

Agenda Item No 4

Planning and Development Board

14 April 2014

Planning Applications

Report of the Head of Development Control

1 Subject

- 1.1 Town and Country Planning Act 1990 – applications presented for determination.

2 Purpose of Report

- 2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.
- 2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.
- 2.3 The proposals presented for decision are set out in the index at the front of the attached report.
- 2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications. .

3 Implications

- 3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

4 Site Visits

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.
- 4.2 Members are reminded of the "Planning Protocol for Members and Officers dealing with Planning Matters", in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

5 **Availability**

- 5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council's web site: www.northwarks.gov.uk.
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 19 May 2014 at 6.30pm in the Council Chamber at the Council House.

6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at: www.northwarks.gov.uk/downloads/file/4037/.
- 6.2 If you wish to speak at a meeting of the Planning and Development Board, you may either:
- e-mail democraticservices@northwarks.gov.uk;
 - telephone (01827) 719222; or
 - write to the Democratic Services Section, The Council House, South Street, Atherstone, Warwickshire, CV9 1DE enclosing a completed form.

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General Development Applications

(1) Application No: CON/2014/0004

Marston Fields Farm, Kingsbury Road, Lea Marston, Sutton Coldfield, B76 0DP

Construction of landscaped screening bund to the west of the site at Marston Fields Farm, for

Mr G Baines

Introduction

This is land on the north side of the A4097 Kingsbury Road immediately west of the small hamlet of Marston and opposite the site of the Lea Marston Hotel.

Background

Members will be aware that planning permission was recently granted by the County Council for a consolidating application proposing the extraction of clay from the site and its restoration as a fishing facility and nature conservation area through a series of new pools. The application followed earlier grants of planning permission and the unauthorised breach of those consents and their conditions. The overall objective of that permission was to secure a satisfactory landscape outcome and to remove the unauthorised deposit of waste and breaches of earlier permissions.

The Government has now published further details of the route of the HS2 rail line beyond Birmingham. These show a substantial rail hub and sidings to the immediate west of this site extending right up to the line of the M42 Motorway. There is some indication on these plans of proposed landscaping and screening. These sidings are understood to be for use during construction of the rail line and would be open 24 hours a day over a ten year period.

The plan at Appendix A illustrates the proposed HS2 sidings.

The Proposal

The applicant is proposing a new landscaped bund to the west of the approved position of the fishing and other lakes in order to provide protection and screening from the proposed rail facility. This would be 620 metres in length, 25 to 35 metres wide and 4 metres in height. The location and setting in the context of the approved scheme here are illustrated at Appendices B and C.

The bund would require the import of waste material and it is suggested that this would result in just 1 HGV movement an hour. This is because these vehicles would be used in conjunction with and in tandem with the work on the completion of the fisheries development such that everything would be completed together.

Development Plan

North Warwickshire Local Plan 2006 (Saved Policies): Core Policy 3 (Natural and Historic Environment), ENV2 (Green Belt), ENV1 (Protection and Enhancement of Natural Landscape), ENV3 (Nature Conservation), ENV11 (Neighbour Amenities) and ENV14 (Access Design).

The Warwickshire Waste Development Framework Core Strategy 2013 – Policies CS7 (Proposals for Disposal Facilities), DM2 (Managing Health and Amenity Impacts).

Other Relevant Material Considerations

Government Advice: National Planning Policy Framework 2012 (NPPF).

The Submitted Version of the Core Strategy 2013 – Policies NW2 (Green Belt), NW8 (Sustainable Development) and NW11 (Natural and Historic Environment).

Observations

The site is in the Green Belt, There is a presumption of refusal for all inappropriate development within the Green Belt. The NPPF defines a number of exceptions such that certain types of development are not treated as inappropriate. Engineering operations, such as that being proposed here, might not necessarily be inappropriate provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including the land within the Green Belt. It is not considered that the proposed bund by virtue of its size, scale and nature would preserve the openness of the Green Belt here. It would result in an unnatural landscape feature not in accordance with the existing contours and “grain” of the natural topography. Moreover it would conflict with the Green Belt purpose of “safeguarding the countryside” in that it involves the loss of that countryside. Moreover it does not accord with a second purpose, that of “preventing encroachment”. As a consequence the development does not meet the conditions set out in the NPPF and thus is inappropriate development carrying the presumption of refusal. It is also considered that apart from the “de facto” harm caused by the inappropriate development, there would also be actual harm by fact and degree on the openness of the Green Belt by virtue of the scale and nature of the bund, resulting in that harm being significant.

The applicant argues that the planning considerations which would amount to the “very special circumstances” necessary to override the presumption of refusal are firstly the proposed HS2 rail facility which will require to be screened more effectively than is currently being proposed, if the fisheries are to be sheltered from the prevailing winds; that fact that the bund can be constructed in tandem with the fishery development thus being far more sustainable in terms of construction and traffic considerations, and thirdly that there will be significant bio-diversity enhancement as a consequence of new planting on and around the bund.

It is not agreed that these considerations are of such weight to override the presumption of refusal here, or the significance of the harm. There are several reasons for this. Firstly the HS2 project has not yet been approved. Whilst it is a material planning consideration it does not yet carry full weight. Secondly, if it is approved, then the boundary landscaping and screening for that facility should be enhanced on its own site and within that scheme. It causes an adverse impact and it should be responsible for mitigating that impact. Finally, alternatives have not been explored – particularly woodland and copse planting. This would deliver landscape enhancement together with bio-diversity opportunities. Moreover planting could also provide a commercial return should the rail facility be a ten year temporary feature.

In these circumstances it is considered that there is a case here raising an objection to the proposal and that the county Council should give substantial weight to the assessment set out in this report.

Recommendation

That the County Council be advised that the Borough Council objects to this proposal for the reasons set out in this report.

