

Planning Committee: 20 June 2017

Item Number: 6

Application No: W 16 / 2356

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

Registration Date: 27/10/16

Expiry Date: 26/01/17

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Grove Farm, Harbury Lane, Bishops Tachbrook, Leamington Spa, CV33 9QF

Reserved matters application for the appearance, layout, landscaping and scale of the infrastructure works (principally drainage pond, drainage routes, public open space and roads and footpaths, and hereinafter referred to as Oakley Grove Phase 2A) pursuant to condition 1 of previously approved outline application ref: W/15/0851 FOR

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

RECOMMENDATION

That Planning Committee grant the application subject to the conditions and notes listed at the end of this report.

DETAILS OF THE DEVELOPMENT

This is an application for the approval of reserved matters under outline planning permission no. W/15/0851 for a residential development of approximately 520 dwellings. The reserved matters included in this application relate to the specific details of the infrastructure phases of the development, including the main spine road and footpaths, open space, strategic landscaping and drainage.

THE SITE AND ITS LOCATION

The wider site on which the outline permission was granted is located south of Harbury Lane and west of Oakley Wood Road. The housing estate of Warwick Gates is located to the north of Harbury Lane, Heathcote Park, a static caravan park, is located to the north west and Severn Trent Water disused sewage works and Gallaghers housing development is located to the west. Open fields lie to the south with the village of Bishops Tachbrook beyond. The site is within open countryside.

Within the wider site, Phase 1a of the approved housing development is underway. This sits to the northern part of the site, immediately adjacent Harbury Lane. The part of the site to which this reserved matters application relates, sits to the south of Phase 1a and concerns the spine road and the secondary access off Harbury Lane, together with the drainage works and public open space.

PLANNING HISTORY

W/15/0851 - Outline planning application for residential development for (approximately) 520 dwellings together with two new accesses onto Harbury Lane, land for Country Park, open space (including areas of formal and informal open space, allotments, structural landscaping and drainage works including surface water attenuation ponds as part of a Sustainable Drainage System), demolition of existing buildings, car parking and associated infrastructure – Approved 20.08.2015

While there are other planning applications/previous approvals linked to the site's planning history, these relate to different parts/phases of the site and as such are not relevant to the consideration of the current proposals.

It is noted that while the above application was made in outline and therefore only included indicative drawings, the submission did include parameters plans that illustrated the SUD's pool would be located within the Country Park. This concurs with the information that formed part of the Environmental Impact Statement (EIS) and specifically, the Flood Risk Assessment, that indicated the same.

When the outline permission was granted this was subject to a S.106 agreement which confirms the location of the SUDs pool and the allotments within the country park and consequently forms an intrinsic part of the permission. Further, conditions 23 and 24 of the outline permission required the approval of a site wide Masterplan and Design Code respectively, both of which were subsequently approved in June 2016. All of this information is consistent in identifying the position of the SUD's pool and the allotments, within the country park.

RELEVANT POLICIES

- The Current Local Plan
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)

- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- 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)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS13 - Allocation of Land for a Country Park (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NP1 - Neighbourhood Plans (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Affordable Housing (Supplementary Planning Document - January 2008)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Warwickshire Landscape Guidelines SPG
- Sustainable Buildings (Supplementary Planning Document - December 2008)

- 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)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Parish Council: Objection for reasons summarised below:-

- The proposals are not in accordance with the plan submitted and approved on W/15/0851 because the SUDS pool and allotments are located in the Country Park;
- Land designated as Country Park should not have parts of the development within it;
- In the Inspector's Main Modifications to the Local Plan, reference was made to an "important buffer of open space to the south to be delivered as a Country Park" which is an important buffer for recreational purposes;
- The design of the SUDS pool poses a health and safety hazard particularly for young children that may use the Country Park;
- The outline plan showed planting at the edge of the housing to provide some mitigation screening on the Tachbrook Valley;
- The pool is proposed to deal with surface water from all of Phase 2; instead there could be a series of smaller pools; and
- Allotments are not an appropriate function of a Country Park and could become untidy.

WCC Highways: No objections subject to conditions

Lead Local Flood Authority: No objections, subject to the full discharge of condition 25 from the outline application

Ecological Services: Previous comments still stand; nothing further to add.

