

(4) Application No: PAP/2015/0144

Hollybank Farm, No Mans Heath Lane, Austrey, CV9 3EW

Outline application for the erection of five dwellings with the means of access, scale and the site layout to be determined, for

Mr Andrew Keller - Keller Construction Limited

Introduction

This application was reported to the Planning and Development Board in August 2015. No decision was taken at that meeting. Instead, it was deferred to allow an opportunity to consider the implications of a change in Government Policy Guidance concerning the provision of affordable housing and to enable the resolution of concerns identified by the Highway Authority.

The report to the August Board is shown as Appendix 1.

The applicant has responded with the submission of additional information in the form of an Affordable Housing Proposal. In short, the applicant proposes that affordable housing would not be constructed on the application site but instead, to meet policy requirements, there would be the payment of a sum of money which would be used to deliver affordable housing elsewhere (an off-site contribution). The applicant has also undertaken a speed survey to inform the highway design aspects of the proposal. These matters are discussed more fully below.

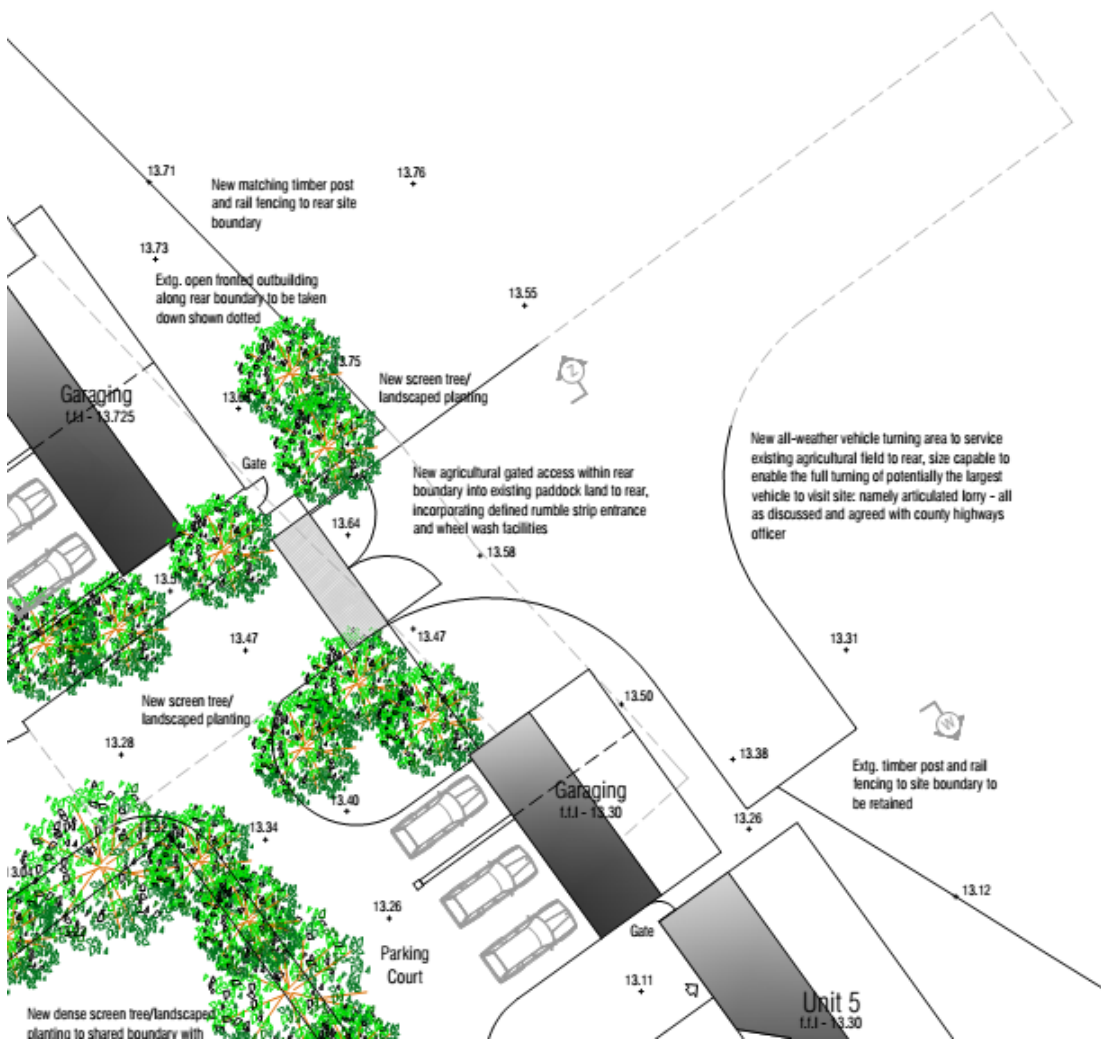
Update

Since the previous report to Board the outline planning permissions for 14 dwellings at the site known as Applegarth and the Croft and for 40 dwellings at Crisps Farm have both been issued.

The Proposal

In response to the Highways Authority concerns about the potential for conflict between the access to agricultural land to the rear of the site and the proposed housing the application has been amended to propose a turning area and wheel wash within the field, as shown below:





Representations

Those who made representations previously have been reconsulted on the provisions in respect of affordable housing and amended plans showing the revised access arrangements. No further representations have been received in these respects.

The owner of the adjoining property has suggested that part of the application site is in his ownership, however, at the time of writing this report no documents have been presented to conclusively evidence the claim.

Consultations

Warwickshire County Council Highways Authority – Advises that the visibility splays will be acceptable and that the provision of a turning head for use by vehicles accessing the agricultural land to the rear will address its concerns about the potential for conflict with the residential use of the access. To minimise traffic generation, and to recognise the particular circumstances of the application, the Highway Authority recommends that occupation of one of the dwellings should be limited to the agricultural worker for the associated agricultural land. As discussed in the previous report to Board the Highway Authority concern about the lack of a dedicated pedestrian route to the village is an enduring concern expressed by the Highway Authority.

Observations

The change in Government policy means that there is no longer a threshold below which the provision of affordable housing should not be sought and therefore the full provisions of Policy NW6 of the North Warwickshire Core Strategy (Adopted October 2014) can be applied to current proposals for the development of housing.

The payment of an off-site contribution accords with the provisions of Policy NW6 of the Core Strategy given that the development will achieve fewer than 14 units.

The proposed off-site contribution, amounting to £62,617.50, has been calculated using the methodology contained in the Council's Housing Viability Appraisal. The values attributed are a reasonable reflection of the site and the market.

The application therefore complies with government policy and the development plan in respect of the provision of affordable housing.

In respect of highway safety, the applicant has submitted a speed survey which finds that the 85th percentile speed for traffic leaving the village is 24.5 mph but that the 85th percentile speed for traffic leaving approaching the village is 35.0 mph. The Highway Authority confirms that the visibility splays that are shown will be sufficient to ensure highway safety at the prevailing speed of traffic.

Notwithstanding the conclusion about the adequacy of the visibility splays, the Highway Authority considers that intensification of use of the access is not wholly desirable. An increase from three dwellings, with one occupied by a resident farmer (previously approved) to five dwellings is of some concern. It remains the intention of the applicant that one of the proposed dwellings will be occupied by the farmer of the land which lies to the rear. The Highway Authority suggests that for reasons of the minimisation of traffic movements it would be appropriate to condition that one of the dwellings be limited to occupation by the agricultural worker for the associated agricultural land. The applicant indicates an acceptance of such a limitation. To recognise the particular circumstances of this site it is suggested that the permission be subject to an occupancy condition for one dwelling only.

Whilst the appearance of the proposed dwellings is a reserved matter this application seeks approval of the scale and layout of the built form. It is considered that the scale and layout proposed in the development can be accommodated without undue harm to occupiers of neighbouring dwellings, however, the quantity of built form is maximised. There is a prospect that, if extended, the dwellings could create conditions which would cause harm to neighbouring dwellings. It is therefore appropriate to remove permitted development rights for future extensions so that an assessment of impact can be made on a case by case basis.

There are no further material changes in circumstance since the report to Board in August that would justify a change to the recommendation that planning permission be granted subject to conditions and the observations at that time remain relevant. Members are asked to refer to the report in Appendix 1 and to note the new recommendation below.

Recommendation

That subject to the signing of a Section 106 Agreement relating to the provision of affordable housing, the application be granted subject to the following conditions:

Standard Outline Conditions

1. This permission is granted under the provisions of Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015 on an outline approval, and the further approval of the Local Planning Authority shall be required with respect to the under-mentioned matters hereby reserved before any development is commenced:-

- (a) appearance
- (b) landscaping

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

2. In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

Defining Conditions

4. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 2014.141- 004D, 2014.141- 002D and 2014.141- 003D received by the Local Planning Authority on 16 September 2015 and the drawing numbered F15121/01 received by the Local Planning Authority on 9 July 2015.

REASON

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

5. The occupation of one of the approved dwellings shall be limited to persons solely or mainly employed or last employed prior to retirement in agriculture as defined in Section 336 of the Town and Country Planning Act 1990, or the dependents of such persons including the widow or widower of such persons at the farm known as Hollybank Farm, No Mans Heath, Austrey. The unit to be designated for occupation in accordance with this condition shall be notified to the Local Planning Authority in writing prior to the occupation of any of the dwellings hereby approved.

REASON

To restrict the occupancy of the dwelling to those engaged in agriculture at the farm served by the access through this site so as to ensure the interests of highway safety.

Pre-Commencement Conditions

6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

7. Prior to the commencement of development a methodology statement for the translocation of the frontage hedgerow shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the works shall be carried out in full accord with the approved methodology.

REASON

In the interests of the amenities of the area.

8. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority in consultation with the Warwickshire County Council Archaeological Information and Advice team.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

9. No development shall take place until the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI has been undertaken in full and a report detailing the results of this fieldwork has been submitted to the Local Planning Authority.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

10. Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the Local Planning Authority. This shall detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation detailed in condition 10 above. The programme of archaeological fieldwork and associated post-excavation analysis, report production and archive deposition detailed within the approved Archaeological Mitigation Strategy shall be undertaken in accordance with the approved detail.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

11. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences shall be erected before any of the dwellings hereby approved are first occupied and shall subsequently be maintained. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON

In the interests of the amenities of the area.

During Development

12. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations shall take place before the hours of 0700 nor after 1900 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of nearby residential property.

13. All materials obtained from demolition shall be permanently removed from the site within twenty eight days of demolition being commenced.

REASON

In the interests of the amenities of the area.

Ongoing Conditions

14. No development whatsoever within Classes A, B, C, D and E of Part 1, of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 , shall commence in respect of any of the dwellings shown on the approved plans without details first having been submitted to and approved by the Local Planning Authority, in writing.