BACKGROUND PAPERS

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

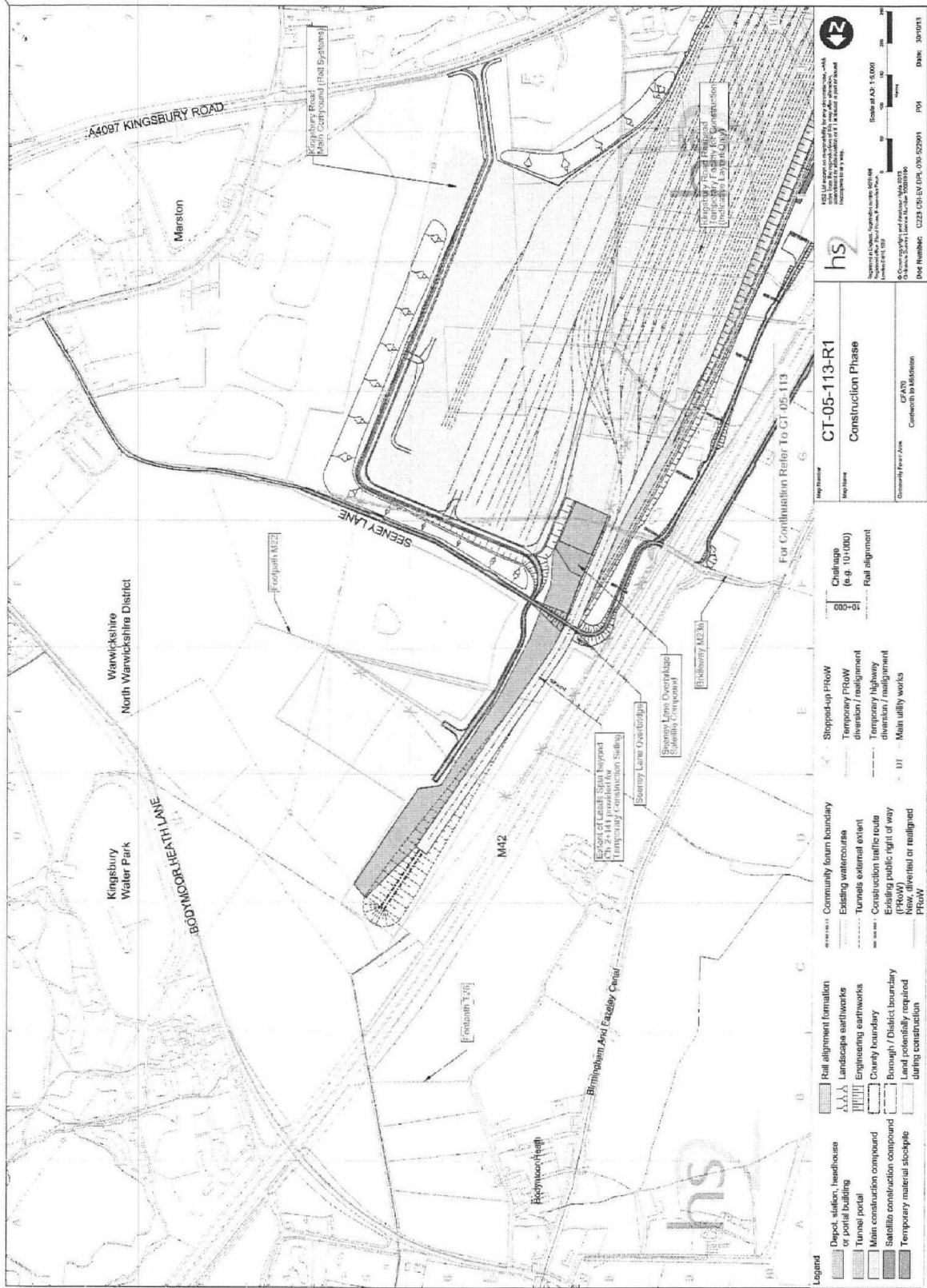
Planning Application No: CON/2014/0004

Background Paper No	Author	Nature of Background Paper	Date
1	Warwickshire County Council	Consultation letter	6/3/14

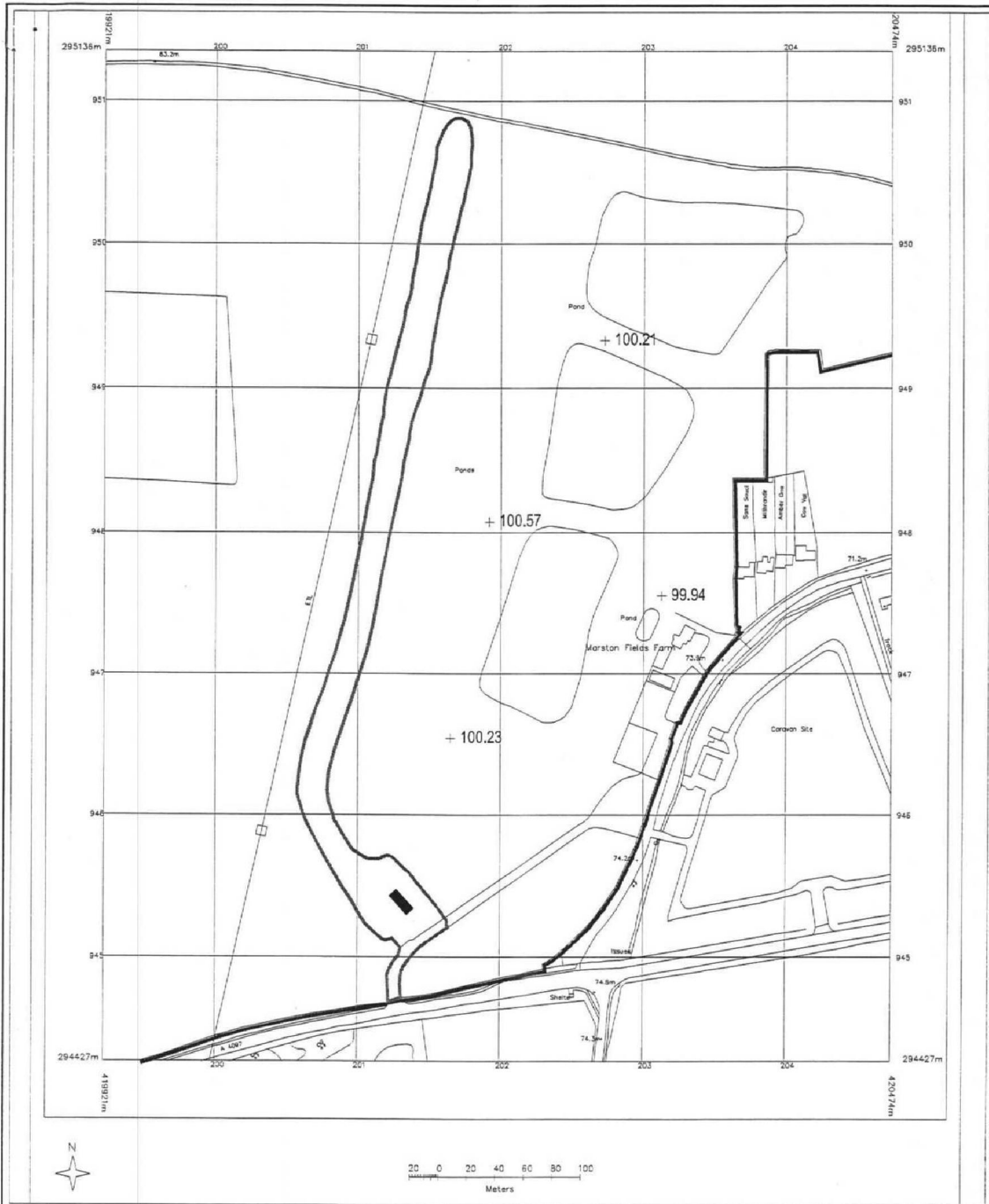
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

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.

APPENDIX A



APPENDIX B



KEY
 — APPLICATION BOUNDARY
 — LAND UNDER APPLICANT'S OWNERSHIP
 + SPOT HEIGHTS (in AOD)

REV	DATE	DESCRIPTION
D	17/02/2014	Application Line Adjusted
C	13/01/2014	Application Line Adjusted, Boundary Added
B	14/05/2013	Application Line Adjusted
A	09/01/2013	Application Line Adjusted
Rev	08/01/2013	Comments

CLIENT
George Baines

PROJECT
Marston Field Farms
Masterplan - Landscape Bund

TITLE
Site Plan - No. 1

PROJECT: GB3195/01 D
SCALE: 1:2500 @ A3
DATE: December 2012

APPROVALS:
 AMCH: [Signature]
 MW: [Signature]

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 21 Cornhill, London EC3A 3NF
 Tel: 020 7461 1900 Fax: 020 7461 1400
 Email: info@allianceplanning.co.uk
 Website: www.allianceplanning.co.uk

(2) HEART OF ENGLAND

2013/0391 Outline - erection of hotel north of (and linked to) existing Conference Centre; demolition of existing storage building and its adjuncts; re-organisation of existing parking areas and creation of new north car park and landscaped courtyards; extensions to south and east sides of existing Conference Centre building

2013/0367 Change of Use of Land to Recreational and Forestry/Recreational

2013/0230 Creation of reed bed wastewater treatment system, consisting of four reed bed ponds of varying sizes, dosing and distribution chamber, secondary solids collection tank and water control/sampling chamber

Report to follow.

(3) Application No: PAP/2013/0341

Nether Cottage, 72 Coton Road, Whitacre Heath, Coleshill, Warwickshire, B46 2HL

Demolition of existing storage building and replace with erection of one and a half storey dwelling and associated parking, for

Mrs J Howell

Introduction

This application is referred to the Board as there is a Section 106 Agreement submitted with the application.

