

Application No: [W 20 / 0502](#)

Town/Parish Council: Cubbington
Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Registration Date: 30/03/20

Expiry Date: 29/06/20

Land off Rugby Road and Coventry Road, Cubbington, CV32 7JN

Provision of 13 additional dwellings on existing application site (approved for 120 under W/17/2371) through removal of larger units and provision of additional smaller dwellings within the existing site layout. FOR Bellway Homes South Midlands

This application is being presented to the Extended Delegated Decisions Meeting due to an objection from the Parish/Town Council having been received.

RECOMMENDATION

That subject to the completion of a Section 106 Agreement, planning permission be granted subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

This is a full planning application for the erection of 13 dwellings within an existing scheme granted planning permission on allocations H25 and H26 in Cubbington.

The overall site area is 5.41 hectares.

The original proposal granted under application W/17/2371 was for 120 dwellings and consisted of 72 open market dwellings and 48 affordable dwellings. The dwellings ranged in size from 1 bedroom to 5 bedroom dwellings and consisted of single storey, two and two and a half storey dwellings in a mixture of brick and render finishes. The scheme included the creation of a vehicular access from Coventry Road and Rugby Road together with the retention and improvement of the existing public right of way that crosses the site.

Following a review of the housing market, the applicants, Bellway Homes are seeking to omit the larger, 5 bedroom dwellings on the site and replace them with smaller 2 and 3 bed units to meet the demands of the housing market for smaller units.

The proposal results in a net gain of 13 dwellings. The scheme will result in an overall development with the following housing mix;

Private Units on Approved Scheme -W/17/2371

Size of Unit	No. Of Units	Total Bedrooms	Percentage
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1 Bed	2	2	2.77%
2 Bed	6	12	8.33%
3 Bed	41	123	56.94%
4 Bed	14	56	19.44%
5 Bed	9	45	12.5%
Total	72	238	

Private Units on Proposed Scheme – W/20/0502

1 Bed	2	2	2.5%
2 Bed	24	48	30%
3 Bed	40	120	50%
4 Bed	14	56	17.5%
5 Bed	0	0	0%
Total	80	226	

Affordable Units on Approved Scheme – W/17/2371

1 Bed	8	8	16.66%
2 Bed	26	52	54.17%
3 Bed	12	36	25%
4 Bed	2	8	4.17%
Total	48	104	

Affordable Units on Proposed Scheme – W/20/0502

1 Bed	10	10	18.87%
2 Bed	28	56	52.83%
3 Bed	13	39	24.53%
4 Bed	2	8	3.77%
Total	53	113	

THE SITE AND ITS LOCATION

The site is currently under construction in pursuance of application reference W/17/2371. The site was formed by two parcels of land allocated for housing in the Local Plan for a total of 100 dwellings. There were two distinct parcels of land; an old allotments site and a parcel of open agricultural land.

The allotment site has now been transferred to a new facility to the north of the application site. The boundaries are a combination of fencing to the residential property boundaries with hedgerows to the field boundary.

The area of the site is flanked to the east and partially to the west by existing residential properties.

The larger parcel was previously an open agricultural field delineated with hedgerow boundaries. A public right of way intersects the field from the south

eastern corner to the north western corner of the land. Within the field there are no landscape features.

PLANNING HISTORY

W/17/2371: Development of 120 dwellings (including 48 affordable units), formation of single access point from Coventry Road and single access point from Rugby Road, highway works, landscaping, public open space and ancillary works.
- **GRANTED 29.03.2019.**

RELEVANT POLICIES

- National Planning Policy Framework
- DS1 - Supporting Prosperity
- DS2 - Providing the Homes the District Needs
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS7 - Meeting the Housing Requirement
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities
- HS2 - Protecting Open Space, Sport and Recreation Facilities
- HS3 - Local Green Space
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- HE4 - Archaeology
- NE1 - Green Infrastructure
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Distance Separation (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Cubbington Parish Council: Object to this revised application on the same grounds as our earlier objections, predominantly the number of properties far exceed the amount required in the local plan. The Objection to the planning application for the 120 dwellings still stands and the Parish Council objects to the proposed increase of a further 13 dwellings. Having compared the number and type of dwellings from the original application to the proposed amended application it is believed that: - The Density of the site has increased from 13.996ft²/acre to 14.598ft²/acre - The increased number of dwellings and therefore population will have an increased effect on the infrastructure and traffic generation. Additional traffic entering and exiting this development will cause additional congestion in and around Coventry and Rugby Road - Increase in number of residents will have an impact on schools, health services and amenities.