REASON

In the interests of the amenities of the area.

Plus conditions as deemed appropriate by the Highway Authority.

Notes

1. 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 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 paragraphs 186 and 187 of the National Planning Policy Framework.

Plus any notes deemed appropriate by the Highway Authority.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0144

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Affordable Housing Proposal	

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



(#) Application No: PAP/2015/0144

Hollybank Farm, No Mans Heath Lane, Austrey, CV9 3EW

Outline application for the erection of five dwellings with the means of access, scale and the site layout to be determined, for

Mr Andrew Keller - Keller Construction Limited

Introduction

This case is reported to Board at the discretion of The Head of Development Control given the Board's past interest in the housing applications in Austrey.

The Site

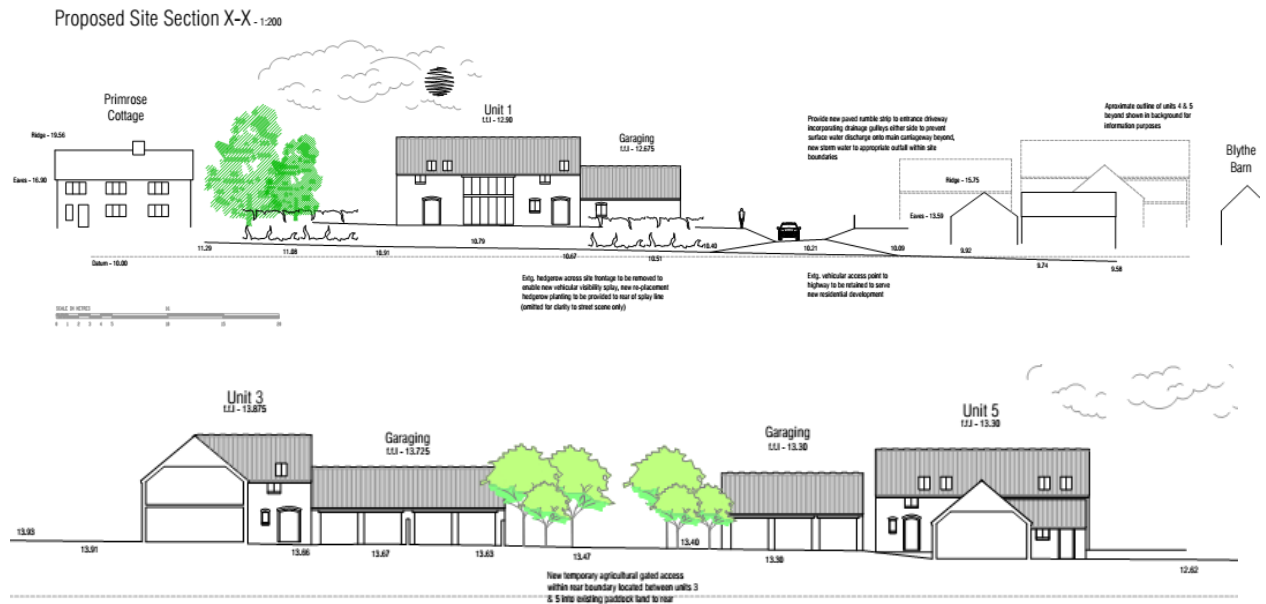


The existing agricultural building and open storage of farm equipment are shown below.

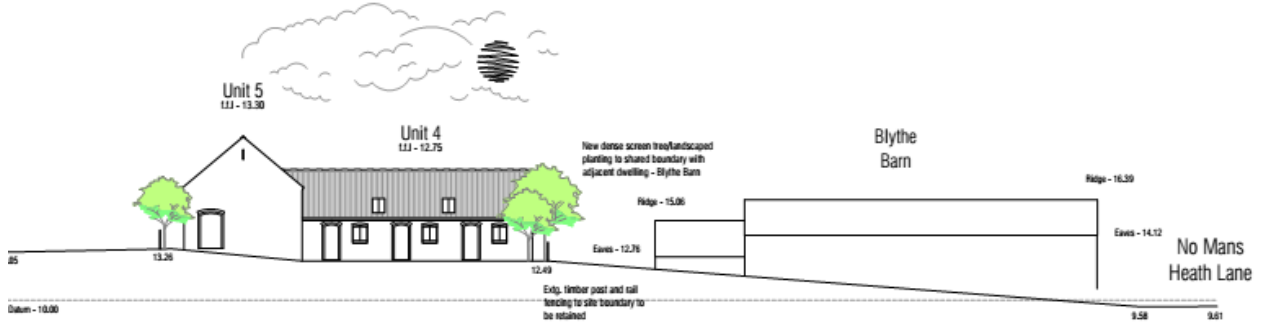


The Proposal

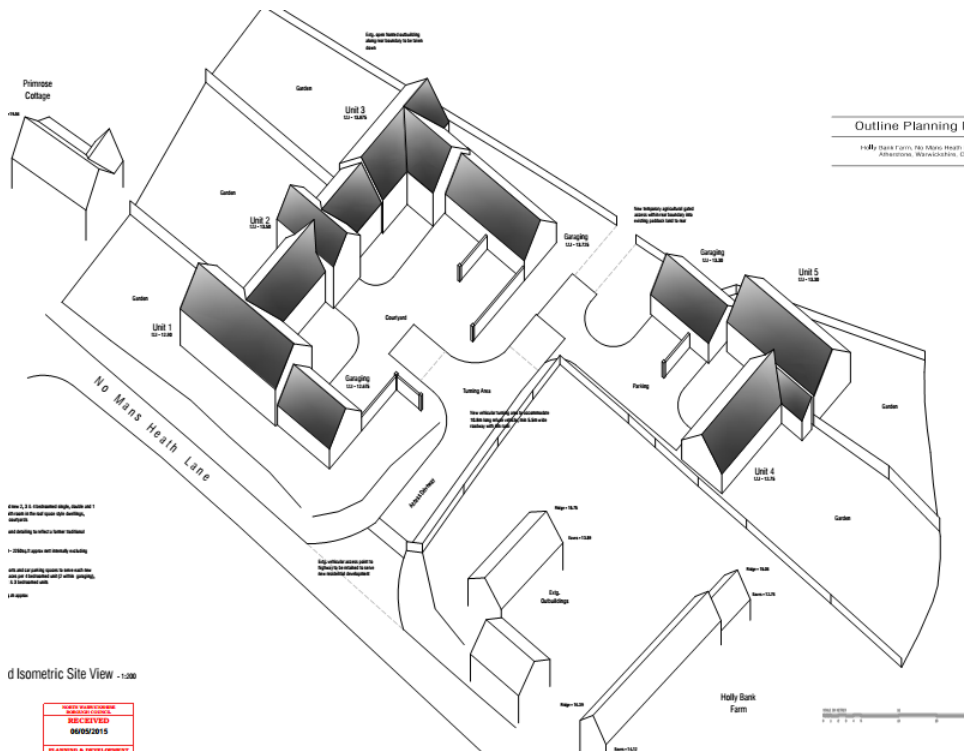
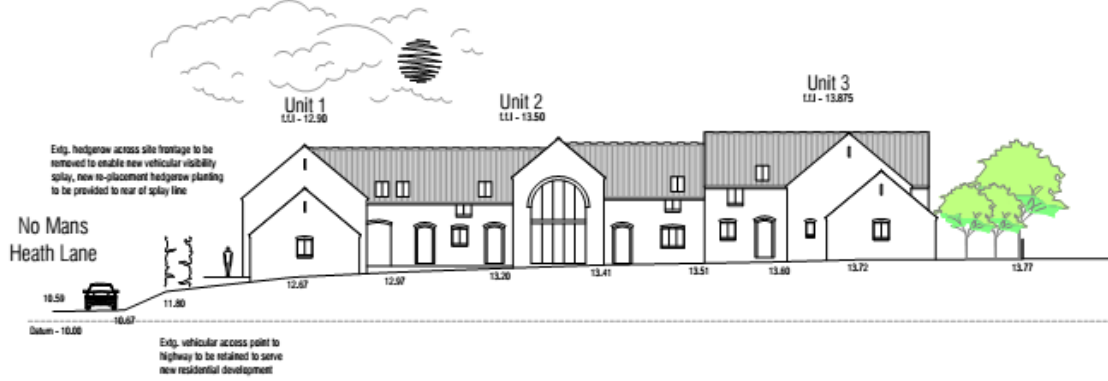
This is an outline application for the erection of five dwellings with the means of access, scale and the site layout to be determined. Appearance and landscaping would remain as reserved matters Notwithstanding this, the applicant has submitted illustrative proposals as shown below:



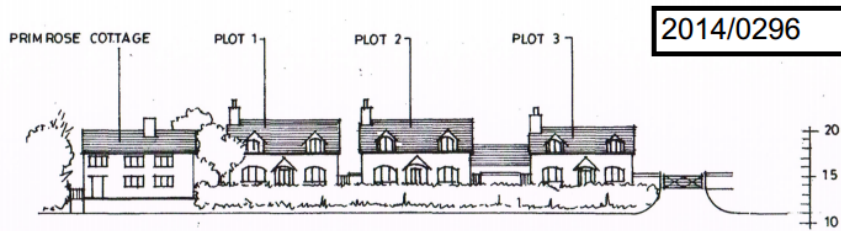
Proposed Site Section W-W - 1:200



Proposed Site Section Z-Z - 1:200



With a street scene as shown below:



The current application has been altered in response to concerns about the impact of the layout and scale on a neighbouring dwelling.

Development Plan

The Core Strategy 2014 – Policies NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW4 (Housing Development), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW15 (Nature Conservation) and NW22 (Infrastructure)

Saved Policies of the North Warwickshire Local Plan 2006 - Policies ENV4 (Trees); ENV8 (Water Resources), ENV10 (Energy Generation and Energy Conservation), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV16 (Listed Buildings, non-Listed Buildings of Local Historic Value and Sites of Archaeological Importance (including Scheduled Ancient Monuments), TPT1 (Transport Considerations in New Development) and TPT6 (Vehicle Parking)

Other Relevant Material Considerations

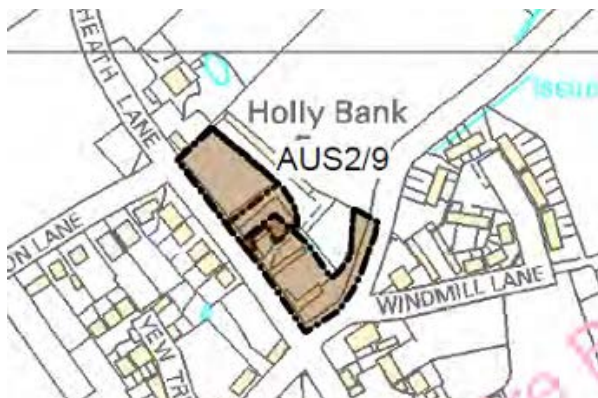
The National Planning Policy Framework – (the “NPPF”)

The National Planning Practice Guidance – (the “NPPG”)

Planning Contributions (Section 106 Planning Obligations) – DCLG 2014

The Draft Pre-Submission Site Allocations Plan - June 2014

Land at Holly Bank farm is allocated in the Site Allocations Plan (SAP) with an indication that it would achieve 7 units. The area in the plan is as below and whilst more extensive, including existing premises, it partly includes and excludes parts of the current application site.