The Site

This is one of a pair of semi-detached cottages which run at right angles to the Coton Road. It is the one furthest from the road frontage and its curtilage thus sits behind that of number 70, the frontage cottage. There are residential properties opposite the site and to the south, but these are a little distant and there is a pronounced open gap here. To the north is open countryside and an equestrian centre. The Birmingham/Derby rail line is to the east. In the rear curtilage of the applicant's house is a small single storey pitched roof garage/storage building a little distant from the cottage.

Access to the site is directly from Coton Road to the immediate north of number 70 the other semi-detached cottage. There are frontage hedgerows here at the rear of the verge on the application side of the road, with a pavement only on the opposite side.

The Proposal

It is proposed to demolish the garage and replace it with another building at one and a half storeys high to provide a single new two bedroom dwelling. The existing structure measures 5 by 6.5 metres and is 4.5 metres to its ridge. There are two lean-to car ports on either side. It stands about 6 metres distant from the cottage.

The new building would measure 9.5 by 10.5 metres and be 5.5 metres to its ridge. It would be the same distance from the cottage as the existing structure and thus its additional size would be to the south and the east of the existing. Two bedrooms are to be accommodated with a single car parking space incorporated into an integral car port and two parking spaces are to be provided for the existing cottage.

The applicant states that the occupier would be the elderly owner of the cottage so as to prevent a move to a residential care home.

The application is accompanied by a Section 106 Agreement offering an off-site contribution of £3780 towards affordable housing in the area.

There is also a Flood Risk Assessment submitted as the site is Flood Zone 3, a "low" risk area. Nevertheless the Assessment includes recommendations for design features to be implemented within the building's construction if approved.

Development Plan

Saved policies of the North Warwickshire Local Plan 2006 – ENV2 (Green Belt), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV13 (Urban Design), ENV13 (Building Design), ENV14 (Access Design) and HSG 2 (Affordable Housing)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

The Council’s Submitted Draft Core Strategy 2013

Consultations

Warwickshire County Council as Highway Authority – An objection has been received. The access is within the 30 mph speed limit here and thus the recommended visibility splays on either side of an access should be 47 by 2.4 metres. Here the visibility to the left is only 10 metres. Given the intensification of use of the existing access and the fact that there has been an accident here due a vehicle exiting the site, there can not be support for the proposal. The access is 4 metres wide and can not therefore take two vehicles, resulting in potentially dangerous manoeuvring in the highway. Additionally there are houses on the other side of the road, and any on-street parking here will reduce the safety of vehicles exiting the site.

Severn Trent Water Ltd – No objection subject to a standard condition

Environmental Health Officer – No objection subject to a standard condition requiring gas protection measures to be installed in the construction.

Environment Agency – No objection subject to conditions requiring firstly that the development is undertaken only upon completion of the flood defence works in the area, and secondly on written agreement of a series of mitigation measures to be installed in the construction of the building.

Observations

a) Green Belt - Harm

The site is in the Green Belt. Here the control of development is to be determined by saved policy ENV2 of the Local Plan. This refers to the Governments former guidance known as PPG2, which has been superseded by the NPPF. It is thus to that document that guidance should be sought. Here new buildings are defined as being inappropriate development in the Green Belt and carry the presumption of refusal because the NPPF states that inappropriate development harms the Green Belt. As a consequence this approach would mean a presumption of refusal in this case as it is for a new building. However, there are exceptions to this approach. It is therefore necessary to establish if this proposal is one such exception. If it is, then it would not be inappropriate development and not carry that presumption of refusal. The relevant one here relates to replacement buildings. However in order to meet the terms of this exception and thus not to cause harm, there are two conditions attached. The first is that the new building

should not be materially larger than the existing, and the second is that the replacement building should be in the same use as the existing.

Here the replacement building is larger in both footprint and volume than the existing – about a 100% increase in footprint and 300% in volume. Overall these increases are considered to be “materially larger” under the terms of the exception. Moreover the appearance of the new building will be substantially different and there would be increased car parking and a new residential curtilage created. As such it is considered that the new building does not meet the first of the conditions set out above. The second condition relates to usage. The existing use is residential being a use incidental to the residential use of the curtilage in which it stands. The new use is clearly residential and thus the proposal would meet the terms of this second condition. However because of the size issue, the development here should be treated as inappropriate development and thus the presumption of refusal should remain.

The NPPF continues by saying that if the proposed development is inappropriate development then the applicant should forward those planning circumstances which in his view would amount to the very special circumstances of such weight as to override the presumption of refusal by virtue of the harm caused by the inappropriateness. Before looking at the applicant’s case, it is necessary to establish the level of harm here because of that inappropriateness. If the harm is substantial then the applicant’s case has also to be of substantial weight. If the harm however is limited, then the applicant’s case can be of lesser weight than substantial. In other words the hurdle is lower.

Here there is harm caused, de facto, because of the inappropriateness. There is also actual real life harm and it is necessary to apportion a weight to that. It is considered that the actual harm here would be limited. There are several reasons for this. Firstly, the new building is on the same footprint as the existing, thus not adding buildings to the curtilage. Secondly that new building is within the cluster of existing buildings here, it is not isolated or divorced from the existing range of buildings. Thirdly the setting is a residential one in any event, and that same character would be continued. For all of these reasons it is considered that the level of harm caused here is limited.

b) The Applicant’s Case

Given this conclusion it is now necessary to explore the applicant’s case and attribute weight to it to see how it “scores” against the conclusion already reached.

The first argument of the applicant is that there is to be the offer an affordable housing off-site contribution. This is of public benefit and can be added to other such contributions for the provision of affordable housing in the area. As such this carries weight.

The second argument is that the proposal provides a social and residential care benefit enabling the elderly occupant to remain in the area thus releasing the existing cottage for re-use. This argument does carry some weight, but that is limited weight. As members are aware the new dwelling would be here in perpetuity but its initial purpose and role would not, resulting in a new dwelling in the Green Belt.

The third argument is the “fall back” position in that a larger garage building could be constructed here in any event under permitted development rights. There is some weight to this argument. Of greater weight however is that any extension to the existing

cottage to accommodate an elderly relative in lieu of a new separate accommodation would itself be large given the size and scale of the existing cottage and would be difficult to design so as to retain the character of that cottage. This argument is of some weight.

c) The Balance

Overall the harm caused here to the Green Belt is limited. The weight to be attributed to the applicant's case is not significant but it is of moderate weight and thus on balance it would outweigh the harm caused. As such there is support in planning policy terms in principle for this proposal.

d) Detailed Matters

It is now necessary to see if the detailed matters here are of such weight themselves to warrant a refusal. In this case there are significant difficulties.

Members will have seen the objection from the Highway Authority. Notwithstanding further discussion between the applicant and that Authority together with an indication that third parties – the owners of land included in the recommended vision splays – might be agreeable to make improvements, the County Council retains its objection. This is agreed. Members should not give weight to third party considerations here as they are outside the control of the applicant. Moreover the visibility here is poor as a matter of fact. It is also narrow and has already been the scene of an accident. In these circumstances it is considered that there is demonstrable harm.

Secondly, the Environment Agency has requested a condition such that no work commences until its current flood defences in the area are completed. Whilst these are underway, they are also in the hands of a third party beyond the control of the applicant. In planning terms this is an objection and should be treated as such.

As can be seen there are matters here that warrant refusal in their own right and therefore a recommendation of refusal will follow. However just returning to the issue of principle here, it is also not considered that the applicant's case is of such a weight as to give rise to any prospect of overriding these two objections.

Notwithstanding these objections, given the planning policy conclusions in this report, the applicant can take some comfort in that he has the opportunity to resubmit an application once the flood defence measures are in place and if he can achieve formal agreement with his neighbours in respect of the provision of clear visibility splays to meet the required standards of the Highway Authority.

