

General Development Applications

(7/b) Application No: PAP/2023/0259

Church Farm, New Street, Baddesley Ensor, Atherstone, CV9 2DY

Outline application for the proposed development is for the demolition of six farm buildings, the retention and conversion of the Threshing Barn to two residential units and development of 44 further dwellings (Use Class C3) with associated infrastructure, access and open space. Access being considered, with all other matters being reserved, for

Park Top Limited

Introduction

The receipt of this application is being reported to the Board so as to introduce the proposal to Members before a full determination is tabled. It will describe the site and the outline the proposals together with drawing attention to the most important planning policies relevant of its determination.

The Site

This is to the west of residential properties on The Common and to the south of the churchyard to St Nicholas Church which is separated from it by a grass field. It includes the former Church Farm buildings and its hard standings. To the south are New Street and Church Farm Road. Watery Lane to the west is a traffic free route for cyclists and provides an agricultural access. A public footpath runs along the north-western boundary connecting to a wider network by the Church.

The site covers an area of around 2.5 hectares. It is essentially divided by a stream which runs through the whole site in a noticeable valley. There are a couple of ponds here too and this part of the site has much woodland. It is generally flat at its northern end, but there is a definite slope running towards the south with a drop of around 10 metres.

A general location plan is at Appendix A.

The Proposals

This is an outline application with all matters reserved except for access details. As indicated in the description above the proposal is for 44 new dwellings plus two conversions. An indicative site layout has been submitted as attached at Appendix B.

This shows two areas of development – separated by the central valley, the stream and the ponds. Access into the site would be from New Street opposite Church House and this would then provide access to both halves of the site by a road constructed to adoptable standard. Additionally, there is an access from New Street to serve five apartments as a separate “block” with no connections through to the remainder of the site. There would be footpath connections from the site to the public footpath running along the north-western boundary as well as onto New Street.

The proposals include the demolition of all of the farm buildings – including the house – apart from the threshing barn which has a gable directly onto New Street. Indicative proposals suggest that this would be converted to two dwellings. The former farm-house would be replicated by the new block referred to above. The suggested mix of houses shown on the illustrative layout would 10 one-bedroom dwellings (including six alms houses); 12 two-bed dwellings, 19 three-bed and five four-bed units. The alms-houses would be the on-site affordable provision.

The application is accompanied by a significant amount of supporting documentation which is all available on the website. Amongst this is the Planning Statement which provides a helpful summary of the conclusions reached by the applicant's consultants on a number of matters. This is copied in full at Appendix C, but if Members wish to understand the analysis of the detail behind these conclusions, they are advised to review the submitted documentation itself.

The following matters are of interest within the Statement:

- The vehicular access into the site off New Street has been proposed following highway advice from the Warwickshire County Council as Highway Authority.
- Work has found that the farmstead buildings are so dilapidated that their restoration would be impracticable. However, the proposed layout aims to retain their dispersed location, whilst retaining the most significant building (the threshing barn) and views into and out of the site to the Church and to Church House.
- A Design Code is submitted with the application in order to respond to the particular heritage and visual/landscape characteristics of this site.
- A Bio-Diversity Assessment indicates that there would be habitat loss. The applicant proposes to respond to this by providing off-site mitigation on nearby land within his control through a Section 106 Agreement.
- The site is in Flood Zone One which means that it has a low risk of fluvial flooding. To mitigate the risk of surface water flooding, surface water will be attenuated and discharged via infiltration to the underlying soils. A foul water pumping station is proposed south of Watery Lane in order to pump sewerage to the main public sewer in New Street.
- The proposal involves the loss of some 7 trees and three tree groups. New planting however will mitigate this loss but the majority of the trees on site would be retained – some 45 trees.

Background

The site is one that is allocated for residential development in the North Warwickshire Local Plan 2021 – known as site H7- for up to 47 dwellings.

The Plan has a site-specific policy for proposals to implement this site. This is Policy H7 and it is attached in full at Appendix D.

It can be seen that there are particular heritage and ecological matters to consider in association with the assessment of any proposals for the land. The Policy refers to the need for a “high level of design and care” required to address the nearby heritage assets and the sensitive landscape edge and setting of the village. The applicant has submitted a Design Code to address this requirement. It is attached in full at Appendix E.

Development Plan

The North Warwickshire Local Plan 2021 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP9 (Affordable Housing Provision), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP17 (Green Infrastructure), LP22 (Open Space and Recreation Provision), LP23 (Transport Assessments), LP27 (Walking and Cycling), LP29 (Development Considerations), LP30 (Built Form), LP35 (Water Management), LP34 (Parking), LP35 (Renewable Energy), LP37 (Housing Allocations) and H7 (Land at Church Farm, Baddesley Ensor)

Other Material Planning Considerations

The National Planning Policy Framework

The North Warwickshire Landscape Character Assessment 2010

The Council’s SPD on Air Quality

The Council’s SPD on Open Space

Observations

As this is a site allocated for residential development in the Local Plan there is no objection in principle. However, the Board will wish to be satisfied that there are no adverse or harmful impacts arising from its assessment of the range of planning matters that need to be addressed – e.g. access and surface water disposal. In this case however, there are additional and particular site-specific requirements that are set out in Policy H7 and the final planning balance will involve an assessment of the current proposal against its content.

In these circumstances and in order that Members may better understand the characteristics of the site, a visit is recommended prior to determination.

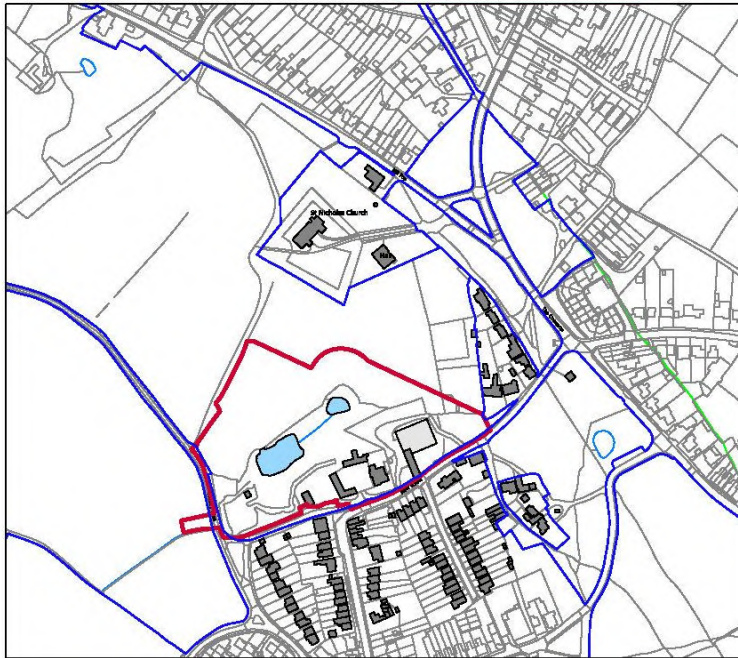
Recommendation

That the report be noted and that the Board visits the site prior to determination of the application.

APPENDIX A

PAP/2023/0259

Notes:



NORTH WARWICKSHIRE
BOROUGH COUNCIL
RECEIVED
13/06/2023
PLANNING & DEVELOPMENT
DIVISION

NO.	DATE	REVISION/NOTES

SWORDERS
ARCHITECTS

**CHURCH FARM
BADDESLEY SITE**

SITE LOCATION PLAN

NO.	DATE	REV.	BY	DATE	DESCRIPTION

CLIENT NO. MER2953 DRAWING NO. 221506 PA 003

APPENDIX B

PAP/2023/0259



NORTH WARWICKSHIRE
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NO.	DATE	REVISION/NOTES

SWORDERS
ARCHITECTS

**CHURCH FARM
BADDESLEY ENSOR**

**SITE PLAN
INDICATIVE LAYOUT**

NO.	DATE	REV.	BY	DATE	DESCRIPTION

CLIENT NO. MER2953 DRAWING NO. 221506 PA 100

REVISION A

APPENDIX C

PAP/2023/0259

PLANNING STATEMENT

**OUTLINE PLANNING
APPLICATION FOR THE
DEMOLITION OF SIX FARM
BUILDINGS, CONVERSION OF
THRESHING BARN TO TWO
DWELLINGS AND
DEVELOPMENT OF 44 NEW
HOMES WITH ASSOCIATED
ACCESS, INFRASTRUCTURE
AND LANDSCAPING**

AT

**CHURCH FARM
BADDESLEY ENSOR
CV9 2DZ**

NORTH WARWICKSHIRE
BOROUGH COUNCIL

RECEIVED

13/06/2023

**PLANNING & DEVELOPMENT
DIVISION**

SWORDERS
Agricultural Commercial Residential

JUNE 2023



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1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Park Top Limited (hereafter referred to as 'the Applicant') in support of an outline planning application with all matters reserved except for access for the demolition of six farm buildings, the renovation and conversion of the Threshing Barn to create two residential dwellings and development of an additional 44 new homes with associated access, infrastructure and landscaping at Church Farm, Baddesley Ensor.
- 1.2 The site lies to the west of residential properties on The Common, and to the south of St Nicholas Church and its churchyard, separated from it by grazing land. The site comprises an area of brownfield land (the former Church Farm farmstead buildings and hard standing), and grazing land. There are two ponds connected by a small stream within the site. To the south are New Street and Church Farm Road, and existing 1980s housing. To the west is Watery Lane, which is a traffic free route for cyclists and also provides an agricultural access. A public footpath (Ref 116/AE50/3) runs along the north western boundary of the site, connecting to a wider footpath network by the Church.
- 1.3 The site covers an area of circa 2.52 hectares, and slopes from a height of 125m AOD in the north east to 115m AOD in the south west corner. It is generally flat in much of the north and eastern areas, sloping down by the ponds to a further plateau in the south west corner.



2.0 PRE-APPLICATION

2.1 This outline application follows a Pre-Application enquiry made to North Warwickshire Borough Council in July 2022, which sought advice on:

- The proposal to extend the site boundary to accommodate a foul water pumping station to the west of Watery Lane;
- The principle of the proposed delivery of 42 new homes;
- The impact on designated and undesignated heritage assets, and on the proposed replacement of the majority of the farmstead buildings to provide sympathetic new buildings in their place;
- The appropriate market housing mix;
- The affordable housing provision;
- Additional work required to support a future planning application; and
- The Local Planning Authority's expectations in terms of stakeholder engagement.

2.2 In addition, pre-application advice was sought from Warwickshire County Council on 1st December 2022. A response was received on 26th January 2023. This was followed by a meeting between WCC and Glanville (the Applicant's highway consultant) on 15th March 2023. These Highways discussions can be summarised as follows:

- Vehicle tracking for 11.73m refuse wagon and Scania fire tender to be undertaken to understand if the main access can be narrowed to improve pedestrian safety at this access;
- WCC confirmed that they are happy with refuse vehicles collecting on New Street. However, all bins should be stored within the plot and NWBC would then need to agree collection from these stores to avoid bins being left out on the street. This is however not a policy requirement. Engagement with the refuse team at NWBC will need to be addressed under a Reserved Matters application;
- WCC do not generally support parking courts, however, agree that they can be appropriate in some cases;



- WCC would need to see a swept path analysis of a delivery vehicle within the parking court for the flats. The main concern with the other parking courts (those close to the almshouses) is that residents will want to park close to their door and they are concerned it will encourage parking along the main access road;
- A plan illustrating the extent of land to be offered for adoption and a parking allocation plan are not required for the Outline Application;
- WCC would like to see tracking of delivery vehicles in parking courts and private drives where the houses are located at the end of a road only, and not all private drives. This can be captured under the Reserved Matters application;
- A gradient of 1:21 for the Primary Access is acceptable and should extend across the first 15m into the site as a minimum. WCC require a minimum gradient of 1:50 and a maximum gradient of 1:20;
- WCC do not adopt shared surfaces, and these should be avoided if possible. However, a shared surface could be used to serve less than 6 units and remain private;
- Streetlights should be provided rather than low level bollard lighting;
- Road tables are not required, the gradient and meandering route of the road will be sufficient to slow vehicles. Dropped kerbs and tactile paving at pedestrian crossing points are sufficient;
- If NWBC are to adopt the footpaths and cycleways, bound gravel and granite setts should be fine but if WCC are to adopt these, they would want bituminous macadam/asphalt; and
- No guidance was received from the Transport Planning Team on trip generation.



2.3 In addition to the submission of the pre-application advice requests, the Applicant and Applicant's agents have also held two informal meetings with officers and members to discuss and refine the proposals. Planning Committee Members have also carried out a site visit, on 25th March 2023. Specifically, these meetings have resulted in a number of amendments to the scheme as presented at application stage, including:

- Reduction in the number of vehicle access points provided from New Street from four to two;
- Delivery of a footpath and cycle way onto New Street to improve access for new residents to village amenities;
- Provision of single storey almshouses which will be retained and managed in perpetuity by the Applicant to provide accommodation for local, older people, in lieu of policy compliant affordable housing provision;
- Removal of the proposed Locally Equipped Area of Play (LEAP) and an agreement that instead, a financial contribution will be provided by the Applicant to upgrade facilities at the recreation ground in the village;
- Creation of smaller car parking areas to reduce the dominance of car parking within the site; and
- The preparation of a Design Code to support the planning application.

2.4 In addition, the Applicant and Agent met Baddesley Ensor Parish Council on 7th December 2022. They briefed the Parish Council Members on the proposals for the site and sought their feedback. Specific issues raised were:

- In principle, cautious support was given for the redevelopment of the site;
- The importance of providing good connections between the site and the surrounding area, so that the development does not turn its back on Baddesley Ensor, particularly an additional pedestrian connection through to New Street;
- Opportunity to improve the footpath along the north side of New Street along the site frontage;



- The importance of the almshouses to be fully accessible and to provide at grade car parking; and,
- In principle support for the proposal to provide a financial contribution to the upkeep of the recreation ground, rather than providing a play area within the site.

3.0 PROPOSAL

- 3.1 This application proposes the demolition of six farm buildings, the renovation and conversion of the Threshing Barn to create two residential dwellings and development of an additional 44 new homes with associated access, infrastructure and landscaping at Church Farm, Baddesley Ensor. While this application is submitted in outline with all matters reserved except for access, an indicative site Plan, informed by pre-application discussions, is submitted alongside this application.
- 3.2 The dwellings are proposed to be arranged in two distinct areas, separated by an extensive green space and two ponds in the centre of the site. Six almshouses will be arranged along the street frontage, overlooking a green at the entrance to the site. Properties adjacent to New Street will be arranged in a pattern which reflects the former farmyard pattern of development. Properties in the northern part of the site will be arranged around a village green, facing the central area of the site.
- 3.3 The proposal will utilise the eastern most existing vehicular access to the site as the main entrance to the development. The spine road through the site is 5.5m wide, with pavements either side of 2m width. There is one further vehicular access from New Street to serve a development of five flats but there is no vehicular access through here to the rest of the development. The road layout as shown on the indicative plan is of an adoptable standard and will accommodate refuse trucks, emergency vehicles and delivery vehicles.



- 3.4 The indicative layout proposes that there will be a footpath connection between the site and the public right of way on the north western boundary, and a footpath connecting the site to the junction of New Street and Church Farm Road. Footpaths through the green amenity area in the centre of the site will be provided on natural desire lines.
- 3.5 The proposal will require the removal of a number of trees, however, it is proposed to retain the majority of the trees around the ponds and around the boundary of the site, and to introduce new planting on the north eastern and north western boundaries.
- 3.6 The proposed housing mix as shown on the indicative layout is: 10 x one bed dwellings (including 6 almshouses), 12 x two-bed dwellings, 19 x three bed dwellings and 5 x four bed dwellings. A table showing the mix of houses and flats is at paragraph 7.60.

4.0 BACKGROUND

- 4.1 There is no relevant planning history associated with the site.

5.0 NATIONAL PLANNING POLICY

- 5.1 National planning policy is contained within the National Planning Policy Framework (NPPF) adopted in 2012 (as amended in July 2021) and is of material importance to the consideration of the application at hand.
- 5.2 The NPPF identifies at paragraph 7 that: *“the purpose of the planning system is to contribute to the achievement of sustainable development”* and identifies three overarching objectives, which are economic, social and environmental.