The Austrey Neighbourhood Plan.

The Austrey Parish Council has produced a consultation draft of the Neighbourhood Plan, which, amongst other things, allocates land for housing. The Plan is presently out for formal consultation but it needs to be stated that the Neighbourhood Plan is at an early stage of preparation, it carries little weight until it is voted for in a referendum and is then formally adopted. At this early stage of preparation there is some uncertainty about the final form of the Plan and whilst it is indicative of the direction of travel of the Parish it can be afforded only little weight in the consideration of the planning applications.

Consultations

Warwickshire Museum - No objection subject to conditions.

Environmental Health Officer - No Comments

Warwickshire County Council Highways Authority – Objects to the application.

Representations

The occupiers of an adjacent dwelling objected to the first scheme on the basis that their only objection was to Unit 4. They indicated that they were perfectly happy with the design and proximity of units 1, 2, 3 and 5. It is only unit 4 that affected their property, being proposed very close to their boundary and Blythes Barn itself. It would affect privacy as it would overlook and dominate due to the fact that it is on a raised bank. It would partially block out light to their premises. They indicated that if the house were built 50 yards further back or ran adjacent with unit 5 (so they were side by side) this would be a much better solution as then it would not have such a visual impact on their property. No further comments have been received in respect of the revised proposal.

Austrey Residents' Association objects because of concerns about village capacity and the cumulative effect that additional housing development would have on the rural character of the village and its community.

Observations

a) The Principle

The principle of development has recently been established through the grant of planning permission for three dwellings on the largest part of the current application site. The site has a road frontage, is situated between existing dwellings and is immediately adjacent to the identified development boundary. The additional land, upon which it is proposed to erect an additional two dwellings, forms an integral part of the parcel of land that currently contains the farm building and associated yard. Though the enlarged developable area would be marginally deeper than the approved scheme, it is generally of a scale envisaged for development in this locality in the Draft Site Allocations Plan.

The emerging Neighbourhood Plan supports the principle of three dwellings at this site.

b) Detailed Considerations – Design, Scale and Location

The proposed form of the development is altered. Rather than taking the form of front facing cottages, the current scheme seeks to give the impression that the buildings are of agricultural scale, form and character and seeks to appear as conversions of rural buildings. Subject to other considerations of affect on amenity and highway safety, this approach is considered an acceptable approach to design on a village edge site.

The grouping of the proposed buildings around a courtyard achieves an acceptable separation distance from the neighbouring dwelling at Primrose Cottage and, although the development does not wholly front No Mans Heath Lane, the elevation facing the lane can be designed so as to appear as a principle elevation and ensure that the development forms an integral part of the street scene.

The revised scheme addresses the difficulties brought about by virtue of the fact that the site is on elevated ground above No Mans Heath Lane and the existing dwelling at Blythe's Barn. It takes a staggered approach to the height of the buildings and carefully positions them at an off-set angle to ensure that the potential for over dominance and overlooking is addressed. The revised scheme has resulted in no further concerns being raised by the occupiers of the nearest adjacent dwellings. No concerns have been identified in respect of the altered approach to design.

Notwithstanding this, the plans are presented for the approval of scale and layout only at this stage, they remain only illustrative in terms of appearance.

The developable area is contained within an existing established boundary and will not intrude into open countryside.

c) Landscape and Ecology

The site does not contain any known protected species. The application proposes the relocation of the existing frontage hedge to improve visibility from the site access, as the previous scheme did. The previous approach was to translocate the existing hedgerow and a methodology statement was submitted accordingly. There would be an expectation that, if approved, this scheme would be required to take the same

approach. In the longer term there would be no significant adverse impact on the character or appearance of the street scene.

d) Affordable Housing

The previous scheme achieved an off-site contribution towards the provision of affordable housing, however, since the grant of that permission the Department of Communities and Local Government (DCLG) updated Guidance (28 November 2014) introduced the use of lower thresholds for affordable housing contributions. Proposals for ten or fewer dwellings now fall below the threshold for the provision of affordable housing either on-site or off-site.

e) The Proposed Replacement Agricultural Building

The current scheme proposes to maintain access through the site to the field at the rear for its continuing agricultural use. This is necessary or else the field would become land locked. The previous scheme was in two parts, the proposed dwelling and a replacement agricultural building. This application is for the dwellings alone and a stand alone application will need to be made if it is still proposed to erect a new agricultural building.

The applicant advises that one of the proposed dwellings will be occupied by the farmer of the land.

f) Highways

The main issue of contention with the proposal for five dwellings is that the Highways Authority objects it for a number of reasons, as follows:

1. The proposed access is not considered suitable for an intensification of use.
2. It has not been demonstrated that suitable visibility splays can be achieved from the vehicular access to the site.
3. The proposed turning area is not considered suitable for the purpose intended.
4. Pedestrian access to the site is not considered suitable.

The Highway Authority indicates that the access is still not wide enough for a tractor to pass a car within the site and it has not been demonstrated that the available southern visibility splay is within the control of the applicant or suitable for the approach speeds of vehicles. Swept path analyses have been submitted showing a refuse vehicle turning around on site, which appears acceptable, and a tractor and trailer entering and exiting the site. The turning area for the tractor and trailer has not been shown, but due to the design of the vehicle combination should be able to turn around in any field. But, the surface a tractor can turn around on is different to a HGV. Wagon-and-drag style HGV's are commonly used on farms. The Highway Authority considers that a turning area suitable for this type of vehicle should be provided. Finally, it expresses concern that a pedestrian route from the site to the village does not appear possible.

The applicant and the Highway Authority have an ongoing dialogue concerning these matters and it is hoped that the concerns can be addressed with some small further revisions to the proposals and shared understanding of the site conditions and the nature of the proposal. There is however one exception and that relates to the inability to dedicate a pedestrian route from the site to the village.

When planning permission was sought for three dwellings at this site the Highway Authority did not raise any objection and did not raise concern about the absence of a dedicated pedestrian route from the site to the village along No Mans Heath Lane.

The highway width does not extend sufficient distance beyond the carriageway to allow opportunity to form a footway, even if the developer was prepared to fund its construction.

In deciding whether there is sufficient reason to refuse the current application on the basis of the absence of a footway, the Board should be mindful that this application is not about whether new residential development should be allowed in this location at all, it is about whether it is acceptable to increase the number of dwellings by an additional two. This is a matter of balancing potential harm to highway safety against the other merits of the scheme, including the additional supply of housing and the beneficial use of a part of the land that would otherwise have no other productive use and could fall into a state of neglect. The Board too should also be mindful that there are a significant number of existing dwellings fronting No Mans Heath that have managed the pedestrian route to the village centre and no accidents are known to have been recorded as a result. On balance, it is considered that this matter is wholly beyond the control of the applicant and that the risk to highway and pedestrian safety is not of sufficient magnitude to outweigh the beneficial aspects of the proposed development.

Member will see, from the recommendation below that support for the application proposal would be on the basis that the remaining highway reasons for objection can be overcome with the agreement of the Highway Authority.

g) Other Matters

The County Archaeologist advises that the proposed development lies within an area of archaeological potential, within the possible extent of the medieval settlement at Austrey (Warwickshire Historic Environment Record MWA 9490). There is a potential for the proposed development to disturb archaeological deposits, including structural remains and boundary features, associated with the occupation of this area from the medieval period onwards. She does not wish to object to the principle of development, but does consider that some archaeological work should be required if consent is forthcoming and recommends a condition. She envisages this work taking a phased approach, the first element of which would need to take place in advance of any development on the site and would take the form of evaluative fieldwork.

The Austrey Residents' Association expressed concern about the cumulative impact of additional dwellings in the village. It would be difficult to present a convincing case to show that the addition of two units at this location would render the development unsustainable in the context of harming village character, rural community or increased strain on village services.

Recommendation

1. That the Council is minded to support the application, subject to the resolution of the objection from the Highway Authority and subject to conditions addressing the matters set out below.
 2. That the determination of the application be delegated to the Head of Development Control in conjunction with the Chair and Vice-Chair and the two local Ward Members.
- Standard outline conditions
 - Specified Plans
 - Submission, agreement and implementation of a scheme for the translocation of the existing frontage hedgerow.
 - Submission, agreement and implementation of a scheme for foul and surface water drainage.
 - Submission, agreement and implementation of a boundary treatment scheme.
 - A limitation on the hours of construction works given the proximity of the site to existing dwellings.
 - The implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
 - Conditions as deemed appropriate by the Highway Authority.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0144

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	6/3/15 6/5/15 9/7/15
2	Austrey Residents' Association	Representation	24/3/15
3	B Barrett & Z Edwards	Representation	27/3/15
4	Planning Archaeologist, Warwickshire Museum	Consultation Response	23/3/15
5	Environmental Health Officer	Consultation Response	17/3/15 13/3/15
6	Warwickshire County Council Highways Authority	Consultation Response	31/3/15 11/5/15 23/7/15

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

(5) Application No: PAP/2015/0149

The Homestead, Main Road, Austrey, CV9 3EG

Outline application for residential development with detailed access, for

Mrs Sue Bell

Introduction

This application was reported to the Planning and Development Board in August 2015. No decision was taken at that meeting. Instead, it was deferred to allow an opportunity to consider the implications of a change in Government Policy Guidance concerning the provision of affordable housing.

The report to the August Board is shown as Appendix 1.

The applicant has responded with the submission of additional information in the form of an Affordable Housing Proposal. In short, the applicant proposes that affordable housing would not be constructed on the application site but instead, to meet policy requirements, there would be the payment of a sum of money which would be used to deliver affordable housing elsewhere (an off-site contribution).

Update

Since the previous report to Board the outline planning permissions for 14 dwellings at the site known as Applegarth and the Croft and for 40 dwellings at Crisps Farm have both been issued.

Representations

Those who made representations previously have been reconsulted on the provisions in respect of affordable housing. No further representations have been received in that respect.

