

PLANNING COMMITTEE: 26 MARCH 2019

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 5 - W/18/1331 – Land off Arras Boulevard, Hampton Magna

Additional consultation responses received:

Budbrooke Parish Council: 2 letters received raising the following concerns:

- Concern about the cumulative impacts of both allocated sites on the highway network including the local road network in the village itself
- Concern about the extent to which this application has been considered comprehensively in the context of other nearby sites
- Concern about the date on which WCC Highways' final response of no objection was received and the fact this has left the Parish Council little time to consider its contents and provide an updated response

WCC Highways: Additional information received clarifying the vehicular trip rates used by both the developer and the County Council which are considered robust and are applied to the majority of major planning applications, particularly allocated sites. The junction assessments carried out as part of the other allocated site have also been used for this site; a consistent approach agreed with the Transport Planning Team which ensures that the same information was used to assess the impact of both developments at the junctions identified. Traffic growth has been calculated using industry and nationally recognised software and again, the same figures applied to both sites for consistency. 2011 Census data was used to calculate the likely vehicle trip distribution. The most recent speed survey was undertaken in April 2018 to determine the required visibility splays at the Blandford Way/Old Budbrooke Road junction.

WCC Emergency Services: No objection, following the inclusion of an emergency access into the scheme.

WCC Rights of Way Team: No objection.

WCC Education: Updated response setting out the total s.106 request of £238,140 broken down as follows:

- Primary School - £196,725
- Primary SEN - £19,365
- Secondary and Post 16 SEN - £22,050

Environmental Health: No objection, with final conditions. 2 additional conditions recommended:

15. A further remediation strategy to be submitted in relation to land contamination (pre-commencement)

16. An appropriate scheme of mitigation in relation to air quality to be submitted (pre-occupation)

Public Response: A further 7 letters of objection received raising the following concerns:

- What is the purpose of the additional parcel of Green Belt land to the south being added to the application site?
- Development does not meet the requirements of BNDP5; the type, size, gardens and density are not similar to surrounding area
- Affordable housing is not evenly distributed across the site
- There is no demand for larger dwellings
- Hampton Magna should not be a growth village
- Concerns about highway safety and the surrounding road network
- Concerns about the cumulative impact (on the highway network) of both this site and the other allocated site being developed
- The housing density is not appropriate
- Concerns about parking provision and layout

Revised drawing and additional information received

Updated slab levels drawing (Reb.3B) received which does not change the proposals in any way, but merely seeks to update the final layout onto the proposed slab levels drawing.

Remediation Strategy and EV Charging Plan received to deal with comments from Environmental Health officer in respect of land contamination and air quality.

Item 6 - W/18/1435 – Land South of Gallows Hill

To clarify the Open Space requirements, Officers are seeking to request that Members delegate authority to the Head of Development Services, in conjunction with the Chair of Planning, to agree the final clauses for open space implementation and management in the Section 106 Agreement.

Item 8 - W/18/2335 – Lodge Farm House, Westwood Heath Road

Revised Ecological Appraisal received. This does not change the content or nature of the original appraisal submitted with the application but seeks to resolve a disparity between the site edged red shown originally which included (in error) some land outside the application site.

Item 9 - W/18/2378 - 8 Savages Close, Bishops Tachbrook

Additional consultation responses received:

Bishop's Tachbrook Parish Council: Disappointed with the recommendation for refusal and re-confirms its support for the proposal. Cllr Deely will represent the Parish Council at the Planning Committee meeting.

Public Response: Additional representation received from neighbours who have already expressed support for the proposal, reconfirming their support and

pointing out the applicant's conservation work with local flora and fauna.

Planning History:

W/18/2379/LB - Listed Building Consent for the 'demolition of existing outbuildings to be replaced with a single storey dwelling' - approved 19.03.2019.