Natural England: No comments to make

WCC Landscape: No objections

Open Space: No objections

Public response: 1 third party letter of objection received; however, this does not raise any material planning considerations.

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 access to the site and while that access cannot be re-considered through this reserved matters submission, approval is sought at this time for a secondary access from Harbury Lane into the site. Consideration of the current application can only include issues related to the detailed layout and design of the proposed on-site infrastructure works.

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

- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the area;
- landscaping;
- open space provision;
- highway safety;
- the ecological impact of the proposals;
- drainage and flood risk; and
- health and wellbeing.

Impact on the living conditions of nearby dwellings

Given the location of the site and the fact it is largely still undeveloped, the nearest properties to the proposed infrastructure works (principally the spine road) would be the houses that make up Phase 1a. This phase is still under construction and only a small number of units, closer to the front of the site, have been occupied to date. To the north west, and accessed off Harbury Lane, is Heathcote Park, which is a static caravan park. The proposed spine road is considered to be sufficiently distant not to result in any material harm to the amenity of the residences in Heathcote Park. Furthermore the proposed drainage and open space works are located even further away, towards the south and eastern areas within the larger site and accordingly would not unduly impact on nearby properties.

Impact on the character and appearance of the area

The proposed infrastructure works are in accordance with the principles set out in the design code that has been approved as part of the outline planning permission. This will provide the framework for a suitably high quality residential environment. The proposed strategic landscaping will create an appropriate setting for the development, in accordance with the principles set out in the Council's Garden Suburbs Prospectus. Therefore it is considered that the proposals would have an acceptable impact on the character and appearance of the area.

Landscaping

This reserved matters submission seeks approval for the strategic landscaping that would flank either side of the spine road, as illustrated on the submitted drawings 10c and 11c. The proposed planting along the spine road would create an important and strategic landscaping belt through the central part of the site, which would also create an appropriate setting for the development. Other landscaping drawings (sections) have been submitted which relate to the attenuation basin and these illustrate that around the periphery of the basin it is proposed to have a belt of aquatic planting sporadically placed around the inner edge of the basin. Beyond that, marginal areas, to be sown with a bespoke mix of native plant seeds is proposed and lastly, on the outer edges around the basin, a belt of meadowland is proposed around the entire perimeter of the basin. This would be sown with a mixture of native plant seeds gathered from the wild. All of this proposed planting around the basin follows the

recommendations previously made by the County Ecologist. Therefore it has been concluded that the landscaping proposals overall are acceptable.

In respect of the design of the SUDs, the technical specifications (size, depth, gradient of the slopes etc) have been determined by discussions between the developer and the drainage consultants. Aesthetically, it has been designed to incorporate a mix of soft landscaping, which, as set out above, meets with the approval of the County Ecologist and Landscape teams. Its position in this area of the country park would, in officers' opinion, be appropriate and would still leave substantial areas of open space throughout the rest of the country park. Similarly, although the allotments themselves do not form part of this reserved matters submission, these are deemed to be appropriate to the overall character of the country park.

Open space provision

The Council's Green Space team are happy with the proposed open space provision, which is in accordance with the Council's Open Space standards. There is an element of cross-over between the reserved matters for Phase 2a in relation to open space provision and the site-wide open space provisions that have previously been considered and approved by the design code. Specifically, in this submission, the location of the SUDs is considered to be acceptable and while the allotments are not strictly part of this reserved matters submission, their location is also considered to be appropriate within the country park. Overall, the proposals are considered to be acceptable in this regard.

Highway safety

Prior to the consideration of this reserved matters submission, an application was made to discharge conditions 14 and 20 from the outline permission. These conditions relate to the submission and approval of a construction phasing plan and a construction method statement respectively, in response to which the County Highways Authority raised no objections. On that basis, both conditions were approved accordingly and the discussions held between the applicant, the Local Planning Authority and the Highways Authority at the time, which led to the subsequent approval, informed the proposals which now constitute this reserved matters submission in respect of the layout of the spine road and associated infrastructure (footpaths, cycle ways etc).

