

Application No: W 14 / 0693

Town/Parish Council: Barford

Case Officer: Penny Butler

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Registration Date: 20/05/14

Expiry Date: 16/09/14

Land to the west of 22 Wellesbourne Road, Barford, Warwick, CV35 8EL

Full planning application for the erection of 60 dwellings including associated car parking and garages, formation of a new access from Wellesbourne Road, public open space, balancing pond, landscaping, associated earthworks, demolition of No. 22 Wellesbourne Road, associated highways works, relocation of the decommissioned BT telephone box on Wellesbourne Road and other ancillary and enabling works. FOR Taylor Wimpey UK Ltd

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

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission for the development subject to the receipt of a satisfactory Section 106 Agreement and subject to the conditions listed. Should a satisfactory Section 106 Agreement not have been received by 16 September 2014, 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 for detailed planning permission for the erection of 60 dwellings including associated car parking and garages. Also proposed are a balancing pond at the western side of the site, public open space in this area and close to the site entrance, landscaping, boundary treatments, and other ancillary works. The overall site density is 22 dwellings per hectare, with a mix of 1-4 bedroomed houses and bungalows and flats proposed. The houses would be 1-2.5 storeys in height.

A new site access from Wellesbourne Road is proposed following the demolition of no.22 Wellesbourne Road, and the relocation of the decommissioned BT telephone box several metres to the south. Acoustic fencing is proposed each side of the access, with a screen hedge alongside and a row of lime trees along the northern side of the access. A pedestrian access is proposed from Westham Lane in the south-eastern corner of the site. The drainage strategy requires the raising of the floor levels of the proposed houses by up to 0.7m.

The application is supported by extensive documentation. This includes a Planning Statement, Design & Access Statement, Landscape & Visual Appraisal, Heritage Assessment and Transport Assessment (TA).

The Design and Access Statement indicates that:

"Our intention is to deliver a secure and sustainable development of modern family homes and community uses in a safe, green and welcoming environment.

The design concept is based upon an interpretation of the form and historical development of the settlement. Barford is a linear settlement stretching along the two main streets (Church Street/High Street and Wellesbourne Road). Development behind these linear forms is predominantly recent whilst the other observable pattern follows smaller low key radial routes that flow from the main routes and in some cases peter out into lanes connecting other pockets of development or diminish in scale ultimately turning into tracks serving single dwellings, farmsteads or small hamlets.

The proposed form of the layout carries this idea forward with a "lane" that flows west from Wellesbourne Road, and then heads in a south westerly direction towards Westham Lane changing character along the way through the subtle widening of the space between the built form and an opening of the relationship with the undeveloped land further to the west. The highway ultimately changes scale into a footpath link onto Westham Lane.

The design approach responds to Officer comments with the removal of the replacement dwelling. The initial design ideas for the access have been revised to allow conformity with Highway Adoption Standards. The initial design aspiration was for a "lane" with a single footway to one side. The design solution does adequately provide a simple, visually unobtrusive access to the site, and through its subtle geometry, sweeping around the replacement dwelling establishes the required character of a lower hierarchy lateral route flowing from one of the two main streets within Barford. The proposal has domestic curtilage planting to either side, which further reinforces this lower status in the street hierarchy."

The development would trigger the need for the following contributions to be secured under a Section 106 agreement. The heads of terms are as follows:

- 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.
- 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 is granted.
- 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.
- Requirement for payment of a commuted sum of £86,083 for off site provision of parks and gardens, natural areas and children/youth types of open space.
 - Contribution of £6,000 per open market dwelling towards the cost of off-site highway improvement schemes as required by WCC Highways (Total £216,000)
 - Contribution of £75 per dwelling towards Sustainable Welcome Packs to promote sustainable living and deliver road safety education, or developer to provide these in accordance with a format to be agreed with WCC (Total £4,500).
 - Contribution of £784.61 per dwelling to fund improvements to indoor sports halls and swimming pools within Warwick District (Total £47,076.60).
 - Contribution of £56.73 per dwelling to fund improvements to outdoor sports facilities within Warwick District (Total £3,403.80).
 - Provision of 40% affordable housing.
 - Contribution of £1,678 per dwelling towards the cost of providing a new ward block at Warwick Hospital and providing additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at the Warwick and Leamington hospital sites (Total £100,680).
 - Contribution of £3,538 towards improvements to public rights of way within a 1.5 mile site radius.
 - Contribution to fund the legal costs of the local planning authority in monitoring the agreement (the lesser of £30,000 or 1% of total of financial contribution).
 - Contribution for providing biodiversity offsetting of -5.09 units,
 - Contribution of £390,966 towards providing education places.

THE SITE AND ITS LOCATION

The application site relates to a 2.75 hectare parcel of land relating to a nursery/horticultural use located to the west of Wellesbourne Road within the village of Barford. The site falls outside the Barford village envelope and Conservation Area and forms an area of largely open land with some structures relating to the previous use evident. The Barford bypass is located to the west of the site, which has closed Westham Lane to vehicles from the western end. Westham lane forms the southern edge of the site, which is a narrow lane with agricultural land to the south. The proposed access into the site will run through the plot of No.22 Wellesbourne Road, a detached dwellinghouse that is located within both Barford Village envelope and Conservation Area. The Conservation Area boundary follows the eastern boundary of the application site. The site and surrounding land is within the rural area of the District, outside the Green Belt. The site is mainly flat with a slight drop from the northern, western and southern boundaries to the site, and from east to west across the site.

In the current Local Plan, the application site is allocated as part of the rural area where rural area policies of the plan apply. The site is included in the Draft Local Plan as the preferred option for housing development in the village.