- 5.3 Paragraph 10 goes onto state: *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*

For decision-taking this means:

c) Approving development proposals that accord with an up-to-date development plan without delay; or

a) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- 5.4 Government seeks to encourage local planning authorities (LPAs) to be positive in their decision making, stipulating at paragraph 38 that they: *“... should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with Applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

- 5.5 Of specific relevance is Paragraph 69c which states that *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

*c) support the development of windfall sites through their policies and decisions – giving **great weight to the benefits of using suitable sites within existing settlements for homes;**” [emphasis added].*



6.0 LOCAL PLANNING POLICY

6.1 Local planning policy is contained within the North Warwickshire Local Plan 2021. The most relevant policies to this proposal are as follows:

- Policy LP2 – Settlement Hierarchy.
- Policy LP5 – Amount of Development.
- Policy LP7 – Housing Development.
- Policy LP9 – Affordable Housing Provision.
- Policy LP14 – Landscape.
- Policy LP15 – Historic Environment.
- Policy LP16 – Natural Environment.
- Policy LP22 – Open Spaces and Recreational Provision.
- Policy LP23 – Transport Assessments.
- Policy LP29 – Development Considerations.
- Policy LP30 – Built Form.
- Policy LP33 – Water and Flood Risk Management.
- Policy LP37 – Housing Allocations.
- Policy H7 – Land at Church Farm, Baddesley

6.2 Consideration has also been given to the following Supplementary Planning Documents (SPDs) and other planning guidance:

- Car Parking Standards (Local Plan 2021).

5.3 Baddesley Ensor does not have a Neighbourhood Plan.



7.0 MATERIAL CONSIDERATIONS

PRINCIPLE OF DEVELOPMENT

- 7.1 Policy LP37 allocates the site for the development of 47 new homes as one of the Local Plan site allocations which will provide a total of 6,183 new homes over the plan period.
- 7.2 Policy H7 allocates 2.2 hectares of land at Church Farm for residential development.
- 7.3 The boundary of the proposed development differs slightly from the allocation boundary in two respects; the proposed development site includes a small parcel of land to the west of Watery Lane which is also in the Applicant's ownership, where it is proposed a pumping station will be located, to pump foul water up to the mains sewer on New Street. The second difference is that the site boundary also extends slightly further north than the allocation boundary. This enables the spine road to curve around the north of the steep area, avoiding a Category B Oak tree and delivering an adoptable road layout.
- 7.4 Both departures from the allocation boundary have been discussed informally with the LPA and are understood to be acceptable in principle. Together, the boundary changes result in an increase of the site area of 0.33ha above that of the allocation, to a total of 2.53ha.
- 7.5 Policy LP37 allocates the site for the development of 47 new homes. Detailed work to understand the constraints within the site, and to deliver a heritage led scheme which respects the nearby heritage assets and landscape character, has resulted in an indicative layout which has the potential to deliver 46 new homes.
- 7.6 Policy LP29 requires that development makes effective use of brownfield land in appropriate locations, reflecting the settlement hierarchy. The proposed development seeks to retain as much of the existing built form on the brownfield element of the site as is possible, and then to re-develop the remainder on the brownfield land in a layout which is sympathetic to the former pattern of buildings on the site.
- 7.7 It is therefore considered that the principle of the Proposed Development, on a site allocated in the Local Plan, complies with the development plan.



AFFORDABLE HOUSING

- 7.8 Policy LP9 (Affordable Housing Provision) requires that all major developments will provide at least 30% of affordable housing on-site except in the case of greenfield (previously agricultural use) sites where 40% on-site provision will be required.
- 7.9 Informal discussions with the LPA has suggested that in lieu of the affordable housing policy requirement, six single storey almshouses will be provided to meet local housing need for the elderly or infirm, and that these almshouses will be retained and managed in perpetuity by the Applicant, for the benefit of local, elderly people who need accommodation. The almshouses will be fully accessible to Buildings Regulations Part M 4 (2).
- 7.10 It is proposed that a 'cascade' type approach will be taken to accommodating residents; in the first place, priority will be given to those who currently live in the parish where the development is taking place, secondly, the needs of those living in the wider ward and then in adjacent wards will be considered and, lastly, providing for the wider needs of the Borough.

SUSTAINABLE DEVELOPMENT

- 7.11 The NPPF establishes three overarching objectives for achieving sustainable development (economic, social and environmental) and sets out that these are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.
- 7.12 The application site is situated within a sustainable location for residential development. Policy LP2 (Settlement Hierarchy) categorises Baddesley with Grendon as one of five Local Service Centres in the Borough. The Plan notes that these Local Service Centres 'provide important local services and facilities'. The site lies within walking or cycling distance of Baddesley Ensor Post Office and Stores, Fish Bar, barbers, health centre, social club (which contains a small library) and park and recreation ground.
- 7.13 Baddesley Ensor benefits from regular bus services which connect it with Atherstone, Tamworth, and Nuneaton respectively. There is a bus stop on the site frontage on New Street.



- 7.14 New residents therefore do not need to use their cars to access local shops and services, and have the option to use regular bus services to local towns.
- 7.15 The additional population associated with the application proposal would have a positive influence on the local economy, providing additional custom to shops and services on offer in the locality, thus enhancing the prospect of their future retention and growth. It is likewise the case that the construction of 46 dwellinghouses would generate localised economic benefits. Local tradespeople and suppliers would benefit from the construction project and the ongoing maintenance of the dwellings and services required by the occupants in future years. Taylor Wimpey estimates that 1.5 full-time direct jobs are created for each new dwelling built, plus an additional 3 jobs per home in the wider supply chain.
- 7.16 The proposed development will provide a net gain in biodiversity and will retain and enhance a significant area in the centre of the site of trees and ponds, which will provide wildlife corridors through the site.
- 7.17 A Statement of Significance considers the impact of the proposed development on the built heritage resource within and in the vicinity of the site. It notes that the importance of the farmstead buildings derives from them forming a legible historic group and from buildings which have had minimal change to their traditional form. However, it notes that the buildings are extremely dilapidated which limits their significance as a whole and their present state makes retention, conversion and reuse more difficult and costly, potentially rendering it uneconomic and virtually impossible to keep sections of the original fabric in some cases.
- 7.18 Given the above, residential development of the site is considered to meet the objectives for sustainable development established in the NPPF and Policy LP1 (Sustainable Development) of the Local Plan.

HERITAGE

- 7.19 Policy H7 allocates 2.2 hectares land at Church Farm for residential development, including conversion and regeneration of Church Farmhouse and ancillary/associated barn and outbuildings, although the policy notes that if evidence proves the complex



cannot be retained in full or in part, new development should seek to reflect the farm complex.

- 7.20 Policy H7 notes that a high level of design and care is required to address the setting of the nearby Church of St Nicholas and Grade 2 listed war memorial.
- 7.21 Policy LP15 (Historic Environment) states that all development proposals that affect any heritage asset will be required to provide sufficient information and an assessment of the impacts of those proposals on the significance of the assets and their setting.
- 7.22 There are four designated Grade II Listed Buildings within the study area. The Grade II Listed Church House (NHLE: 1186159) lies on the opposite side of New Street. The Grade II listed Church of St Nicholas lies to the north of the site. In the churchyard is the Grade II listed Baddesley Ensor War Memorial. Further to the south lies the former Quaker Meeting House, adjoining the north of the Methodist Chapel.
- 7.23 As required by Policy H7, a heritage Statement of Significance was prepared in 2022 to support a pre-application advice request, and an addendum statement has since been prepared in support of the current planning application. The statements assess the significance of designated and non-designated heritage assets within and adjoining the site and the contribution of setting to that significance. This heritage assessment has informed the indicative layout of the site and has advised on the potential of the farmstead buildings for conversion.
- 7.24 The Statement notes that the present buildings at Church Farm date from the mid-19th century through to the mid-20th century, and the farm has associations with the now demolished 16th century Baddesley Old Hall. The farm comprises seven, undesignated structures: a farmhouse, cart shed, threshing barn/parlour, steel framed animal shelter, two adjoining cow houses, and a shelter shed, most recently used as a car garage.
- 7.25 The Statement notes that, in heritage terms, the value of the farm buildings on site is in the intelligibility of the farm complex. However, a survey of the buildings has found that the majority of the buildings are very dilapidated and structurally unstable, and as such the cost and effort involved in restoring them may be impracticable. It proposes that the threshing barn/parlour on the east side of the complex is the exception to this and would



be capable of preservation and conversion.

- 7.26 The planning application, informed by this assessment, therefore seeks planning permission for demolition of six of the seven structures, and for conversion of the threshing barn to two residential units.
- 7.27 The proposed layout plan is informed by the intelligibility of the farm's current layout and seeks to replace those farm buildings to be lost with dwellings of a sympathetic size, design and materials, thus broadly maintaining the farm's intelligibility, and reducing the impact on the settings of the building to be renovated.
- 7.28 The development within the farmyard will have a negligible impact on the settings of the Church of St Nicholas. At present, due to intervening foliage, only glimpses of red-brick and tiled buildings can be had of the farm buildings from the church. Similar materials will be used, the new buildings will be of a similar scale and massing, and a number of trees will be retained together with new planting, thus the view from the church should continue to be of glimpses of buildings that adhere to the local vernacular.
- 7.29 Development in the field to the west of the farm presents the potential for a greater impact on the settings of the church. This impact may be mitigated to a large extent by use of the steep slope and planting to screen and break up the view of the development. If this can be done, it is adjudged that this part of the proposed development would create a "less than substantial harm (lower end)" to the settings of the church.
- 7.30 The Statement of Significance has noted the importance of the view from Church House towards St Nicholas Church and this view has been preserved along the access route into the site, which is flanked by single storey almshouses grouped around green space, to minimise the visual impact of proposed development in this view corridor.



7.31 The impact on the Listed Church House would be 'no harm' to 'minor beneficial' given that although new dwellings will be erected opposite it, those buildings will be single storey, in a style, materials and size sympathetic to the local vernacular, and will largely occupy the area of the 20th century steel framed animal shelter which currently detracts from the settings of Church House. Sympathetic renovation of the eastern threshing barn would also produce a minor benefit for the settings of Church House.

LANDSCAPE

7.32 Policy H7 notes that a high level of design and care is required to address the setting of the nearby Church of St Nicholas and Grade 2 listed war memorial, the sensitive landscape edge and setting of the site as highlighted in the Council's Landscape Character Assessment for the settlement.

7.33 Policy LP14 (Landscape) states that within landscape character areas as defined in the Landscape Character Assessment (2010) and the Historic Landscape Characterisation project (2010) development should look to conserve, enhance and, where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. It notes that new development should, as far as possible, retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity through further hard and soft landscaping.

7.34 A Landscape and Visual Impact Assessment has been prepared to inform the layout of the proposed development. The main recommendations from the report are set out below, with a description of the corresponding elements of the indicative layout plan.

7.35 The LVIA notes that the site lies within the Baddesley to Hartshill Uplands Landscape Character Area, a characteristic of which is the complex land use pattern of settlement, woodland, recreation, quarrying, associated industry and farmland.



- 7.36 Paragraph 4.26 of the LVIA states that the site itself is not considered to be of high landscape quality, given its derelict condition along New Street and the southern boundary, along with the overgrown and unmanaged area of woodland and ponds within the central section.
- 7.37 The report notes that the site's relationship with its landscape setting is influenced by the existing settlement edge to the immediate south and east, along with the site's more open, pastoral character to the north.
- 7.38 Adverse landscape impacts of Moderate significance were identified upon the presence of the Grade II Listed Church House, to the immediate south of the site. However, the report notes that this is in the context that the Listed Building lies along a street of existing residential dwellings to the immediate west and south, with derelict built form to the north-west and existing residential built form to the north-east. All other adverse landscape impacts were identified to be of either Moderate/Minor or Minor significance.
- 7.39 The visual impact assessment concluded that immediate views of the site are largely limited to the existing settlement edge to the south and east, and Public Footpaths 115/AE51/1 and 115/AE50/1 to the immediate north, and that these views are generally partial and do not include the whole site, but are also largely influenced by the settlement edge itself.
- 7.40 Adverse visual impacts of Moderate significance were identified upon these two adjacent public footpaths (115/AE51/1 and 115/AE50/1), as a result of the more open character to the north of the site.
- 7.41 All other visual receptors were judged to have either an adverse impact of Moderate/Minor or Minor significance, or a neutral impact of Moderate/Minor and Minor significance. In addition, the residents and users of New Street were judged to experience a beneficial impact of Moderate and Minor significance respectively as a result of the overall improvement of the streetscape.



7.42 To address the landscape impacts and the impacts on the views, the LVIA identifies a number of mitigation measures to ensure that the development proposals relate positively to the character of the site and the settlement, and do not appear incongruous when viewed from the wider village and landscape setting. These are:

- All existing boundary vegetation will be retained and enhanced where possible to preserve the degree of visual containment to the site, and to ensure that the proposals are set within an established green infrastructure. The central area of the site, comprising ponds, shrubs and trees will be retained and actively managed.
- Footpaths within the proposed development will connect the north-western part of the site to the existing public footpath along the site's north-western boundary, along with a footpath connection in the southern section of the site which will connect to New Street.
- Additional landscape planting is proposed along the north-eastern boundary of the site, to create a green edge to the proposed development when viewed from the existing settlement edge and the Grade II Listed Church of St Nicholas to the north, and along the site's north-western edge, which will help to soften views of the proposed development from the adjacent Public Footpath 115/AE50/1, as well as longer distance views from Public Rights of Way to the west of the settlement edge.
- The inclusion of street tree, shrub and hedgerow planting will also serve to create green infrastructure connections through the proposed development, as well as creating visual interest and areas of shade.

7.43 These recommendations have been used to inform the planting shown on the indicative layout plan around the boundaries of the site and within it, and the provision of footpaths which connect the site to the wider area. As such, it is considered that in landscape terms the proposed development complies with the relevant policies in the Local Plan.



NATURAL ENVIRONMENT

7.44 Policy LP16 (Natural Environment) seeks to minimise impacts on and provide net gains for biodiversity.

7.45 An Ecological Impact Assessment has been prepared for the site and is submitted in support of this planning application.

7.46 The key findings of the report are that:

- Two hedgerows matching the criteria for Habitats of Principal Importance (HPI) are present.
- A stand of Japanese knotweed is present adjacent to the north of the derelict barns but has been the subject of a programme of eradication over winter 2022/2023.
- Day roosts of common pipistrelle and brown long-eared bats were confirmed in three buildings on the site, namely the main farmhouse and two associated barns. An open barn (cow shed) was also being used by foraging bats. No evidence of maternity roosting was identified.
- A range of bat species were recorded foraging on the site, both from on-site roosts and commuting from off-site roosts to the south and north-east. Areas of highest foraging activity were the central copse containing two ponds, and the immediate surroundings of the buildings.

7.47 The report finds that there are no sites designated for their ecological importance either within the site or within 2km of the site. The closest non-statutory designation is the Mineral Railway Baddesley Ensor Local Wildlife site, which lies some 250m to the south west of the site.

7.48 An Extended Phase 1 habitat survey and desk study were undertaken in February 2022, with an updated walkover then undertaken in September 2022. Further targeted surveys for protected species were completed as follows:

- Great Crested Nets (April 2022).
- Bat activity surveys (April-October 2022).



- Nocturnal bat surveys of buildings with identified roosting bat suitability (June-August 2022).
- Reptiles (April, May, June and September 2022).

7.49 Details of the surveys are found in the EclA document. The nocturnal bat surveys were conducted on 8th, 9th, 22nd, and 23rd June; 12th and 26th July and 4th and 15th August 2022. All the surveys were carried out in suitable weather conditions. Table 13 of the EclA sets out the results of the nocturnal bat surveys; three buildings, including the former farmhouse, were found to accommodate day roosts of pipistrelle bats.

7.50 The bat transect surveys between April-October 2022 recorded relatively high levels of bat activity across the site, with the majority of bat passes recorded of common Pipistrelle bats, in particular foraging in and around the barns, woodland margins and over the ponds on the site. Soprano pipistrelle, noctule, brown long eared and myotis bats were also recorded foraging within the site. Table 15 of the EclA sets out the results of the automated survey.

7.51 Appendix 1 of the EclA provides a Phase 1 Habitat Survey Map which identifies all the habitats, features of ecological interest and target notes. The EclA also provides a detailed description of each of the habitats on site. No evidence of protected species, for example badgers or reptiles was seen during the survey.

7.52 Great Crested Newt surveys were undertaken of Ponds 1 and 3 within the site but no great crested newts were found. Smooth newts and toads were seen.