Item 11 - W/18/2424 - Land rear of Lillington Free Church, Cubbington Road, Lillington

Additional consultation responses received:

Leamington Spa Town Council: No objection

WDC Green Spaces Team (additional comments): The Green Space Team originally supported the disposal because the area was of 'low value' to the local residents and wildlife; and would not be missed. Since the report, the remaining land, the park known as 'The Holt', has been regenerated (including a new play area and outdoor gym equipment, tree works, path improvements, new tree planning and the creation of a wildflower meadow; and, new street furniture – benches, bins and signs). It remains that the area, subject to this planning applications, is not required as open space.

The justification, and decision, to dispose of this piece of land was taken under an Executive Report of 31 August 2017. Relevant extract below:

3. REASON FOR THE RECOMMENDATION

3.1 The piece of land in question is owned by Warwick District Council (WDC), and hatched on Plan 1 (attached), and covers an area of approximately 1,356 square metres, or 0.35 acres.

3.2 The site previously accommodated a local Scout Hut. This hut was removed in the late 1980's due a decline in the numbers of scouts using the facility combined with its overall poor condition. The poor condition of the hut had also attracted instances of vandalism that had occurred as a consequence of its location (being hidden away from public surveillance by the neighbouring Church and residential development).

3.3 Since then, the site has been absorbed into (and now forms part of) the current wider area of open space. It should be noted that as a consequence of its particular location it has periodically been subjected to fly tipping and the location for occurrences of anti-social behaviour. This element of the open space is an ongoing liability as it has continuing cost implications to WDC as part of the Council's Grounds Maintenance contract. In the context of its value to the overall public open space, it is considered as an underutilised / marginal element of the land available to the local population for play and recreation.

3.4 The land immediately to the south of the land in question is currently the subject of a planning application W17 /0823 by Lillington Free Church. This planning application is yet to be determined. The proposal comprises of the development of 25 affordable homes, for Orbit Housing Association (OHA) and a new (replacement) Church/ Community Hall for the Lillington Free Church.

3.5 More recently OHA have approached WDC with a view to purchase the land that

is the subject of this report to enable its addition to their development proposal. Subject to planning approval, this would enable them to deliver additional affordable housing units. Discussions with WDC's 'Development Services' and 'Neighbourhood Services' units have concluded that the inclusion of the land in question in the proposed OHA development site would make good use of an otherwise underused site. This is considered a good rationalisation of the site whilst also assisting WDC in its ambition to assist in the delivery of affordable homes in the District.

3.6 Terms & conditions for the sale of the land in question have been negotiated between WDC and OHA. These are private & confidential as they fall within the provision of information that relates to the financial or business affairs of any particular person, including the authority holding that information. Consequently, they are set out in full in the Private & Confidential Appendix One of this agenda.

3.7 The area of land in question is of marginal operational value in the context of the wider parcel of important open space, known as 'The Holt Play Area', and is considered to add little in terms of quality to the overall open space that is available to the public.

3.8 In this context the proposed disposal of this area of open space is deemed appropriate, as the attainment of 7 additional affordable dwellings can be delivered & achieved without prejudicing the overall functionality of what would be the residual area of open space.

3.9 The land sale would be predicated on the receipt of a proportionate S106 contribution from the additional OHA development towards enhancement projects that are already itemised to improve the enjoyment and utilisation of what would be the remaining area of open space at The Holt Play Area (after disposal of this parcel).

3.10 A footpath connecting The Holt residential area to The Holt Play Area will be incorporated in the future development in order to retain the connection that is currently in place.

3.11 This disposal is seen to be appropriate in the context of Policy HS2 (Protecting Open Space, Sport and Recreational Facilities) of the emerging Local Plan as this particular proposal is considered to be of sufficient benefit to clearly outweigh the loss of this underutilised element of the open space.'

