of the site as required by WCC Rights of Way Team.
7. Contribution of £50 per dwelling for sustainable welcome packs to help promote sustainable travel in the local area as required by WCC Highways.
8. Contribution of £8,005 per dwelling towards funding new primary, secondary, sixth form, early years and special needs school places (to be confirmed by WCC Education).
9. Contribution of £784.61 per dwelling to fund improvements to indoor sports halls and swimming pools within Warwick District.
10. Contribution of £56.73 per dwelling to fund improvements to outdoor sports facilities within Warwick District.
11. Contribution of £1572.95 per dwelling towards funding a new ward block at Warwick Hospital and additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at Warwick and Leamington hospital sites as required by the NHS Foundation Trust.
12. Provision of 40% affordable housing, to deliver a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. The level of affordable rent should be restricted to 65% of open market rent.
13. Contribution of £772.86 per dwelling towards the capital costs of construction of a new 5 GP surgery by a phased approach as required by the NHS Property Services.

Contribution to fund the legal costs of the local planning authority in drafting the Agreement and in monitoring it.

CONDITIONS

- 1 This permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
 - (a) layout
 - (b) scale
 - (c) appearance
 - (d) landscaping

REASON : To comply with Section 92 of the Town and Country Planning Act 1990 as amended.

- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years of the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (B5418-PL-006A), and specification contained therein, submitted on 24 June 2013. **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.
- 5 An application for the approval of a construction phasing plan of the development shall be submitted before the expiry of three years from the date of this permission. The development shall hereafter be carried out in accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development.
- 6 No development shall take place under any relevant phase of development until a detailed lighting scheme for that phase has been

submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, and around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

- a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps
- b. the brightness of lights should be as low as legally possible
- c. lighting should be timed to provide some dark periods
- d. connections to areas important for foraging should contain unlit stretches

Such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

REASON: To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011. To ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP3 and DAP3 of the Warwick District Local Plan 1996-2011.

- 7 No phase of the development shall take place under any reserved matters consent until a scheme for that reserved matters consent and phase of development showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the local planning authority. That phase of development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 8 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan.

9 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the local planning authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the local planning authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

10 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of outdoor sports facilities within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

11 The development hereby permitted (including demolition) shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local

Plan.

- 12 No development shall take place within the application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 13 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive railway noise entering habitable rooms has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 14 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.
REASON: In the interests of fire safety.
- 15 The development hereby permitted shall not commence until: -
 - (a) A desk-top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.
 - (b) If identified as being necessary having completed the desk-top survey study, a site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:

14. A risk assessment to be undertaken relating to human health
15. A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
- An appropriate gas risk assessment to be undertaken
 - Refinement of the conceptual model
 - The development of a method statement detailing the remediation requirements

(c) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.

(d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.

2. All development of the site shall accord with the approved method statement.

3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 16 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. The plan should

include details of planting and maintenance of all new planting. Any new vegetation must be planted at least 2 metres away from the edge of the public bridleway to help ensure that mature growth will not encroach onto the bridleway. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as water bodies, native species planting, wildflower grasslands; provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net biodiversity gain in accordance with NPPF.

- 17 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.
- 18 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until adequate measures have been submitted to and approved in writing by the local planning authority and has been put in place to protect existing trees, scrub and ground flora of the adjacent potential Local Wildlife Site, the Railway Cutting, during development. A barrier, such as a wire fence, should be erected before works start. This fenced area should include a buffer zone of between the development and the boundary of the pLWS. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the local planning authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

REASON: In order to protect and preserve important habitats during development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

19 No part of the development hereby permitted shall be commenced until the following details have been submitted to and approved in writing by the local planning authority. The approved details shall be implemented in accordance with the approved details.