PLANNING HISTORY

W/12/1113/CA Proposed demolition of 22 Wellesbourne Road to provide a new highway and footpath access on to Wellesbourne Road from proposed residential development on land to rear of 22 Wellesbourne Road/north of Westham Lane: Refused 24th October 2012. The proposal would not have preserved or enhanced the Conservation Area as the existing house contributes positively to the area.

W/12/1083 Outline application including detailed access, for up to 60 dwellings and ancillary works: Refused 28/11/2012. The reasons were the amount of proposed development was in excess of the needs of the Parish and contrary to para.54 of the NPPF, unacceptable harm to the Conservation Area arising from the demolition of no.22 creating an unacceptable visual gap , emphasised by a new access road which will separate the run of development, and insufficient contributions for affordable housing, open space, library, education and primary health care needs of the development.

W/13/1676 Outline planning application for up to 60 dwellings with access, requiring demolition of no.22 and replacement with a small dwelling, was withdrawn in 2014.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- 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)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)

- DAP8 - Protection of Conservation Areas (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)
- 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)

The Emerging Local Plan

- Draft Village Housing Options and Settlement Boundaries (November 2013)
- Warwick District Local Plan 2011-2029 Publication Draft - published April 2014. Relevant policies: DS2, DS3, DS5, DS6, DS7, DS10, DS11, HO, H1, H2, H4, SC0, BE1, BE2, BE3, TR1, TR2, TR3, TR4, HS1, HS4, HS5, HS6, HS7, CC1, CC2, CC3, FW2, FW3, FW4, HE2, HE6, NE2, NE3, NE4, NE5, W1, DM1.

Guidance

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Barford Village Design Statement (September 2009)
- Warwickshire Landscape Guidelines SPG
- 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)

SUMMARY OF REPRESENTATIONS

Barford, Sherbourne & Wasperton Joint Parish Council: Raise objection on the following grounds:

1. The JPC reluctantly accepts that Barford is expected to take a significant number of houses and the identified sites have been agreed as the most suitable and least harmful options over the emerging Local Plan period to 2029. The application site is one of those identified sites.
2. The NPPF (para. 54) states that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing. The 2009 Housing

Needs Survey commissioned by the JPC and Warwickshire Rural Community Council concluded that there was a need for 11 affordable new homes within the three parishes. The JPC has recently completed a further survey through Warwickshire Rural Housing Association/Warwickshire Rural Community Council. The final report has not yet been received but indications are that the total identified need totals 15 units with a mix of affordable and market homes. The proposed housing (especially affordable) is therefore far greater than the local housing needs, and the principle of development is therefore contrary to paragraph 54. It is inappropriate to direct surplus Affordable Housing to a rural village, however sustainable it may be deemed, where there will inevitably be a greater dependence on car transport. Concerning the mix of market homes, despite the Statement of Community Involvement, the proposed mix of market dwellings remains adrift of that in the latest Housing Needs Surveys. Furthermore, the proposed 50:30:20 mix, whilst meeting earlier standards, does not meet the tenure requirements published in the Draft Local Plan – April 2014. The recent publication of mid-2012 ONS figures casts doubt over the overall WDC housing needs and it is well known that significant credible challenges to the overall numbers have been made and that these are being reviewed, which casts doubt over the final district wide requirements and the numbers destined for Growth Villages such as Barford.

3. Policy DP2 states that development will not be permitted which has an adverse impact on the amenity of nearby uses and residents. The proposal includes the creation of a vehicular and pedestrian access through the site of no.22 Wellesbourne Road, with the inclusion of a chicane device to slow or stop vehicles on entry to the site. The numbers of vehicle movements and the proximity to adjacent dwellings, notably no.20 Wellesbourne Road, will result in loss of amenity through loss of privacy and noise nuisance. The proposal is therefore unneighbourly and contrary to Policy DP2.
4. Contrary to Barford Village Design Statement (VDS) despite the applicants attempts to use it in its favour. The VDS clearly states that it is inappropriate for large scale developments to be repeated and cites previous such developments taking up to 40 years to be properly integrated into the village. Meanwhile the village is still struggling to adjust to the recent Taylor Woodrow development of a similar number of homes at Bremridge Close. The VDS also refers to valuable views and open spaces and specifically refers to the rural charm of small fields and paddocks off Westham Lane and this site, now stripped of most of its Sherbourne Nursery business buildings, is now a significant constituent part.
5. Contrary to Barford Parish Plan which, in its Conservation section, expressed a clear democratic wish that land enclosed by the Barford Bypass should not be developed for residential use.
6. Foul and surface drainage in Barford is problematic. Many dwellings on Wellesbourne Road suffer repeated problems which Severn Trent seems powerless to resolve permanently, despite its assurances that the system can easily accommodate a further 60 (or even 70!) dwellings on this site. The applicants proposals to raise significant areas of the site to facilitate adequate fall, east for foul sewage and west for surface water will permanently change the topography of the site and render the whole development more prominent in its setting. Developer assurances that this increase in level of the site has been minimised are not convincing.