One further letter of objection has been received from the occupiers of the dwelling that is adjacent to the proposed access. They continue to express concern about the safety of the access given that it would be at right angles to their drive and concern about the safety of pedestrians using the public footpath at the end of The Green. They point out that they have maintained the verges on The Green for over 35 years.

The objector suggests that the trees at the site should be protected by a Tree Preservation Order.

Observations

The change in Government policy means that there is no longer a threshold below which the provision of affordable housing should not be sought and therefore the full provisions of Policy NW6 of the North Warwickshire Core Strategy (Adopted October 2014) can be applied to current proposals for the development of housing.

The payment of an off-site contribution accords with the provisions of Policy NW6 of the Core Strategy given that the development will achieve fewer than 14 units.

The proposed off-site contribution, amounting to £48,300, has been calculated using the methodology contained in the Council's Housing Viability Appraisal. Given that the application is in outline only the values attributed to the proposed dwellings cannot be wholly accurate but it is considered that the values attributed are a reasonable reflection of the site and the market.

The application therefore complies with government policy and the development plan in respect of the provision of affordable housing.

There are no further material changes in circumstance since the report to Board in August that would justify a change to the recommendation that planning permission be granted subject to conditions and the observations at that time remain relevant. Members are asked to refer to the report in Appendix 1 and to note the new recommendation below. The matter of highway and pedestrian safety is addressed in the earlier report to Board.

Recommendation

That subject to the signing of a Section 106 Agreement relating to the provision of affordable housing, the application be granted subject to the following conditions:

Standard Outline Conditions

1. This permission is granted under the provisions of Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015 on an outline approval, and the further approval of the Local Planning Authority shall be required with respect to the under-mentioned matters hereby reserved before any development is commenced:-

- (a) appearance
- (b) landscaping
- (c) layout
- (d) scale

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

2. In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

Defining Conditions

4. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 9293.01 Rev C received by the Local Planning Authority on 6 July 2015.

REASON

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

5. The development hereby approved shall be limited to no more than 4 dwellings and the developable area shall be no greater than the area shown on the illustrative plan 9293.01 Rev C and shall be limited to that area and no other.

REASON

To accord with the provisions of Policy NW5 of the North Warwickshire Core Strategy October 2014, to ensure that the density of development remains low at the edge of the village and to limit the traffic generated by the development to a safe level.

Pre-Commencement Conditions

6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

7. No development or site works whatsoever shall commence on site until details of measures for the protection and enhancement of existing trees and hedgerows to be retained have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area, to protect the amenity of occupiers of adjacent dwellings and to avoid any harm to the existing landscape and ecology of the site.

8. No development or site works whatsoever shall commence on site until the measures approved in Condition No 7 above have been implemented in full.

REASON

In the interests of the amenities of the area, to protect the amenity of occupiers of

adjacent dwellings and to avoid any harm to the existing landscape and ecology of the site.

9. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority in consultation with the Warwickshire County Council Archaeological Information and Advice team.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

10. No development shall take place until the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI has been undertaken in full and a report detailing the results of this fieldwork has been submitted to the Local Planning Authority.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

11. Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the Local Planning Authority. This shall detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation detailed in condition 10 above. The programme of archaeological fieldwork and associated post-excavation analysis, report production and archive deposition detailed within the approved Archaeological Mitigation Strategy shall be undertaken in accordance with the approved detail.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

12. Prior to the commencement of development surveys for great crested newts, badgers and bats shall be undertaken in accordance with the recommendations of the Preliminary Ecological Assessment dated February 2015, received by the Local Planning Authority on 9 March 2015, and submitted for approval by the Local Planning Authority in writing.

REASON

In the interests of establishing the presence of protected species and ensuring no adverse impact on the biodiversity of the site.

13. Prior to the commencement of development the following shall be submitted to and approved by the Local Planning Authority in writing.

A scheme for the compensation of biodiversity loss which achieves no net loss of biodiversity.

Scheme for external lighting which is designed as to minimise the effect on bats.

The agreed schemes shall be implemented fully in accordance with the approved detail.

REASON

To accord with the requirements of Policy NW15 of the North Warwickshire Core Strategy (October 2014) and to avoid any harm to the existing biodiversity of the site ahead of reaching an agreed compensation scheme and in the general interest of ensuring no adverse impact on protected species.

During Development

14. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations shall take place before the hours of 0700 nor after 1900 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of nearby residential property.

15. Site clearance shall only take place outside of the bird breeding season.

REASON

In recognition of the legal protection afforded nesting birds.

Highway Conditions

16. Access for vehicles to the site from the public highway (The Green D20) shall not be made other than at the position identified on the approved drawing number 9293.01 Rev C.

REASON

In the interests of safety on the public highway.

17. The access to the site for vehicles shall not be used unless a public highway crossing has been laid out and constructed in accordance with the specification of the Highway Authority.

REASON

In the interests of safety on the public highway.

18. Notwithstanding the plans submitted, no dwelling shall be occupied until a

footway extension has been constructed between the existing footway (fronting number 2 The Green) and the site.

REASON

In the interests of safety on the public highway.

19. No structure, tree or shrub shall be erected, planted or retained within 2.4 metres of the land highway maintainable at public expense exceeding, or likely to exceed at maturity, a height of 0.3 metres above the level of the public highway carriageway.

REASON

In the interests of safety on the public highway.

20. No development shall commence until full details of the provision of the access, car parking, manoeuvring and service areas, including surfacing, drainage and levels have been submitted to and approved in writing by the Council. No building shall be occupied until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

In the interests of safety on the public highway.

21. The development shall not be commenced until a turning area has been provided within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.

REASON

In the interests of safety on the public highway.

22. The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

REASON

In the interests of safety on the public highway.

Notes

1. Public footpaths are located adjacent to the southern and western boundaries of the application site. These public footpaths must remain open and unobstructed at all times
2. Conditions require works to be carried out within the limits of the public highway. Before commencing such works the applicant/developer must enter into a Highway

Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three months' notice will be required.

3. Conditions require works to be carried out within the limits of the public highway. The applicant/developer must enter into a [Minor] Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant/developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should not be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three months' notice will be required.
4. Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.
5. 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 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 paragraphs 186 and 187 of the National Planning Policy Framework.

BACKGROUND PAPERS

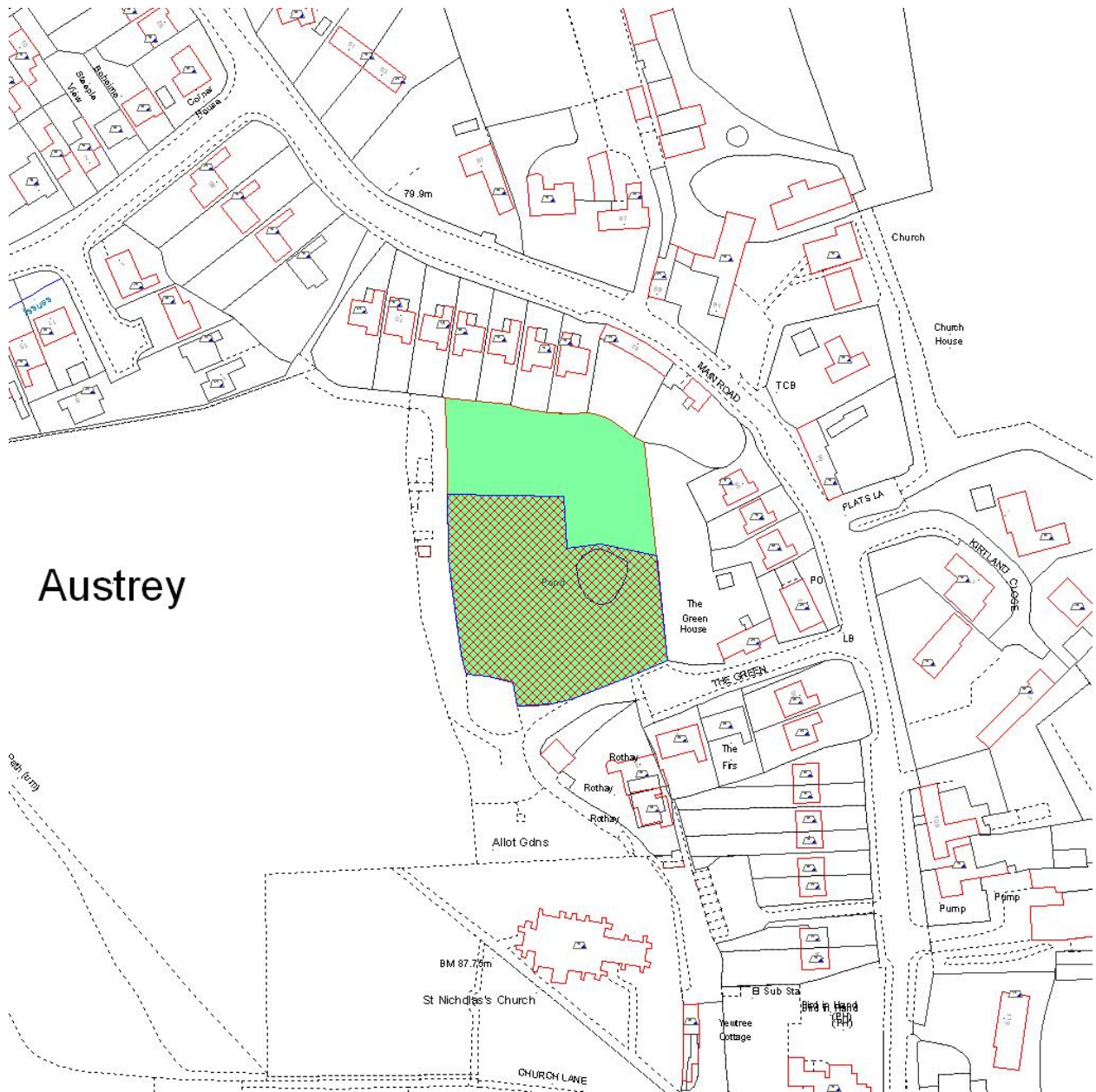
Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0149

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Affordable Housing Proposal	16 9 15
2	S & M Collins	Representation	7 9 15

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



Austrey

(#) Application No: PAP/2015/0149

The Homestead, Main Road, Austrey, CV9 3EG

Outline application for residential development with detailed access for

Mrs Sue Bell

Introduction

The application is referred to the Board at the discretion of the Head of Development Control in view of the Board's previous consideration of a number of housing applications in Austrey.

The Site

The site forms part of the extensive rear garden to The Homestead, a grade II listed building which fronts Main Road.