Recommendation

That planning permission be **REFUSED** for the following reasons:

- 1) It is considered that neither the visibility splays required by the Highway Authority at the site access, nor the provision of a satisfactory access width into the site, can be achieved. Given the accident record here it is considered that the proposal would give rise to potential highway safety issues of such a nature as to warrant it not according with saved policy ENV14 of the North Warwickshire Local Plan 2006, nor the guidance in the NPPF 2012, by compromising highway safety.
- 2) The site lies in Flood Zone 3. Nevertheless the Environment Agency considers that no work should start on this development until flood defence measures in the locality are fully completed. As such there is a risk of flooding such that the proposal does not accord with saved policy ENV8 of the North Warwickshire Local Plan 2006 nor the NPPF 2012.

Notes

The Local Planning Authority has worked positively with the applicant in this case through pre-application discussion and discussion with other agencies in order to address the issues arising from this proposal thus meeting the requirements of the NPPF.

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0341

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	23/7/13
2	Severn Trent Water	Consultation	29/7/13
3	WCC Highways	Consultation	5/8/13
4	Environmental Health Officer	Consultation	30/7/13
5	Environment Agency	Consultation	13/8/13
6	Applicant	Letter	27/8/13
7	Case Officer	E-mail	29/8/13
8	WCC Highways	E-mail	29/8/13

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.



(4) Application No: PAP/2013/0582

Land South of Church Walk, Church Walk, Mancetter, CV9

Erection of 70 no. unit extra care accommodation with associated communals, landscaping and parking.-10 no. bungalows with associated landscaping and parking, for

Housing 21

Introduction

This application was reported to the Board's February meeting for information. That report described the site and the proposals with a summary of the supporting documentation submitted. There was also an outline of the relevant Development Plan policies and the main planning issues were identified. It is not proposed to repeat these matters here but the previous report is attached at Appendix A and should be treated as part of the Board's consideration in the determination of this application.

Amended Plans

Following concerns expressed by the Highway Authority and the Parish Council, the applicant has submitted an amended plan which increases the amount of on-site car parking. The Extra Care block now has 42 spaces as opposed to the original 36 and the provision for the bungalows has increased from 10 to 14. The access onto Church Walk has been widened and refuse collection points revised in order to meet Highway Authority and Borough Council standards.

Consultations

Warwickshire Highway Authority – It originally objected to the proposals particularly on the grounds of their appearing to be insufficient on-site car parking provision. Amended plans have been submitted which now addresses this matter together with the other matters originally raised – the position of traffic calming measures in Manor Road and the ability to service the site. The Highway Authority has now withdrawn its objection subject to the imposition of standard conditions being added to the grant of any planning permission.

AD (Streetscape) NWBC – The amended plan is satisfactory from a refuse collection point of view.

Environment Agency – No objection

Severn Trent Water Ltd – No objection

Warwickshire Police – No objections

Warwickshire Forestry Officer – The overall assessment made by the applicant in his arboricultural survey is agreed, that is to say that the 22 trees around the site are not of significant value. Of the four to be removed, only two are likely to be of some landscape

value. There is no objection subject to further detail regarding root protection areas and succession planting along the Church Walk frontage.

Warwickshire Social Services – The service fully supports the development as it meets a local demand as shown by successive census results confirming an ageing population and increasing vulnerability.

Environmental Health Officer – No comments

Warwickshire Museum – Whilst a pre-determination survey of the site has been undertaken and the findings are recorded in the submitted documents, further investigative work should be undertaken in those parts of the site not already surveyed. This can be done by condition.

Warwickshire Rights of Way – There are no public footpaths affected. However it has been suggested that a Definitive Map Modification Order may be submitted to add a route across the site thus creating a new public footpath.

Representations

Mancetter Parish Council – There is no objection in principle but there are concerns about the on-site parking provision for residents, visitors and shoppers. The Council considers that double yellow lines in the vicinity of the Church Walk/Manor Road junction are required.

Atherstone Civic Society – The Society supports the proposal in principle. Although there is a three storey element, it is along the Church Walk frontage where there are existing three storey buildings. The site is large enough to accommodate such a building. The community hub elements are welcomed. The major concern is the potential lack of on-site car parking.

Almost 400 notification letters were sent to local residents. Three letters of objection have been received from those residents and their concerns include the following matters:

- Insufficient car parking
- There is no drainage capacity – both foul and surface water
- The upper floor apartments will overlook neighbouring private property.
- The bungalows will cause increased congestion along Manor Road
- The land was left to the community not to developers.
- There has been a path across the site for over 20 years.
- Why is the site to be gated?
- Why are trees being planted along Manor Road when deeds in the area prevent others from planting because they might affect drainage?
- The development is out of keeping.
- This valuable open space.

Observations

a) Introduction

The site is within the development boundary for Atherstone and Mancetter as defined by the Local Plan and thus the location is an appropriate one for new housing, particularly as this is the main urban area in the Borough with the widest range of facilities and services. Its development would also accord with the presumption in favour of sustainable development as set out in the NPPF. Additionally the site is shown as a preferred location for new housing in the Council's recent consultation document for new housing site allocations as part of the emerging replacement Local Plan. Moreover the Council has acknowledged that it has a lack of a five year housing supply. As a consequence of all of these matters, it is considered that there would need to be substantial adverse impacts if this proposal was to be considered for refusal.

b) Affordable Housing

Before looking at these potential impacts, it is necessary to deal with the affordable housing policies of both the Local Plan and the emerging replacement Core Strategy. The former requires a minimum of 40% provision on a site of this size in Mancetter, whereas the latter requires 40% provision throughout the Borough being delivered either on or off-site. In this case there is to be 81% provision on-site thus meeting both requirements. This will be delivered by the applicant - a Registered Provider (formerly the Royal British Legion Housing Association) - in conjunction with the County and Borough Councils.

c) Potential Impacts

The report will now explore those planning considerations which could give rise to impacts of sufficient weight to override the principle of support for the development.

Firstly, as recorded in the last report, the site itself is shown as "Open Space" in the Local Plan. However this policy does not require such sites to remain as open land in perpetuity. It states that the loss of such space will not be permitted unless a full audit of Borough's open space, sports and recreational needs has been conducted in line with Government advice. That has now taken place and resulted in the Council adopting a Green Space Strategy (2009-2018). In respect of this site, it was considered that its recreational and informal open space value was not overriding given the proximity of the nearby much larger Mancetter playing fields and recreation area. This was then reflected in the emerging replacement for the Local Plan, as the site was identified as a housing site as part of the Council's Preferred Options for Site Allocations in order to meet the draft Core Strategy's housing requirement for Atherstone/Mancetter of 600 dwellings. However any on-site open/recreation space would still have to be proportionate to the type of housing proposed. Here, as the proposal is for elderly person's accommodation, that would be for private amenity open space. This is accommodated in the current proposal. As a consequence of these matters it is considered that material planning considerations have changed since the adoption of the Local Plan in 2006 and the need/demand for the type of housing now proposed, overrides the recreation value of the land given the findings of the audit.

Secondly, the main concern expressed locally is the on-site provision of car parking. Not only is there the nearby junction of the two roads, but there is already on-street parking arising from the continued use of the school and the nearby post office on Manor Road

and the shops in Church Walk. The applicant has responded to this by proposing additional on-site space. The extra spaces for the bungalows should ease any consequential on-street provision in Manor Road and will match the Council's own parking guidelines. The additional space for the Home is welcomed particularly as this will be provided at the western end of the site closest to the existing shops. The applicant has made it clear that in other developments it operates throughout the country, the majority of its residents who rent apartments do not own cars – only around 5% - and that only 40% of those residents who own or are in shared ownership apartments have cars. It is thus mainly visitors that take up the available space. Members will be aware of the Government's approach to car parking in not asking for minimum requirements and giving greater weight to a developer's experience of what is right for their scheme. The additional spaces here are welcomed. It is now a 60% provision. This is equivalent to that already approved in another recent similar permission in the Borough at Atherstone – i.e. the McCarthy and Stone scheme. On balance, given that the Highway Authority has withdrawn its objection it is considered that the provision is now acceptable.