7. Significant transport and traffic concerns. Wellesbourne Road is a busy and often congested road. The extra vehicle movements generated by the proposal, which are underestimated, will significantly add to congestion. More remotely, the traffic on Church Street/High Street is heavy at busy times as are the two junctions onto the A429 Barford Bypass. Increased traffic numbers in all these locations will constitute a significant compromise of safety standards.
8. Loss of important trees and associated impact on wildlife. The site is currently open, undeveloped and a refuge for a wide range of species which contribute to the general environment and wellbeing of our parish. This site should be developed in a more sympathetic manner with adequate spacing away from existing properties (particularly the proposed plot 60 behind no.20 Wellesbourne Rd and the proximity of garages to Hemmings Mill properties) and with the inclusion of significant enhancement planting of partly mature trees, not token provision of small saplings which will take decades to provide the essential environmental benefits.
9. Loss of sunlight. Typically houses on Wellesbourne Road, many of which were specifically designed to take maximum enjoyment from the light, currently enjoy sunlight until the sun sets on the distant horizon. Building this development will curtail that sunlight several hours earlier and as such impact the amenity of those residents and hence contrary to Policy DP2. Whilst the JPC recognises existing residents may not have a right to views or direct sunlight, views into and out of the village are a significant feature recognised in the Barford VDS and some of these views will be lost forever. The token gesture of a view of Sherbourne Church across the site is not sufficient to satisfy our concerns in this matter. Similarly views of the edge of the village across this site will be changed forever, from a soft, green rural edge to something much harder and man-made. Every effort should be made to allow the edge of this development to merge with the surrounding rural landscape.
10. The nature and design of many of the houses on Wellesbourne Road is such that the development will significantly compromise the privacy and enjoyment of these residences which will contravene DP2.
11. Demolition of the Old Police House is undesirable due to the impact on the street scene, in the Conservation Area, and its significant social history. This was a reason for refusal of the previous outline application, however, we accept that this may be the only access route for this site. We are pleased that the proposed substitution of a "strange, thin, sideways" dwelling has been removed from the application.
12. The styles/designs of proposed houses are of a standard/generic type which offer little to respect the Conservation Area or Barford's sense of place. NPPF directs developers to address these issues and we hope that previous assurances to provide a range of individuality more in keeping with a rural village setting will be fulfilled.
13. Impact on infrastructure – not least Barford School which could expect 20 or more children. Suitable S.106/CIL contributions to highways (in particular to Barford Bypass junction improvements), open spaces and public transport are required. The JPC has clearly indicated that it would prefer open space contributions towards the King George V Playing Field scheme rather than on-site provision.

14. The Draft Local Plan proposes phasing of larger sites in Growth Villages – limiting phases to 50 units per 5 year period, and this should be required by condition.

Public response: 19 objections received raising the following concerns:

- Quantum of housing is not required, exceeds local needs and is contrary to Policy RAP1
- Contrary to paragraph 54 of the NPPF (rural housing should be limited to local needs), which was used as a reason to refuse the Barford House application
- Visual impact, harm to rural character and setting of village
- Harm to highway safety from the proposed access, and increases in traffic in area already suffering heavy congestion and speeding. Proposed access is too narrow.
- Inadequate parking provision. There should be no pedestrian access onto Westham Lane as over spill parking will then occur on the Lane.
- An island should be provided on the bypass giving direct access into the site
- Noise, air, dust and light pollution, especially during construction. Harm to residential amenity of dwellings adjoining the site arising from overlooking, loss of view and privacy. Increased noise and disturbance to adjoining residents. Loss of sun light to houses on Wellesbourne Road
- Current agricultural use
- Buildings proposed too close to 24 Wellesbourne Rd (Plot 60), 9 Hemmings Mill (Plot 5) and 7 Hemmings Mill (Plots 4/5) with a gable end window overlooking
- Excessive density of housing, close to low density development in the Conservation Area
- Increased demand on local facilities. No space at local school. Villagers currently have to travel outside the village to access key facilities.
- Design of dwellings will not complement the character of the village or rural landscape
- The demolition of no.22 would not preserve or enhance the Conservation Area, so the reason for refusing application W/12/1113/CA should be repeated
- The land was part of Barford House estate and provides views to the west with tree planting beyond, and formed part of its setting. These views are still possible through the gaps between the detached houses along Wellesbourne road, but will not exist following the development.
- There is no landscape buffer to the site. Buildings on Westham lane should be moved inwards to provide a sufficient rural landscape buffer along Westham Lane.
- The proposed drainage scheme will require the houses to be raised up above the existing ground which will have a dominating effect on the existing village. A soakaway ditch should be provided around the site boundary.
- Harm to ecology and protected species. Loss of hedgerows
- There has been no meaningful engagement or consultation with residents
- A phasing plan should be provided as more than 50 dwellings are proposed, in accordance with the Draft Local Plan
- A decision should be taken after the Barford Neighbourhood Plan is adopted
- No housing provision made for the elderly

- Proposed tree line along access is not straight (as on Westham Lane) and will overshadow no.20 Wellesbourne Rd

1 letter of support and comment received raising the following points:

- New housing in the village is welcomed for local needs
- There would be no harm to the character of the village
- Community spirit would be improved arising from a diverse mix of future residents

Barford Residents Association: Amount of housing in excess of local needs. Housing need identified in Local Plan should be revised to take account of latest ONS figures. Bungalows should be provided to permit downsizing for existing villagers. Insufficient parking given residents will not work in the village, leading to over spill onto Wellesbourne Rd to the detriment of traffic flows. The Draft Local Plan limits housing in rural areas to 50 over a five period. Reducing this site to 50 dwellings would allow further parking, and increasing bungalow provision would also reduce parking need.

WCC Rural Services (Landscaping Advice): (Comments on original plans) No objection to the overall landscape proposals, species and layout. The concept of a tree lined avenue at the site entrance is welcomed although it could be strengthened by the inclusion of a double line of trees rather than the one proposed. The green gateway and orchard is a positive feature at the entrance to the site but the layout and design could be refined and extended across both driveways rather than being confined to the central green area proposed. Details planting plans are required with a management plan for public areas.

Environment Agency: No objection.

CAF: It was felt that the general layout and approach to the design was better than the previous proposal although concern was expressed at the loss of the Police house. Concerns were expressed that the design had been tailored to create least impact on the conservation area in terms of vehicle access but would also provide a poor vehicle access in terms of manageability and manoeuvrability of traffic. It was hoped that the variety of brick used within the site would be of a muted colour so as not to be to striking when viewed across the landscape.