The plot lies to the rear of properties on Main Road, with Main Road being in a northerly and easterly direction. On its southern boundary it has a frontage to The Green, an existing small cul-de-sac serving 4 houses, and a frontage to an access lane which runs from The Green to St Nicholas Church and Church Lane. The westerly boundary is formed by a mature hedgerow/shrub boundary with an allotment garden and open countryside beyond.

The site contains a pond and a variety of mature trees, including a small orchard.

The Proposal

This is an outline application for residential development with the details of access to be approved at this stage. The matters of layout, appearance, scale and landscaping are all to be matters reserved for later approval.

Notwithstanding this, the applicant has submitted an indicative layout plan which shows the provision of 4 detached dwellings accessed from a single cul-de-sac. The proposed access would meet The Green to the northern edge of the hammerhead.

The indicative layout and access arrangements are shown in the plan below.



The illustrative layout shows the retention of the on-site pond and the retention of the large majority of the on-site trees. Those trees that are shown as being felled are primarily the fruit trees within the small orchard.

The photograph below illustrates the position of the proposed access off The Green (between the copper coloured tree and the gated existing vehicular entrance to 4 The Green)



The photograph below illustrates the access track which runs from The Green to St Nicholas Church and Church Lane. The application site is to the right hand side of the photograph behind the established hedgerow and tree line.



The photographs below illustrate the part of the site that would be developed for housing. It is largely grassed and contains a number of fruit trees. It is surrounded by established hedgerow.



The photographs below illustrate the part of the site which contain trees and a pond, where development would not take place.



Background

Initially the application proposed a larger site of 0.45 hectares for development, however, following a detailed tree survey and assessment of heritage impact, the applicant elected to reduce the extent of the application site by approximately half. An illustrative scheme was presented showing 5 dwellings, however, in order to address access concerns, it was later reduced to show 4 dwellings.

Development Plan

The Core Strategy 2014 – Policies NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW4 (Housing Development), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW10 (Development Considerations), NW11 (Renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW15 (Nature Conservation) and NW22 (Infrastructure).

Saved Policies of the North Warwickshire Local Plan 2006 - ENV4 (Trees); ENV8 (Water Resources), ENV10 (Energy Generation and Energy Conservation), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ENV16 (Listed Buildings, non-Listed Buildings of Local Historic Value and Sites of Archaeological Importance), TPT1 (Transport Considerations in New Development) and TPT6 (Vehicle Parking)

Other Relevant Material Considerations

The National Planning Policy Framework 2012

The National Planning Practice Guidance 2014

Planning Contributions (Section 106 Planning Obligations) – DCLG 2014

The Draft Pre- Submission Site Allocations Plan June 2014)

The following is the complete extract from the Site Allocations Plan (SAP) as it relates to Austrey.

Austrey

- 5.63 The village lies mostly north of the church and is situated within attractive countryside close to the Leicestershire border. It consists of approximately 400 houses, two churches, a primary school and a pre-school, public house, 2 playing fields and a shop/post office. There are also some ancient earthworks in the field by the church and ridge and furrow surviving in a few surrounding fields.
- 5.64 The village has an active community and Parish Council, which is currently developing a neighbourhood plan. There are at least 14 Listed Buildings/Structures, some with altered fronts, but at least five of them show old timber-framing. The village has limited services and its rural location and limited public transport services reduce its sustainability and capacity/potential for significant new development. Nevertheless there is some potential for small scale redevelopment or expansion.

Total amount of housing units to be provided = 40

- 5.65 Since the 1st of April 2011 only 1 unit is available with valid extant planning consent within Austrey Parish. There is a need to identify a minimum of approximately 40 units and there are a number of sites potentially available to address this need. The principal site utilises a number of landowners stretching from Main road to Church Lane and will help address a number of needs indicated by the Parish, including provision of a village green open space area and parking for the church and village hall, both of which are currently limited in availability. This figure may need to be increased if viability issues arise to ensure the delivery of the facilities sought. An element of flexibility is built into the site allocations to ensure delivery to meet the housing requirement.

AUSTREY – SITE ALLOCATIONS

Site allocation s code	ADDRESS	Site size (ha)	Net Figures	ISSUES & SITE REQUIREMENTS IDENTIFIED
AUS14 (Formerly AUS1b, AUS 7 & PS143)	Land between Main Road and Crisp Farm ,Church Lane Austrey	2.25	40	New Access from Main Road to serve sites off Church Lane. Parking and Open Space to be included comprising village green (or off site delivery if agreed with parish as part of neighbourhood Plan) and parking for village hall and church. Careful and sensitive design is required to address the proximity of the Grade 2* Church. Trial trenching for archaeological impact is also recommended.
AUS4 (Combines AUS 4 & 3)	Applegarth, Norton Hill	0.29 + 0.49	20	May involve demolition of existing dwelling to enable access. Net figures reflect redevelopment of on-site dwellings. Retention of existing dwellings would be preferred and better reflect village character. Trial trenching for archaeological impact recommended.
AUS2/9	Holly Bank Farm, No Mans Heath Lane	0.27	7	STA concerns over lack of footway, although road frontage improvement is possible utilising both sites. Retention of existing cottage on site frontage and converted barns to rear (in commercial use) expected to retain character of site which adjoins a number of listed buildings. Developable area primarily on northern AUS9 part of site utilising AUS2 frontage to enable highway improvements..
TOTAL OF PROPOSED SITES			67	

POLICY HS3

Proposal AUS14

A Mixed Use Proposal for Housing, to provide additional Open Space (village green) and an element of parking for the church and village hall.

The site at Holly Bank Farm now has planning permission for three dwellings (with a current application proposing an increase to five dwellings) and permission has been agreed in principle (subject to Section 106 Agreements) for 14 dwellings at Applegarth and 40 dwellings at Crisps Farm.

The Austrey Neighbourhood Plan – July 2014

The Austrey Parish Council has produced a consultation draft of the Neighbourhood Plan, which, amongst other things, allocates land for housing. The Plan is presently out for formal consultation but it needs to be stated that the Neighbourhood Plan is at an early stage of preparation, it carries little weight until it is voted for in a referendum and is then formally adopted. At this early stage of preparation there is some uncertainty about the final form of the Plan and whilst it is indicative of the direction of travel of the Parish it can be afforded only little weight in the consideration of the planning applications.

Consultations

Waste and Transport Manager – There would not be any issue with a bespoke collection point away from the new development.

Warwickshire County Council Highways Authority – No objection to the reduced scheme subject to conditions.

Environmental Health Officer – No Comments

Warwickshire Museum – The proposed development lies within an area of archaeological potential. There is no objection in principle to the development, but conditions are required to require an archaeological evaluation by trial trenching.

Severn Trent Water – No objection subject to conditions

Representations

Austrey Parish Council objects to the application. Its representation is reproduced in full as Appendix 1.

Austrey Residents' Association – It strongly objects. The application does not fully comply with the National Planning Policy Framework; the NWBC Core Strategic Plan and the village Neighbourhood Plan. The site is not identified in the draft Austrey Neighbourhood Plan, nor has it been considered by our membership when carrying out a survey of preferences for suitable building sites in the village. The majority of our membership would wish to restrict current building to those sites that are contained within the draft Neighbourhood Plan and agreed by a majority of residents of the village.

In particular, concern is expressed about the increase in traffic that this site would create. The Green is a cul-de-sac and residents rely on the 'hammerhead' at the end of the road to park cars. It is already a busy road and is used by shoppers to park their cars when visiting the only village shop. At times it has already reached 'saturation' point and even a small increase in traffic will be detrimental to the safety of drivers and pedestrians in the area. The NPPF paragraph 32 indicates that decisions should take account of whether: ' safe and suitable access to the site can be achieved for all people'." Given the current congestion, the concerns that have been expressed by Warwickshire County Council and the fact that Main Road is used by agricultural traffic even without the extra houses the junction between The Green and Main Road constitutes 'an accident waiting to happen'.

Letters of objection have been received from a further 18 residents raising the following concerns:

- The development would impact adversely on its rural setting, its local character and its distinctiveness.
- The development recently allowed will more than satisfy the housing needs of Austrey over the period to 2029 to allow for sustainable development in the village.
- There is no housing need because the Council has a housing land supply in excess of 5 years + 20% buffer.
- The Neighbourhood Plan has support across the village and provides 57 houses against the 40 required. There is therefore no justification for any further permissions. The Site Allocations Plan is supported by the draft Austrey Neighbourhood Plan which has been prepared following 18 months consultation

with the wider village community and has the backing off Austrey Residents Association. Granting permission for application 2015/0149 is therefore not necessary and prejudicial to the emerging plan led system.

- The proposal would be contrary to Policy HSG3 of the North Warwickshire Local Plan 2006 (Saved Policies). The site is outside the development limits for Austrey as defined on the Local Plan Proposals Map. Local Plan Policy HSG3 sets out construction of dwellings outside the development boundaries, but the application does not meet the required criteria. The application is therefore not acceptable in principle.
- As the site is beyond the development boundary it may not be regarded as 'infill'.
- There is enough planned development in the village and further piecemeal development is not necessary.
- The development is not of the type needed in the village. The village needs affordable housing for young families, and bungalows or retirement homes for those wishing to downsize.
- No more homes should be developed as that would put a strain upon the infrastructure both in terms of access, facilities and public services.
- The Green is a narrow congested cul de sac. Access/visibility onto the main road from The Green is frequently impaired by parked vehicles by the PO stores. The entrance of The Green is not designed to take a large flow of vehicles into Main Road. Further housing and traffic would significantly add to an existing area of traffic congestion and concern. The Green has no public lighting.
- The applicant is proposing a new access to the site from The Green, it would be both impracticable and unsafe because of conflict with existing properties, parking congestion, the use of The Green for turning by drivers of vehicles visiting the post office store and conflict with users of Public footpath T171a which exits onto The Green via a gravelled vehicular drive.
- This planning application would be detrimental to nearby listed buildings.
- The Heritage Statement provides very little information about the potential impacts of the proposal on cultural heritage; it simply provides a recital of the list description of The Homestead. When assessing a development proposal, the significance of the heritage asset including the contribution setting makes to its significance needs to be assessed at that particular time (paragraph 128 of the NPPF). The Heritage Statement submitted does not do this in relation to The Homestead or the Church of St Nicholas.
- The Church includes a prominent spire and commands a wide landscape setting over Austrey and into the countryside beyond. It is therefore reasonable to conclude that the application site has the potential to affect the setting of the listed building and, as such, the Council has a statutory duty to have special regard to the desirability of preserving that setting. Further built form in the vicinity of the church would adversely affect its setting.