Thirdly, the main built form here is to be three storey development. As it's not considered that the bungalows themselves will have any adverse amenity impact on neighbouring development, the main concern is the potential for overlooking of those bungalows and the surrounding neighbouring existing houses. The separation distance of the front elevation of the Home is some 38 metres from that of the houses on the opposite side of the road at Church Walk. It would also be at the same level and hence in these circumstances it is not considered that there would be a material adverse amenity impact. Indeed, if there was normal two storey development being proposed along the application site frontage, it might not be so tall but it would probably be much closer. It is accepted that there would be a greater impact however on the properties at the rear in Priory Walk. The proposed development benefits from being slightly set down into the site, and the separation distances between the respective rear elevations are between 42 and 36 metres. These are considered to be acceptable in a built up environment, particularly as the Priory Walk properties do have large rear gardens. The rear elevation of the closest Manor Road property is 28 metres but the proposed development is at an oblique angle here. This again is considered to be acceptable. The new bungalows in the proposal would have a separation distance in the worst case of 18 metres and in the best case of 50 metres. This worst case situation is to one the side gables of the Home and thus the windows here would be to stair wells and not to habitable rooms. In overall terms it is considered that the proposal does not materially impact on the residential amenity of existing and future occupiers in terms of loss significant loss of privacy, over-looking or loss of light. It is acknowledged that the site is to be gated but this is for security reasons. The communal facilities and shop however will all be publically accessible.

With respect to other matters raised by the objectors then neither Severn Trent Water Ltd nor the Environment Agency have raised an objection. The County Forester has inspected the existing trees and does not object to the proposed arrangements for removal of existing trees or to the new landscaping. Indeed in overall terms it is considered that the proposals will provide a substantial landscape and consequential bio-diversity improvement over the existing.

d) Other Matters

There is a suggestion that there is an informal path crossing the site from the former School to Priory Walk and that this should be treated as a public footpath by virtue of its continued use. There is a specific and separate procedure available to add a footpath to the Definitive Map under the Highways Act, but the County Council has not received such an application. The planning decision on this application should not therefore be deferred or delayed on the likelihood of such an application. If planning permission is granted, then the County Council will need to take that into account as a material consideration. If the County receive such an application prior to the determination of this current application, then clearly that becomes a material consideration in the planning determination process, but it should not delay that determination. In that case, it would be argued that there is a reasonable alternative for people to take – along Church Walk and via Priory Walk – and that there is greater public and community benefit to the implementation of the proposed development, particularly as it has been in the public domain for at least two years prior to submission and it has been in the Preferred Options Document published several months ago.

There is reference in one of the representations to some deeds. As Members are aware this is not a planning consideration as any recourse to enforcement of any covenants within them should be taken up privately. Here the concern seems to be that the objector is prevented from tree planting on his land in order not to affect drainage. Members will see here that there is no objection to the proposals from any of the relevant drainage Agencies or indeed from the County Forester.

Finally it is not considered that there is the scope here for a Section 106 Agreement. The main contribution here is the provision of the on-site 80% affordable housing, thus meeting the Council's priority. The fact that the Green Spaces Strategy sets out that the loss of this open space can be accepted means that there is no reasonable prospect of requiring an Open Spaces contribution. Further, given the type of housing being proposed here, the requirement is for private amenity space not recreation or play space. This is being provided on-site. There are no other consequential impacts – e.g. an education provision.

Recommendation

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

1. Standard Three year condition
2. Standard Plan Numbers – Location Plan A100 A and plan numbers A201-E, A202-C, A300-A received on 12/12/13 together with plan numbers A102-O; A110-I, A111-H, A112-I, A113-D, A200-G, A500-D and CWA/12/217/500 P3 all received on 20/3/14.

Pre-commencement Conditions

3. No development shall commence on site until details of all of the facing and surfacing materials, together with all boundary treatments to be used throughout the development have first been submitted to and approved in writing by the Local Planning Authority. Only the approved materials shall then be used on site.

REASON

In the interests of the visual amenities of the area

4. No development shall commence on site until details of the measures to be installed for the disposal of surface and foul water have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be installed.

REASON

In order to reduce the risk of pollution and flooding.

5. No development shall commence on site until such time as full details of the landscaping to be provided at the site, including the measures to be installed for root protection for the trees that are being retained on site, have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented.

REASON

In the interests of the visual amenities of the area.

6. No development shall commence on site 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 Local Planning Authority.

REASON

In the interests of highway safety and to reduce the risk of flooding

7. No development shall commence on site until details have been submitted to and approved in writing by the Local Planning Authority, showing the measures that will be in place to minimise the spread of extraneous material onto the highway by the wheels of construction vehicles using the site; to clean the public highway of such material, and of the on-site turning, service and off-street parking arrangements to be provided for construction traffic.

REASON

In the interests of highway safety.

8. No development shall take place on site until the applicant, or their agents and successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has first been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt this scheme shall only cover that part of the site not already investigated.

REASON

In view of the archaeological interest in the site and locality

Pre-Occupation Conditions

9. None of the bungalows hereby approved shall be occupied until the whole of the car parking provision associated with them, together with access arrangements and highway footway crossings have first been completed in full to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

10. None of the apartments in the Extra Care Home Block hereby approved shall be occupied until the whole of the car parking provision associated with the block, the access details as shown on the approved plans, together with the measures approved under condition (6) above have first been completed in full and made available to occupiers to the written satisfaction of the Local Planning Authority.

REASON

In the interests of highway safety

11. None of the apartments in the Extra Care Home Block hereby approved shall be occupied until visibility splays have been provided to the vehicular accesses to the development passing through the limits of the site fronting the public highway measuring 2.4 by 45 metres to the near edge of the public highway carriageway

REASON

In the interests of highway safety

Other Conditions

12. No structure, tree or shrub shall be erected, planted or retained within the visibility splays set out in condition (11) above 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 highway safety

13. There shall be no glare created on the public highway by any lighting source within the site.

REASON

In the interests of highway safety.

NOTES

1. Standard Radon Gas Informative
2. EA Standard advice and guidance
3. Attention is drawn to Sections 163 and 184 of the Highways Act 1980; the New Roads and Street Works Act 1991 and the Traffic Management Act 2004.
4. The locations of the new access points onto Manor Road will be close to existing lamp columns. No access should be within 500mm of a column. The cost of re-location of any column will be the responsibility of the developer.
5. The Local Planning Authority has worked positively in this case to address the relevant issues arising through pre-application meetings together with on-going discussion and negotiation resulting in amended plans to address consultation responses, thus meeting the requirements of the NPPF.

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0582

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	2/1/14
2	Environmental Health Officer	Consultation	7/1/14
3	B Kent	Objection	10/1/14
4	Environment Agency	Consultation	16/1/14
5	Atherstone Civic Society	Representation	22/1/14
6	Warwickshire Social Services	Consultation	24/1/14
7	County Forestry Officer	Consultation	22/1/14
8	WCC Highways	Objection	27/1/14
9	P Witham and K Mann	Objection	27/1/14
10	Warwickshire Police	Consultation	27/1/14
11	County Footpaths Officer	Consultation	17/1/14
12	County Footpaths Officer	Consultation	28/1/14
13	Severn Trent Water Ltd	Consultation	28/1/14
14	Mancetter Parish Council	Representation	30/1/14
15	Applicant	Letter	19/2/14
16	WCC Highways	E-mail	19/2/14
17	Applicant	E-mail	19/2/14
18	Applicant	Letter	24/2/14
19	WCC Highways	E-mail	25/2/14
20	Assistant Director Streetscape	E-mail	26/2/14
21	Head of Development Control	Letter	24/2/14
22	Applicant	Letter	26/2/14
23	Assistant Director Streetscape	Consultation	13/3/14
24	Assistant Director Streetscape	Consultation	18/3/14
25	Applicant	Revised plans	18/3/14
26	Applicant	Revised plans	19/3/14
27	Warwickshire Museum	Consultation	24/3/14
28	Warwickshire County Council	Consultation	2/4/14

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.