7.53 The reptile survey found no evidence of reptiles within the site.

7.54 The EclA concluded that the hedgerow, woodland and waterbody habitats are of up to Medium ecological value.

7.55 The report proposes a range of mitigation measures to address the above findings. These include:

- Retention of semi-natural habitats within the site where possible, including all areas of the central woodland copse. Any losses must be compensated via new areas of planting.



- There is land available offsite at Baddesley Common, which is in the Applicant's ownership, which could be used for habitat enhancement, with the aim being to achieve a net gain in biodiversity through the proposals. To achieve this, any landscape planting should incorporate native species of local provenance, including those species known to provide foraging opportunities for breeding birds and nectar sources for invertebrates. Where new habitat is created from a lower biodiversity baseline (for example arable land or improved grassland) a mosaic of rough grassland with areas of scrub, waterbodies and woodland planting will provide the greatest value for biodiversity.
- Opportunities to connect the central woodland and the biodiversity offsetting area to the southern boundaries should be sought.
- Demolition of the buildings with confirmed bat roosts must be covered under a Natural England Mitigation licence for bats, applied for after receipt of planning consent.
- It is recommended that clearance works avoid the bird nesting season between March and August (inclusive). If this is not possible, a pre-clearance check should be carried out by an ecologist.
- A sensitive lighting scheme is recommended for the site to avoid excessive illumination of retained and boundary vegetation and to minimise impacts on foraging bats.

7.56 A biodiversity impact assessment has been undertaken using the Biodiversity Metric 4.0. The assessment is based on the indicative layout of the site. It finds that the Proposed Development will result in a decrease in habitat units within the Site, totalling a net loss in biodiversity of **1.17 habitat units (8.71%)**. An additional **2.513 habitat units** must be delivered to meet the 10% increase in Biodiversity Net Gain.

7.57 The Proposed Development will however result in an increase of hedgerow units within the Site, totalling a net gain of **0.71 hedgerow units (61.46%)**.



7.58 Appendix 6 of the BIA identifies four areas in the wider Merevale Estate (in the Applicant's ownership), which could potentially provide opportunities for biodiversity offsetting and these are currently being discussed with the owner. They could involve restoration of degraded areas of grassland within Baddesley Common to neutral or dry acid grassland, or potentially heathland restoration in larger clearings.

DESIGN AND LAYOUT

7.59 Policy LP7 (Housing Development) states that housing is expected to be built at a net density of no less than 30 dwellings per hectare. The proposed development has a net dwelling density of more than 30 dwellings per hectare, within the two development areas identified in the illustrative masterplan.

7.60 The policy requires that a housing mix is provided, which provides for a mix of types and tenures that reflect the needs of the Borough and of the settlement. The indicative layout plan is based on a proposed housing mix set out in Table 1 below, comprising; 6 x 1 bed almshouses (with roof space room for carer – use only to be ancillary to main resident), 4 x 1 bed flats, 3 x 2 bed flats, 6 x 2 bed houses, 19 x three bed houses, 5 x four bed houses.

	Flats	Houses	
1 Bed	4		
1 + Carer		6	
2 Bed	3	9	
3 Bed		19	
4 Bed		5	
Sub Total	7	39	
Total			46

Table 1 – indicative housing mix



- 7.61 The policy also notes that development proposals should make serviced plots available for self-build. As this is an outline application, there are no specific plots identified for self-build and custom build, but these could be made available in any subsequent reserved matters application.
- 7.62 The size of each dwelling exceeds the minimum space standards as established in the Technical housing standards – nationally described space standard set out by the Ministry of Housing, Communities and Local Government (MHCLG) and each dwelling also benefits from direct access to an area of private outdoor amenity space.
- 7.63 Policy LP29 (Development Considerations) requires that development should avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution.
- 7.64 Policy LP 30 (Built Form) requires that all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. It sets out a number of matters for consideration, which are addressed below.
- 7.65 The layout of the proposed development has been informed by the need to respect the heritage buildings and assets around through the careful siting of the entrance to the proposal for a landscaped buffer along the northern boundary. The Design Code sets out how the characteristic architectural styles, patterns and features in the local area have informed the proposed layout and indicative elevations.
- 7.66 The layout has been designed to ensure that that it connects with the wider environment, providing good permeability with paths and roads, and having a number of properties (the almshouses and market properties) facing New Street so that the development does not turn its back on the existing built form.
- 7.67 The proposed layout will ensure that all the dwellings benefit from natural light and solar gain.



7.68 The proposal layout has been designed to reduce opportunities for crime and antisocial behaviour by incorporating private enclosed amenity areas to the rear of each dwelling with the principal elevations overlooking the green spaces and footpaths within the development to provide natural surveillance of the space, in line with national Secured by Design standards.

7.69 Existing water courses have been incorporated into the layout by retaining the two ponds and the stream which connects them, and making these water features a focal point within the site.

7.70 While design is a reserved matter, it should be noted that the design principles are set out in a Design Code to support the planning application. This identifies:

- Design principles.
- Indicative layout.
- Building form, height and scale.
- Green space provision.

7.71 It is anticipated that this Design Code will form the basis of a condition of any planning permission, which requires any subsequent Reserved Matters applications to adhere to the principles set out in the Design Code. The intention of this is to provide some certainty to the LPA of the quality of the proposed development.

7.72 Given the above, the proposal is considered to be in accordance with relevant development and design considerations.

ARBORICULTURE

7.73 An Arboricultural Impact Assessment (AIA) has been prepared, which informs the indicative layout of the site. It comprises a tree schedule, tree constraints plan, arboricultural impact plan and a draft tree protection plan.

7.74 A tree survey was undertaken at the site in accordance with the guidelines provided in BS5837 (2012) Trees in relation to design, demolition and construction – Recommendations. This survey identified a total of 35 trees and 19 groups of trees. These trees have been categorised as follows:



- 2 of high arboricultural quality (Category A).
- 14 of moderate arboricultural quality (Category B).
- 36 of low arboricultural quality (Category C).
- 2 as unsuitable for retention (Category U)

7.75 The proposed development will require the removal of seven individual trees (T001, T008, T010, T012, T021, T022 and T030) and three groups (G002, G003 and G053). The partial removal of small sections of groups G027 and G041 will also be required.

7.76 The loss of T012, which was noted during the arboricultural survey to be of moderate arboricultural quality, is expected to incur some impacts to visual amenity of the local area. Provision has been made within the proposed scheme for replacement planting across the site. It is considered that this will offer sufficient mitigation for any such impacts. The remaining trees and hedgerows to be removed or partially removed were noted to be of low arboricultural quality. These trees are proposed for removal because they are located within such proximity to the proposed development that their retention would be impractical.

7.77 The main vehicular access point into the site has been sited to avoid having an impact on the Category A pedunculated oak (T054), which is located on the south eastern boundary of the site, and, as discussed above, the spine road is located slightly further north than the original allocation boundary, to accommodate the root protection area of T042, a further pedunculated oak, (Category B tree).

HIGHWAY SAFETY, ACCESS AND PARKING

7.78 Policy LP23 (Transport Assessments) notes that Transport Assessments appropriate to the scale of development proposed, will be required to accompany development proposals.

7.79 Policy LP34 (Parking) states that adequate vehicle parking provision commensurate to a proposed development should be provided, as guided by the standards in the Document "Parking Standards".



- 7.80 Policy LP29 (Development Standards) states that development should encourage forms of transport focussing on pedestrian access and provision of bike facilities; and provide safe and suitable access to the site for all users.
- 7.81 In compliance with Policy LP23, a Transport Statement is submitted in support of this application, along with a pre-application advice report which has been obtained from WCC highways and an analysis of that advice.
- 7.82 As set out in section 2.2, pre-application advice was sought from Warwickshire County Council on 1 December 2022. A response was received on 26 January 2023. This was followed by a meeting between WCC and Glanville on 15 March 2023.
- 7.83 Much of the advice provided was for a detailed planning application and this Transport Statement is provided to support an outline application with all matters reserved except for access. Thus, many of the points raised will be dealt with through a reserved matters application that would provide the details for the internal layout.
- 7.84 However, all points raised by WCC have been taken on board and the design of the proposed two accesses on New Street and the proposed illustrative layout have been amended accordingly.
- 7.85 Policy LP29 seeks to make sustainable transport, walking and cycling an attractive and viable choice for people, in line with the Government's intentions towards sustainable patterns of movement. The site provides ample opportunity for sustainable travel. The location of the scheme offers some options for walking, cycling, bus and train use as alternatives to car use to reach some local facilities and services as well as commuting options for major employment destinations including London and Crewe. The local primary school and shop lie within 550m of the site. New Street Bus Stop and Atherstone Train Station are within 10m and 4.8km respectively.
- 7.86 The existing bus pole and flag that border the site on New Street are proposed to be relocated a few metres to the west of the proposed eastern access.



- 7.87 The number of accesses along New Street is proposed to be consolidated with two accesses to serve the site. Following pre-application advice, the eastern access has been adjusted to ensure that the pedestrian crossing width does not exceed 11m. A second access, further west of New Street will be 5m in width and will serve a parking court adjacent to the proposed block of flats.
- 7.88 A visibility splay commensurate with the 20 mph speed limit along New Street is achievable to the left and right upon egress from both the eastern and western site accesses. Drawings are included at Appendix D and E of the TS.
- 7.89 The extent of highways to be offered for adoption is illustrated in the proposed arrangement drawing (Ref 221506 PA 100 Rev A at Appendix C of the Transport Statement, which shows the grey roads to be adopted). The majority of the internal road network is proposed to be adopted. The internal access road will take the form of a cul-de-sac. A road width of 5m is proposed for the majority of the internal layout except when serving less than 6 dwellings. A shared surface treatment is proposed for smaller 2m wide footways. Where a drive serves more than 6 dwellings, the road will need to be adopted and footways would be required rather than a shared surface treatment.
- 7.90 In line with both North Warwickshire Local Plan, Policy LP34 and the Council's Parking Standards document, adequate vehicle and cycle parking provision can be provided. The six almshouses will be provided with one disabled car parking bay. All other dwellings will be provided with two standard parking bays. There are no specific cycle parking requirements, but provision will be made within gardens.



- 7.91 The illustrative layout shows the use of parking courts. Whilst WCC generally do not support their use, at Church Farm they are supported by NWBC and the Parish Council. The parking courts only serve nine units of the 46 in total. They protect key elevations and street scenes by removing cars from on-street parking, and they reduce the need for multiple entrances onto New Street. Following pre-application discussions, the use of parking courts within the illustrative layout has been increased in number but reduced in size, so that they are less dominant within the proposed development. The Design Code sets out that parking courts will not serve more than six dwellings, will be lit by low level lighting and will incorporate landscaping to soften their appearance. Parking courts will be screened from the road with brick walls and railing with planting behind.
- 7.92 All dwellings will provide an electric charging point.
- 7.93 2m footways are proposed through the site for pedestrians. There is direct access from the proposed development to the PROW along the north west edge of the site.
- 7.94 The Transport Statement notes that swept path analysis of the site demonstrates that large waste collection vehicles (11.73m) can safely access and egress the site via the eastern access. In addition, a home delivery vehicle can safely access and egress the site and turn within the turning head proposed on the western access.
- 7.95 The layout allows for an 8.1m Fire Tender to get within 45m of all proposed homes.
- 7.96 Pre-application discussion with WCC Highways recommended that streetlighting is installed on the site. The Design Code however proposes that only low-level bollard lighting is used. This is for three main reasons; firstly, it is considered that conventional street lighting would be highly urbanising in an otherwise rural fringe location, secondly that it would impact on the setting of nearby listed properties particularly views of the listed church, and thirdly it could cause disturbance to bats.



- 7.97 As set out in section 7.55 of this statement, the ecological impact assessment finds that there are a number of groups of bats which use the site for foraging. Illuminating a bat roost can cause disturbance and this may result in the bats deserting the roost or even becoming entombed within it. Light falling on a roost access point will at least delay bats from emerging and this shortens the amount of time available to them for foraging. Street lighting may also disturb bat flight. Low level lighting is therefore preferred. A proposed lighting scheme would need to be agreed under any Reserved Matters application.
- 7.98 No guidance was received from the Transport Planning Team on trip generation. In lieu of a response, it is assumed that the trip generation methodology used in the Transport Statement is acceptable.
- 7.99 The proposed development would lead to a worst case of 21 two-way trips in the AM peak hour and 17 two-way trips in the PM peak hour. The increase in traffic as a result of this development would have no significant impact on the local road network in terms of operational capacity and highway safety. As such the proposed development is not considered to be severe in the context of paragraph 111 of the NPPF.
- 7.100 The highway proposals are considered to comply with both national and local planning policies and would not give rise to any significant adverse impacts.

FLOODING AND DRAINAGE

- 7.101 Policy LP29 states that development should protect the quality and hydrology of ground or surface water sources so as to reduce the risk of pollution and flooding, on site or elsewhere.
- 7.102 Policy LP33 (Water and Flood Risk Management) states that in line with the objectives of the Water Framework Directive, development proposals must not detrimentally affect the ecological status of a waterbody and where appropriate, incorporate measures to improve its ecological value. Water runoff from new development must be no more than natural greenfield runoff rates and developments should hold this water back on the development site through high quality Sustainable Urban Drainage (SuDS), reducing pollution and flood risk to nearby watercourses.



- 7.103 In order to improve and protect water quality, infiltration measures are the preferred means of surface water disposal where ground conditions are appropriate and where practicable, the separation of surface water from sewers should be undertaken.
- 7.104 New development proposals should be accompanied by a Water Statement that includes evidence to demonstrate that there is adequate sewerage infrastructure in place or that it will be in place prior to occupation.
- 7.105 A Flood Risk Assessment and Drainage Strategy has been produced to support this planning application.
- 7.106 The site lies in fluvial Flood Zone 1, the area at least risk of flooding.
- 7.107 The Environment Agency Surface Water flood risk map indicates that the majority of the site is at 'very low' risk of surface water flooding, with an annual probability of flooding of less than 0.1%. The mapping also shows an overland flow path passing from east to west through the centre of the site. This overland flow path is shown to consist of areas at 'low' risk of surface water flooding (between 0.1% and 1% annual probability of flooding) and an area of 'medium' risk (between 1% and 3.3% annual probability of flooding).
- 7.108 Overlaying the surface water flood map onto the topographical survey and carrying out a site visit has highlighted that the flow path is erroneously shown to the north of the existing pond on-site - at a higher level along the side of a slope. This is not considered to show a true representation of the site conditions as any water running off the existing agricultural land falls with the topography towards the pond rather than the route shown at the higher elevation.
- 7.109 The extents of the flow path have therefore been redrawn by inspection of the on-site levels to show what is considered to be a more realistic flow path, should one occur. It can be seen that the area highlighted as being at 'medium' risk of surface water flooding is aligned with the existing pond in acknowledgement of the greater depth of water stored in this basin; this is shown on the plan at Appendix F to the FRA.



- 7.110 The surface water drainage strategy for the proposed development employs soakaways through the site to facilitate the attenuation and discharge of surface water run-off via infiltration to the underlying soils. The strategy employs domestic soakaways in property gardens where stand-off distances and the general topography of site permits this. Shared soakaways have been located in rear gardens and public open spaces on-site. Highway and parking areas will be drained using permeable paving with a deepened porous sub-base to enable attenuation of flows generated by the highway areas. The outline strategy is illustrated on the drawing included in Appendix G to the FRA. The proposed SuDS features have been sized to accommodate all flows up to the 1 in 100 year +40 % climate change storm event without flooding from surface water.
- 7.111 It is intended that surface water drainage infrastructure located within private areas will be owned and be the responsibility of the property owner. Shared infrastructure within public open spaces will be maintained by the management company, while shared soakaways between neighbours will be jointly maintained.
- 7.112 Should it be proven that infiltration drainage is not feasible following an intrusive site investigation, onsite drainage ditches extending to the watercourse to the west of Watery Lane would provide a suitable outfall, with attenuation being provided on-site to ensure discharge is limited to the greenfield run-off rate which would accord with the pre- redevelopment baseline situation.
- 7.113 In respect of foul water management, flows from individual dwellings will discharge via a gravity foul water sewer system towards a foul water pump station. This pump station will be located on the western side of Watery Lane, within the neighbouring agricultural field, which is also under the Applicant's control.
- 7.114 Foul water flows will discharge to the existing Severn Trent network via the pump, with the route of the proposed rising main shown on the drawing included in Appendix G as passing through Church Farm Road, along the southwestern boundary of the site to manhole 0301.