- Two further listed buildings, the Bird in Hand Public House (grade II, C17) and Village Cross (grade II, medieval steps with C19 cross) lie 100m away from the site. This is in addition to the Homestead itself, also Grade II listed, which will have its land and viewpoint severely affected by any residential development on the site.
- Case law is referred to which establishes that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted.
- Both the Homestead and the site are mapped on the 1840 Tithe Apportionment Plan. The plan also shows that the village tithe barn was located on the site. It lies at the very heart of the ancient parish and it is the start of the historical earthworks that continue down the Bishops Field that are the remains of the water meadows across this area. It is entirely possible that there are archaeological remains.
- The preliminary ecological survey is incomplete being conducted in winter and fails to recognise that the surrounding area does support priority species such as great crested newts. The mature trees and hedgerows are also of a prime specimen nature and would be a significant loss. This is directly contrary to the proposed policies of the draft Neighbourhood Plan.
- The site forms a valuable haven for wildlife in the centre of the village including bats, several species of birds and that it is regularly visited by herons. When the ecological survey was carried out only a superficial examination of the site was made by the investigators who clearly did not appreciate the ecological value of the site. Discussions with local residents indicate the presence of the badger, bat species and great crested newts in the locality. Mammal pathways were observed by the ecologist on the site, possibly attributable to domestic cat, fox and also badger. Badger runs were also noted from the St Nicholas Ecosite. Other species which may be impacted include mole, field vole, grass snake and hedgehogs also present in the area. A wide variety of birds were observed during the survey and it was noted that the hedgerows and scrub on site are particularly suitable for breeding birds. In addition to there have been sightings of owl, buzzard, chaffinch, starling, thrush, bullfinch, swallow, swift, and nuthatch. It was noted that due to the close proximity of verified bat records and the mature hedgerows and trees onsite that this area may have significance for bat foraging and commuting routes. The area round The Green has no street-lamps and consequently very low night-lighting levels, and may therefore be a good location for bats which react adversely to intense lighting.
- The trees on the application site are an important part of the local landscape and any development would be detrimental to that.
- The site pond scores 0.737 “very good” (a score of 8 or above is “high”) as a habitat for the great crested newt using Natural England’s rapid assessment tool. It is concluded in the report that it is likely that great crested newts will be impacted by the development.
- The site has, until recently, been left to long grass. There is a wide range of grasses and shrubs which in turn support a variety of bees, butterflies, moths and other insect life, a critical food-source for birds, bats and so forth up the food-

chain. It was noted that the mix of native species within the boundary hedge was a valuable and priority habitat, with connectivity for wildlife.

- The site can be seen from a public road, public footpath, bridleway or other public land. The whole of this area of Austrey forms part of a popular dog and leisure walking route along public footpaths, and the site can be clearly viewed from public footpaths from both the south and west sides, and also from The Green.
- The development would be contrary to policies of the Neighbourhood Plan
- The Parish Council was, in 2010/2011, looking for land that could be developed as a community orchard. This may be a suitable location for an orchard as such use could be sensitively aligned with the improvements and management strategies listed by the ecologist, and would enhance the existing village setting / environment rather than detract from it.
- The proposed access is over a verge that has been maintained by the occupier of a neighbouring property for many years and contains an Acer "Red King" which was planted by them 30 years ago.
- Green space is at a premium and the village cannot afford to lose more.
- Suggests that a site visit by Councillors would be appropriate.
- Concern is expressed about disturbance during construction.
- The reduced scale scheme is acknowledged to be an improvement but the objector still feels that it leaves the pond and original tithe barn site isolated behind houses.
- The reduced site area suggests that an application will be presented for the remainder of the land at a future date.

Observations

a) Introduction – Planning Policy Context

The introduction to the North Warwickshire Core Strategy (adopted in October 2014) identifies that the key priority is to keep the rural nature of the Borough and the Spatial Portrait confirms that the rural nature of the Borough is very important. It recognises that a balance needs to be struck between allowing development that is appropriate in terms of scale and character, whilst protecting and emphasising the rural context of the Borough.

The Spatial Strategy is a key component of the Core Strategy for delivering a sustainable way of living and working and considering the appropriate distribution for development. It seeks to allow development to take place in a dispersed, but controlled pattern throughout the Borough. Future development will take place in accordance to the size of the settlement taken, with its range of services and facilities. This will mean that the majority of development will take place in the larger settlements, with more limited development in the smaller rural settlements.

The settlement hierarchy in the Strategy (Policy NW2) broadly remains unchanged from the North Warwickshire Local Plan 2006, however what has changed is the emphasis on what will and will not be allowed in the smaller settlements. This follows the Matthew Taylor Report (Review on the Rural Economy and Affordable Housing) which advocated more development in the rural areas, to assist in maintaining the vitality of the rural settlements. The strategy acknowledges that this may result in development adjacent to development boundaries.

The Strategy identifies that the focus of rural housing development should be in Local Service Centres and there should be limited provision in Category 4 settlements. It does not mean housing on every part of the edge of a rural settlement, it means planned growth, commensurate to the size of the settlement, in the locations least harmful to the character of that settlement.

It is necessary to assess that application proposal in this context.

Objectors refer to the saved policy HSG3 from the North Warwickshire Local Plan 2006 (Saved Policies) relying upon it to resist the development. HSG3 sets out that the construction of new dwellings outside development boundaries will only be permitted if the accommodation is required to enable agricultural, forestry, or other full-time workers to live at, or in the immediate vicinity of, their place of work. Objectors indicate that the construction of dwellings for open market sale is not permitted under this policy.

Members should be aware that Saved Policies need to be read in context with the more up to date policy of the Core Strategy. Where there is conflict the more up to date policy will prevail. Members also need to be aware that policies of the North Warwickshire Local Plan 2006 could only be saved in their entirety, not in part, for their component elements. In the instance of Policy HGS3, it is a policy which has two parts, the part relied upon by the objectors and a second part which relates to the rebuilding and enlargement of existing dwellings outside development boundaries. The policy is saved because of this second element which is not covered by the Core Strategy. The first part of HSG3 is now out of date given that the more up to date Core Strategy and the NPPF both recognise that there are circumstances where new homes can be supplied at the edge of existing villages with a view to enhancing or maintaining the vitality of rural communities.

b) Housing Supply

The Council's continual monitoring of its supply of housing land evidences that it has a good and improving position. An assessment undertaken in March 2015 evidenced a 7.6 year supply.

Objectors consider that this means that the application should be refused because there is no overwhelming need. The housing land supply position is a material consideration but it cannot be a factor in isolation of other considerations, particularly given the context of planning policy which sets a presumption in favour of sustainable development and which indicates that development that is sustainable should go ahead without delay. It is necessary to look at the merits of each application to assess whether it may be regarded as sustainable development.

c) Type of Housing/Affordable Housing

Objectors suggest that the development is not of the type needed in the village and that it needs affordable housing for young families and bungalows or retirement homes for those wishing to downsize.

Firstly, this is an outline application with matters of design, appearance and layout reserved for approval at a later date. The type of housing cannot therefore be known at this stage.

What is clear at this stage however is that the Council cannot insist that the site only be for affordable housing because following the Department of Communities and Local Government (DCLG) updated Guidance of 28 November 2014 the use of lower thresholds for affordable housing contributions is now a material circumstance. Proposals for ten or fewer dwellings now fall below the threshold for the provision of affordable housing either on-site or off-site and for other tariff style contributions (including tariff based financial contributions for off-site provision of open space or play space).

d) Effect on Open Countryside

Though the site lies beyond the development boundary identified for Austrey it does lie immediately adjacent to the settlement and has a frontage to an existing cul de sac which serves several existing adjacent dwellings.

The westerly boundary to the site is formed by a mature hedgerow/shrub boundary with an allotment, a long domestic garden and open countryside beyond. This forms a significant edge to this part of the settlement. The edge is illustrated in the aerial image below.



The western boundary of the site is such that the proposed development would be unlikely to be visible from surrounding countryside other than through the occasional gap in the vegetation. It would be difficult to conclude that the development constituted an incursion into open countryside surrounding the village.

e) Highway Safety

Initially the application proposed a larger site and the Highway Authority objected to it on the grounds of highway safety. Following revisions to the scale of the scheme and to the positioning of the access the Highway Authority now offers no objection, subject to conditions.

It is not considered that the additional traffic generated by four new dwellings would constitute a significant hazard to either the free flow of traffic or conflict with existing road users. The Highway Authority officers have visited the site several times and conclude the inter-visibility between the proposed access and existing accesses can be considered acceptable, and that following the reduction in scale of the proposed development, there would not be a significant impact on the junction of The Green and Main Road, such that it becomes a “severe” problem to use the criterion in the NPPF. Following the Waste and Transport Manager’s confirmation that he has no concerns about collecting refuse from the site as long as a ‘bespoke collection point’ is provided, the Highway Authority is satisfied.

It has however still identified an issue. The plan of the highway extent appears to show that there is a gap between the red line outline and the land highway maintainable at public expense. The Highway Authority acknowledges that this may be a drafting error, but if the land between the highway and the application site is not in the control of the applicant, then there could be issues gaining permission to construct the proposed development/potential ransom strip (see plan extract below).



This is material to the applicant and will need to be investigated, but it does not affect the planning or highway merits of the proposal.

The highway impacts are not such that there would be justification for resisting the application.

f) Impact on the Heritage of the Village

The application site forms part of land associated with The Homestead. The Homestead is a Grade II listed building. The setting of the listed building merits protection and when considering the impact of a proposed development on the significance of a designated heritage asset, weight should be given to the asset's conservation.

The location of the listed building and the approximate location of the proposed dwellings are shown below.



It is proposed to retain the majority of the mature trees which separate the listed building from the proposed dwellings. Furthermore, the listed building will retain a large area as curtilage (edged blue above). The presence of the mature trees means that the line of sight between the listed buildings and the proposed dwellings is obscured. The new built form shown on the illustrative plan would be 47metres distant from the listed building at its closest point and 56 metres distant at the point where the built form would be likely to increase to more than one store. It is not considered that the proposed development, at a reduced scale of 4 dwellings, would adversely impact on the setting of the listed building (The Homestead).

Though the site lies approximately 60m north of the listed church, it is separated from it by small allotment gardens and two other dwellings. There is existing built form in closer proximity to the church than the proposed development. The land does not figure significantly as important open space in views to and from the church. Furthermore, the site and the church would only be seen in the same context from the land beyond the western boundary of the site. As indicated above, the western boundary of the site is such that the proposed development would be unlikely to be visible from surrounding countryside other than through the occasional gap in the vegetation.

There are a number of substantial protected trees that separate the church and the site. It would be difficult to conclude that the development constituted any significant harm to the setting of the listed church.



