

Application No: [W 19 / 0990](#)

Town/Parish Council: Bishops Tachbrook
Case Officer: Lucy Hammond

Registration Date: 13/06/19
Expiry Date: 12/09/19

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Land off Seven Acre Close Bishops Tachbrook

Reserved Matters application pursuant to condition 1 of planning permission W/16/0279 for details of access, appearance, landscaping, layout and scale of 50no. dwellings together with all associated works (re-submission of W/19/0324)
FOR A C Lloyd (Homes) Ltd

This application is being presented to Committee due to the number of objections received and because, if approved, it would be subject to a Deed of Variation pursuant to the original S.106 Agreement associated with the original outline permission.

RECOMMENDATION

That planning permission be approved subject to the conditions listed at the end of this report and subject to the original S.106 Agreement being varied to allow an increased financial contribution to be paid towards ecological biodiversity offsetting.

DETAILS OF THE DEVELOPMENT

This is a reserved matters application for the access, appearance, landscaping, layout and scale for the construction of 50 dwellings pursuant to the outline permission W/16/0279. Although the original permission was in outline with all matter reserved except for access, which was approved at the time, this reserved matters permission now seeks access again. The access is in broadly the same location as before but with very minor technical design changes proposed which respond to comments received from the Highways Authority prior to the submission of this application.

This is a re-submission of previously withdrawn Reserved Matters application W/19/0324 which was for the same scheme but withdrawn following concerns from the Highways Authority as well as concerns related to the spread of affordable housing, open space and the housing mix.

THE SITE AND ITS LOCATION

The application site forms allocated site H49 in the Local Plan which lies on the north western edge of the village of Bishops Tachbrook on the north side of Mallory Road and is accessed off Seven Acre Close. The land is currently agricultural farmland. Open fields adjoin the north, west and south boundaries of the

application site, while existing residential development, which presently makes up the built edge of the village settlement, adjoins the eastern boundary of the site.

There are no particular landscape designations or other constraints relevant to this site. There are no public rights of way through or immediately adjacent the site, nor are there any in close proximity to the site; the nearest are approximately 175m and 190m from the north and south boundaries respectively.

PLANNING HISTORY

W/16/0279 - Outline application for up to 50 dwellings together with associated access, public open space and landscaping - Approved

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029)
- H10 - Bringing forward Allocated Sites in the Growth Villages (Warwick District Local Plan 2011-2029)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)

Guidance Documents

- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Affordable Housing (Supplementary Planning Document - January 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Provision of a mix of housing (July 2018)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (May 2012)

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: No objection but the following comments were noted:

- There have been some changes to the affordable housing spread which are considered reasonably acceptable
- There should be a condition on the planning permission requiring 10% lifetime homes
- There should be a process to secure the required number of bungalows
- The Parish Council wishes to be involved in the process related to the adoption of the open space
- The Parish Council notes the condition on the outline permission requiring a scheme for traffic calming measures to be submitted and wishes to develop these requirements in more detail now
- The Parish Council notes the objection from the County Ecologist and will remove their objection once this has been resolved
- There is concern that the boundary hedging to the estate is not satisfactory;
 - the northern hedge is retained but has a large double gate in it; any gate should be single pedestrian only to maintain safety of the play area as vehicle access to the field to the north is not necessary,
 - new boundary hedging to the west and east boundaries should be included to maintain privacy and enhance wildlife opportunities,
 - the hedge to the southern boundary should retain existing hedges at back of pavement and taken them into Seven Acre Close to limit the visual effect of the new development on Mallory Road

WCC Highways: No objection subject to conditions and notes

WCC Ecology: No objection subject to S.106 being varied to allow for increased financial contribution to be paid

WCC Landscape: No objection

Lead Local Flood Authority: No objection

Environmental Health: No objection

Housing Strategy & Development Officer: No objection

Public Response: 13 objections received raising the following concerns:

- Increase in traffic
- Change in the character of the village
- Harm to ecology and other wildlife
- Concern about the location of the access (it is noted that the access has already been approved under the outline permission)
- Concern about proposed tree planting and their proximity to neighbouring dwellings
- Concern about the position of and need for the proposed gate into the adjoining field to the north

Officer note – the latter point is not considered material to the planning application. The applicant has proposed a gate into the adjoining field in response to a right of access issue that has been expressed by a local resident which has existed for a number of years. This is a private and civil matter and has no bearing on the planning considerations of the application. It is further noted that there was no requirement for the applicant to provide such an access point through the northern boundary hedge but chose to do so in this re-submitted application. This in itself therefore does form part of the planning considerations of the application.