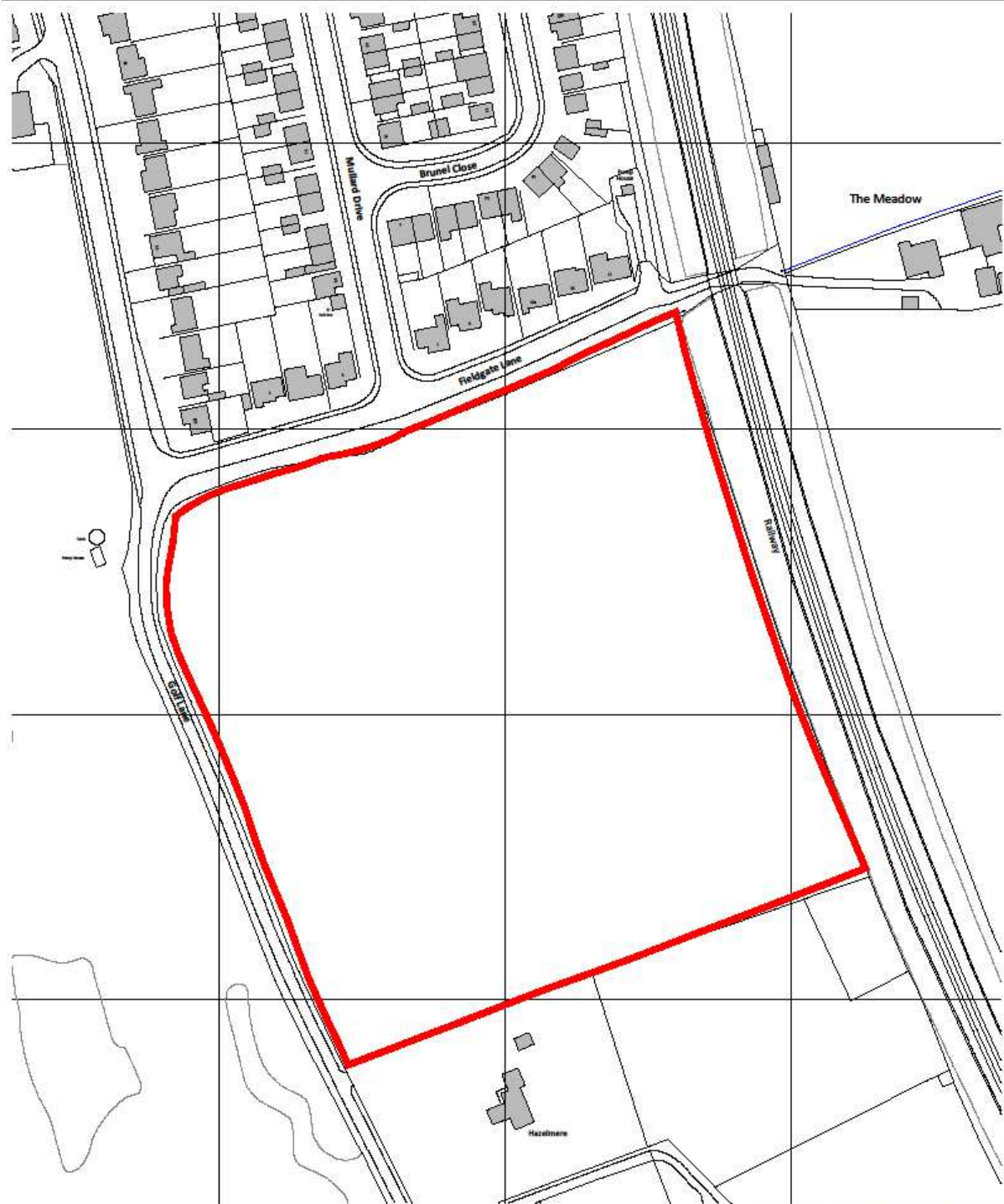
- Plans showing the existing and proposed drainage systems for the site, showing the location of yard and road gullies, manhole's, soak ways, septic tanks, cess pits and pipes including size, shape, material, fall and level in relation to ground and building levels to ordinate survey datum. This should include a manhole schedule in table format.
- Plans defining the water catchment areas for the site including off site catchment areas that contribute to the drainage areas. This plan should show areas of impermeable and permeable surfaces of the proposed site including calculations of these areas in a clear labelled table.
- Calculations/models of open channel and pipe flows, discharge rates from the site and flood storage design water levels. This should include calculations for 1 in 30 and 1 in 100 year + 30% climate change allowance.
- Long and cross sections through the site and a plan showing the overland flow paths with arrows for storm events that exceed the capacity of the drainage system.
- Show the location of the existing and proposed development in relation to the watercourse, where works are located within 8m of the watercourse the applicant must consult the local land drainage authority to obtain land drainage consent for any proposed structures. The applicant is provide Engineering drawings showing the existing watercourse and the proposed construction detail of the structures
- Plans showing the existing and proposed internal property drainage systems for the site including rain water down pipes, showers, sinks, toilets, WC's, wet rooms, wash basins, wash machines, dish washers and pipes showing how they link up with the external drainage systems.
- The applicant is to obtain discharge consent from Severn Trent Water to prove that there is suitable capacity to within the sewer and pump station to accommodate additional flows.