Though there are other listed buildings in the southern part of Austrey, none are within influence of the application site.

The Planning Archaeologist at Warwickshire Museum acknowledges that the proposed development lies within an area of archaeological potential, within the possible extent of the medieval settlement at Austrey (Warwickshire Historic Environment Record MWA 9490). Earthworks in the fields to the west of this site may represent the remains of an area of shrunken settlement (MWA 8885). There is a potential for the proposed development to disturb archaeological deposits, including structural remains and boundary features, associated with the occupation of this area from the medieval period onwards. However, she does not wish to object to the principle of development, but considers that some archaeological work should be required if consent is forthcoming, including archaeological evaluation by trial trenching. The Tythe Barn referred to by objectors is shown on historic mapping as being adjacent to the application site but not within it. The Planning Archaeologist confirms that its proximity does not alter her view that the proposed development could be supported in principle.

In conclusion, though the development is proposed in an historic part of the settlement, analysis of its impact suggests that the current scale of the proposed development would not cause significant harm to any designated heritage asset or its setting.

g) Ecology and Trees

The application is accompanied by a Preliminary Ecological Assessment. The site contains no statutory nature conservation designations.

It is acknowledged that the application could result in some detriment to biodiversity, however, the most significant features important to biodiversity, namely, the on-site pond and the majority of the woodland cover (the primary exception being the apple trees within the small orchard) are to remain and can remain clear of the developable area.

The Ecological Assessment acknowledges that further biodiversity assessment will be required ahead of the commencement of development. This is acceptable given that the application is in outline form. Given the preliminary findings, and the form of the amended application, conditions can require the carrying out of further surveys for great

crested newts, badgers and bats ahead of the application for the approval of reserved matters.

Furthermore, conditions can require the submission of:

- A scheme for the retention, protection and enhancement of hedgerow and mature trees.
- A scheme for the compensation of biodiversity loss which achieves no net loss of biodiversity.
- Scheme for external lighting which is designed as to minimise the effect on bats.
- A provision that site clearance shall take place outside of the bird breeding season.

On balance the scheme utilises the part of the site with lowest ecological value. With enhancement of existing features the site is capable of accommodating the development.

h) Cumulative Impact

The application proposes an additional four dwellings. This should be seen in the context of the planning permissions granted recently for 65 new dwellings at the sites set out below:

PAP/2014/0569	Crisps Farm	Outline permission for 40 dwellings
PAP/2014/0157	Applegarth	Outline permission for 14 dwellings
PAP/2014/0399	4 Warton Lane	Outline permission for 3 dwellings
PAP/2014/0296	Hollybank Farm	Full permission for 3 dwellings
PAP/2014/0433	Manor Croft	Outline permission for 4 dwellings
PAP/2014/0626	The Crisp	Net increase of 1 dwelling

It is suggested by objectors that the cumulative impact of the consented dwellings plus an additional four dwellings would have an undue strain on the services and facilities in the village.

It is considered that it would be difficult to evidence that the balance of four additional dwellings caused such harm as to exceed the capacity of the village to accommodate them.

i) Other Matters

The objectors' concern that a reduced site area suggests that an application will be presented for the remainder of the land at a future date is not just cause to resist the present application. Any new application would be considered on its merits at that time and if harmful could be resisted.

j) Sustainability Considerations and Conclusion

Members will be aware that the Council is currently defending two planning appeals against the refusal of planning permission at the northern edge of the settlement. Observers may seek to compare the current proposal to the appeal proposals. It is considered that the position of this application site is significantly different as to justify a

different approach. The appeal sites intrude more distinctly into open countryside whereas the site here would represent an infilling between existing built development and an established boundary with open countryside. It achieves development which is commensurate to the size of the settlement and is in a location which would cause no significant harm to the character of the settlement or, with the use of appropriate conditions, any other matter of acknowledged importance such as heritage, ecology or highway safety.

The site is at a position within the settlement where it has close, easy access to all of the village facilities, its post office, church, village hall and primary school. It is considered to be in a sustainable location within the village.

In these circumstances, the application may be supported subject to conditions.

Recommendation

That planning permission be **GRANTED** subject to the following conditions:

Standard Outline Conditions

1. This permission is granted under the provisions of Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015 on an outline approval, and the further approval of the Local Planning Authority shall be required with respect to the under-mentioned matters hereby reserved before any development is commenced:-

- (a) appearance
- (b) scale
- (c) landscaping
- (d) layout

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

2. In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the Local Planning Authority not later than the expiration of three years beginning with the date of this permission.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development to which this permission relates must be begun not later than the expiration of two years from the final approval of all reserved matters.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990.

Defining Conditions

4. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 9293.01 Rev C received by the Local Planning Authority on 6 July 2015.

REASON

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

5. The development hereby approved shall be limited to no more than 4 dwellings and the developable area shall be no greater than the area shown on the illustrative plan 9293.01 Rev C and shall be limited to that area and no other.

REASON

To accord with the provisions of Policy NW5 of the North Warwickshire Core Strategy October 2014, to ensure that the density of development remains low at the edge of the village and to limit the traffic generated by the development to a safe level.

Pre-Commencement Conditions

6. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved 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 to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

7. No development or site works whatsoever shall commence on site until details of measures for the protection and enhancement of existing trees and hedgerows to be retained have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area, to protect the amenity of occupiers of adjacent dwellings and to avoid any harm to the existing landscape and ecology of the site.

8. No development or site works whatsoever shall commence on site until the measures approved in Condition No 7 above have been implemented in full.

REASON

In the interests of the amenities of the area, to protect the amenity of occupiers of adjacent dwellings and to avoid any harm to the existing landscape and ecology of the site.

9. No development shall take place until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority in consultation with the Warwickshire County Council Archaeological Information and Advice team.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

10. No development shall take place until the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI has been undertaken in full and a report detailing the results of this fieldwork has been submitted to the Local Planning Authority.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

11. Prior to any development works (with the exception of any groundworks associated with the archaeological evaluation detailed above) taking place an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the Local Planning Authority. This shall detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation detailed in condition 10 above. The programme of archaeological fieldwork and associated post-excavation analysis, report production and archive deposition detailed within the approved Archaeological Mitigation Strategy shall be undertaken in accordance with the approved detail.

REASON

To ensure the recording and preservation of any items of archaeological interest and to avoid any harm to items of archaeological interest.

12. Prior to the commencement of development surveys for great crested newts, badgers and bats shall be undertaken in accordance with the recommendations of the Preliminary Ecological Assessment dated February 2015, received by the Local Planning Authority on 9 March 2015, and submitted for approval by the Local Planning Authority in writing.

REASON

In the interests of establishing the presence of protected species and ensuring no adverse impact on the biodiversity of the site.

13. Prior to the commencement of development the following shall be submitted to and approved by the Local Planning Authority in writing

- A scheme for the compensation of biodiversity loss which achieves no net loss of biodiversity.
- Scheme for external lighting which is designed as to minimise the effect on bats.

The agreed schemes shall be implemented fully in accordance with the approved detail.

REASON

To accord with the requirements of Policy NW15 of the North Warwickshire Core Strategy (October 2014) and to avoid any harm to the existing biodiversity of the site ahead of reaching an agreed compensation scheme and in the general interest of ensuring no adverse impact on protected species.

During Development

14. No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations shall take place before the hours of 0700 nor after 1900 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON

To protect the amenities of nearby residential property.

15. Site clearance shall only take place outside of the bird breeding season.

REASON

In recognition of the legal protection afforded nesting birds.

Highway Conditions

16. Access for vehicles to the site from the public highway (The Green D20) shall not be made other than at the position identified on the approved drawing number 9293.01 Rev C.

REASON

In the interests of safety on the public highway.

17. The access to the site for vehicles shall not be used unless a public highway crossing has been laid out and constructed in accordance with the specification of the Highway Authority.

REASON

In the interests of safety on the public highway.

18. Notwithstanding the plans submitted, no dwelling shall be occupied until a footway extension has been constructed between the existing footway (fronting number 2 The Green) and the site.

REASON

In the interests of safety on the public highway.

19. No structure, tree or shrub shall be erected, planted or retained within 2.4 metres of the land highway maintainable at public expense exceeding, or likely to exceed at maturity, a height of 0.3 metres above the level of the public highway carriageway.

REASON

In the interests of safety on the public highway.

20. No development shall commence until full details of the provision of the access, car parking, manoeuvring and service areas, including surfacing, drainage and levels have been submitted to and approved in writing by the Council. No building shall be occupied until the areas have been laid out in accordance with the approved details. Such areas shall be permanently retained for the purpose of parking and manoeuvring of vehicles, as the case may be. The vehicular access to the site shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or permit surface water to run off the site onto the public highway.

REASON

In the interests of safety on the public highway.

21. The development shall not be commenced until a turning area has been provided within the site so as to enable general site traffic and construction vehicles to leave and re-enter the public highway in a forward gear.

REASON

In the interests of safety on the public highway.

22. The development hereby permitted shall not commence or continue unless measures are in place to prevent/minimise the spread of extraneous material onto the public highway by the wheels of vehicles using the site and to clean the public highway of such material.

REASON

In the interests of safety on the public highway.

Notes

1. Public footpaths are located adjacent to the southern and western boundaries of the application site. These public footpaths must remain open and unobstructed at all times.

2. Conditions require works to be carried out within the limits of the public highway. Before commencing such works the applicant/developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three months' notice will be required.
3. Conditions require works to be carried out within the limits of the public highway. The applicant/developer must enter into a [Minor] Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. The applicant/developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should *not* be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278. An application to enter into a Section 278 Highway Works Agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX. In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant/developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three months' notice will be required.
4. Severn Trent Water advise that there is a public sewer located within the application site. Public sewers have statutory protection by virtue of the Water Industry Act 1991 as amended by the Water Act 2003 and you may not build close to, directly over or divert a public sewer without consent. You are advised to contact Severn Trent Water to discuss your proposals. Severn Trent Water will seek to assist you in obtaining a solution which protects both the public sewer and the proposed development.
5. 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 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 paragraphs 186 and 187 of the National Planning Policy Framework.



AUSTREY PARISH COUNCIL

13th July 2015

Dear Ms Levy,

Planning application PAP/2015/0149 - The Homestead Main Road, Austrey (Reconsultation).

I have been asked by Austrey Parish Council to submit their comments and objection to the Reconsultation named above. The amendment from 5 dwellings to 4 does not change the PCs stance on this application for the following reasons:

1. Highways / Access Concerns:

The applicant is proposing a new access to the Site from The Green. There are a number of issues which make this proposal impracticable and unsafe, firstly parking & access.