ASSESSMENT

As this is an application for the approval of reserved matters, it is not possible to reconsider the principle of development. This was considered in the assessment of the outline planning application and was found to be acceptable. The outline planning permission also approved the vehicular accesses to the site (off Seven Acre Close) although this Reserved Matters submission seeks approval for access again; in broadly the same position as already obtained but with very minor revisions proposed to it, which respond to technical concerns raised by the County Highways Authority through the course of the statutory consultation period and liaison between them and the developers which has resulted in an amended specification for the vehicle access.

Since the principle of development cannot be re-visited, consideration of the current application can only include issues related to the detailed appearance, landscaping, layout and scale of the 50 dwellings proposed by AC Lloyd.

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

- Design and layout;
- Landscaping and open space provision;
- The impact on the living conditions of nearby dwellings;
- Highway safety;
- The ecological impact of the proposals;
- Drainage and flood risk; and
- Health and wellbeing.

Design and layout

The Garden Towns, Villages and Suburbs Approach

The Council's 'Garden Towns, Villages and Suburbs' Prospectus seeks to bring together the key characteristics of the garden suburbs and villages approach, which include coherent and well planned layouts, high quality design and consideration of long term management arrangements. The site is considered to fall within the category of 'neighbourhood edge', lying at the edge of the developable area and adjoining countryside.

It is considered that the proposed scheme would provide a high quality residential environment which conforms to the garden suburb design principles exhibiting the characteristics of a leafy, well designed residential neighbourhood within which open space and structural landscaping is an integral part, paying particular regard to the central area of Public Open Space which forms an integral design feature of the development, around which the dwellings are positioned, and most of which have a direct outlook facing onto it. There are also areas of open space at the northern and southern edges of the development.

The development is only for 50 dwellings so it is not the same scale of development where a central spine road through would be expected to connect to other adjoining phases of development. Proportionate therefore to this development, the main road curves around either side of the central area of open space. The dwellings are positioned either side, with an outlook towards the open space, which provides natural surveillance.

The scale of the development is not one that warrants a hierarchy of streets, however, a clear legibility is still maintained through the site and each of the roads terminates in a turning head with pedestrian connectivity maintained through the northern edge of the development.

The prospectus indicates that the linear layout can be less regimented for the 'neighbourhood edge' with a looser urban pattern of semis and detached houses. The layout provides a balanced mix of semis, terraced and a few detached units, which follow the pattern of the road layout. Front and rear gardens are accommodated which provide an acceptable level of amenity space as well as ample space for soft landscaping opportunities that would add to the verdant, garden suburb character.

The Council's Residential Design Guide (2018) sets standards for the distance separation between the windows of habitable rooms in dwellings. The layout of the development is such that the majority of the dwellings all share side to side relationships for which there is no minimum distance separation requirement. Across the open space, they share front to front relationships where they are all well in excess of the standards, separated by a central area of shared open space. In the minority cases where buildings do share back to side relationships, for which there are standards, the development proposes a layout where these minimum separation requirements are satisfied. Officers therefore consider that the scheme creates an overall character of spaciousness, which positively meets the aims and

objectives of the garden suburb prospectus and ensures a good standard of amenity for future occupiers.

General design and layout considerations

The development comprises two storey dwellings through a mix of predominantly semis and terraced dwellings, where any rows of terraces consist of no more than three units. A few detached properties are also incorporated into the development and one dormer bungalow is proposed.

The proposed density of the development is approximately 21 dwellings per hectare, which is considered low, but is also considered appropriate to this edge of village location where the site adjoins open countryside to the west and north. Ultimately, the layout represents an efficient use of land and results in a well-spaced and legible layout that accords with the general design principles set out in the aforementioned design guidance.

In terms of appearance, for a scheme comprising only 50 dwellings, the development incorporates a wide variety of architectural styles, features and materials, resulting overall in a high quality and diverse finish and appearance. The underlying house type is typically quite simple in its overall appearance, but has been enhanced through a range of architectural features and other detailing such as gables and chimneys as well as a combination of both gabled and hipped roof types. Many of the front elevations have added porches, some with cat-slide roofs or gables which adds variety to the street scene. One of the common features throughout the development is the fenestration, which is quite contemporary in its appearance, with larger than usual openings or full height glazing proposed for some first floor windows. A combination of brick and render is proposed and it is appropriate to require samples of the materials to be used by condition.

Overall, it is considered that the proposed design and layout would result in an appropriate form of development in visual terms and would not give rise to any harm to the general character of the area.