Warwickshire Police Major Development Officer: Request contribution of £3,225 towards additional policing requirements.

WCC Flood Risk Management: No objection as scheme in line with drainage strategy approved for W/17/2371.

Warwickshire Police Design Officer: Recommend Secured by Design Standards incorporated into the new dwellings.

WDC Sports and Leisure: Request total contribution of £15,152 towards improvements to indoor and outdoor sports facilities to mitigate the impact of the increased demand as a result of the development.

WCC Rights of Way: Public footpath (W137) crosses this wider development site which is proposed to be diverted. However, referring to the red line boundaries on the Location Plan it appears that the proposals covered in the current application do not directly affect the public footpath. I can therefore confirm that the Rights of Way team has no objection regarding this particular application.

WCC Highways: Having considered the existing Planning Permission for 120 units, the additional trip generation associated with the additional number of dwellings is not considered to have an adverse impact on the safety or capacity of the surrounding Highway Network, therefore, the response of Warwickshire County Council as the Local Highway Authority is one of no objection.

Severn Trent Water: No objection subject to condition.

WDC Environmental Health: No objection subject to noise and Air Quality Mitigation conditions.

South Warwickshire CCG: Do not require any additional S106 contribution for this scheme.

WCC Ecology: Note the loss of trees that would need to be mitigated.

WCC Landscape: Concern about potential reduction in available public open space and the number of trees, hedging and shrubs to be planted across the development site.

Public Response: A total of 2 letters of objection received making the following comments;

- Additional traffic entering and exiting this development will cause additional congestion in and around Coventry and Rugby Road
- Additional properties will cause strain on the nearby infrastructure. It's a busy road and the extra vehicles from the additional dwellings will cause chaos at rush hour
- Additional units will impact limited resources and facilities within the Cubbington area E.g Schools, Doctors, Dentist, shops etc

ASSESSMENT

Principle of Development

The adopted Local Plan is the most up to date evidence base for the allocation of new housing land and this site forms part of the strategic expansion of Warwick and Leamington as defined within Policy H1.

The application site is identified within the Warwick District Local Plan 2011-2029 as a site suitable for new housing development within the growth village envelope of Cubbington. The land is defined as two housing allocations; the H25 and H26 allocations which are formed of two different land parcels separated by a hedgerow running from east to west across the site.

The allocations identified a total of 100 dwellings across the two sites. The earlier scheme brought forwards had a total of 120 dwellings across the two sites, exceeding the overall allocation by 20 units or 20%.

This scheme would increase the overall numbers on the site to 133 when considered alongside the earlier permission.

The explanatory text to DS11 states that the sites were assessed against a number of criteria and an estimated figure for the number of dwellings for each site is identified. That explanatory text also sets out that at the detailed planning application stage that figure may vary. Paragraph 368 of the Inspectors report into the Local Plan stated that the Council's estimate of capacity is based on 50% of the site area being developed which would allow for substantial landscaping to create a strong edge to built development which is shown on the submitted plans despite the increase in numbers.

When considering the additional numbers above the allocation, Officers note that Strategic Policies DS2 and DS3 of the Warwick District Local Plan seek to support the provision of homes that are required within the District as identified within the Objectively Assessed Housing Need. These policies also require development schemes to provide an appropriate level of affordable housing and a mix of new homes of all tenures.

The above policies are based upon the Government objective of significantly boosting housing supply. Furthermore, Policy DS6 identifies a minimum of 16,776 new dwellings during the local plan period of 2011 to 2029. Current rates of new development require the provision of 1,098 dwellings per year for the remaining Local Plan period until 2029.

Policy DS7 sets out the methodology for the provision of new housing over the plan period. The figures set out that the plan period has a significant number of site completions, extant permissions, existing commitments and new dwellings proposed through the sites that are allocated within the plan.

In addition to the identified sites, an additional 1010 dwellings have been earmarked within the Local Plan housing figures that would potentially come forward through windfall sites.

In essence, the additional housing proposed on this site could be considered as a windfall insofar as they would be additional dwellings not identified within the allocation but capable of being satisfactorily assimilated onto the site which is located within a sustainable area.

The potential opportunities for seeking that level of windfall provision across the District on smaller sites is considered to be limited and would in all likelihood result in small, sporadic developments, a significant number of which may relate to sites of 10 or less units. Unlike the current proposals, in such circumstances, there would be no requirement for the provision of 40% of the units to be affordable housing. Therefore in circumstances such as that presented by the current application, there is an opportunity to provide an increased number of dwellings within a high quality scheme whilst also ensuring the provision of affordable housing at an appropriate level.