English Heritage: As the site is adjacent to a Conservation Area the impact upon its setting should be considered, using the EH guidance document "The Setting of Heritage Assets".

Natural England: Refer to standing advice on protected species. Potential for biodiversity offsetting should be explored.

WCC Highways: The internal layout, access alignment and visibility requirements are acceptable, and the residual impacts of the development would not be severe, therefore the proposal would comply with the NPPF (para. 32). No objection subject to conditions requiring layout, and access including bus stops and crossings in accordance with submitted plans, and visibility splays. The

applicant should contribute £75 per dwelling towards sustainable welcome packs to promote sustainable living and deliver road safety education in the area.

WCC Archaeology: A programme of evaluative fieldwork has established that extensive features of probable Iron Age/Romano-British date survive across the site, including several ditched enclosures and other pits and gullies. Analysis of the soil samples has demonstrated that palaeo-environmental remains survive across the site, including charred cereal and weed seeds and wood charcoal. This site has the potential to significantly contribute to our understanding of the use of this area during the later prehistoric/Roman periods; the studying of such sites and their hinterland has been identified as a priority in both local and regional research agendas. A programme of archaeological work is therefore recommended, in accordance with a written scheme of investigation, in order to mitigate the impact that the proposed development will have upon surviving archaeological features.

Warwickshire Police: No objection subject to recommendations for reducing crime being incorporated into the scheme.

Ramblers Association: It is noted that pedestrian links are to be provided therefore no other comments made.

WDC Housing Strategy & Development: 40% of the proposed dwellings would be required to be affordable to meet Policy SC11, or 24 out of 60. The site proposes a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. The Draft Local Plan requires a different mix but the applicant prepared this scheme based on advice from Housing Strategy prior to this change therefore this is acceptable. The proposed size and type of affordable dwellings is considered acceptable, and includes three two-bedroomed bungalows. The layout provides a reasonable degree of integration between the affordable and market housing. Units should meet the standards set out in the SPD and will be allocated through the Homechoice scheme.

WCC Ecology: The site consists of a garden nursery with poly tunnels, hard standing and buildings, amenity grassland and ornamental planting, ornamental pond, semi-improved and rough grassland, tall ruderal, bare ground, dense and scattered scrub, introduced shrubs, hedgerows and a small mixed wooded area. The site was surveyed in 2012 therefore it is possible that protected/notable species may have occupied the site since the initial surveys. Proposals for retention of existing hedgerows and wooded areas, creation of an attenuation basin forming a dry pond, native tree and shrub planting, log piles, bat and bird boxes are welcomed.

Recommend conditions requiring a Construction and Environmental Management Plan (CEMP) to include protective measures to avoid harm during construction, a Landscape and Ecological Management Plan to include details of habitat creation, new planting and maintenance, a tree protection scheme, and a detailed lighting scheme. A Biodiversity Impact Assessment calculation has been carried out and there will still be a biodiversity loss of 5.09 units on site, therefore the applicant

should be required to enter into a S106 agreement to secure a habitat enhancement scheme elsewhere to compensate for the resulting loss.

Environment Agency: No objection.

Health and Community Protection (Drainage): No objection subject to a condition requiring detailed design of attenuation pond and SUDS including access for maintenance.

Warwickshire Fire Service: No objection subject to a scheme for fire hydrants and water supplies.

WCC Rights of Way Team: No objection as no rights of way cross or immediately abut the site. A contribution of £3,538 is requested towards improvement to public rights of way within a 1.5 mile radius of the site, to upgrade stiles to gates and path surface improvements.

South Warwickshire NHS Foundation Trust: Object due to the additional burden that the development would place on the existing health care infrastructure which is already at capacity. However, if permission were granted would request a contribution of £1,678 per dwelling towards the cost of providing acute and community health services in South Warwickshire.

Environmental Health: Recommend conditions requiring a noise mitigation scheme to protect residents from traffic noise, a contaminated land investigation and remediation, a Construction Management Plan to include measures to control noise, dust and light emissions, an air quality mitigation scheme, a 2m high acoustic fence alongside the access and a scheme to protect residents of the development from traffic noise.

Green Space Team: An offsite contribution of £86,083 is required to make provision for the under supply of parks and gardens, natural areas and children/youth types of open space on the site within Barford, to be transferred to the Parish Council who have plans to improve the playing fields.

WCC Infrastructure Delivery Manager: There are now no longer any surplus places available to meet the needs of the development and the lack of available spaces has been compounded by a significant number of applications in the relevant school's priority area over the past 12 months so there are no surplus spaces currently available to accommodate additional pupils. A contribution towards providing education places of £390,966 is therefore required.

ASSESSMENT

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

- the principle of development;
- heritage and visual impact;
- impact on residential amenity;
- traffic impact / highway safety;

- ecological impact;
- the impact on local services; and
- provision of public open space.

The principle of development

Five year housing supply

The site is within open countryside adjoining the edge of the village, where the relevant Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The proposals would be contrary to Policy RAP1. However, 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. In terms of the most recent evidence of housing need, the Council cannot demonstrate a five year supply.

The latest Five Year Housing Land Assessment (July 2013) indicates that the housing land supply is 2.8 years. The five year requirement (2013-2018) is 4,550 dwellings with 2,575 already provided, leaving 1,975 to be provided. Between April 2013 and December 2013 a total of 1,252 dwellings received permission along with 92 office to residential conversions. Not all of these permissions will be built out in 5 years, particularly those on large sites, so this still leaves a shortfall in relation to the housing requirement but the position is certainly improved from 2.8 years. Officers will provide an update on this at your meeting.