REASON: To prevent increased flood risk both on and off the site in accordance with the National Planning Policy Framework and Local Plan Policy DP11.

- 20 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such 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, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 21 The mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites". **REASON:** To ensure that the housing meets the needs of the District as required by Local Plan Policy SC1 and the NPPF.
- 22 Any landscaping (other than the planting of trees and shrubs) approved including boundary treatment, paving and footpaths referred to in condition one shall be completed in all respects for that phase of development, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings within that phase and the tree(s) and shrub(s) shall be planted within six months of that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 23 The building heights shall not exceed those indicated on the indicative plan on page 34 of the Design and Access Statement submitted on 25 June 2013. **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.
- 24 Visibility splays to be provided at the vehicular accesses to the site shall have an 'x' distance of 2.4 metres and 'y' distances of 43 metres measured to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6metres above the level of the public highway carriageway. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 25 Prior to occupation of the development, the applicant is required to carry out the works as shown on drawing FIGURE 6.1RevC contained in the supporting Designer's Response to the safety audit submitted on 19 July 2013. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 26 Accesses to the site shall be located and laid out in general accordance with drawing FIGURE 3.1 of the Transport Assessment submitted on 24 June 2013. This shall also include footways and crossing points. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
-

**Proposed residential development at land off Fieldgate Lane Whitnash.
For Richborough Estates Ltd.**

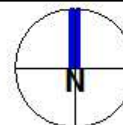


Red line application boundary. 9.77 acres/ 3.95 hectares.

nicol thomas

Revision	Date	Details
A	30.06.2013	Red line boundary plotted to southern edge of ditch to PC email comments.

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Client:	Richborough Estates Ltd.
Job:	Fieldgate Lane, Whitnash, Warwickshire.
Drawing title:	Site location plan.
Drawing Number:	85418
Job number:	PL 006
Scale:	1:1250@A3
Date:	06.06.2013
Drawn by/checked by:	CL

**Proposed residential development at land off Fieldgate Lane Whitnash.
For Richborough Estates Ltd.**



Proposed development details:

Private sale 60%:

5no. 2 bedroom/2 storey houses (9%)
17no. 3 bedroom/2 storey houses (30%)
34no. 4 bedroom/2 storey houses (61%)
Total: 56no. dwellings.

Affordable housing 40%:

4no. 1 bedroom/ 2 persons apartment (11%)
16no. 2 bedroom/ 4 persons house (2 storeys) (42%)
16no. 3 bedroom/ 5 persons house (2 storeys) (42%)
2no. 4 bedroom/ 6 persons house (2 storeys) (5%)
Total: 38no. dwellings.

Affordable housing breakdown:

50% Social rent units. (19no.)

4no. 1B/2P apartments. (21no.)

5no. 2B/4P houses (26%)

8no. 3B/5P houses (42%)

2no. 4B/6P houses (11%)

30% Affordable rent units. (11no.)

5no. 2B/4P houses (45%)

6no. 3B/5P houses (55%)

20% Intermediate affordable units. (8no.)

6no. 2B/4P houses (75%)

2no. 3B/5P houses (25%)

Parking provision:

1B dwellings: 1 parking space.
2B dwellings: min 1 parking space.
3/4B dwellings: min 2 parking spaces.
Visitor spaces: 4no. dedicated + on street.

Development summary:

Proposed total no. of dwellings:
94no.

Proposed no. of affordable dwellings:
38no. (40%)

Net average residential density:
29 dwellings per hectare.

Maximum storey height:
2 storeys.

Proposed area of Public Open Space:
1.74 acres/ 0.70 ha

Site area:
9.77 acres/ 3.95 hectares

This drawing is based upon B5418-PL-007B and should be read in conjunction with B5418-PL-010.

Revision	Date	Details
A	13.6.2013	Type to schedule amended.
B	20.6.2013	Red line boundary updated to PC email comments.

nicol thomas

architects interior designers interior to the east consultants CDM co-ordinators

Engineers in England and Wales Reg No. 274303

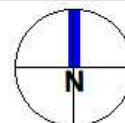
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Client:	Richborough Estates Ltd.
Job:	Land off Fieldgate Lane, Whitnash.
Drawing title:	Proposed indicative masterplan details.
Drawing Number: (job number)	B5418 PL 011 Revision: 8
Scale:	1:1250@A3
Date:	21.06.2013
Drawn by/checked by:	QL