CONTAMINATION

- 7.115 Policy LP29 states that development should not sterilise viable known mineral reserves; degrade soil quality or pose risk to human health and ecology from contamination or mining legacy and ensure that land is appropriately remediated.
- 7.116 Given the site's location in an area where coal mining has historically taken place, a site wide Coal Mining Risk Assessment (CMRA) has been undertaken and is submitted in support of the planning application. The CMRA found that the site is located within a low risk setting in relation to shallow coal mining and as such no further investigation works are considered necessary with regards to ground stability.
- 7.117 However, the CMRA identified that there is the potential for mine gas emissions on site, which will require further investigation as part of a ground investigation. It also found that there is a single recorded mine entry in the east of the site and it recommended that the location of the mine shaft cap is accurately located and recorded so that the cap can be avoided by proposed structures or infrastructure.
- 7.118 A further site investigation to determine the accurate location of the mineshaft has been undertaken. Only part of the area identified by the Coal Authority as the potential location for the mineshaft has been able to be excavated due to the presence of utilities in the area. The CMRA sets out details of the work done to date, and shows the extent of the area which has been investigated.
- 7.119 The Applicant is aware that further work is required. The Applicant intends to divert the overhead cable as part of the development works and would thus be happy to accept a condition on any permission which would require the remainder of the area to be searched prior to commencement of development.

SUSTAINABILITY AND ENERGY STATEMENT

- 7.120 While details of design are a reserved matter, the proposal will incorporate sustainable design and construction practices.



- 7.121 Materials derived from the excavation and demolition of the existing building will be reused where reasonable possible to minimise wastage in accordance with Step 2 of the Waste Hierarchy. A Construction Management Plan could be secured by way of an appropriately worded condition which should include details to reduce waste in accordance with Step 1 of the Waste Hierarchy.
- 7.122 The design of the fenestration arrangement will be considered to maximise the opportunity to benefit from passive solar gain to reduce energy consumption while avoiding overheating. The dwellings would likewise be designed with high levels of thermal efficiency to reduce the need for energy.
- 7.123 Subject to viability, the use of appropriate renewable and zero carbon energy generating technologies will be considered at the detailed design stage.
- 7.124 To enable the sustainable lifestyle of future occupants and promote the transition to zero emission vehicles, electric vehicle charging points should be secured by way of an appropriately worded condition.
- 7.125 Measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended) should be secured by way of an appropriately worded condition.

OTHER CONSIDERATIONS

- 7.126 Given the scale and nature of the proposal, the development is not considered to result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and any sites designated for their nature conservation value, from any sources of emissions to air. The site is not located within an Air Quality Management Area. Given the above, an Air Quality Assessment is not required, and the proposal is in accordance with the provisions of Policy P11.



8.0 CONCLUSIONS AND PLANNING BALANCE

- 8.1 This planning statement has been prepared on behalf of Park Top Limited in support of an outline planning application with all matters reserved except access for the demolition of six farm buildings, the renovation and conversion of the threshing barn to create two residential dwellings and development of an additional 44 new homes with associated infrastructure and landscaping at Church Farm, Baddesley Ensor.
- 8.2 A series of pre-application discussions have taken place with the Borough Council, the County Council Highways department and the Parish Council. The planning statement sets out how each of these has informed the submitted application.
- 8.3 National and local planning policies support the principle of the proposed development. The site is allocated for the development of 47 new homes in Policy H7 of the North Warwickshire Local Plan 2021. The proposed development makes use of some brownfield land as well as greenfield land.
- 8.4 The planning section demonstrates that the proposed development represents, economic, social and environmentally sustainable development. It lies in a sustainable location which can be accessed by public transport, and which has access to local services by cycling or walking. The proposal will provide almshouses to meet a local need for elderly persons' housing. It will provide a 10% net gain in biodiversity, and the new residents would contribute to the local economy. The proposal includes conversion of the threshing barn, to re-use a building which is of heritage interest and is viable for conversion.
- 8.5 Heritage work to support the application has found that the majority of the farmstead buildings are dilapidated and that restoring them would be impractical and the cost uneconomic. The illustrative layout of the site has been informed by the heritage assessment and maintains the view from Church House through to the Church and has been informed by the layout of the existing farmstead buildings.



- 8.6 In landscape terms, the site itself is not of high landscape quality. There are partial views of the site from public footpaths to the north, but these are influenced by the settlement edge itself. All other receptors were judged to have a moderate/minor or minor significance. The residents of New Street were judged to experience a beneficial impact of moderate and minor significance as a result of the proposed improvement of the overall streetscape. Landscape mitigation measures such as additional planting are proposed.
- 8.7 An ecological impact assessment found that three buildings on the site, including the former farmhouse, were found to accommodate day roosts of pipistrelle bats and a number of bat species use the site for foraging. A number of mitigation measures including sensitive lighting and additional planting are proposed. A biodiversity impact assessment concluded that although there will be a loss of 8.71% BNG associated with the proposed development, an additional 2.513 habitat units, to result in an overall 10% increase in BNG, can be provided offsite on land within the Applicant's ownership, in close proximity to the site.
- 8.8 The illustrative masterplan provides for a mix of housing types and sizes, with 4 x 1 bed flats, 3 x 2 bed flats, 6 almshouses, 9 x 2 bed houses, 19 x 3 bed houses and 5 x 4 bed houses.
- 8.9 A Design Code is submitted with the application, which provides details of design principles, indicative layout, building heights, form and scale, materials and green space provision.
- 8.10 A tree survey has been undertaken and shows that on the site there are two high quality trees, 14 of moderate arboricultural quality and 36 of low arboricultural quality, with 2 unsuitable for retention. The proposed development would require the removal of 7 individual trees and three tree groups. Planting will take place to mitigate this loss and the majority of trees are being retained, with the access and new homes being designed around them as far as possible.



- 8.11 The proposed development will be served by a main site access from New Street, and one further vehicular access which will only serve five flats. The application has been informed by WCC pre-application advice. The site lies within 10m of a bus stop and within 4.8km of Atherstone train station. New path connections are proposed onto New Street and to join the public right of way. Visibility splays commensurate with the 20mph speed limit along New Street can be delivered. Policy compliant cycle and vehicle parking are provided on the illustrative layout. Trip generation associated with the development would not have a severe impact on the highway.
- 8.12 The site lies in fluvial Flood Zone 1, the area at least risk of flooding. Surface water will be attenuated and discharged via infiltration to the underlying soils. A foul water pumping station is proposed as part of the development, to pump sewerage to join the Mains sewer on New Street.
- 8.13 A coal mining risk assessment identified that there is potential for mine gas emissions on site and found a single recorded mine entry in the east of the site. A partial site investigation has been undertaken and the Applicant is aware that further work will be required.
- 8.14 The planning statement has demonstrated that the proposed development complies with the full suite of relevant planning policies, is supported by an allocation in the Local Plan, and would constitute sustainable development. As such, it is requested that the Borough Council approved the application without delay.

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the form of the final development.

H7 Land at Church Farm, Baddesley Ensor

Land at Church Farm New Street, Baddesley Ensor, comprising 2.2 hectares is allocated for a heritage led residential development including conversion and regeneration of Church Farmhouse and ancillary/associated barn and outbuildings. A high level of design and care is required to address the setting of the nearby Church of St Nicolas and Grade 2 listed war memorial, the sensitive landscape edge and setting of the site as highlighted in the Council's Landscape Character Assessment for the settlement. Development of the site will need to provide for in particular:

An assessment of the significance of designated and non-designated heritage assets within and adjoining the site and the contribution of setting to that significance will be provided via a heritage assessment, with particular reference to;

- Church of St Nicholas
- the Grade 2 Listed war memorial,
- Church House, New street,
- the historic farmstead and farmhouse, Church Farm,
- The site of Baddesley Old Hall and any remaining associated structures, and the cottages site off Watery Lane.

1 The approach to development should be to maintain and emphasise the outlook and views through the site between these assets, reflecting the relationship and sensitivity with the historic setting of the wider landscape. Any harm, including taking account of any mitigation, should require clear and convincing justification. Views from the existing settlement through the site to the Church and war memorial shall be retained.

2 Development should enable retention and re-use of the former Church Farm dwelling and related historic farm buildings, which is recognised as a fine historic agricultural complex, as part of any development proposal to reflect the historic character of the site and aid in integrating the site with the existing village. If evidence proves the complex cannot be retained in full or in part, new development should seek to reflect the farm complex. The new developments details, scale and massing should reflect the existing buildings and their rural (partial wooded) setting, retaining the outlook and open nature of views between the site, heritage assets listed above.

3 The site design should incorporate high value biodiversity features and aim to protect neighbouring designated sites for nature conservation via the appropriate use of seminatural buffers. A programme of landscaping, tree planting and sensitive boundary treatment and planting will be required to address the sites sensitive setting in landscape and built heritage terms. Given the sensitive nature of the site, proposals will require an agreed, appropriately staged programme of archaeological investigation, evaluation and recording before the development of the site.

14.56 Land to the north of the Grendon Community Hall which was formerly the Youth centre is owned by Warwickshire County Council. It is relatively small site but can provide for a small development that can be integrated into the village and other properties along Boot Hill.



PAP/2023/0259

APPENDIX E
DESIGN CODE

NORTH WARWICKSHIRE
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PLANNING & DEVELOPMENT
DIVISION

PROPOSED RESIDENTIAL DEVELOPMENT
CHURCH FARM, BADDESLEY ENSOR. CV9 2DZ

JUNE 2023

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Introduction—Purpose and Use of the Design Code

Introduction

This Design Code is submitted in support of the Outline Planning Application for the land at Church Farm, Baddesley Ensor. The proposed development is for the demolition of the existing farm buildings, retention and conversion of the threshing barn to create two residential units and the development of a further 44 residential units. The application is in outline with all matters reserved except for access.

The purpose of the Design Code is to confirm the key design principles applicable to the development and therefore seeks to

- Establish the principles of the main elements and the structure of the site layout
- Establish principles for the public realm within the site
- Establish design parameters for individual housing types

Use of the Code

It is intended that this Design Code will be approved as part of the Outline Application and any subsequent Reserved Matters Application will be implemented in accordance with the approved Design Code.

It will address the following :

- The Indicative Layout submitted with the Outline Application
- Design Principles, Layout and Public Realm
- Building Form, Height and Scale
- Materials

3



Introduction—Site Location



4



Indicative Layout—Site Analysis

Indicative Layout

The site lies to the north of New Street, on the western edge of Baddesley Ensor. It covers an area of approximately 2.53 Ha. St Nicholas Church and grazing land lie to the north of the site, a public footpath between Watery Lane and the Church forms the western edge. There is existing residential development to the east and south.

The leading design principle is to establish a high quality, heritage led residential development that has a distinct sense of community yet fits seamlessly into the existing village, which reflects the historic farm, maintains the important views through the site and positively contributes and enhances the site biodiversity.

The outline proposals have been developed with this in mind and will provide up to 46 residential units. The indicative layout delivers a policy compliant scheme of in excess of 30 dwellings per hectare.

There are a number of site specific constraints and opportunities which have informed the indicative layout:

- Steep site gradient
- Ponds and water course
- Existing farm buildings
- Existing site access
- Existing trees and hedges
- Frontage onto New Street and the listed Church House on the corner with Church Row
- Views across the site towards St Nicholas Church

These features divide the site into three distinct character areas:

Area 1 – Fronts onto New Street and contains the existing farm buildings including the three storey farmhouse, several brick barns and a large utilitarian building. The buildings create two informal courtyards. There are presently four entrances to the site from New Street.

Area 2 - A lightly wooded basin runs down the centre of the site and contains two ponds.

Area 3 - The area to the north west of the pond is a green field that slopes down in a south west direction towards Watery Lane.

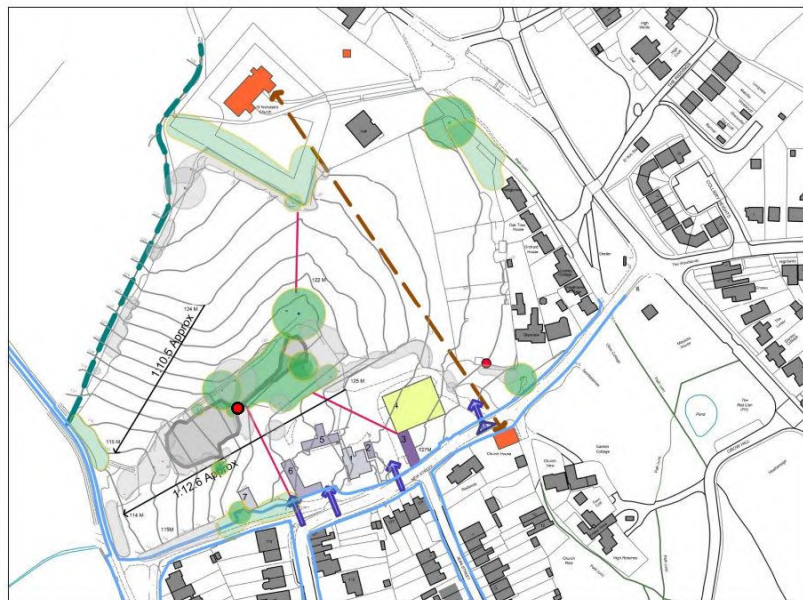


5



Indicative Layout — Constraints

- Listed Buildings
- Historic Building to be Retained
- Historic Building - Poor Condi-
- Historic Building - Low Significance
- Modern Building
- ➔ Existing Access
- Highways Boundary
- Public Right of Way
- Visual Link
- Higher Category Trees
- Low Category Trees
- Bat Corridor
- Possible Location of Mine Shaft



6



Indicative Layout — Layout Strategy

Layout

The central wooded area and ponds clearly divide the site into two separate plots for development and will create a beautiful focus for the scheme. The dwellings either side of this area will respond to the specific characteristics inherent to their respective locations. The existing boundary planting will be retained and strengthened and the majority of the central green corridor will also be maintained.

Area 1—Village Edge

The main site access will be adapted from the most eastern of the existing site entrances on to New Street. A clear entrance to the site should be provided addressing the listed Church House opposite and improving its setting. The visual link between Church House and the Church should be maintained. Dwellings should be arranged to face on to New Street so that a street frontage is maintained thus connecting the new development to the existing settlement. In discussions with the heritage consultant it was agreed that the threshing barn and the adjacent wall will be retained as part of the new scheme so these need to be incorporated into the design. Additionally it was suggested that the farmyard layout together with the larger farmhouse could be reflected in the new layout.

In order to avoid the street scenes and the house frontages being dominated by cars, parking courts could be used. Houses can be close to the street and boundary treatment and front garden landscaping can be formal.

Area 2—Green Space

This should be preserved as an amenity green space and to improve biodiversity across the site. Foot paths and cycleways which follow desire lines should make the area accessible to residents. The dwellings that face this area should be orientated to make the most of the views across the pond.

Area 3 - Village Green

Following discussions with North Warks District Council the development to the west of the pond is arranged round a central green space. This is to foster sense of a traditional village green and has the benefit of maximising the views across to the pond. The character of this area should reflect the countryside it abuts and could have a different feel to the area adjacent to New Street. The houses can be set back from the street more and vehicles parked within the curtilage. The house types should be more varied by using different materials, ridge lines and building details in order to create a more village feel.

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Indicative Layout



8



Spatial Arrangement—Access and Routes

Access

The site access points have been determined following discussions with the Highways Consultants and North Warks District Council. The site is presently served by four existing entrances from New Street. There is a public footpath that runs along the western boundary and the southern boundary comprises Church Farm Road and New Street. North Warks District Council were keen that the number of vehicle access points onto New Street was minimised and that pedestrian links were created to increase the integration of the site into its location.

Primary Access

The primary vehicle access to the site will be developed from the most easterly existing access point. It will be widened to enable two way traffic, cycle and pedestrian access. Widening and straightening the access enables a visual link to be created between Church House and St Nicholas Church, especially as one enters the site. A 1:21 gradient is required at the main site entrance.

The design of this entrance has been undertaken by a Highways Engineer and forms part of the Planning Application.

Secondary Access

A secondary access will be delivered to the small block of flats on New Street, however there will be no vehicle access to the main site through this entrance. This secondary access again utilises an existing entrance. Turning space is provided.