General Development Applications**(#) Application No: PAP/2013/0582****Land South of Church Walk, Church Walk, Mancetter, CV9****Erection of 70 no. unit extra care accommodation with associated communals, landscaping and parking.-10 no. bungalows with associated landscaping and parking, for****Housing 21****Introduction**

Members will recall that they received a presentation by the applicant in respect of these proposals a little while ago. The application has now been submitted and is reported here for information purposes at this time. A further report will be brought to the Board for determination in due course.

The Site

This is a roughly rectangular parcel of land south of Church Walk in Mancetter close to its junction with Manor Road at the rear of the former School building amounting to 1.1 hectares in size. It also has a frontage to Manor Road. It is owned by the County Council. There is residential development surrounding the site including a three storey block of flats and a three storey parade of shops with flats above in Church Walk. The site is open amenity land owned by the County Council and formerly was the playing field to the school. There is a slight but discernable slope falling from the Church Walk frontage towards the rear (south-west) of the site, amounting to the three metre difference in levels.

It is more particularly illustrated at Appendix A.

The Proposals

The applicant states that the overall purpose of the scheme is to provide "safe and secure self-contained accommodation for adults and older people who require varying levels of support to enable them to live independently in a home environment". It will be for the over 55 age group. There are two parts to the scheme. In general terms, firstly there is a 70 unit "Extra Care" apartment block fronting, but set back from the Church Walk frontage. This would be three storeys and extend back through the site to the rear of the houses in Priory Walk. Secondly there are ten bungalows proposed fronting Manor Road which would comprise five semi-detached units.

The overall layout is shown at Appendix B.

The Extra Care block would extend across the whole of the Church Walk frontage set back some ten metres from the rear of the pavement. 36 car parking spaces would be provided here together with the vehicular access. The block itself would spread the 70 two bedroom apartments throughout its three floors. The ground floor however of the Church Walk frontage would accommodate all of the administrative and operational

areas such as offices, a laundry, a buggy store, and storage areas, together with the communal facilities. These include the kitchen and dining area, a lounge and a hairdressing salon. They would also be accessible to the community at large. There would be a separate shop at the far northern end of the ground floor, with its own independent access from the front car park area. The shop and the salon are to replace the existing facilities within the Council owned parade of shops to the north-west which is earmarked for demolition.

The block would be three storeys rising to 13 metres to the roof ridge. The existing three storey building to the north is almost 11 metres to its ridge and the former school building to the south is 7 metres to its ridge. The elevations are broken up through a series of different sized gables. The proposed materials show a combination of roofing tiles; brick, render and timber cladding throughout the block.

The ten two bedroom bungalows fronting Manor Road would be set out in five semi-detached blocks each having front and rear gardens together with one car parking space.

Elevations of the proposed built form, including street sections, are attached at Appendices C and D.

There are a large number of supporting documents submitted with the application.

Archaeological Assessment – An archaeological evaluation was conducted pre-submission comprising a geophysical survey and the excavation of a series of trial trenches. Finds recovered appear to date from the early Roman period – amphora, pottery and glass – perhaps associated with a small settlement outside of the main Roman military site.

Tree Survey – There are only limited boundary trees around the site – 22 in total. The evaluation recommends the definite removal of six trees mainly willow and elder, with works necessary to six others (cherry, white beam and cherry), a further 8 to be monitored (ash and sycamore), and the definite retention of the remaining 2 (a crab apple and a yew).

Ecology Survey – This concludes that the site is of limited nature conservation value with no evidence of protected species being found. Any proposals should include measures to enhance the bio-diversity of the site.

Flood Risk Assessment – The site is Flood Zone 1 at the lowest risk of fluvial flooding. The proposals include a sustainable drainage system including attenuation measures. The Assessment concludes that the proposal would not increase flood risk if appropriate surface water management systems are put into place.

Ground Conditions Survey – This recommends that no action is necessary in respect of ground contamination and that traditional spread footings should be viable for the construction of the buildings.

Sustainability Assessment – This concludes that the site is sustainable in terms of its location, access to services and in terms of the risks of flooding and pollution.

Transport Assessment – The site is accessible to pedestrians and cyclists and to bus services. The car parking provision is above the level set out in the Local Plan. The existing infrastructure is sufficient to accommodate the predicted traffic generation arising from this type of proposal. No off-site works are required. The applicant's other Extra Care developments in the country are identified and whilst these are overall smaller in size than the current Mancetter proposals, the percentage of residents who are car owners is just over 5%. Average car parking provision for these other sites is below that set out in the current application.

Green Travel Plan – Because of the nature of the development and its location, there are good prospects that travel to and from the site by private car will be limited. The number of car parking spaces is thus proportionate. Deliveries will be moderate too. Employee travel patterns will be evaluated and measures such as car sharing, promotion of information about bus services, the use of cycles and buggy use will be widely advertised.

Design and Access Statement – This describes the site's setting; connections to services and how it integrates into the present settlement. It then describes the characteristics of the surrounding built environment outlining the main views into and out of the site. The rationale behind the proposed built form is then set out.

Affordable Housing Statement – This short statement is attached in full at Appendix E. It can be seen from section 4 that 50% of the bungalows would be for shared ownership with the remainder for market sale. In the main block, then just over 55% would be for affordable rent; 30% for shared ownership and the balance for outright sale. Overall this would amount to some 80% affordable housing provision on-site.

Section 106 – The applicant's statement is attached at Appendix F from which it can be seen that the applicant is not offering any contributions under Section 106 given the nature of the proposal and its availability to the wider community.

Public Consultation – Although not submitted as a separate document, the applicant says in the Design and Access Statement that a public consultation event took place in early 2012. The main issues raised from the responses included the location of the access; car parking provision, noise from the school and security matters affecting residents and loss of the open space.

Development Plan

Saved policies of the North Warwickshire Borough Council 2006 – Core Policy 1 (Social and Economic Regeneration); Core Policy 2 (Development Distribution), Core Policies 6 (Local Services and Facilities), Core Policy 8 (Affordable Housing), Core Policy 11 (Quality of Development) and policies ENV5 (Open Space), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG5 (Special Needs Accommodation) and TPT6 (Vehicle Parking).

Other Material Planning Considerations

The National Planning Policy Framework 2012

The Submitted Version of the North Warwickshire Core Strategy 2013

The Council's Preferred Options for Site Allocations Consultation 2013.

Observations

Members are already familiar with this site and the proposals which are now set out in this application.

The main policy issues here are the loss of the open space and its appropriateness for an alternative use, namely residential redevelopment, together with the provision of affordable housing.

As far as the first of these is concerned, the site is clearly within the development boundary for Mancetter as defined by the Local Plan, and thus is in a sustainable location appropriate for new housing provision. However it is identified in that Plan as "Open Space". In this respect the requirements of saved policy ENV5 of that Plan will require exploration to see if there is a case here for its redevelopment thus leading to the loss of the open space. In respect of the submitted version of the Core Strategy, then again the site is within Mancetter. Together with Atherstone, the combined settlements are identified as being suitable for 600 houses. Indeed the Preferred Options consultation document includes this site as an identified allocation for some 80 units. The weight to be given to the emerging Core Strategy and the Preferred Options will need to be investigated and balanced against the conclusion reached above. The NPPF promotes sustainable development and seeks a wide range of housing within appropriate locations.

The second issue relates to the provision of affordable housing. The Local Plan would require 40% on-site provision here and the submitted version of the Core Strategy expects a 40% provision throughout the Borough as a whole. In this case, some 80% provision is proposed. The NPPF also encourages the provision of affordable housing when delivery and viability issues can be met.

A number of other issues are material. These relate to the design and layout; parking and access provision as well as the matters covered by the reports submitted in the supporting documentation as outlined above.

These matters will all be addressed within a forthcoming determination report once the consultation period has been completed.