Housing mix

Policy H4 of the Local Plan requires residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district in accordance with the latest SHMA and as summarised in the most recent guidance document 'Provision of a Mix of Housing' (June 2018), based on current and demographic trends, market trends and the needs of different groups in the community. This phase of development provides:

Market Housing

Bedrooms	Total	% Proposed	WDC requirement	Difference
1-bedroom	0	0%	5.9%	- 5.9%
2-bedroom	11	36.6%	29.4%	+ 7.2%

3-bedroom	13	43.3%	41.1%	+ 2.2%
4-bedroom	6	20%	23.7%	-3.7%
Total	30	100%	100%	

The differences in the table above are noted. The developer has provided an explanation as to why there are no one bed units proposed; this is due to the fact that in their experience of this district, they have not had any enquiries for 1 bed units in locations such as this. The applicant considers that town centre locations are more appropriate for 1 bed units.

Having regard to the latest Bishops Tachbrook Housing Needs Survey, there is an identified need for a far greater number of 2, 3 and 4 bed properties with a need for only one single 1-bed shared ownership bungalow. With that in mind, and when coupled with the rural position of this edge of village location, it does not seem inappropriate that the development has over-provided on the 2 and 3-bed units albeit there is a slight under provision on the 4-beds. It follows also that it is not unreasonable for there to be no 1-bed market units on this development, given that no need has been identified for this type of housing in the latest Bishops Tachbrook Housing Needs Survey.

In making an assessment of the market housing mix overall, officers consider that the proposals are acceptable.

Affordable Housing

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

Bedrooms	Total
1-bedroom	4
2-bedroom	10
3-bedroom	6
4-bedroom	0
Total	20

This proposal would provide 40% affordable housing comprising the mix of dwelling sizes set out in the above table. This is a re-submission of a previously withdrawn application and since the withdrawn scheme, the plans have been revised to reflect earlier comments of the Housing Strategy and Development Manager who has now confirmed that the tenure mix and provision, as proposed, is acceptable.

The layout plan illustrates how the affordable housing would be distributed across the site. It is noted that a number of the affordable units are positioned along key frontages within the development; i.e. along Mallory Road to the southern edge of the development and approximately half-way in to the development, on the west

side of the road, where the affordable units would have a key outlook over the feature raised table at the corner of the public open space.

It is further noted that the position of the majority of the affordable units is such that they are on main thoroughfares, which are passed to gain access to the rest of the development. They are not grouped together in isolated cul-de-sacs, nor do they form segregated parts of the development which would only be accessed by occupiers of the affordable units and as such, the development encourages social integration and cohesion. Officers therefore consider that for a development of this size, scale and layout, the affordable housing is evenly spread across the site in a satisfactory manner.

Landscaping and open space provision

The development has been considered against the newly adopted Public Open Space SPD and the Open Space team has confirmed that the proposals provide in excess of the total public open space for a development of this size; 0.780ha is provided in total across the whole site. The proposed typology breakdown also shows that the updated typology mix is being broadly met, with the orchard tree contributing to the 'allotment' typology. Therefore, overall, officers are satisfied that the application meets the requirements of the new SPD.

The revised location and size set aside for the play area is agreeable and is better located than shown in the original submission, affording a flat area to the south for informal play. The provision of a hard surfaced access path, with benches and bins would also benefit users of the open space.

With regard to the general landscaping arrangements, the proposals are acceptable and the Open Space team welcomes the introduction of measures to control unauthorised vehicles parking on the open space.

It is noted that specifications have not been provided for the proposed path, benches, bins, bollards and knee rail, to ensure they are of a suitable standard, however, a suitable condition can be imposed to any forthcoming permission to require these details and agree their specification prior to their installation on site.

Overall, officers are satisfied that the proposed landscaping and public open space accords with the requirements of the adopted SPD and general principles of the relevant Local Plan policies. Accordingly, the scheme is acceptable in this regard.

The impact on the living conditions of residential properties

The proposed layout and design of this development is in accordance with the garden suburb approach and having regard to the general ethos of the Residential Design Guide, would provide a high level of residential amenity to the future occupiers of the development within an attractive setting. The separation distances to surrounding properties are considered to be acceptable, and in the majority of cases where properties mostly have front to front relationships, are in excess of the minimum separation distance guidance. The proposed development

would provide appropriate relationships between neighbouring properties without any detriment on the amenities of the occupiers.

Highway safety / car parking

The access into the development is proposed off Seven Acre Close. This is in the same broad location as originally approved under the outline permission, but minor modifications have been made to address technical concerns that were raised by the Highways Authority during the first reserved matters submission that was subsequently withdrawn.

Additional information and clarification was submitted with this re-submission, together with a Stage 1 Road Safety Audit. Although the Stage 1 RSA identified two problems with the layout, these are both now resolved insofar as the reserved matters application is concerned. The first issue was to do with the provision of pedestrian dropped kerb access, which is now provided. The second identified problem is subject to a condition of the outline permission (condition 19) which, although not yet discharged, requires details of a scheme of traffic calming measures to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. This condition will therefore need to be approved before any development takes place and will deal with traffic calming accordingly.