Pedestrian Access

A new pedestrian access into the southern part of the site is proposed at the junction of New Street and Church Farm Road. Additionally two pedestrian links are to be created connecting the site to the public footpath that runs along the western boundary.

Street Design

The site is well located to facilitate pedestrian links to Baddesly Ensor via the existing public rights of way and New Street. The scheme should enhance this relationship and establish safe pedestrian routes through the development that connect with the wider community, promoting car free movements.

The main route around the site has been informed by the topography, the Category B tree at the top of the site, the proposed access point and the design principle of creating street frontage along New Street. All the internal roads will be built to adoptable standards. Though only the primary route will be adopted.

Primary Street

The site is divided into two halves by the central pond and surrounding trees. Hence the main route around the site wraps round the central area and around the north of the ponds. The slope is steep and there will be a significant amount of cut and fill required to even out the gradient. The indicative layout plan as shown has a maximum gradient is 1 in 10.

Secondary Street

There are several minor streets, which are solely for access to the residential units. These could be shared surfaces though they should accommodate all vehicles, pedestrians and cyclists safely. Shared surfaces can be used to control speed.

Pedestrian & Cycle Routes

The route around the site is completed with a pedestrian/ cycle path. This facilitates access from the western side of the site to the existing village.

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Spatial Arrangement—Access and Route

Diagram showing the relationship between primary and secondary streets. The final street layout should be based on these principles

-  Primary Site Access
-  Private Access
-  Pedestrian Access
-  Primary Route
-  Secondary Route
-  Pedestrian Route
-  Vehicle Turning Area
-  Public Footpath
-  Existing PROW



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Spatial Arrangement - Public Realm

Site Approach

The landscape layout will be heavily influenced by the site's physical characteristics and the design should make the most of the opportunities these present. As drawn the layout provides 4190 sqm of informal public amenity space and 1330 sqm of more formal green space.

Central Area

The majority of trees, some of which are Category B, will be retained and managed. The steep sides of the area around the ponds is unsuitable for formal public space. However, it provides a perfect place for informal recreation. The pond also offers the opportunity to enhance the biodiversity on the site and make it into a unique feature. It is recommended that there is no formal boundary treatment. Any footpaths/cycleways that cross this area should be lit with low level bollard lighting.

Village Green

The village green lies to the north west of the ponds and provides a focus for the housing in this area. Linking it directly to the informal area it will help to create the feeling that the development has grown organically. It is recommended that if a boundary treatment is required, estate type railings are specified.

Semi-Private Green Areas

Several semi private amenity spaces have been created. The enclosure created between the threshing barn, new dwellings facing New Street and the existing boundary wall gives the opportunity for a landscaped area at the entrance to the site. The proposed block of apartments together with adjacent rows of houses are

located around a central square which faces on to the pond. Both of these reflect the former farmyard arrangement of buildings that are presently located in the site as suggested by North Warwickshire Planning Authority.

Site Edges

The hedgerows on the southern and western boundaries, which run adjacent to public rights of way, will be enhanced and strengthened. The new northern boundary should be planted so as to screen the development from the church and the houses on New Street.

Site Planting

Public Open and Semi-Private spaces should be planted with trees so that views across the site are broken up with landscaping.

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Spatial Arrangement - Public Realm

Diagram showing the location of greenspaces across the site

-  Informal Amenity Area
-  Village Green
-  Semi-Private Green Space
-  Boundary Planting
-  Tree Planting



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Design Principles—Streets

Site Entrance

It is important that the entrance to the site forms an attractive gateway to the development, setting the tone of the high quality development beyond. To this end the boundary to either side of the entrance should be formal with a stone wall to match the existing retained wall on the southern side.

Primary Street

The primary street enters the site from New Street and then splits to go either side of the ponds. At the entrance the carriageway is 5.5m wide with 2m footpaths on both sides. The gradient at the entrance to the site should be 1 in 21. This works particularly well in the proposed scheme as Almshouse are proposed at the site entrance and this shallow gradient facilitates access for the residents.

Once the carriage splits the first fork remains at 5.5m wide with a single 2m footway on the side adjacent to the houses. The site here has an overall gradient of 1:12.6 so a significant amount of cut and fill will be required. With a careful design the maximum gradient of 1 in 10 need only be used over a short distance.

The remaining carriageway starts at 5.5m but is widened to 6.5m in order to enable refuse trucks to perform the turn around the tree at the top of the site. Again only one footway is required. The maximum speed should be 20mph.

Surface Treatment

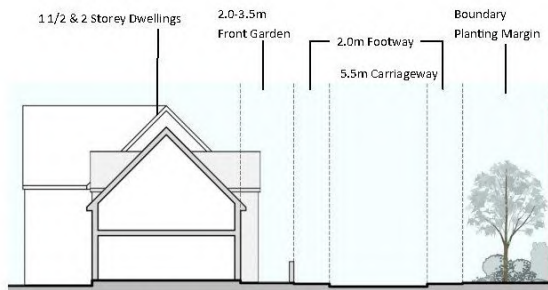
The gradient and road layout will ensure that traffic remains at a suitable speed, 20 mph is recommended. The road surface will be tarmac. The footpaths should have a raised kerb. Granite kerbs and setts are to be used subject to discussions with the Highways Authority.

Road Edges

The carriageway and pavements should be abutted with either front gardens or a deep planting margin. Front gardens should be semi formal in design. The planting areas should contain hedges and small to medium trees where appropriate. Larger trees could be used at key points.

Any boundaries should be demarked with brick or stone walls or estate railings and hedges. The streets should be lit by low level lighting and not cause any light pollution.

Parking spaces accessed from the primary routes should be demarked by high quality materials and be placed so there is sufficient distance and visibility for the cars to leave and enter the road safely. Parking courts should be small with a boundary that prevents the cars being seen from the road.



Section through Street at Entrance to Development

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Design Principles—Streets

Secondary Street

Secondary streets have reduced traffic flows and should be designed with a less formal more intimate private driveway feel. Streets within this area vary between 5.5m and 6.5m wide and will be a shared surface with pedestrians and cyclists. Any visitor's parking should be located streetside. The maximum speed should be 10mph.

Surface Treatment

The surface material should be clearly defined from the primary route. It should be a material that creates a private feel such as block paving or rolled gravel. Any kerbs and edges will be flat and formed in materials such as stone or granite setts.

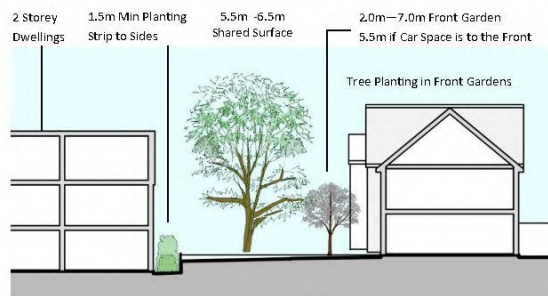
Road Edges

The streets should be abutted with front gardens or a planting zone. The front gardens can be deeper than the primary streets and contain on plot parking. The planting areas should contain hedges and trees where appropriate. The trees planted should be low water demand types achieving a maximum of 5m when fully grown. Any boundaries should be demarked with brick or stone walls or estate railings and hedges. The streets should be lit by low level lighting and not cause any light pollution.

General

Front Gardens

A clear distinction should be drawn between private and public space, however, it is important that should barriers be used, they do not prevent connectivity and natural surveillance. Therefore walls or fencing should be no higher than 1.2m. There should be a minimum of 1.5m to the street to the side of any houses.



Section Through Secondary Street that Leads to Public Footpath

Refuse Storage

There should be no wheeled bins or refuse stores visible on any streets on the development or on New Street. All bins should be concealed in brick bin stores, in rear gardens or garages.

Street Furniture and Road Signage

All streets should be designed to give a clear indication of speeds and give way points. Road markings should be kept to a minimum. Speed humps should not be used.

In principle street furniture should be simple, functional and uncluttered and should be cohesive though the development. Where possible road signs should be mounted on boundary walls to avoid unnecessary visual clutter. Street lighting should be low level and not cause any light pollution.

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Design Principles—Refuse Collection

Diagram showing refuse Collection Points



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Design Principles—Buildings

Buildings

General Principles

- Vistas through the development should either be finished with buildings, key planting or lead to areas of public open space
- Buildings should be arranged to front the streets or open green spaces
- Primary entrances and windows should face the streets or open space.
- Primary entrances should be clear and articulated with projecting canopies where appropriate.
- Buildings on the corners should be designed so that they are dual fronted to ensure that natural surveillance is preserved and blank elevations or gable walls are not visible from the streets
- Where houses are terraced the street elevation should be articulated to create architectural interest.

- Where houses are semi-detached or terraced different eaves and ridge heights should be considered
- Buildings should have generous window openings to maximise natural light. Additionally the overlooking of the streets will provide a sense of security for residents

Diagram showing Articulated Street Frontages and Dual Facing Corner Buildings



Hasting Road Grendon



Grendon Point, Grendon

Architectural detail on corner buildings add interest and aids legibility



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Design Principles—Buildings

Building Heights

The majority of the buildings should be two storeys high, however, there is some scope for two and a half height buildings at the lower end of the site towards Watery Lane. The apartment block which nominally replaces the farmhouse could be three storeys.

Six one storey almshouse (with an ancillary attic bedroom for a carer) are to be provided. The preferred location for these is towards the entrance at the most elevated part of the site where the impact on the listed Church House will be minimised. Additional one and a half storey houses could also be located here to reflect the surrounding threshing barn and almshouses.

A minimum floor to ceiling height of 2.5M is required. The ground level changes across the site should be reflected in the roof ridge heights.

Car Parking

Car parking provision is in accordance with local policy at two spaces per dwelling over two bedrooms and one space for one bedroom units. Spaces for the Almshouses should be fully compliant with wheelchair accessibility standards.

To avoid parking dominating the street frontage small parking courts can be used, these should be adequately screened from the road.

At least one carparking space per unit should provide sufficient space to the side to allow for future widening to 3.3m for accessibility.

Diagram showing Building Heights



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Design Principles—Buildings

Housing Mix

The indicative layout has the following housing mix and the principle has been agreed with North Warwickshire District Council

	Flats	Houses	
1 Bed	4		
1 + Carer		6	
2 Bed	3	9	
3 Bed		19	
4 Bed		5	
Sub Total	7	39	
Total			46

Housing Sizes

Housing should meet Government Document -Technical housing standards – nationally described space standards.

Diagram showing House sizes



18



Design Principles—Indicative Layout Rationale



19



Design Principles — Materials and Design Criteria

General

In order to deliver high quality buildings and a development that has a cohesive environment, materials should be of a good quality, generally natural and be selected from a common material palette. This will help to reinforce continuity across the site and provide important unifying themes. The materials can be used both traditionally or in a modern way as the design dictates. The facades should be well proportioned with interesting features to create a distinct character. The two areas each side of the ponds should have distinct characters. There should be a variety of house types, particularly around the 'village green'.

Many traditional materials can be reclaimed such as roof tiles and brick. Use of reclaimed materials will help to settle new buildings into the area and they are often more sustainable.

All materials will be subject to approval by the Local Planning Authority.

Exterior Walls

Exterior walls should be finished predominantly in red brick with some stone. Small amounts of render or timber cladding can also be used as part of the design. Where used on one façade they should be returned around the corner by 1.0m minimum. Render, with a smooth finish, can be used occasionally throughout the development. Fully rendered properties should have a red brick plinth of at least 0.5m from ground level.

Cladding can be both natural or stained in finish.

Brickwork detailing should be used on key buildings.

Roofing

All roofs should be predominantly pitched and be of a pitch that is typical of the area. (35-45°) They should be generally pitched parallel to the street with an occasional gable end use to provide articulation and interest. The roof line should be varied and interesting and avoid monotony.

Eaves and gable ends are to be simply detailed. Brick detailing is to be encouraged and should echo the brickwork details on the existing farm buildings.

Roof tiles can be traditional clay or clay-style composite in type. Roman tiles or concrete tile should not be used. Other natural materials can be used to prevent the site becoming too monotone.

Windows & Glazing

Windows should be formed in natural hardwood, timber composite or aluminium. To be used consistently across the site. Windows should be simple in design and avoid ornate details. The use of glazing bars should be limited and dummy sashes should be used so opening lights are not obvious. Window and doors frames should not be formed in uPVC.

Bay windows can improve the streetscape and increase surveillance. Square bays are preferred and double height bays should be encouraged. Integrating porches and entrance canopies with any bay windows is also supported. The windows should match the rest of the fenestration. Oriole windows should also be considered where appropriate.

Stone sills and lintels should be used on visually key buildings.

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Design Principles — Materials

Masonry



Red Brick to match local vernacular



Stone to match local vernacular

Roof Tiles



Reclaimed clay roof tiles



Clay tiles



Slate tiles

Cladding



Weatherboarding should avoid bright colours and be of natural hues to match the local brick and stone colours.

Render where used should be light coloured neutral tones. Bright colours should be avoided

Render



21



Design Principles — Materials and Design Criteria

Chimneys

Chimneys are an important element of the domestic roofscape and help to articulate rooflines. They should be considered for key buildings. They should not be over elaborate and be located on the ridgeline. Chimneys could be used to integrate other services.

Porches

Entrance canopies should be designed to be practical whilst signifying the entrance and contribution to the elevational treatment. They should not be over elaborate and where possible integrated with other features such as bay windows. They should avoid looking as if they are 'stuck on' as an afterthoughts.

Front Doors

Entrance doors should act as a focal point and be of high quality.

It is recommended that all doors are formed in the same style and are not over elaborate. Colours can vary though should be of a similar colour palette.

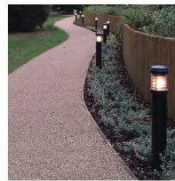
Railings

All metal work should be black.

Rainwater Goods

All gutters and rainwater down pipes should be black and concealed where possible to avoid them dominating the street scene.

Low Level Lighting



Road Signs

Road signs to be attached or inset in walls where possible to keep the street scene uncluttered.



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Design Principles— Materials

Exterior Surface Treatment

Primary Street

Carriageway—Bituminous macadam

Footway—Bituminous macadam

Kerbs—Granite with sett edging . To be discussed with Highways Authority.

Secondary Street

Shared surface—Permeable block paving. Large areas in one colour, especially where brick is the predominant material for the houses, should be avoided. The kerbs should be demarked using granite setts.

Driveways and parking areas

Driveways and parking areas should be permeable block paving .

Parking courts

Parking courts can be bituminous macadam however the apron between the street and the parking area should be granite setts to clearly define the separation from the road. Spaces should be demarked with gravel setts.

Footpaths and cycleways

Footpaths and the cycleway in the green area should be bound gravel with granite setts edges.

A maximum of three to four variations in colour and style of material should used. They should be of a similar colour palette.



Granite with sett edging



Definition between parking courts and roads



Permeable block paving



Granite setts



Bound gravel with granite sett edges



23



Design Principles—Car Parking

General

- Electrical Vehicle charging points should be provided for all units including those in parking courts.
- All parking spaces and internal garage dimensions should meet North Warwickshire District Council standards
- Spaces for the Almshouses should be fully compliant with wheelchair accessibility standards.



Parking Courtyards

- Where used courtyard parking should be limited in size and not serve more than six dwellings
- All dwellings served by rear parking courts should have direct access to rear gardens
- Must be large enough to incorporate landscaping to soften appearance
- Must be lit at night with low level lighting
- Must be screened from the road with brickwalls, railings and planting behind.



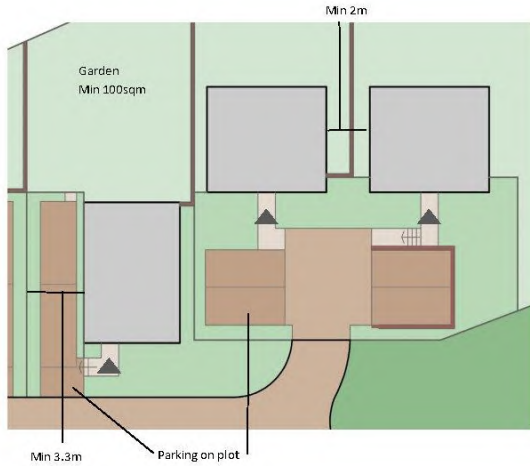
Frontage & On Plot Parking

- Must be located so as to be convenient to the dwellings they serve
- Should be overlooked by habitable windows
- Should be broken up and softened by landscape
- Driveways or garages should be primarily situated between houses to the side
- Garages should be set back from the building line

24



Building Type — Detached Houses



Detached Houses

- Have front doors facing the street elevation
- Have parking within their curtilages
- Have large or bay windows that face the street or public open space.