A review the 5 year housing land supply position is currently being undertaken. It is expected that this this update will show that the Council continues to have less than a 5 year supply of housing.

Accordingly Policy RAP1 is out of date and in these circumstances the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the NPPF explains that this means granting planning permission unless either:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- specific policies in the NPPF indicate development should be restricted.

However, as set out below in the report below under Heritage impacts, paragraph 134 of the NPPF requires less than substantial harm to heritage assets to be weighed against the public benefits of the proposal. This is a specific policy in the NPPF that indicates development should be restricted, therefore, this policy carries more weight than the test required under paragraph 14 and provides the decision making context for this application.

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. This carries significant weight in the assessment of this application. While the Council has no control over whether a site will be delivered, it is nevertheless reasonable to assume that a site with planning permission would be deliverable with a realistic prospect that development on this site would be achievable within a five year period.

The NPPF also states (at para 54) that in rural areas local planning authorities should be responsive to local circumstances and plan housing development to reflect local needs, particularly for affordable housing. The latest adopted local housing need survey (2008) indicated a need for 11 new homes within the Parish. The Council have subsequently published the Draft Local Plan (May 2014) in which it is proposed that housing growth in villages should be proportional in scale to the growth forecast for the District as a whole. This allocates 80 dwellings to Barford across 3 preferred sites. It is recognised that only limited weight can be attached to this emerging Local Plan document due to the early stage in the process. However, the available evidence indicates that this is an appropriate level of housing growth for Barford over the plan period. This was accepted by the Inspector in determining the appeal at Barford House (W/11/1533) for 58 dwellings. The sustainability of Barford as a location for this scale of housing development was not included as a reason for dismissing the appeal, and therefore also not included as a reason for refusal of a subsequent application at Barford House (for 50 houses), issued on 14 January 2014 which is due to be considered at appeal in September 2014. Outline permission for six dwellings on the opposite side of Westham Lane was granted on 22 October 2013.

The current proposal, plus the permission for six dwellings opposite, would amount to a total of 66 dwellings in Barford, which is within the maximum level of required housing growth for Barford (80 dwellings) that is indicated in the Draft Local Plan. It is noted that the Draft Local Plan Policy H10 states that rural housing sites will require development to be phased with no more than 50 houses built every 5 years, but given the total proposed is only marginally more than this and that the policy currently carries little weight this is not considered reasonable.

Current Policy Position

The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. This forms the Development Plan, which decisions should be made in accordance with, unless material considerations indicate otherwise. The NPPF is a material consideration, as are other policies under preparation including the Draft Local Plan.

The Draft Local Plan contains justification for the development of land within/ adjoining other Growth Villages, as it will not be possible to provide sufficient land for the new housing growth within the existing urban area, so it will be necessary to allocate new development on green field and Green Belt sites.

Prematurity

The scale of the development does not raise issues of prematurity in relation to the progress of the publication of the Draft Local Plan, due to its size. The development of the application site would not prevent any other development sites identified in the Draft Local Plan from coming forward and it is not dependant on, nor incompatible with, any other development sites which have been or are being considered. On this basis 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 permission should be refused on the grounds of prematurity.

Assessment of the proposed housing provision

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing, based on current and demographic trends, market trends and the needs of different groups in the community. It goes on to state that local planning authorities should identify the size, type, tenure and range of housing that is required in different locations. In accordance with these requirements, the Council has adopted guidance on the required mix of market housing (June 2013). This is based on the 2012 Strategic Housing Market Assessment for Warwick District and specifies a mix of 7% 1 bedroomed dwellings, 26% 2 bedroomed dwellings, 43% 3 bedroomed dwellings and 24% 4 bedroomed dwellings.

The mix of market housing proposed in the current planning application comprises 25% 2 beds, 42% 3 beds and 33% 4 beds. This is significantly improved from the previous application and is considered to be in reasonable accordance with the Council's policy guidance. The site would also provide 2 market bungalows (and 3 affordable bungalows)..

40% of the dwellings would be affordable which equates to 24 dwellings to be split into two clusters on the site, providing reasonable integration with the market housing on such a small site. Of these, 50% would be social rented, 30% would be affordable rented and 20% would be shared ownership. The housing officer is content with this mix as it is based on the latest advice they provided, shortly before the publication of the Draft Local Plan, which carries little weight at the present time. The affordable housing would be secured by a Section 106 agreement and would be allocated through Homechoice, as supplemented by the Rural Local Lettings Policy, which would accord with Policy SC11. 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.

Heritage and visual impact

The visual impact of the development on the wider landscape was considered independently by Warwickshire County Council in their "Landscape Sensitivity

and Ecological & Geological Study", as part of the supporting evidence base for including the site in the Draft Local Plan. This assessed the landscape sensitivity of the site to housing development as Medium, stating that development would be appropriate providing the layout reflects the current sense of scale and provides a landscape buffer between it and existing housing. There would be little impact on the wider landscape outside the A46, since only the roofs of houses would be visible above the acoustic fencing and bund, and these would be viewed against the backdrop of the existing village. The main visual impact will therefore be upon the Conservation Area forming the eastern site boundary, and views out of this.

The proposed access will require the demolition of no.22 Wellesbourne Road, a former police house within the Conservation Area, and this will be the principle impact of the development on the Conservation Area. This house forms part of the established pattern of development within Barford Conservation Area and part of its historic evolution evident between the predominantly Georgian and Victorian buildings within the village core, which are generally built close to or up to the edge of the footway, and the run of 20th Century detached dwellinghouses set behind extensive front gardens to the south of the village core. The contribution made by the police house is largely as part of the group of 20th century dwellings with mature gardens, and forms part of the setting of Barford House on the opposite side of the road. This is surrounded by a tall brick wall which in itself is an important feature in the Conservation Area. The development will have a limited impact on the Grade II* Listed Barford House and the associated locally listed park and garden, which the application site previously formed part of, as the sites are no longer visually linked due to the intervening 1950's housing in mature gardens on Wellesbourne Road. The removal of no.22 will open up views from the Conservation Area into the site, whereas currently there are glimpsed views between the houses of a semi-rural landscape intersected by the A46.