The proposals seek permission for the construction of an additional 13 dwellings to replace the larger units originally approved as part of the 120 dwelling scheme. The additional dwellings are wholly contained within the existing plot boundaries so the associated open space and green infrastructure remains unaffected.

In accordance with the provisions of Policy DS11 and having regard to the fact this is one of the District's allocated sites for housing, officers consider that the site is capable of delivering a high quality scheme notwithstanding the proposed increase in numbers. This conclusion has been drawn having regard to the above and taking into account the comments of the Inspector in his final report.

Other benefits are capable of accruing as a result of the increased number of dwellings proposed relative to those estimated at the time of the allocation. Within the context of the Government objective to significantly boost housing supply, the provision of addition dwellings in a sustainable manner within a high quality development is considered to be a positive outcome which as set out above increases opportunities for the provision of affordable housing and a wider tenure mix in a manner which may not otherwise be the case and in accordance with the relevant policies to suit the housing requirements of a variety of people.

The number of dwellings proposed relative to the allocation

This application proposes up to 133 dwellings which equates to a 33% increase over the estimated number for the allocation in the Local Plan.

The layout positively demonstrates that even with the additional numbers, a high quality development within a landscaped setting can be achieved that would provide desirable living environments in which future occupiers will live.

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By providing additional dwellings on this site, the requirement to find additional small scale sites to provide new housing is removed. In addition, by providing additional dwellings on this key allocation, the proportionate amount of affordable units are secured together with appropriate infrastructure contributions that may not result from smaller windfall sites of 10 or less dwellings. The additional provision on this site therefore has a significant benefit to the District in terms of infrastructure and affordable housing provision by resulting in a net gain of 5 affordable housing units on the site.

The overall housing mix to provide between 1 bed and 4 bed properties which reflects the policy requirements of Policy H4 and is applicable to Cubbington as well as responding to the wider District's needs.

Housing Mix

The latest figures on Housing Mix are set out in the 2018 Provision of a Mix of Housing document. The figures set out a market mix as follows;

House Type	Suggested Mix	Actual Mix	Difference
1 Bed	5-10%	2.5%	-2.5%
2 Bed	25-30%	30%	+/-0%
3 Bed	40-45%	50%	+5%
4+ Bed	20-25%	17.5%	-2.5%

The affordable mix is as follows;

1 Bed	30-35%	19%	-11%
2 Bed	25-30%	53%	+23%
3 Bed	30-35%	24.5%	-5.5%
4+ Bed	5-10%	4%	-1%

The market mix is considered acceptable as the thresholds are generally in line with the proposal. The affordable mix puts a focus on 2 bedroom dwellings. Whilst

not in accordance with the guidelines, this mix is supported by the WDC Housing Team.

Officers are satisfied that the proposed development is in accordance with the Warwick District Local Plan 2011-2029.

Impact on visual amenity and the character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The overall form of development will remain predominantly unchanged insofar as the green spaces within the site will be retained as per the existing approval. The experience of the area is of a green and pleasant development. Officers are satisfied that this form of development is an appropriate treatment for the parcel of land.

The site will retain the areas of open space to the boundary of the site with the open countryside giving a significant soft edge to the development where it meets the open countryside. As per the previous approval, all existing hedgerows are retained to delineate the existing boundary of the site.

Overall, the revisions to create the smaller units in lieu of the larger detached dwellings retain the character of the site that has been well designed to reflect the character of the setting. The proposal increases the overall density of the development by virtue of creating an additional 13 dwellings within the site area. However, Officers are satisfied that the character reflects the surrounding building densities of Cubbington. Within the northern element of the site, the character is defined by lower density development with larger areas of green space forming a natural transition into the open countryside by providing a soft edge to the development.

Officers are satisfied that the revised scheme maintains a development that is considered high quality within a well landscaped setting that has been sensitively designed to reflect the character of the wider area.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

All of the proposed dwellings are set away from the boundaries of the site which creates a substantial separation distance between existing and proposed properties. All separation distances between the existing and proposed dwellings exceed the required standards.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

All of the properties within the site have been provided with separation distances that meet or exceed the required standards. Officers are satisfied that the relationship between the proposed properties is acceptable in accordance with the Residential Design Guide. Where properties share a front to front relationship, consideration has been given to the fact that such dwellings would be positioned on opposite sides of a road or pedestrian route running through the development and accordingly regard is had to the more 'public' frontage these properties would have, from which views, certainly into ground floor windows, would be facilitated by pedestrians, cyclists and other passers-by. Overall, having regard to the relevant guidance, the proposals are compliant and the development is acceptable in this regard.