The properties at no 1 and no 2 The Green have 5 and 4 beds respectively, but only a single garage accessed by a small drive. These properties make use of on-road parking outside their properties down the length of the road, which significantly narrows the access. Additional residential parking space has been provided at the end of the cul-de-sac, this provision does not appear on the Site application. Gated parking and access to The Green House also exists adjacent to the proposed new access.

Additionally, residents of The Green and visitors to Austrey Shop and Post Office use the upper area of the Green to park and/or turn their vehicles around. Tim Bailey of Savoy Consulting, representing the developer, does not accept that the area is a 'turning circle'. Regardless of his opinion in this instance, this area **is** used both for turning and parking and it becomes quite congested at peak shop/post office hours.

The fact that it is not "of sufficient size to allow any vehicle to undertake a turning movement easily" could well increase the problems caused by any additional traffic on The Green. The planning board need to visit The Green to see first-hand the narrowness of the road and the congested on-street parking. We believe that Warwickshire County Council is of the opinion that the visibility to the south at the junction with Main Road is substandard. Visibility to the driver's right is particularly bad, and we consider this to be a dangerous junction. Increased traffic would surely bring an increased risk of accident.

To contact us:

write to Austrey Parish Council, c/o Austrey Stores & Post Office,
102 Main Road, Austrey, Atherstone CV9 3EG
email clerk@austrey.co.uk
phone 01827 818558

2. The Core Strategy & Austrey Neighbourhood Plan:

The last 12-18 months has seen a number of planning applications for new developments within the parish. Two have been granted (5 dwellings in total), a further five applications are pending (67 dwellings in total) and two have been refused (a total of 44 dwellings).

One of the reasons given for refusal of the rejected sites is that "Policy NW2 of the North Warwickshire Core Strategy 2014 identifies Austrey as a Category 4 settlement where development is to be limited to that identified in the Core Strategy or through a Neighbourhood Plan. The proposal does not comply with this policy as the site is not one identified in the Council's Draft Pre-Submission Site Allocation Plan, nor in our Neighbourhood Plan.

Following extensive consultation with the local community, it has been agreed that the Parish Council would, through its Neighbourhood Plan, support only the following applications, providing a total of 57 new houses: (GOA Doc. 7.3)

PAP/2014/0569

PAP/2014/0157

PAP/2014/0296

Although no details have been given with respect to the size of the potential developments on the Site (number of dwellings), it is also true that this site is not identified in the Core Strategy or the Neighbourhood Plan. Whilst the Site does not extend beyond the end of the village it would however impact adversely on its rural setting, its local character and its distinctiveness.

The pending applications generally satisfy the housing needs of Austrey over the period to 2029, meaning there is no need to identify additional housing sites in the village.

The applicant argues that no weight can be given to the Austrey Neighbourhood Plan. However the Austrey Neighbourhood Plan is significantly advanced, with wide support from villagers and the Residents' Association.

The Neighbourhood Plan is also aligned with the NWBC Site Allocations DPD and therefore it can be argued that granting permission for this application is not necessary and is also prejudicial to the emerging plan-led system.

The applicant's Design and Access Statement states that the application should be approved on the basis that the proposal is "modest and has a close relationship with the existing built form and respects and complements the overall grain of development". However, the application does not give any indication of the style of dwellings that are proposed and so no judgement on such matters can be accurately made at this point.

3. Ecology / Wildlife

The Site forms a valuable haven for wildlife in the centre of the village.

The report states that it's likely that great crested newts will be impacted by the development.

Additionally, local residents indicate the presence of the badger, and bat species and a wide variety of birds in the area, in addition to great crested newts. Other species which may be impacted include moles, field vole and grass snake. The hedgerows and scrub on site are particularly suitable for breeding birds and many other forms of wildlife and to lose the mature hedgerows and trees onsite may have a detrimental effect on many species and wildlife in Austrey.

To contact us:

write to Austrey Parish Council, c/o Austrey Stores & Post Office,

102 Main Road, Austrey, Atherstone CV9 3EG

email clerk@austrey.co.uk

phone 01827 818558

The site has, until recently, been left to long grass. There is a wide range of grasses and shrubs which in turn support a variety of bees, butterflies, moths and other insect life.

Conclusion

To conclude, it is the opinion of Austrey Parish Council, reflecting the views of the residents of Austrey, that this application should be refused, and that the site should retain its current use.

Moreover, this site should be actively protected from any residential or other building development given that it is in the shadows of a historically important listed building. Any changes to the landscape so close to the property are sure to have a detrimental effect on the house and its beautiful, historical & characterful setting.

Best Regards,

Lynsey Treadwell,
Clerk to Austrey Parish Council

To contact us:

write to Austrey Parish Council, c/o Austrey Stores & Post Office,
102 Main Road, Austrey, Atherstone CV9 3EG
email clerk@austrey.co.uk
phone 01827 818558

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

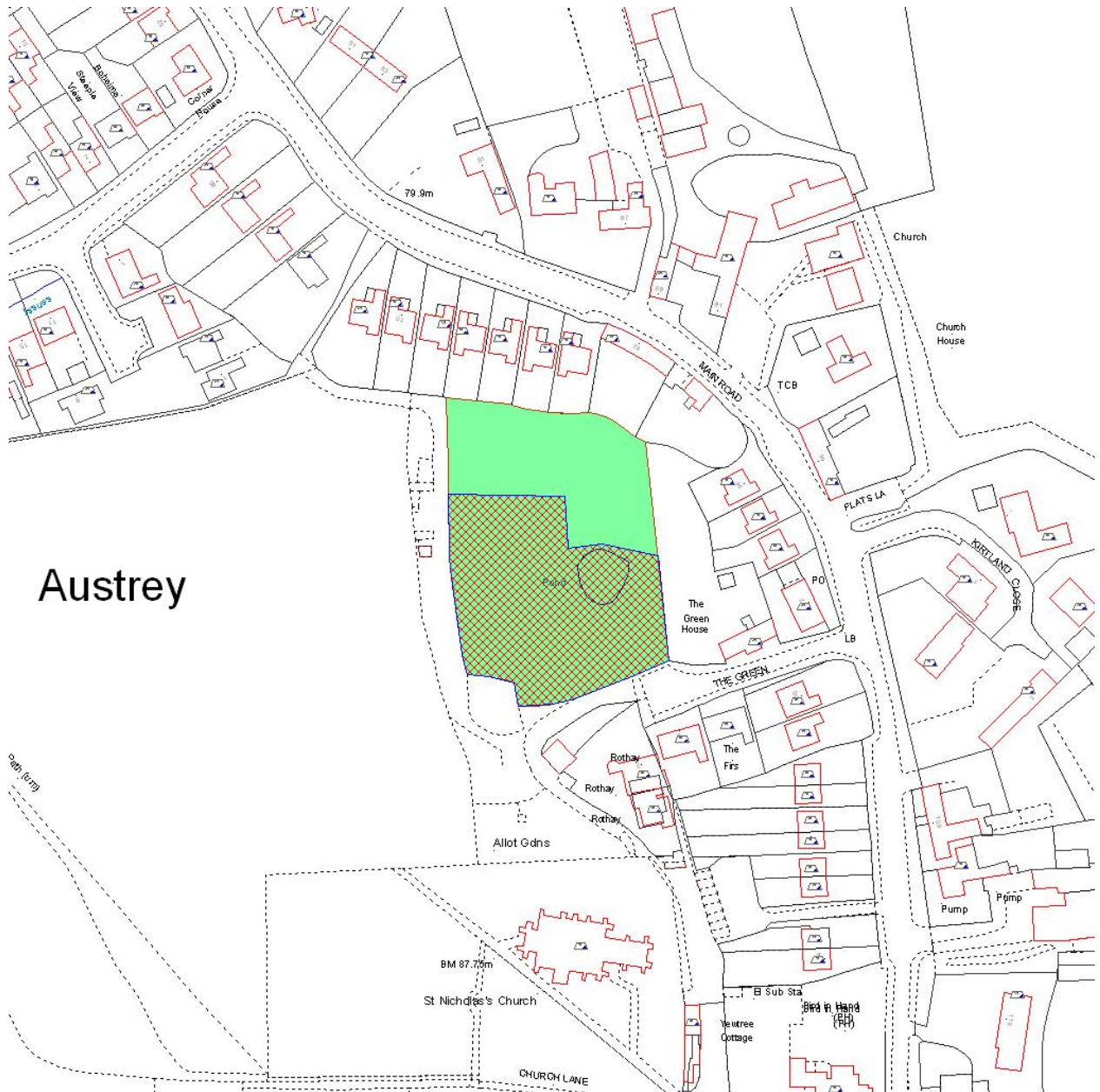
Planning Application No: PAP/2015/0149

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	9/3/15 1/5/15 6/7/15
2	P & S Yates	Representation	15/3/15 17/7/15
3	Environmental Health Officer	Consultation Response	17/3/15 24/3/15
4	R Broomfield	Representation	18/3/15
5	Mrs Ambroziak	Representation	21/3/15
6	Martin & Heather Cooke	Representation	24/3/15 9/6/15
7	Dr Roger Minett	Representation	24/3/15
8	Emma Fish	Representation	25/3/15 9/6/15
9	Austrey Residents' Association	Representation	24/3/15 8/6/15 20/7/15
10	R J & C M Minett	Representation	25/3/15 9/6/15 10/6/15 13/7/15 14/7/15
11	Mr & Mrs McEvoy	Representation	26/3/15
12	MDB Planning on behalf of others	Representation	26/3/15 23/6/15
13	Mr and Mrs MJ Collins	Representation	27/3/15 10/6/15 17/7/15
14	H Sargeant	Representation	30/3/15 11/6/15 16/7/15
15	K Sargeant	Representation	30/3/15 11/6/15 16/7/15
16	B Dawson	Representation	30/3/15 8/4/15 11/6/15 16/7/15
17	E & A Higgins	Representation	30/3/15 12/6/15 16/7/15

18	D & J Molyneux	Representation	30/3/15 8/6/15 12/6/15 17/7/15
19	Warwickshire County Council Highways Authority	Consultation Response	13/3/15 19/6/15 22/7/15
20	Severn Trent Water	Consultation Response	27/4/15
21	Planning Archaeologist, Warwickshire Museum	Consultation Response	19/5/15 12/6/15
22	Mr & Mrs Morrison	Representation	12/6/15 20/7/15
23	S Minett	Representation	11/6/15
24	Austrey Parish Council	Representation	17/6/15 13/7/15
25	Waste and Transport Manager	Consultation Response	24/6/15
26	A Wilde	Consultation Response	14/7/15

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.



Austrey