Pitched Roofs 2 or 2 1/2 Storeys Dormer Windows for room in roof



Bay window - Double height Canopy/ porches Bay window - Single height

Building Heights

Detached houses should be two storeys with the potential of two and a half at the lower end of the site adjacent to Watery Lane. All roofs are to be pitched.

Building Parameters

Eaves Height	5.25m—5.6m
Ridge Height	8.0—9.6m
Building Width	6.5m-10m
Building Depth	7.0m—10.0m

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Building Type — Detached Houses

Boundary Treatment

Front gardens should have an open fence treatment and should not exceed 1.2m in height. Rear gardens should use fencing of a high quality and sufficient to provide privacy and reduce the impact of sound. Where rear gardens are adjacent to the road brick or stone walls should be using instead of fencing.

Front Gardens should be either planted or gravel with planting. No artificial grass should be used

Private Amenity Space

Private amenity space should be provided in rear gardens and should have a minimum garden area of 100sqm.

Refuse bins should be stored in the rear garden or to the side of the dwelling but not be visible from the street.

Existing Local Houses

Detached houses on New Street at corner with Newlands Road and facing the Common



Atherstone Conservation Area



Features of Local Houses

Pitched roofs, chimneys, oriel windows, defined lintels and cills, covered porches, brickwork details, bay windows and gables at eaves front gardens with hedges and gates.



Modern Interpretation of 2 1/2 storey house

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Building Type — Semi-Detached & Terraced Houses



Variety of ridge heights



Porch created by extended bay window roof

Canopy to protect entrance

Building Parameters

Eaves Height	4.4m—5.4m
Ridge Height	8.0—9.6m
Building Width	5.6m-6.6m
Building Depth	7.0m—10.0m

Boundary Treatment

Front gardens should have an open fence treatment and should not exceed 1.2M in height. Rear gardens should use fencing of a high quality and sufficient to provide privacy and reduce the impact of sound. Where rear gardens are adjacent to the road brick walls should be using instead of fencing.

Semi-Detached and Terraced Houses

- Have front doors facing the street elevation
- Have large or bay windows that face the street or public open space
- Roof lines should have a variety of ridge height to avoid over conformity
- Street elevations should be articulated
- Should be two storeys
- All roofs are to be pitched

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Building Type — Semi-Detached & Terraced Houses

Private Amenity Space

Private amenity space should be provided in rear gardens. Three bedroom units should have a minimum garden area of 100sqm and two bedroom units should have a minimum garden area of 50sqm. Artificial grass surfaces should not be used.

All rear gardens should be at least 60% terraced with retaining walls and not sloped. Refuse bins should be stored in the rear garden or to the side of the dwelling but not be visible from the street. All rear gardens should have separate access from the side or rear.



Conservation Area—Atherstone

2 storey bay windows, gables along roof line, red brick, prominent chimneys and lintels



Meadow View, Wood End



The Square, Dunchurch
Red brick, pitched roof porches, prominent chimneys



New Street
Tiled porches, gables on eave line, walled front gardens

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Building Type — Flats



Apartments

- Have large or bay windows that face the street or public open space.
- Should be two and a half to three storeys. A variety of ridge heights should be used to help to reduce the overall scale
- All roofs are to be pitched.
- Elevations should have sufficient interest from all sides
- Undercroft parking can be used

2 1/2 — 3 Storey

Range of roof heights



2 Bed Apartments

1 Bed Apartments and Undercroft Parking

Existing Farmhouse



Range of roof heights and broken eaves line
Prominent chimney



Modern interpretation of apartment block.



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Building Type — Almshouses



Accessible Parking
Rear access to gardens
Gardens min 50sqm

Bay window on side to face road and provide interest



Front Boundary

Almshouse will have level threshold and access from the public footpath. Fences should not exceed 1.2m in height.

Car Parking

Parking for the Almshouses will be within reasonable distance and with level access.

Refuse Storage

Should be concealed from the street and be located in the rear gardens.

Private Amenity Space

Should be enclosed with fencing of a suitable quality and height to provide privacy and reduce the impact of noise. The minimum garden size should be 50sqm. Rear access should be provided.

Almshouses

- Have front doors facing the street elevation
- Ridgelines should be consistent
- Covered entrances should be provided
- Should be single storey with attic space for one bedroom for a carer. This could be conditioned and controlled by tenancy agreement.
- All roofs are to be pitched
- Four should reach Part M4 (2) Adaptable
- No dormers but rooflights are to be used

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Building Type - Almshouses

Local Examples of Almshouses

- Rhythm of elevational features
- Local materials
- Dominant chimneys
- 1—1 1/2 Storeys
- Low eaves



Shustoke



Dame Alice Leigh's Almshouses, Stoneleigh



Cramers Almshouses, Mancetter



Atherstone

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Building Types— Street Elevations

New Street



Apartment & Entrance

Street Frontage

Threshing Barn

Almshouses

Site Entrance

Almshouses

2 1/2 Story Houses at Lower Part of Site Facing Ponds



Houses Facing Village Green Area



32



Design Precedent—Corner Buildings

Corner sites provide an important contribution to way finding and establishing character. Corner plots should be addressed by either corner turning buildings or ensuring that both street frontages are articulated by fenestration on each site. This ensures natural surveillance onto the public routes.



Single dwelling designed to provide fenestration to both street facades



Curved corner building on New Street



Blank facades should be avoided at corners.



Local Examples Wood End and Grendon.

Windows can provide a positive enhancement to both streets

33



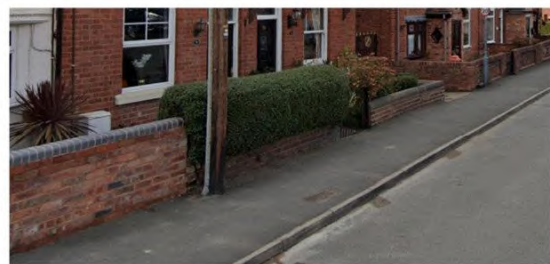
Design Precedent—Boundary Treatment



Estate Railings with planting behind



Local stone wall with planting behind



Low red brick walls, with grey brickwork coping on New Street



Low red brick wall



Red and grey brick gateway with metal gate in Atherstone conservation area



Low red brick walls, with grey brickwork coping in Atherstone conservation area



Stone wall at entrance to site with brick coping

34



Design Precedent— Building Features

Porch Examples



Porches combined with bay windows.
Stone lintels.



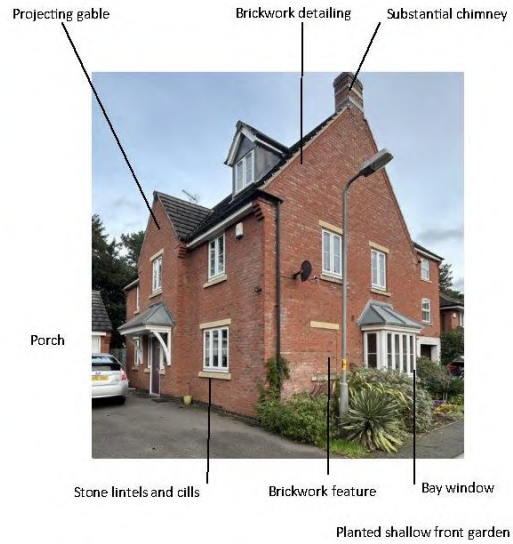
Recessed Porch



Recessed Porch



Porch on New Street using clay tiles and



Projecting gable

Brickwork detailing

Substantial chimney

Porch

Stone lintels and cills

Brickwork feature

Bay window

Planted shallow front garden

Recently constructed house in Atherstone Conservation Area

35



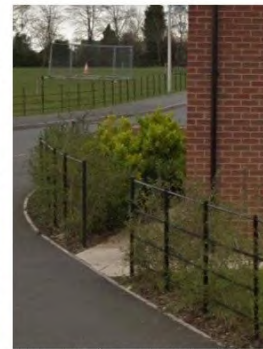
Design Precedent— Front Garden Treatment



Shallow garden with low hedge at front



Enclosed garden with brick wall



Estate style railings with planting to front and side



Trees behind boundary hedges



Planting and railings with low level lighting



Brick bound front gardens in New Street



Estate style railings with brick garden wall



Trees planted in gardens where possible

36



Design Precedent—Local Building Details



Listed Church House



Gables along eaves line



Oriel windows



Brickwork details on existing farm buildings



Brickwork details at eaves on existing farm buildings



Patterned brickwork

General Development Applications

(7c) Application No: CON/2023/0017

Land off Woodlands Lane, Bedworth,

Hybrid application for the demolition of the farmhouse and associated farm buildings and the development of 14 hectares for up to 109 market and affordable dwellings with access off Woodland Lane and a local centre including community facilities for

Arbury Estate Office

Introduction

This application has been submitted to the Nuneaton and Bedworth Borough Council which has invited this Council to submit any representations as part of its determination of the case.

The Site

This is some 15 hectares of predominantly agricultural land to the south of Woodland Lane on the western edge of Bedworth Woodlands. The Borough boundary with North Warwickshire is just over a kilometre further to the west where Woodland Lane joins Astley Lane.

It is more particularly show at Appendix A

The Proposals

These are as described in the header to this report – an outline application for up to 150 dwellings and details of the access onto Woodlands Lane just south of Dove Close.

Background

The application site is part of a larger site allocated for residential development of up to 690 houses within the adopted Nuneaton and Bedworth Local Plan – known as site HSG4. There is also an adopted Supplementary Planning Document (SPD) for the allocation.

Development Plan

The North Warwickshire Local Plan 2021 – LP1(Sustainable Development)

Other Material Planning Considerations

The National Planning Policy Framework

Observations

There is no objection in principle here given that the site is part of an allocated residential site in the adopted Local Plan for the area. It is a matter for the Nuneaton and Bedworth Council to assess the proposal against its adopted SPD and all of the other policies in its Local Plan.

In terms of impacts on North Warwickshire's interests, then the greatest concern is the traffic that would be generated. However much of this is expected to travel east into Bedworth and Coventry rather than North Warwickshire and the site being an allocated site, there will already be the support of the Highway Authority in place in principle.

Recommendation

That in the circumstances, no objection be raised.

Appendix A



<p>WOODLANDS</p> <p>WOODLANDS LANE, BEDWORTH</p>	<p>ARRURY ESTATE</p>	<p>SITE LOCATION PLAN</p>	<p>Scale 1:10000</p> <p>Site number 224120</p>	<p>Date 07/06/2023</p> <p>Drawing number 00101</p>	<p>Client DC</p> <p>Revision P04</p>	<p>AFL Architects</p> <p>1st Floor, St George's House, 55 Parker Street</p> <p>Manchester, M2 3PQ</p> <p>AFL architects</p>
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General Development Applications

(7/d) Application Nos: PAP/2022/0259 and PAP/2022/0267

Caravan Site, Croxall Farm, Hoggrills End Lane, Nether Whitacre, B46 2DA

a) PAP/2022/0259 - Creation of Twelve Additional Motorhome/Caravan Pitches in Former Rally Field (Pitches 15-26) with Eastern and Northern Extensions to Existing Access Track, Additional Hedge Planting and Creation of Woodland Picnic Area

b) PAP/2022/0267 - Variation of condition no: 4 of planning permission PAP/2018/0496 dated 21/01/2019 relating to amendments to use of pitches 1 to 4 inclusive for longer term use of up to 60 days, with no return for 30 days

both for Mr and Mrs B and S Lewis

Introduction

The proposals are brought before the Board because of local Member's concerns about the potential impacts of the proposals.

The Site

The application site comprises of a farm located in open countryside on the north side of Hoggrill's End Lane. This is a working arable farm, growing maize as the principal crop.

The land in question is relatively flat and is bounded by mature hedgerows to the north and east. The south of the site is contained by recently planted hedges. The access point is also off the highway to the south where there is the existing range of farm buildings and dwellings. There are dispersed residential properties in the wider area.

There are public footpaths which border the site at the north-east corner of the field.

The farmhouse was formerly a Grade II Listed Building but was delisted following extensive renovation of the building in the early 1970s.

The site location is at Appendix A which also illustrates the public footpaths.

The Proposals

a) PAP/2022/0259

The site already has planning permission for fourteen hard standings for motorhomes, caravans or trailer tents. Four of these are positioned in a line directly behind the existing farm building group, another three along part of the south side of a track running west to east immediately to the north of those pitches, and seven opposite these on the north side of the same access track. These are shown on Appendix B

The current proposal is to add another twelve new hard standings immediately to the north, six to either side of a new extension of the access track running west to east, parallel with the existing track. These are shown on Appendix C.

The reason for the proposal is said to be “that the existing campsite is already popular with campers who enjoy a quiet, rural setting with simple facilities at a lower price. With the easing of restrictions following two years of COVID-19 lockdown restrictions, the demand for campsites of this kind in an attractive rural location is rising again and the owners wish to take full advantage of this upsurge whilst at the same time further enhancing the site itself by the addition of more planting and establishing a woodland picnic area.”

The existing and new access tracks would be linked by a new eastern loop, beyond which a new landscaped area is proposed, to be called ‘Jubilee Wood’, consisting of mixed native species tree planting interspersed with small glades containing picnic benches – see Appendix C

b) PAP/2022/0267

This is described in the header to this report. The location plan is shown at Appendix E

The proposal would seek revise the use of four pitches following an approval in 2019. There would be no change to the site layout or access, but the proposed stay would be for an extended period of time for up to 60 days with no return within 30 days. The permission is for up to 28 days with no return within 14 days. The condition also restricts occupation to “holiday/leisure and touring” purposes.

Background

The site had on occasions been used for caravan rallies under permitted development rights pertaining to the temporary use of the land.

Planning permission was granted in 2019 for the change of use of agricultural land to a caravan park to allow mix of 14 touring caravan and tent pitches, together with the formation of hard-standings, a new building to accommodate toilets, washing and showering facilities as well as a waste water disposal facility. The Notice is attached at Appendix D. Details of the toilet block were subsequently approved but work has not yet been completed.

Planning permission was granted in 2017 for the change of use of four agricultural buildings to three residential units.

Development Plan

The North Warwickshire Local Plan 2021 - LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP3 (Green Belt), LP14 (Economic Regeneration), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment) and LP29 (Development Considerations)

Other Relevant Material Planning Considerations

National Planning Policy Framework 2021 - (the "NPPF")

National Planning Practice Guidance – (the "NPPG")

Caravan Sites and Control of Development Act, 1960

General Permitted Development Order 2015 as amended.

The draft Nether Whitacre Neighbourhood Plan

Consultations

a) PAP/2022/0259

Warwickshire County Council as Highway Authority – No objection subject to conditions

Environmental Health Officer – No objection subject to conditions

Warwickshire Fire and Rescue Services – No objection subject to conditions

b) PAP/2022/0267

None received.

Representations

a) PAP/2022/0259

Nether Whitacre Parish Council – It objects referring to the following matters:

- The expansion of the site will permanently have an adverse impact on the openness of the Green Belt
- The site is more visible than the existing from both the Lane and the footpaths.
- There will be an adverse impact on the residential amenity of neighbouring occupiers because of the increased disturbance and activity from vehicles and humans.
- Where will the existing rallies now go?
- Are the drainage facilities adequate?
- The existing planning conditions are not adhered to.

Three objections have been received which repeat the matters raised above.

b) PAP/2022/0267

The Nether Whitacre Parish Council objects for the following reasons:

- The condition has already been breached.
- The site should remain as a touring/leisure site and the variation will enable residential occupation.

➤ Impact upon the Green Belt

Five objections have been received which re-iterate the matters raised above.

Observations

It is proposed to deal with the two applications in turn, taking the proposed extension of the site first.

a) 2022/0259

i) Green Belt

The site lies within the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It is thus first necessary to establish whether this proposal is inappropriate development and thus that it would carry the presumption of refusal. The NPPF offers guidance in this respect. The proposal is for the change of use of land and the NPPF says that the material change in the use of land (including use for outdoor sport or recreation) in the Green Belt is appropriate development, and thus is not harmful to it. It thus carries a presumption of support. However, this definition is conditional. For a change of use proposal to be appropriate, it has to preserve the openness of the Green Belt and also not conflict with the five purposes of including land within the Green Belt. Therefore, it is necessary in this case to assess whether the current proposal satisfies both of these conditions. Each will be taken in turn.