The demolition of no.22 has not previously been considered unacceptable as it is not architecturally significant. This is a former police house which is of local interest but it is of no particular design merit, and is considered to have neutral impact on the character of the Conservation Area. Following the previous refusal and the withdrawn application, the applicant has sought to address the impact on the Conservation Area arising from the insertion of the new access road and demolition of no.22, by providing a row of 6 semi-mature lime trees in a slight curve along the northern side of the access to echo the line of lime trees along Westham Lane at the opposite end of the row. They consider that this mitigates any perceived negative impact on the Conservation Area, and have also carried out a gap analysis which shows that there are varying gaps between houses on the west side of the Road which are not consistent, and that the removal of the house would not have a great effect upon this layout.

To integrate the new access into the character of the Conservation Area, regard has been paid to the existing access to Westham Lane and the service road, both of which have planting, and Westham Lane has a line significant lime trees alongside the road which act as a step end to the 20th century development. A similar line of mature trees at the new access point will have a similar effect and

will define and frame the group of 20th century houses. There is also a line of very tall lime trees within the grounds of Barford House, quite close to the proposed access.

The boundary treatment around the access is important, and the fencing each side is to be 1m high for the depth of the front gardens of the adjoining houses rising to 2m, which will integrate it with the existing boundary fences. The telephone box would also be moved to the corner of the new junction. A beech hedge is also provided alongside the fences which will soften its appearance. Required road markings and signage are minimal which will further reduce the visual intrusion of the access. Taking into account this treatment of the access, and since there is not a strong rhythm to the properties, it is considered that the demolition of no.22, and the opening up of the houses with a tree lined access road will not create an unacceptable visual gap in street scene to the detriment of the character and setting of the Conservation Area.

The development itself lies outside the Conservation Area where it effects its setting, and the main impact will be on longer view from the bypass towards the Conservation Area. The tighter layout arrangements and density of development within the site will help to create better spaces within the site, particularly to the glimpsed views within the site from the Conservation Area. The proximity of denser development adjacent to generously spaced houses will not be out of character with the pattern of development throughout the village, especially near the village core.

In terms of the NPPF evaluation required under paragraph 134, it is considered that the public benefit of providing a suitable housing site outweighs the less than substantial harm that it would cause to the Conservation Area, following the proposed mitigation.

The new access will result in more vehicular movements in this part of the Conservation Area, but the levels would not be of a significance that would materially harm the setting.

Policy DAP8 requires development to preserve or enhance Conservation Areas. The NPPF places great weight on the conservation of heritage assets and states that any harm to heritage assets can only be justified where it can be shown that the public benefits of the scheme outweigh the harm to the heritage asset. The loss of a building which makes a positive contribution to a Conservation Area must be treated as either substantial or less than substantial harm, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area as a whole. As set out above, it is considered that the police house has a neutral impact on the Conservation Area, therefore any harm would be less than substantial at the most, and this must therefore be weighed against the benefits of the scheme. It is considered that the scheme with the proposed mitigation, would preserve the Conservation Area and be consistent with Policy DAP8.

The scheme provides a layout for 60 houses, with a row of dwellings backing onto the houses fronting Wellesbourne Road and Hemming's Mill, and a main

central access road with two cul de sacs leading off. At the site entrance is an area designed as a 'village green', which includes orchard tree planting and has one (of two on the site) 2.5 storey dwellings overlooking it and providing a focal point. A path originally cutting through this green has been removed to increase the area. Five bungalows are arranged along a sight line from the Westham Lane access towards Sherbourne Church to contribute to the sense of place and integration of the site into the landscape. The density of development on the site, at 22 dwellings per hectare is low. Policy DP5 states that densities below 30 dwellings per hectare will not be accepted unless such densities would compromise the character of the area or standards of residential amenity. The proposed density is not considered unacceptably low given that the layout and appearance appears appropriate to the character and environment of the adjoining Conservation Area. Policy DP1 requires development to harmonise with the existing settlement, respect local architectural significance and adopt appropriate materials. The design of the dwellings is considered to comply with this policy, in that a range of dwelling styles reminiscent of farmhouses, cottages and conversions are proposed, which include architectural detailing seen elsewhere in the Conservation Area.

Impact on residential amenity

The layout of the development meets the Council's Distance Separation Guidelines SPG in relation to all surrounding existing dwellings. The closest neighbour at no.8 Hemmings Mill has a 13.5m separation between their rear elevation and a single storey garage set 1.5m off their boundary. This is considered reasonable given there is no guideline for single storey buildings. No.7 Hemmings Mill is 18m from the blank side gable of a two storey house, where the SPG would require a gap of 12m. The side gables of plots 1 and 60 each side of the access are set 1.5m and 2m off the rear boundaries of houses fronting Wellesbourne Road, whose rear elevations are 31.5m and 41m away (SPG requires 12m). The nearest house to the boundary with Wellesbourne Road is plot 52 which is set at an angle with its rear elevation positioned a minimum of 10m from the boundary. A new dwelling has been approved but not built in the garden of no.2 Wellesbourne Road. This house is positioned with its gable end facing the rear garden of plot 52, which has two secondary side facing windows at ground floor set 3m off the boundary. It is considered that each house would have sufficient separation and privacy. Therefore it is considered that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for neighbouring dwellings. Permitted development rights prevent the insertion of clear glazed windows in side elevations so there is no merit in removing normal rights for windows as privacy would be protected by these standard restrictions.