Recommendation

That the receipt of the application be noted

BACKGROUND PAPERS

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

Planning Application No: PAP/2013/0582

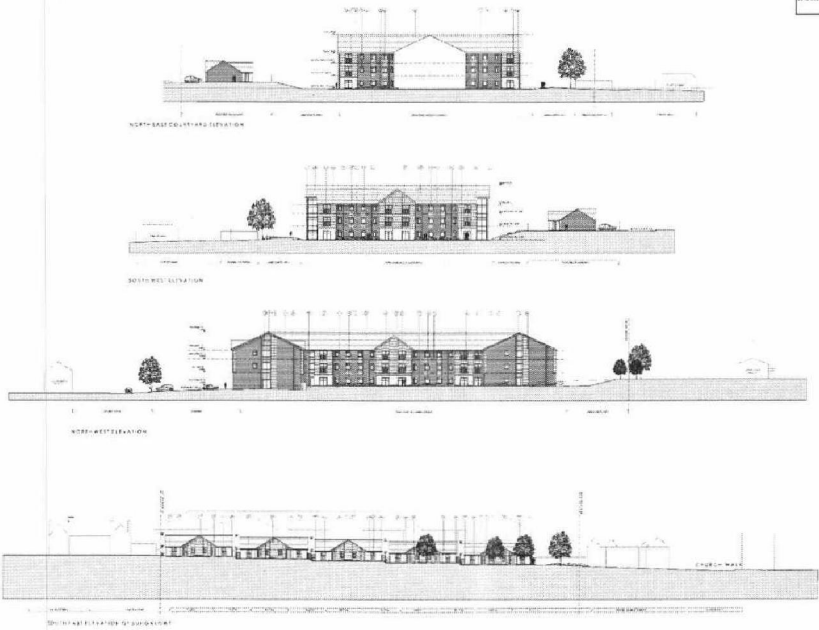
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	2/1/2014

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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.



APPENDIX C



GENERAL	
Project Name	...
Client	...
Architect	...
Date	...
Scale	...
Sheet No.	...

NOTES	
1.	...
2.	...
3.	...



- 1. ARCHITECT
- 2. STRUCTURAL ENGINEER
- 3. MECHANICAL ENGINEER
- 4. ELECTRICAL ENGINEER
- 5. PLUMBING ENGINEER
- 6. CIVIL ENGINEER
- 7. LANDSCAPE ARCHITECT
- 8. INTERIOR DESIGNER
- 9. ENVIRONMENTAL ENGINEER
- 10. HISTORIC PRESERVATION
- 11. ARCHITECTURAL RENDERING
- 12. PHOTOGRAPHY
- 13. MODEL MAKING
- 14. CONSTRUCTION ADMINISTRATION
- 15. GENERAL CONTRACTOR
- 16. SUBCONTRACTORS
- 17. SUPPLIERS
- 18. MANUFACTURERS
- 19. OTHER

INDEX	
Sheet No.	...
Project No.	...
Date	...
Scale	...
Author	...
Checker	...
Approver	...

APPENDIX E

2013/0582

AFFORDABLE HOUSING STATEMENT

FOR

SITE BOUNDED BY CHURCH WALK
AND MANOR ROAD, MANCETTER,
ATHERSTONE, WARWICKSHIRE

PREPARED BY

HOUSING 21 IN CONJUNCTION WITH GLANCY
NICHOLLS ARCHITECTS AND WILMOTT DIXON

NORTH WARWICKSHIRE BOROUGH COUNCIL
RECEIVED 12-Dec-13
PLANNING & DEVELOPMENT DIVISION

NOVEMBER 2013

**Affordable Housing Statement for the site bounded by
Church Walk and Manor Road, Mancetter, Atherstone,
Warwickshire**

1. Background

Core policy 8 and HSG 2 of the North Warwickshire Borough Council Plan local plan requires a proportion of new dwellings on sites in excess of 15 dwellings to be affordable.

The Policy states that 40% of new housing should be affordable and should meet the specific needs in the strategy.

2. Introduction

Housing 21, in partnership with Glancy Nicholls Architects and Wilmott Dixon, are proposing to build 70 Extra Care apartments and 10 Extra Care bungalows, the majority of which are for rent or shared ownership.

81% of these apartments and bungalows will be classified as affordable housing. These will be let and sold in accordance with an allocations and nominations agreement which will be entered into with Warwickshire County Council.

Extra Care housing provides older people with choice, independence, control and privacy. It is an environment where older people can continue to live independently, secure in the knowledge that all their needs can be taken care of by a team of professional people. Extra care housing provides residents with the security and privacy of a home of their own, a range of facilities on the premises and 24 hour care services if these are needed.

Housing 21's extra care housing schemes offer the following benefits to residents :-

- Accessible self contained apartments built to a high standard,
- Safe and secure living environment,

- Range of communal facilities,
- The chance to live life to the full, with social activities, learning opportunities and facilities for healthy living should residents wish to take part,
- Care staff on site to provide care and support tailored to the individual needs,
- The opportunity for residents to choose their own level of involvement in the wider community within the scheme.
- The ability to continue close relationships with family, friends and to remain part of the local community.

Housing 21's extra care housing is designed to be an integral part of the community. Amenities and services are provided both for the people who live there and for the surrounding community whilst ensuring that residents maintain their privacy.

The purpose of extra care housing is to provide residents with their own home and their own front door where care and support services are available should they need them. Extra care housing provides an environment that offers older people independence, quality of life, a sense of wellbeing and peace of mind.

3. Local Housing Need

Following discussions with North Warwickshire Borough Council and Warwickshire County Council it has been established that there is a great housing need for this extra care development therefore the scheme has their full support.

Should the development proceed grant funding from the Housing and Communities Agency may be sought on this scheme.

The scheme will be developed in accordance with the HCA's design standards and will achieve BREEAM very good standard, building for life and will comply with Housing Quality Indicators,

The use of local labour, subcontractors and suppliers and the provision of employment for young people will be encouraged.

The scheme will contribute to the local economy and be developed with sustainability in mind.

The extra care apartments and bungalows will allow older people to remain in the area rather than having to find suitable housing elsewhere. This will contribute to the sustainability and growth of Mancetter.

The need for extra care housing is demonstrated in section 10 C) (1) of the Warwickshire Local Investment Plan. This supports the Warwickshire County Council and PCT findings that has resulted in plans to introduce Extra care housing schemes throughout the County.

4. Proposed Mix

The development will comprise of the following :-

- 40nr 2 bedroom flats for affordable rent,
- 20nr 2 bedroom apartments for shared ownership,
- 10nr 2 bedroom apartments for outright sale
- 5nr 2 bedroom bungalows for shared ownership and
- 5nr 2 bedroom bungalows for outright sale.

The scheme will also include the following communal facilities which will be open to the general public during the daytime :-

- Communal Lounge,
- Catering Kitchen and Dining Room,
- Shop,
- Hair Salon,
- Well being suite,
- Care Shop.

In addition the following facilities will be available primarily for use by the residents :-

- Laundry
- Guest Accommodation
- Hobbies and Craft Room
- Assisted Bathroom
- Staff Areas

5. Conclusion

The proposed development will deliver a significant proportion of affordable housing which greatly exceeds the requirements of the Local Authority.

The proposals reflect locally defined housing needs.

A range of tenures will be delivered which is consistent with the aims and objectives of both national and local policy.

The location of the affordable units will be spread throughout the development so as to ensure a proper mixed tenure community is produced.

The design will ensure that the affordable housing apartments will be indistinguishable from the private sale apartments.

Section 106 Agreement - Statement**Proposed Extra Care Housing Scheme at Mancetter, Atherstone**

Warwickshire County Council in partnership with North Warwickshire Borough Council have procured Housing 21 to develop extra care housing in 5 locations in the County as part of an overall strategy to modernise and improve services and promote well being, independence and choice for older people.