There is no definition of “openness” in the Green Belt, but in planning terms it is generally taken to mean the “absence of development”. However, the NNPG does provide guidance on how to assess the impact on openness. There are four elements to review. The first is the spatial element. Here there would a larger area of land covered by the proposed change of use. This is a material increase by fact and by degree almost doubling the area of the existing site. It is also an extension into an area of existing open land which is not contained by other built development or by the topography of the area. The proposal will involve its use by caravans, tents, vehicles, additional hard-standings and the developments associated with the picnic area. This would be available all year round. There would thus be a spatial change in the area. However, the scale of this change would be limited given the size of the site and the nature of the development proposed. The second element is a visual one. It is noted that the northern, eastern and western boundaries of the site are relatively open within the landscape and they give way to open countryside. There are two public rights of way that cross land to the north of the site - the M394 to the east of the field and the M396 to the west. The site will be visible from these paths. Additionally, the extended site is visible from the road and houses on Hoggrills End Lane. Nevertheless, the impact visually on users of the paths and drivers on the road would be transitory. Hence the visual impact again would be limited. The third element is to assess the activity associated with the proposed use. Here that will involve both vehicular and human activity over the whole site potentially throughout the year. Vehicles will come and go and there will be the human activity around the site connected with the leisure use of the site. There are private residential properties close by not connected to the site and the site itself is in a quiet area with little in the way of high ambient noise levels such as from busy roads or more densely populated areas. The impact from activity is thus

considered to be moderate. The final element is whether the use is a permanent one or temporary. It is the former here. If all of these four assessments are put together it is considered that the cumulative impact on the openness of the Green Belt here is moderate.

Turning to the second condition, there are five purposes of including land in the Green Belt. Some of these are not relevant in this case. The one which the proposed use may conflict with, is the purpose that says the Green Belt is “to assist the safeguarding of the countryside from encroachment”. This could apply here given the permanent nature of the use. However, because of its scale, the degree of conflict is limited.

When the conclusions from these two conditions are added together it is concluded that the proposed use will have a moderate adverse impact on the openness of the Green Belt but limited conflict with the purposes of including land within it. As a consequence, the proposed use is inappropriate development in the Green Belt. This will thus be placed on the harm side of the final planning balance.

ii) Other Harms

In coming to a full assessment of the “harm” side of the planning balance, it is also necessary to see if there are any other harms that should be added to the moderate Green Belt harm found above. With there being no objection from the Highway Authority there is no evidence to support an adverse highway impact.

The increase in visitors would lead to additional noise from visitors and from vehicles. The site plan shows the caravans would be sited to the north of the approved pitches. A new woodland is proposed to the east, which lies behind existing residential properties. The woodland would be for picnics and recreational use. This would inevitably lead to greater public use of this land which would increase the likelihood of disturbance to residents in the immediate area. So as well as the greater use of the site as a whole by more vans and people that would extend closer to existing residential property. This will cause some conflict with Local Plan policy LP29 (9). Whilst the Environmental Health Officer has not objected, the policy relates to amenity rather than to the likelihood of nuisance and thus it is considered that in planning terms there will be an adverse impact and that is considered to be moderate because of the proximity of the site to private houses.

The application site is located close to the north elevation of the Grade II Listed ‘*The Old House*’ The Council is under a statutory duty to assess the impact of the proposal on the historic and architectural characteristics of the listed property as well as its setting. There will be no direct impact on the fabric of this building or within its curtilage. However, there will be, on its setting. The significance of this heritage asset is the retention of a substantial timber framed 16th Century house set in its own curtilage and retaining both external and internal contemporaneous architectural characteristics. Its historic value is enhanced by its rural setting. There will be an impact on the setting of this asset. However, the land to its rear will be a new woodland area and this would not give rise to substantial harm to the setting. The use of that woodland on a regular basis will impact on the rural ambience of the setting but this again would be less than substantial.

Given the proposal will include new woodland and hedgerows it is not considered that there would be ecological or landscape harm.

Adequate fire and sanitary facilities will be controlled by the Council acting as the Licensing Authority under the Caravan Sites and Control of Development Act, 1960. The 2019 approval included such facilities.

iii) The Harm Side of the Planning Balance

As a consequence of these matters it is considered that the harm side of the final planning balance comprises the moderate Green Belt harm, the moderate harm to neighbouring residential amenity and the less than substantial heritage harm.

iv) The Applicant's Case

It is now necessary to assess the applicant's case to understand the planning considerations and planning benefits that are being put forward to support the proposal. These will then be placed on the other side of the planning balance.

The considerations put forward was set out earlier in this report. This would find support in Local Plan policies LP13 which supports the introduction of new uses for the purposes of farm diversification and also policy LP11 which supports and encourages rural businesses. These policies are supplemented by the NPPF which supports a prosperous rural economy and within that, sustainable rural tourism. Additionally, the NPPF says that beneficial uses in the Green Belt include opportunities for outdoor sport and recreation.

The applicant also can benefit from the permitted development rights available for the temporary use of land. These include the use of land for caravan rallies and use as a touring caravan site for up to five vans.

In these respects, the applicant's considerations and benefits are considered to carry significant weight.

v) The Final Planning Balance

It is now necessary to address the final planning balance. This is best set out in the form of a question - do the considerations put forward by the applicant "clearly" outweigh the cumulative level of harm caused in order to amount to the very special circumstances needed to support the proposal?

It would appear that this is the case. However, the policy support of the proposals as outlined above is not unconditional. In the case of LP11, the support is conditional on there being "no significant and demonstrable harm on the character of the area". LP13 is conditional upon there being "no adverse impacts arising from increased noise" and that there would be "no adverse impact on the character of the surrounding natural or historic environment." Whilst the NPPF supports beneficial uses in the Green Belt, that too is conditioned as set out above in this report.

The “fall-back” position here arising from the permitted development rights does carry weight. However, they are materially different to the proposal in that this is for the permanent use of the land and it is the harms arising from that which are weighted on that side of the balance.

In these circumstances it is considered that the weight to be attributed to the policy support for the proposal is weakened, such that it does not “clearly” outweigh the cumulative harm caused. As a consequence, this proposal is recommended for refusal.

b) 2022/0267

This proposal seeks to increase the occupancy period of four of the permitted pitches from 28 to 60 days with no return within 30 rather than 14 days. These four pitches are those closest to the Lane and the existing range of farm buildings where there is already full residential use arising from conversions in 2017.

The issues involved here are limited to identifying if there are any potential adverse impacts arising as a consequence of this extended time given that the use is already permitted.

The main concern raised in the representations is that the proposal could lead to permanent residential use of the caravans. However, Appendix D shows that there are other conditions attached to the permission here – Condition 4 defines the occupancy, Condition 10 supplements this and condition enables the occupancy to be monitored. These are conditions that are applied for these uses throughout the Brough and enable breaches to be identified and evidence to be gained for potential enforcement action. The use of conditions is thus the appropriate and proportionate response to these representations. The Board is also reminded that even under the current terms of Condition 4, there could be extensive use of all four caravans throughout the year such that permanent residential use could occur.

Given their location and the final point made above, it is not considered that there would be material adverse harm to neighbouring residential amenity.

There are no other harms that are likely to arise give the extant planning permission for the four pitches.

Recommendations

a) PAP/2022/0259

That planning permission be refused for the following reasons:

1. The site is located within the Green Belt. The proposal is considered to be inappropriate development by virtue of its adverse impact on the openness of the Green Belt by virtue of its setting, size, the number of pitches proposed, the associated infrastructure and the associated additional human and vehicular activity. The matters raised by the applicant are not of sufficient weight to clearly outweigh the Green Belt harm caused. Accordingly, the proposals do not accord with Policy LP3 of the North Warwickshire Local Plan 2021 as supported by Section 13 of the National Planning Policy Framework.

2. It is considered that the twelve additional plots with the increased number of vehicles and people will lead to the loss of residential amenity for neighbouring occupiers. The proposal would thus not satisfy Policy LP29 (9) of the North Warwickshire Local Plan 2021 as supported by the National Planning Policy Framework.

Notes

1. Notwithstanding this refusal, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections. However despite such efforts, the planning objections and issues have not been satisfactorily addressed. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.
1. The applicant is reminded that the conditions of planning permission PAP/2018/0496 still apply to the existing site.

b) PAP/2022/0267

That planning permission be granted subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plans;

557/222/01 entitled 'Location and Site Plan' received by the Local Planning Authority on 26 May 2022

418/216/01 Rev E entitled 'Location and Site Plan' received by the Local Planning Authority on 18th December 2018 - related to condition 6.

418/216/02 entitled 'Toilet Block' received by the Local Planning Authority on 29th November 2018.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The maximum number of the combination of touring caravans or tents on the site at any one time shall not exceed fourteen (14 no.) in total.

REASON

In the interests maintaining the openness of the Green Belt and in the interests of neighbouring amenity

4. The use of pitches 1 to 4 inclusive shall be for longer term use of up to 60 days with no return to the site for at least 30 days thereafter by any of the same party/occupier. The use of pitches 5 to 14 inclusive shall be solely for holiday/leisure or touring purposes and occupation of any touring caravan, motorhome or tent shall be restricted to maximum period of 4 weeks only (28 days) with no return to the site for at least 2 weeks (14 days) thereafter by any of the same party/occupier.

REASON

In the interests of the amenities of the area., and to ensure the site is operated as a tourism and leisure caravan site in accordance with adopted planning policies

5. The materials as approved under DOC/2022/0083 related to the toilet block shall only be used.

REASON

To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

6. Hedges shall be planted along the southern and western boundary where indicated on plan reference 418/216/01 Rev E entitled 'Location and Site Plan' received by the Local Planning Authority on 18th December 2018 prior to the commencement of the use of the development hereby in accordance with details to include species and heights that have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area

7. The approved drainage plans for the disposal of surface water and foul sewage as covered by DOC/2022/0083. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

8. The use and development hereby approved shall not be in operation until vehicular access to the site shall be surfaced and drained in accordance with details to be submitted to and approved in writing by the District Planning Authority for a distance of 15 metres into the site, as measured from the near edge of the public highway carriageway.

REASON

To ensure adequate access in the interests of highway safety

9. The use hereby approved shall not commence until the retrospective vehicular track to the east of the site is removed and the land restored to its former condition within three calendar months and retained thereafter, to the satisfaction in writing of the Local Planning Authority.

REASON

To avoid the over development of the site and the impact on residential amenity

10. For the avoidance of doubt, this permission shall specifically not allow this site to be used for the storage of caravans and mobile homes by any person whomsoever.

To prevent the unauthorised use of the site in this Green Belt location.

11. A register of visitors and touring caravans visiting the site including arrivals dates and departure dates shall be maintained and made available for inspection by officer of the Local Planning Authority at 24 hours notice.

REASON

To enable the site operation to be monitored.

12. No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

REASON

To safeguard the character and appearance of the area.

13. The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site, has been submitted to and approved in writing by the local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any development to the satisfaction of the Local Planning Authority.

REASON

In the interests of Public Safety from fire and the protection of Emergency Fire Fighters

Notes

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:
www.gov.uk/government/organisations/the-coal-authority

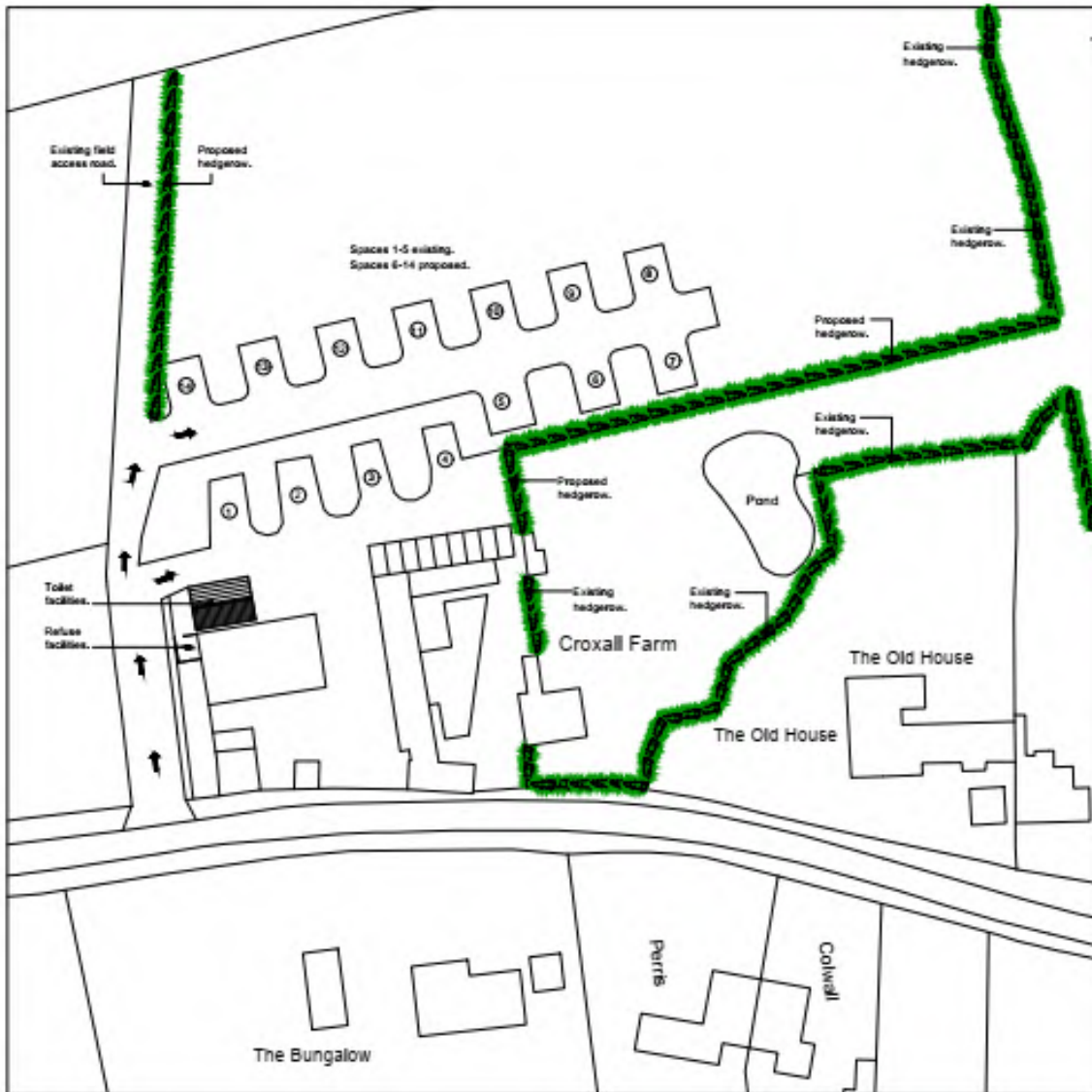
2. For the avoidance of doubt, the permitted associated hardstanding is that within the red-line application site on the plan reference plan reference 418/216/01 Rev E entitled 'Location and Site Plan', and 557/222/01 entitled 'Location and Site Plan'
3. No burning shall be carried out on the site.
4. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through application discussions, seeking to resolve planning objections and issues and suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.
5. The applicant must read this permission in conjunction with PAP/2018/0496, and to DOC/2022/0083, and ensure that all of the conditions have been met and complied with. The toilet block should be completed at the earliest opportunity.
6. The applicant is reminded that the register of users under condition 11 of the 2018 application must be maintained.
7. The applicant is reminded that condition, 6, 9 and 9 are pre commencement and should be undertaken as soon as possible
8. Before carrying out any work, you are advised to contact or check on the Line search before you dig website <https://Lsbud.co.uk> to which you are able to check potential proximity of pipes / cables or utility infrastructure below or over ground. It is the developer's responsibility to contact relevant providers before work commences. You can register on the LSBUD website to carry out a free search on postcode or spatial area.
9. The applicant is encouraged to ensure that any demolition, construction works and deliveries do not cause nuisance to neighbouring properties and their occupiers. It is recommended that works are restricted to between 0800 and 1800 hours on weekdays, and 0800 and 1300 hours on Saturdays, with no demolition, construction works and deliveries on Sundays or recognised public holidays.
10. The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012, which requires that any written request for compliance of a planning condition(s) shall be accompanied by a fee of £116. Although the Local Planning Authority will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows a period of 8 weeks, and therefore this timescale should be borne in kind when programming development.