The layout of houses within the site complies with the SPG aside from across four instances across the main access road. Plots 10 and 40 are 15.5m apart where one is a bungalow. The SPG does not provide a guideline for facing 1 to 2 storey development; the guideline for facing bungalows is 17m and for facing 2 storey houses is 22m. Plot 9 to plots 43 and 44 is 19m and 16m away where 22m is the guideline. Plot 1 to plot 60 (at the site entrance) are 17.5m apart where 22m is the guideline. Given that the layout is considered to be reflective of the more

densely built parts of the Conservation Area, and that the deficiencies would be across a road where there is public activity and windows are less private than in rear gardens, the layout is considered acceptable. The proposed access route would achieve a suitable buffer for landscaping and acoustic fencing between the proposed road and garden boundaries (No.20 and 24 Wellesbourne Road) to avoid any significant impact from vehicle movements. The Environmental Health Officer is content with the proposals in this respect.

Traffic impact and highway safety

The Highway Authority have raised no objection to the principle of an access off Wellesbourne Road, subject to conditions to secure suitable visibility splays and relocation of the bus lay-by and bus stop facilities. The development would be required to make a contribution towards strategic highway improvements in the District as a result of the cumulative impact of the development on the wider network, which could be secured under Section 106.

Concerns regarding traffic generation are noted, however following the opening of Barford bypass there has been a general reduction of traffic through the village and the additional comings and goings generated by the proposed development are not considered to be so significant as to raise highway safety concerns sufficient to warrant refusal of the scheme, in accordance with the NPPF (para. 32). The internal road layouts can accommodate emergency and refuse vehicles. The proposal includes 106 parking spaces, which is in accordance with the Council's standards, plus 8 visitors spaces and 42 garage spaces, therefore the proposal exceeds the requirement. The proposed development therefore accords with policies DP6 and DP8 of the Warwick District Local Plan 1996-2011.

Ecological impact

The applicant has completed an assessment using the Biodiversity Impact Assessment Calculator and the results demonstrate that there would be a net loss of 5.09 biodiversity units from the site, taking into account proposed habitat mitigation. The provision of these units elsewhere could be secured by a Section 106 agreement and would ensure that there is no net loss of biodiversity as a result of the proposed development. Appropriate surveys for bats, badgers and reptiles have been undertaken and taking into account the evidence, conditions can be imposed to ensure that the development is acceptable in landscaping and ecology terms. It is therefore considered that the proposal accords with Local Plan Policy DP3.

Archaeological evaluative fieldwork has already been undertaken on site at the request of WCC Archaeology. This fieldwork has established extensive features of probable Iron Age/Romano-British date survive on site, and that it would be necessary to secure a programme of archaeological field work by condition.

In relation to minerals, the proposed development site lies within an area covered by the sand and gravel resource area. The applicant has submitted an evaluation which concludes that it would be impractical to extract gravel prior to

development as the volume would be insignificant and it would not be financially viable to process the gravel off-site.

An evaluation of the agricultural land quality has been submitted which concludes that the land is Grade 2/3, the site is awkwardly located for agricultural vehicle access, and would not be a viable unit in its own right. The proposal would result in the loss of some good quality agricultural land, but it is not considered that this carries such weight either alone or in combination with other factors as to warrant refusal, given the small amount of land being lost, the access difficulties associated with practical agricultural use, and the amount of similar land in the surrounding area.

Impact on local services

The proposed development would create significant additional demand for local services and there have been a number of requests for contributions towards community facilities, as listed under the details of development.

There is no provision for children's play areas on site and there are also deficiencies in other required types of open space therefore it is appropriate to require an offsite contribution for these which can be used by the Parish Council to improve their existing playing fields. The local education authority have now advised that there is no sufficient capacity in local schools and that an education contribution is now required. The Primary Care Trust have previously advised that a contribution is not required towards GP facilities.

Having considered the available evidence, the above contributions are considered to be in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. A development of 60 dwellings on this site would have a material impact on or need for affordable housing, education, open space, health care, sports facilities, drainage, monitoring costs, and rights of way, employment/training for locals and highway matters. This a particular issue given the cumulative impact that is expected from the substantial level of housing growth proposed across the District. It is reasonable to expect a development of this size to contribute towards the additional costs associated with meeting these increased demands. The relevant consultees have identified specific projects and locations where this money would be spent. Therefore it is considered that all of the contributions listed above are necessary to make the development acceptable in planning terms, are directly related to the development and are fairly and reasonably related in scale and kind to the development (as required by Regulation 122).

It should be noted that discussions regarding the education contribution are still progressing. The requirements is £807 per dwelling. Whilst the applicant has not agreed this amount to date, officers will confirm the position to members as part of the late items report or at your meeting.

Other Matters

In terms of sustainability, the scheme includes an Energy Statement identifying the two most suitable solutions as solar thermal or photovoltaics, ensuring the 10% energy target set in SPD is met. These schemes could be successfully implemented through condition in accordance with Policy DP13 of the Warwick District Local Plan 1996-2011 and the associated SPD.

The Environmental Health Officer recommends conditions for a further contamination survey, a scheme to mitigate traffic noise for residents, provision of a 2m acoustic fence alongside the site access, an air quality mitigation scheme, and construction management plan.

The site is within Flood Zone 1, and it is proposed to install a balancing pond at the western end of the site to ensure run-off does not exceed existing green field rates plus allowance for climate change. The Environment Agency and drainage officer have raised no objection to the scheme, subject to detailed design.

Gates, fencing and bollards have been added in accordance with the Police comments.