Conditions:

Following discussions with the applicant's agent, it has been deemed appropriate to re-word proposed conditions 4, 8, 9 and 10 such that they are no longer pre-commencement conditions:

- 4 – Prior to occupation
- 8 – No development above slab level
- 9 – Prior to occupation
- 10 – Prior to occupation

Also in terms of condition 9 - "Or other alternative arrangements" is added to the end of Condition 9 (c)

On a point of clarification in terms of Condition 10, officers consider the development to be a linked extension of the adjoining site, and not a stand-alone development. This is on the basis that:

- access is gained through the site and not separately;
- it is the same applicant and the development will be carried out concurrently with the adjoining site; and
- two of the car parking spaces from the adjoining site are to be relocated within the application site.

Therefore, although the proposal is under the threshold of 10 dwellings for payment of such a contribution, it is, in this case, considered reasonable and appropriate because it is connected to, and an extension of, an existing development. Furthermore, it is also required under the terms of the disposal of the site (ref. para 3.9 of the executive report as set out above).

With regard to Condition 10 above, an alternative financial contribution would be acceptable. In such a case, a contribution of £8,420 would be necessary in accordance with the contribution rates set out in the 'Open Space Supplementary Planning Document' and its associated guidance, 'Developer Contributions for commuted payments for new provision/enhancement of open space- amended'. For this development, the contribution figure reflects the enhancement costs of open space as set out in the guidance; namely, 10 bedrooms in multiple bed dwellings at £842 per room. The contribution would be put towards further improvements of the public open space at The Holt.

Item 13 - W/18/2457 – The Cottage, Beausale

Letter from agent clarifying/ correcting details within the committee report.

- The existing and proposed floorspace figures are incorrect (page 3).
 - The total existing footprint (GEA) is 693 sqm and total existing floorspace is 645.7sqm
 - The total proposed footprint (GEA) is 608 sqm and the total proposed floorspace is 521.5sqm
 - Therefore, reduction in footprint and floorspace is 85sqm and 124.2sqm respectively, due to increased wall thickness (due to increased thermal performance etc)
- The number of existing buildings (including ancillary garden structures) to be replaced is 7 in total.
- Existing garden is not just to be reverted to agriculture (p.3 & 4) as the definition of 'agriculture' often refers to the generating of product. With specific reference to the existing domestic curtilage this is proposed to change to a form of 'set-aside' land, which is commonly used to increase biodiversity within agricultural landscapes in order to counter damage to ecosystems and wildlife as a result of the intensification of agriculture. As such via the provision of rough grassland and wildflower planting etc in this part of the site plus other biodiversity habitats (i.e. pond, bat/bird boxes) the intention is to provide net biodiversity gains in an otherwise pastoral setting.
- Whilst the report clearly explains the rationale for the proposed building layout and altered domestic curtilage from a built form / area consolidation and biodiversity standpoint, it should be noted that besides providing a more coherent layout there are also the real world practicalities of allowing the dwelling to remain in place for our client and their family to live in during

the works but also for bat mitigation reasons – (i.e. allowing new house and dedicated bat loft over annex to be constructed before house is demolished).

- Reference is made to the access being from Packwood Lane. This is incorrect and access is from Church Lane.

Item 14 - W/19/0130 – Campsite, Mousley House Farm

The applicant has responded to the Parish Council's comments stating that no HGVs enter the site and damage to the verges has nothing to do with the campsite.

- *A heavy goods vehicle is up to 44 tonnes in weight and can have 6 axles no vehicles that enter the site would be of an HGV size.*
- *The councillor intimates that it was guests staying on the campsite that have caused damage to the verges but does not supply any supporting evidence for this claim. One of the images provided by the Parish Council is the entrance to one of the fields owned by Wroxall Abbey Estate. This is an entrance used by farm vehicles and not anything to do with the campsite.*
- *Mousley House Farm Equestrian centre, is a council licenced riding school and is a separate business situated on the farm adjacent to the campsite. Many of our campsite guests book to go horse riding at the equestrian centre. The manager of the riding school personally collects the guests at the campsite meeting point, hence the sign stating Pony Day experience meeting point on the campsite, and drives them the short distance to the riding school. This does not increase traffic along Case Lane or cause damage to the verges.*