Appendix A – 2022/0259 – Site location plan



PROW extent in area

Appendix B – 2018 Application approved site plan



Site plan.
Scale 1:500



Appendix C – proposed site plan - PAP/2022/0259





North Warwickshire
Borough Council

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Date: 21 January 2019

The Town & Country Planning Acts
The Town and Country Planning (Listed Buildings and
Conservation Areas) Act 1990
The Town & Country Planning (General Development)
Orders
The Town and Country Planning (Control of
Advertisements) Regulations 1992 (as amended)

DECISION NOTICE

Major Full Planning Application

Application Ref: PAP/2018/0496

Site Address

Croxall Farm, Hoggrills End Lane, Nether Whitacre, B46 2DA

Grid Ref: Easting 422208.04
Northing 291850.66

Description of Development

Change of use of agricultural land to caravan park to allow mix of 14 no. touring caravan and tent pitches, with formation of additional hardstanding, together with new building to house male and female toilets, washing and showering facilities and a waste water disposal facility.

Applicant

Mr Bryan Lewis

Your planning application was valid on 11 September 2018. It has now been considered by the Council. I can inform you that:

Planning permission is **GRANTED** subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

Authorised Officer: 

Date: 21 January 2019

Page 1 of 5

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan reference 418/216/01 Rev E entitled 'Location and Site Plan' received by the Local Planning Authority on 18th December 2018 together with the plan referenced 418/216/02 entitled 'Toilet Block' received by the Local Planning Authority on 29th November 2018.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The maximum number of the combination of touring caravans or tents on the site at any one time shall not exceed fourteen (14 no.) in total.

REASON

In the interests maintaining the openness of the Green Belt and in the interests of neighbouring amenity.

4. The pitches indicated on the plan reference 418/216/01 Rev E entitled 'Location and Site Plan' received by the Local Planning Authority on 18th December 2018 shall be occupied solely for holiday/leisure or touring purposes and not for permanent residential occupation. The occupation of any touring caravan or tent shall be restricted to a period of four weeks only for any single let and there shall be no return to the site within two weeks thereafter by the same occupier.

REASON

To ensure the site is operated as a tourism and leisure caravan site only in accordance with adopted planning policies.

5. The development hereby permitted shall not be commenced until details of the materials to be used for the toilet block are submitted and approved in writing by the Local Planning Authority.

REASON

To ensure that the development is in keeping with the locality and for the avoidance of doubt as to what is permitted.

6. Hedges shall be planted along the southern and western boundary where indicated on plan reference 418/216/01 Rev E entitled 'Location and Site Plan' received by the Local Planning Authority on 18th December 2018 prior to the commencement of the use of the development hereby in accordance with details to include species and heights that have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area.

Authorised Officer: 

Date: 21 January 2019

7. The development hereby permitted shall not be commenced until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

8. The use and development hereby approved shall not be in operation until vehicular access to the site shall be surfaced and drained in accordance with details to be submitted to and approved in writing by the Local Planning Authority for a distance of 15 metres into the site, as measured from the near edge of the public highway carriageway.

REASON

To ensure adequate access in the interests of highway safety.

9. The use hereby approved shall not commence until the retrospective vehicular track to the east of the site is removed and the land restored to its former condition within three calendar months and retained thereafter, to the satisfaction in writing of the Local Planning Authority.

REASON

To avoid the over development of the site and the impact on residential amenity.

10. For the avoidance of doubt, this permission shall specifically not allow this site to be used for the storage of caravans and mobile homes by any person whomsoever.

REASON

To prevent the unauthorised use of the site in this Green Belt location.

11. A register of visitors and touring caravans visiting the site including arrivals dates and departure dates shall be maintained and made available for inspection by officer of the Local Planning Authority at 24 hours notice.

REASON

To enable the site operation to be monitored.

12. No floodlighting or other form of external lighting shall be installed except in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting which is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority.

REASON

To safeguard the character and appearance of the area.

Authorised Officer: _____



Date: _____

21 January 2019

APPEALS TO THE SECRETARY OF STATE

1. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you can appeal to the Department for Communities and Local Government under Section 78 of the Town and Country Planning Act 1990.
2. If you want to appeal against your local planning authority's decision, then you must do so within 6 months of the date of this notice.
3. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, or online at www.planning-inspectorate.gov.uk and www.planningportal.gov.uk/pcs.
4. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
5. The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
6. The Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

PURCHASE NOTICES

1. If either the Local Planning Authority or the Department for Communities and Local Government grants permission to develop land subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
2. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his/her interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

NOTES

1. This decision is for the purposes of the Town and Country Planning Act only. It is not a decision under Building Regulations or any other statutory provision. Separate applications may be required.
2. A report has been prepared that details more fully the matters that have been taken into account when reaching this decision. You can view a copy on the Council's web site via the Planning Application Search pages <http://www.northwarks.gov.uk/planning>. It will be described as 'Decision Notice and Application File'. Alternatively, you can view it by calling into the Council's Reception during normal opening hours (up to date details of the Council's opening hours can be found on our web site <http://www.northwarks.gov.uk/contact>).
3. Plans and information accompanying this decision notice can be viewed online at our website <http://www.northwarks.gov.uk/planning>. Please refer to the conditions on this decision notice for details of those plans and information approved.

Authorised Officer: _____

Date:

21 January 2019

Page 5 of 5

INFORMATIVES

1. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

2. For the avoidance of doubt, the permitted associated hardstanding is that within the red-line application site on the plan reference plan reference 418/216/01 Rev E entitled 'Location and Site Plan'.
3. No burning shall be carried out on the site.
4. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through seeking to resolve planning objections and issues, suggesting amendments to improve the quality of the proposal. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

Authorised Officer: _____



Date:

21 January 2019

Appendix E – Site location plan for PAP/2022/0267 and the site plan



Site plan.

Scale 1:500



26/05/2022

PLANNING & DEVELOPMENT
DIVISION



Location plan.

Scale 1:1250

1:1250



General Development Applications

(7/e) Application No: CON/2023/0015

Crown Aggregates Ltd, Mancetter Road, Hartshill

Construction of a building to house the installation and operation of a small-scale biomass fuelled boiler and generator for

Crow Aggregates Ltd

Introduction

This application has been submitted to the Warwickshire County Council which has invited this Council to submit any representations in order to assist with their determination of the proposals.

The Site

The application site is within the Hartshill Quarry off of the B4111 within part of the “yard” that has historically been and still is in use by heavy plant and machinery and close to a wash plant and aggregates store. Access would be from the established vehicular arrangements onto the Nuneaton Road just south of the canal bridge and the Anchor Inn, opposite the Tarmac bagging plant.

The site is illustrated at Appendix A

The Proposals

The proposal is as outlined in the description above, to generate sustainable energy for quarry plant and machinery from chipped or pelletised clean wood. The boiler would be housed in a building measuring 10 by 6 metres with an overall height of 6 metres to the top of a mono-pitched roof. This will face south so as enable the installation of solar panels. It would be steel framed and have dark green coloured painted cladding. There would be roller shutter door openings and a flue, no greater than a height of one metre above the ridge. The proposed plant would be housed entirely within the building except for two containerised fuel stores adjacent to the building.

The process would operate 24 hours a day with the importation of only clean or recovered biomass in chipped or pelletised form. This would give rise to around 2 vehicle loads a week. Movement of materials to the site, the unloading of fuel and removal of ash would take place only in the already permitted operational hours - 0700 to 1800 on weekdays, 0700 to 1300 on Saturdays with no Sunday or Bank Holiday working.

The proposals would be temporary, in that any permission granted is seen as being linked to the life of the quarry.

The proposed layout and elevations are at Appendices B and C.

Development Plan

The Warwickshire Minerals Local Plan 2018 – 2032 – MCS1 (Supply of Minerals and Materials); MCS11 (Ancillary Mineral Developments within Mineral Sites), DM1 (Protection and Enhancement of Environmental Assets and Landscape) and DM11 (Carbon Emissions and Resource Planning)

The North Warwickshire Local Plan 2021 – LP1 (Sustainable Development); LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP29 (Development Considerations), LP30 (Built Form) and LP35 (Renewable Energy)

Hartshill Neighbourhood Plan 2017

Other Material Planning Considerations

The National Planning Policy Framework

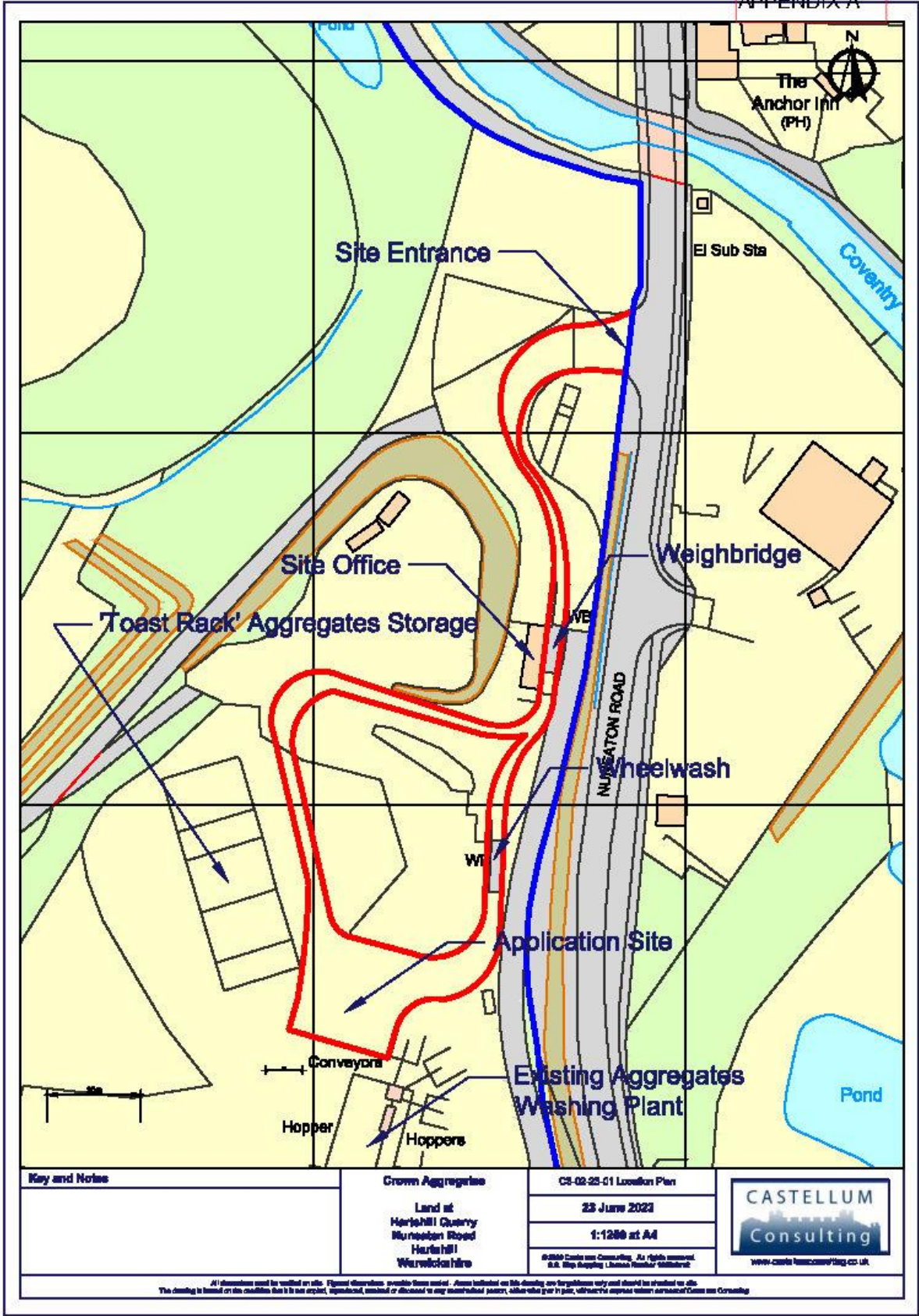
Observations

There is no objection to this proposal in principle. It is located within the operational area of the quarry where there is significant activity associated with the rock that is quarried and the recycling of spoil material. The building would be one of many within the “yard” that lies off the main road and the size and the materials to be used would result in limited, if no visual impact. This is because the site is well screened and thus visually self-contained. The increase in traffic would be immaterial. The proposal would also accord with the sustainable development policies in the Development Plan.

The views above are subject to the County taking into account the representations received by the Council’s Environmental Health Officers in respect of potential noise emissions and the potential risks as far as air quality is concerned.

Recommendation

That the County Council be informed that this Council has no objection in principle, but requests that it gives weight to any recommendations from the Environmental Health Officer and that any planning permission granted, be time limited to the expiry of the extant quarry planning permission.



Key and Notes

Crown Aggregate

Land at
Harjehill Quarry
Nurston Road
Harjehill
Warwickshire

CS-02-25-01 Location Plan

23 June 2022
1:1250 at A4

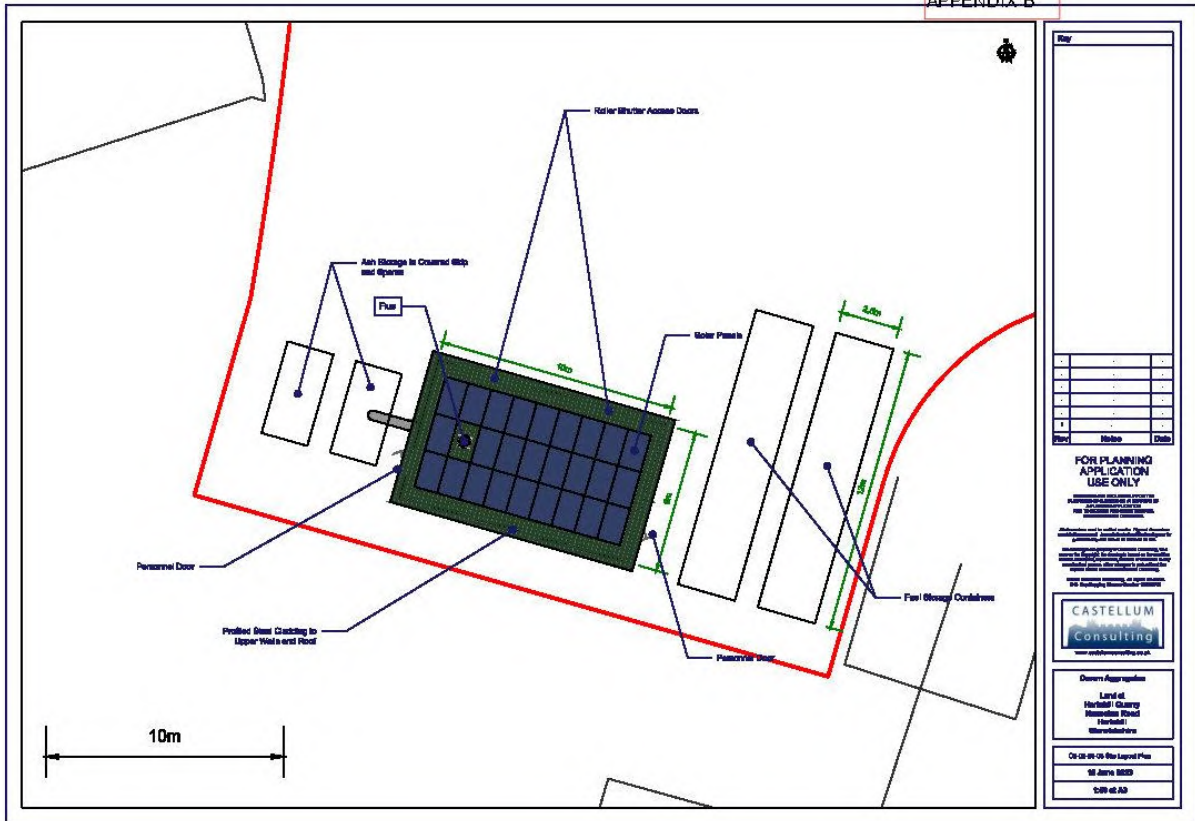
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All dimensions must be verified on site. Figures shown are possible future values. Areas indicated on this drawing are for guidance only and should be checked on site. This drawing is based on the conditions that it is not copied, reproduced, amended or altered in any material form, without the prior written approval of Castle Consulting.

APPENDIX B



APPENDIX C