Furthermore, it is noted that the layout shown on the submitted plans is in line with the approved Design Code that was agreed under the original outline permission. Some informal comments have been made by Stagecoach, not as a formal consultation response, or through the formal consultation process associated with the reserved matters submission, and these relate to the potential for the spine road to support a bus route and how practical this will be. It is noted that the Design Code repeats throughout, in several places, that the spine road will support a bus route so ultimately this is a core principle that will need to be adhered to. Such comments largely repeat the substance of earlier stages of the outline permission and subsequent conditions approval i.e. the formulation and approval of the site-wide masterplan and the design code. Officers are therefore satisfied that the reserved matters being considered now would have no adverse impact in this regard. In addition, the County Highways

Authority has also confirmed that it is satisfied the spine road can appropriately accommodate buses.

A number of revised plans and additional information has been received through the course of this application, to address earlier comments made by the Highway Authority, who has now confirmed there are no objections to this reserved matters submission. Accordingly the proposals are considered acceptable from a highway safety point of view.

Ecological impact of the proposals

Ecological matters are dealt with in the conditions on the outline planning permission. The detailed layout of the infrastructure works proposed in this reserved matters application would have no greater ecological impact than that indicated in the outline application and as has been demonstrated in respect of the landscaping, the previous recommendations of the County Ecologist have been followed through. Therefore the development remains acceptable from an ecological point of view, with adequate safeguards provided by the conditions on the outline permission.

Drainage and flood risk

There has been no objection raised from the County Flood Risk Management team or Severn Trent Water. Therefore the proposed drainage details are considered to be acceptable. The drainage scheme will ensure that the development does not increase the risk of flooding. It should also be noted that the technical specification of the SUDs pool has been considered by both the drainage consultants and the Open Space team and is deemed to be acceptable in health and safety terms, particularly having regard to the fact that the nearby area is likely to be used for leisure and recreational purposes, including use by children.

Health and wellbeing

The proposed layout includes large areas of public open space as well as provision for walking and cycling. Therefore it is considered that the proposals would have a beneficial effect on health and wellbeing.

Other matters

It is noted, in the Parish Council's response, that concern is raised about the siting of the SUDs pool within part of the site designated as Country Park. For this reason the Parish Council has stated that these proposals are not in accordance with the original outline permission. However, the original permission was only in outline with no definitive layout plans or other drawings that were explicitly approved as part of the permission. Any drawings submitted at this stage were indicative only and are therefore not finite in terms of the detail, which is reserved for subsequent approval at the reserved matters stage.

Similarly, concern has been expressed at the siting of the allotments within part of the Country Park. However, for the same reasons as above regarding the SUDs pool, the outline included only indicative plans and therefore nothing in the

outline permission precluded the siting of the SUDs pool or the allotments from being placed within the Country Park.

While the Parish Council consider that it was never the intention to locate either of these features in the Country Park, it is noted by officers that part of the information submitted with the original outline application, and linked to the EIS, identified that the SUD's would be placed in the Country Park. There was also a parameters plan that illustrated the same.

Ultimately, with nothing specific imposed on the outline permission in the way of conditions or S.106 obligations, limiting the position of the SUDs pool and/or the allotments, it falls to consider the suitability and appropriateness of it being positioned in the illustrated locations on the drawings submitted with this reserved matters submission. Officers consider that the siting of both, as shown on the submitted drawings, is acceptable and appropriate in visual terms.

Summary/Conclusion

The principle of development has already been established through the approval of the original outline permission (W/15/0851) and is not for consideration again at this time. This application seeks the reserved matters approval for the infrastructure works, principally consisting of the drainage works, roads and footpaths, strategic landscaping and open space. The proposals would have an acceptable impact on the living conditions of nearby residences and on the character and appearance of the area. Furthermore the open space provision is considered to be appropriate and so are the strategic landscaping proposals. Finally the proposals are considered to be acceptable in terms of highway safety, ecological impact and drainage and flood risk. For these reasons therefore it is recommended that the reserved matters are approved accordingly.

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 10 C, 11 C, 12 A, 13 A and 14 B and specification contained therein, submitted on 25 October 2016 and 107 Rev.L, 136-1 A, 136-2 A, 137-1 A, 137-2 A, 138-1 A, 138-2 A, 136-3, 136-4 and 136-5 and specification contained therein, submitted on 19 May 2017.
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.