An Agricultural Land Statement submitted with the application states that roughly half the site is brown field land which has been the site of glasshouses, planting beds and hard standing, and would be difficult and not economically viable to return to agricultural use. The remainder is Grade 2/3a land but the area is so small and awkwardly sited that its economic viability is also diminished. The NPPF requires account to be taken of the economic and other benefits of agricultural land. It is considered that the housing needs of the District, which will require the loss of significant areas of best agricultural land, outweighs the loss of productive agricultural land.

In relation to health and wellbeing, the proposed development is designed in a manner which makes appropriate provision for the amenities of the future occupants of the new residential properties and which does not impact upon the amenities of any nearby properties to an unacceptable degree. It also makes appropriate provision in terms of the mix of housing to meet the needs of a range of household types and sizes.

SUMMARY/CONCLUSION

As the Council cannot demonstrate a five year supply of deliverable sites for housing, Policy RAP1 is out of date. The NPPF places great weight on the conservation of heritage assets and states that less than substantial harm to heritage assets can only be justified where it can be shown that the public benefits of the scheme outweigh the harm to the heritage asset. The proposal would result in less than substantial harm to the Conservation Area.

The public benefits of the scheme consist of the provision of market and affordable housing which would increase choice, meet local needs, and increase housing supply in the District, provision of employment during construction,

improvements to and provision of open space, sports facilities, and footpaths.

The site is in a sustainable location adjacent to the village where residents can access a range of services. The adverse impact on the landscape surrounding the village would not be great. It is considered that the proposed design and mitigation of the access will ensure satisfactory integration with the Conservation Area that would preserve its character and appearance, whilst the demolition of the existing dwelling would not have an adverse impact. Therefore the proposal would not have an adverse impact on the special qualities of the Conservation Area and would not result in significant harm to highway safety or neighbouring amenity. It is concluded that harm to heritage assets is outweighed by the public benefits of the scheme. The development is considered to comply with all current Local Plan policies listed aside from RAP1, which the NPPF advises cannot carry any weight. Furthermore the development is considered to comply with the policies of the NPPF, taken 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 housing allocation in the Draft Local Plan needs to be given serious consideration, due to its stage in the plan process, but the evidence base supporting the inclusion of the site in the Draft Local Plan carries some weight. It is therefore concluded that planning permission should be granted.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (P14:4872:10 Rev0, P14:4872:11 Rev0, P14:4872:12 Rev0, P14:4872:13 Rev0, P14:4872:14 Rev0, P14:4872:15 Rev0, P14:4872:16 Rev0, P14:4872:17 Rev0, P14:4872:18 Rev0, P14:4872:19 Rev0, P14:4872:20 Rev0, P14:4872:21 Rev0, P14:4872:22 Rev0, P14:4872:23 Rev0, P14:4872:24 Rev0, P14:4872:25 Rev0, P14:4872:26 Rev0, P14:4872:27 Rev0, P14:4872:28 Rev0, P14:4872:29 Rev0, P14:4872:30 Rev0, P14:4872:31 Rev0, P14:4872:32 Rev0, P14:4872:33 Rev0, P14:4872:34 Rev0, P14:4872:35 Rev0, P14:4872:36 Rev0, P14:4872:37 Rev0, P14:4872:38 Rev0, P14:4872:39 Rev0, P14:4872:40 Rev0, P14:4872:41 Rev0, P14:4872:42 Rev0, P14:4872:43 Rev0, P14:4872:44 Rev0, P14:4872:45 Rev0, P14:4872:46 Rev0, P14:4872:03 Rev0, P14:4872:04 Rev0, P14:4872:05 Rev0, P14:4872:50 Rev0, 20252_02_001 RevH submitted on 19 May 2014. P14:4872:01 RevB submitted on 5 August 2014. CSa/1924/109 RevM submitted on 4 August 2014), and specification contained therein. **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.

3 The development hereby permitted shall not commence until: -

- (1)
 - (a) 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:
 - a risk assessment to be undertaken relating to human health;
 - 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; and
 - the development of a method statement detailing the remediation requirements.
 - (b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
 - (c) 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 and shall 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 DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 4 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 District 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 District 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 To protect trees and other features on site during construction.

REASON: To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 5 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, where protected species are likely to be found, 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; and
- (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

and to ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP2, DP3, DP9 and DAP3 of the Warwick District Local Plan 1996-2011.

- 6 No phase of the development shall take place until a scheme 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.
- 7 No development shall take place until a scheme 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 at all times thereafter. **REASON**: To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan.
- 8 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: 2012, 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 ground 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.
- 9 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.

- 10 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. 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 pond, wildflower grasslands, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net bio-diversity gain in accordance with the National Planning Policy Framework (NPPF).
- 11 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.
- 12 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be 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.
- 13 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.

- 14 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.
- 15 No development shall take place unless and until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.
- 16 No development shall be commenced on site until detailed engineering drawings of the proposed attenuation pond and any other SUDS features incorporated into the design of the site have been submitted and agreed in writing by the local planning authority. These proposals should include vehicle and pedestrian access to the proposed attenuation pond to allow for maintenance crews to access the area to maintain control structures and the pond. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding, which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DP11 & DP3 of the Warwick District Local Plan 1996-2011.
- 17 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.

- 18 Access to the site and associated highway works including bus stops and crossings shall be laid out in general accordance with drawing 20252_03_003 Rev M. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 19 The development shall not be commenced until visibility splays have been provided to the vehicular access to the site with an 'x' distance of 2.4 metres and 'y' distances of 70 metres to the left and 93 metres to the right, 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 0.6 metres above the level of the public highway carriageway. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 20 Prior to the occupation of the development hereby permitted, the acoustic fences shown on drawing 1924:109 RevM shall be installed. **REASON:** To protect the amenity of adjacent dwellings in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.