In light of the above and in accordance with the additional information provided as part of this revised application, the Highways Authority has since confirmed there is no objection to the proposals and is satisfied that the development would not be detrimental to highway safety.

Each property has an appropriate level of parking in accordance with the Council's Vehicle Parking Standards and bin collection points have been provided where necessary.

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

Other matters

Ecological impact

The Ecologist was satisfied at outline stage that any ecological impact could be successfully mitigated through planning conditions and these were imposed upon the original outline application W/16/0279. In addition, a S.106 secured a maximum financial contribution to be paid towards biodiversity offsetting which was directly related to a maximum biodiversity unit loss identified at the time, which should not exceed 2.23 units. With landscaping changes and other aspects of the development now proposed which have different implications on ecology, a revised BIA calculation was undertaken to establish the actual biodiversity loss which was in excess of the original 2.23 units.

At 5.15 units, it has been agreed with the County Ecologist that an increased financial contribution can be paid towards greater ecological enhancements and biodiversity offsetting but in order to secure this, the original S.106 will need to be varied since the original figure stipulated in the agreement was a maximum figure. In the event that planning permission is granted for this development it is subject not only to the conditions listed at the end of this report but also to the variation of the S.106 to allow for the increased financial contribution to be paid in this respect.

The ecological conditions imposed on the outline permission do not need to be replicated as part of this reserved matters application and are subject to the separate discharge of conditions process. Overall, officers are satisfied that the proposals are acceptable in this respect and the development therefore accords with Policies NE2 and NE4.

Drainage and flood risk

The proposed site layout illustrates an attenuation basin similar to the one proposed and shown on the indicative site layout in the outline application. This proposal does not vastly differ from the indicative layout shown in the original outline application and based on the information submitted with this reserved matters submission, the Lead Local Flood Authority has no objection to the development. Further information in relation to flood risk and surface water is still required to be submitted pursuant to the relevant condition on the outline permission and this would need to be reviewed accordingly by the Lead Local Flood Authority before it can be approved. Officers are therefore satisfied that the reserved matters application is acceptable in relation to flood risk and drainage matters.

Summary/Conclusion

Officers consider the proposed development would provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing, where the affordable housing is spread across the site. The dwellings themselves are varied in their architectural styles and finishes and the majority of the development would be grouped around a large central area of public open space providing natural surveillance and positive outlooks from both the market and the affordable units. The development would be well landscaped with the various typologies set out in the open space SPD all being met or exceeded.

There would be no harm caused to the amenity of existing neighbouring properties, future occupiers of the development would be provided for with garden sizes and distance separation that either meets or exceeds the standards set out in the Council's adopted guidance.

There would be no detriment to highway safety, flood risk or drainage and ecology and biodiversity offsetting is provided for through the conditions on the outline permission and through the proposed variation to the S.106 Agreement to allow an increased financial contribution to be paid in the event permission is forthcoming for this development.

Having regard to all of the above, officers consider the scheme complies with the relevant policies of the Development Plan, and accordingly, it is recommended that planning permission be approved.

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 3635-01 Rev.A, 3635-10 Rev.B, 3635-11 Rev.D, 3635-12 Rev.D, 3635-13 Rev.B, 3635-14 Rev.E, 3635-15 Rev.D, 3635-16 Rev.D, 3635-17 Rev.B, 3635-18 Rev.C, 3635-19 Rev.B, 3635-20 Rev.B, 3635-21 Rev.C, 3635-22 Rev.B, 3635-23 Rev.A, 3635-30 Rev.C and 3635-31 Rev.B and specification contained therein, submitted on 13 June 2019, approved drawings 1424-14-21E, 1424-14-22E and 1424-14-25E and specification contained therein, submitted on 25 September 2019 and revised drawings 20 Rev.L, 3635-05 Rev.R and 3635-06 Rev.K and specification contained therein, submitted on 17 October 2019. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 2 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 3 No development shall be carried out above slab level unless and until details and specifications of the proposed path, benches, bins, bollards, knee rail and the 'white' area of open space have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. **REASON:** To create an acceptable form of public open space in accordance with policies HS1, NE4 and BE3 of the Warwick District Local Plan 2011-2029.
- 4 The construction of the estate roads serving the development including footways, verges and footpaths shall not be other than in accordance with the standard specification of the Highway Authority. **REASON:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 5 Prior to the first occupation of the development hereby permitted, details, in respect of the surface treatment of the area of land between the end of the turning head and proposed field access, shall be

submitted to and approved in writing by the Local Planning Authority, setting out how extraneous material shall be prevented from being deposited onto the highway by the wheels of vehicles utilising the field access. The development shall thereafter be carried out strictly in accordance with the approved details. **REASON:** In the interest of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the curtilage of any dwellinghouse. **REASON:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