All dwellings have a private garden that is of an appropriate size in accordance with the required standards set out in the residential design guide. Many of the properties also benefit from further space to the frontage to enhance the setting for the occupiers.

Throughout the site there are high levels of open green space that further enhance the setting for future occupiers with areas of formal and informal space to enhance the overall landscape of the scheme.

Overall, having regard to the above, the development is considered to provide appropriate living environments for future occupants, which is further enhanced by the extent of the public open spaces proposed as part of the development.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The County Highways Officer has assessed the proposal and based upon the work carried out within the earlier scheme's transport assessments etc is satisfied that

the addition of 13 extra units of accommodation on the site would not have a demonstrable impact on highway safety.

All of the new plots are provided with the appropriate standard of parking based upon the guidance within the adopted Parking Standards SPD.

Officers are therefore satisfied that the scheme is acceptable having regard to Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The original application was submitted with detailed ecological surveys of the site and surrounding area which were assessed by the County Ecologist who recommended conditions to secure works appropriate to the protection of existing landscape features and potential impact on protected species.

Predominantly across the site, there are no details forming part of this scheme that encroach onto any green space or affect any landscape features beyond those affected in the original application. On the northern boundary, the subdivision of the dwelling creates a marginal intrusion onto the green space. However, the level of encroachment is minor in this location and I am satisfied that it would not undermine the ecological quality of the site.

Due to the revisions to the plots, Officers note that some tree species within garden areas have been omitted. In order to ensure that there is no net loss in tree planting, a condition is proposed to require a scheme of alternative planting to offset any losses.

On this basis, subject to the required conditions, Officers are satisfied that the proposal is acceptable having regard to Policy NE3 of the Local Plan.

Other Matters

Open Space

The areas of open space around the site equate to approximately 1.76 hectares of land which equates to approximately 33% of the overall site area. The on-site public open space is retained at this level and is considered acceptable.

Impact on local services

The proposed development increases the previously approved 120 dwellings to 133. Whilst there is an increase in unit numbers, there is a net loss of overall bedrooms created by the development as a result of the creation of smaller units in lieu of the larger 5 bedroom dwellings. The proposal has been assessed with regards to the potential additional demand for local services and where identified

by Consultees, contributions towards community facilities are required in addition to those already secured.

It is considered that the contributions 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).

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the time of writing, the following requests have been received;

- 40% Affordable Housing (5 units)
- £75 per dwelling for sustainable travel packs.
- £3,225 towards Warwickshire Police improvements.
- £10,250 towards improved indoor sports facilities.
- £919 towards improved outdoor sports provision.
- £3,983 towards additional grass pitches contribution.

Matters regarding the adoption of open space and SUDS have been adequately dealt with as part of the earlier permission for the site and remain unaffected by this proposal.

Conclusion

The development forms part of an earlier permission for allocated sites H25 and H26 for the construction of 120 dwellings together with the necessary infrastructure and associated works, including the provision of open spaces and SUD's. The scheme is considered to be acceptable in principle in accordance with Local Plan Policy DS11.

The proposal will result in an overall increase of units by 13 giving a total of 133 units.

Officers are satisfied that the proposals would provide high levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants in a well-designed and landscaped setting.

Officers are satisfied that the site layout demonstrates that the land is capable of being developed for this number of dwellings without causing material harm to neighbouring amenity or the general character of the surrounding area and still provides a high quality setting for future occupiers.

Appropriate contributions to offset the potential impact on infrastructure can be secured through an appropriate Section 106 agreement and detailed matters can be secured by condition.

Overall, the development is considered to accord with all relevant provisions of the Development Plan and for these reasons, it is therefore recommended that planning permission 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) FULL-13-02, 1423-25, 1423-26, 1423-37, 1423-38, 1423-39, 1423-40, 1423-47, 1423-48, 1423-53, 1423-55, 1423-56, 1423-57, 1423-500-2B, 1423-501-2B and LILLY/2018/02 Bed, and specification contained therein, submitted on 31 March 2020. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those specified within the application documents. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted shall not be occupied unless and until a soft landscaping scheme has been submitted to and approved in writing by the local planning authority to demonstrate that a net gain in proposed tree planting is achieved. All planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 5 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive road traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road traffic noise has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.