Housing 21 is a not for profit Registered Provider with charitable aims (formerly the Royal British Legion Housing Association) and has over 45 years experience of providing housing and services to older people nationwide. We are regulated and partly funded by the Homes and Communities Agency which is a Government agency that funds new affordable homes and regulates housing associations in England.

As specialists, our aim is to develop extra care housing that improves the range and quality of choices available to older people. Each extra care scheme that we develop provides a choice of tenure of flat and bungalows (either to rent, part own or to potentially own outright), with associated care facilities and communal facilities.

The overarching intention is to enable older people to live independently within their own flat or bungalow in the scheme for as long as they wish to with the added reassurance of care provision on site. In addition to flats and bungalows specifically designed to meet the needs of older people with care needs, each scheme also has a range of communal facilities including residents' lounges, dining room, hairdressers and a small shop.

It is Housing 21's aim to ensure that these communal facilities are open to the wider community in order that the scheme is viewed as a community hub. This will bring benefits to the wider community, where surrounding residents who may be suffering from isolation, can access the dining room and will be able to attend classes and events held in the scheme during the day and at specific times in the evening. In ensuring an active community we work closely with our residents and local voluntary and community groups to cater to the needs of older persons.

There is no subscription to use these services but charges are made for lunches and services such as hairdressing or chiropody and specific classes. Other events are paid for

housing21

via fundraising, charitable contributions and by utilising and accessing existing services available to the community but allowing our meeting room facilities to be used as venues.

Extra care housing offers an alternative to residential care for frail older people. It combines the advantages of high quality, self contained accommodation and the provision of flexible care services based in the scheme. The service enables the tenants to retain control over their own lives while receiving the support they need in a safe environment.

Generally, a third of the flats and bungalows will be occupied by residents with high care needs, equivalent to someone who would otherwise have needed placement in a residential care home. As a general rule, these people will require in excess of 15 hours of care.

The remainder of the flats and bungalows will be occupied by residents with medium to low care needs, ranging from 4 to 10 hours. Some of these will be occupied by residents with little or no care needs but are vulnerable; the vast majority of these will have support needs.

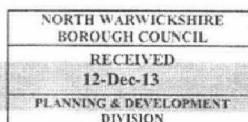
Nominations to the scheme will be in partnership with the County Council and Local Authority, Housing 21 and the care provider through an allocations panel and are based on assessment of individual needs and care packages.

The proposed scheme at Mancetter may be aided by capital grant funding from the Homes and Communities Agency, this means that the vast majority of the 80 units will provide affordable housing and will be subject to nominations from the Council and restricted to those over 55 years old. If allocated the Social Housing Grant would be ring fenced to the scheme and approved on the basis of the mix approved, This mix has been agreed with the Local Authority to provide a choice of tenures for residents and to produce a sustainable mixed community.

The site is currently owned by the County Council but will transfer to Housing 21 with a restrictive covenant for their proposed use in order to facilitate the construction of the new scheme and to ensure the long term usage of the client group.

Given the restricted grant funding sources, the proposed level of affordable housing in the proposal and the benefits to the wider community; it is felt that a Section 106 contribution towards open spaces, education or health is not appropriate in these circumstances.

Housing 21
Warwickshire County Council
North Warwickshire Borough Council



Page 2 of 2

(5) Application No: PAP/2013/0594

Land On The West Side Of The Fox And Dogs, Orton Road, Warton, Warwickshire

7 self build plots each to contain a single detached dwelling, for

Mr David Scott-Malden - Chart Properties

Introduction

The application is accompanied by a Section 106 legal agreement relating to the provision of affordable housing.

The Site

The site is roughly rectangular in shape. It lies to the south of the village of Warton. Orton Road is to the north. The Fox and Dogs public house is to the east and open countryside lies to the south and west. The land is shown in the aerial photograph below.



The site consists mostly of a mixture of rough, unmanaged grassland and tall vegetation and scrub, with a few scattered trees. The site is bounded by hedgerows to the south and west, with fencing to the eastern boundary.

The full history of the site is unclear. There is no previous planning history. Locally it's believed that stone was quarried from the site which contributed to the construction of Holy Trinity Church, Warton. There is a pond on the site which is understood to have formed in the excavation left behind. See photograph below.



The Proposal

This is to construct seven detached dwellings, four would have a frontage to Orton Road and the remaining three would be situated to the rear, having frontage to a new access road. Each individual plot would be offered as self build opportunity. Approval is sought for the detailed design of the dwelling on each plot, such that a purchaser could buy from plan and construct the approved details. However, it is anticipated that some purchasers will wish to build to their own specific requirements and that applications could be presented at some point to vary the housetype details.

The on site pond would be retained and enhanced as a landscape feature and an area of 800m² has been proposed to provide a habitat area for wildlife.. The proposed site layout is shown in the plan extract below.



The code for sustainable homes uses a 1 to 6 star system to rate the overall sustainability performance of a new home. The dwellings proposed for the site are to be designed and built to target a 4 star rating and achieve a minimum 3 stars should they be assessed against the code for sustainable homes. To achieve this it is envisaged that the following elements will be incorporated into the design and construction of the buildings: High performance glazing, increased building fabric insulation and air tightness, ground / air source heat pumps, mechanical ventilation with heat recovery, rain water harvesting and potential for solar thermal technologies

Background

A Preliminary Ecological Appraisal and a great crested newt survey were carried out on the site in May 2013. A reptile survey and botanical assessment were undertaken in August and September 2013. No great crested newts were present within the pond and there are no other known ponds within 250 metres of the site. It advised that where present, the perimeter hedge should be retained if possible. The habitats and plants present on the proposed development site are common and widespread in the UK. A small population of grass snakes is present on the site and the report makes recommendations for mitigation.

Development Plan

Saved policies of the North Warwickshire Local Plan 2006: - Core Policy 2 (Development Distribution); Core Policy 3 (Natural and Historic Environment), Core Policy 5 (Development in Towns and Villages), Core Policy 8 (Affordable Housing), Core Policy 12 (Implementation) and policies ENV1 (Protection and Enhancement of Natural Landscape), ENV3 (Nature Conservation), ENV4 (Trees and Hedgerows), ENV6 (Land Resources), ENV8 (Water Resources), ENV11 (Neighbour Amenities), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), HSG2 (Affordable Housing), HSG3 (Housing Outside Development Boundaries), TPT1 (Transport Considerations), TPT2 (Traffic Management and Safety), TPT 3 (Access and Sustainable Travel) and TPT6 (Vehicle Parking)

Other Relevant Material Considerations

The National Planning Policy Framework 2012 (“NPPF”)

The Council’s Submission Core Strategy– February 2013: - Draft policies NW1 (Settlement Hierarchy); NW3 (Housing Development), NW4 (Split of Housing Numbers), NW5 (Affordable Housing), NW8 (Sustainable Development), NW10 (Quality of Development), NW11 (Natural and Historic Environment) and NW19 (Infrastructure).

The Council’s Preferred Locations for Site Allocations Consultation – February 2013:

New Homes Bonus – The development of these sites will attract New Homes Bonus.

Consultations

Warwickshire County Council as Highways Authority - No objection subject to conditions.

Environment Agency – No comments

Environmental Health Officer (Ground conditions) – He advises that the proposed development is less than 100metres from the former quarry known as Warton Quarry 2. The quarry is still evident on historic plans after 1945 and has since been in-filled for the existing development on Windmill Close. He recommends that if permission is granted for the development that a site investigation is carried out (pre-commencement) in order to determine the risk from contamination from the landfill, but the investigation (phase II assessment) should be based on a full phase I assessment of the land in the vicinity of the site.

Environmental Health Officer (Noise) - In the past the environmental health department has received noise complaints from nearby residents about the public house and as a result he recommends that acoustically treated glazing and ventilation is incorporated into the design of the dwellings to minimise potential disturbance. Although the existing hedgerow around the site is proposed to be retained, further protection from noise would be achieved if a solid close board fence were to be erected alongside the eastern boundary with the adjacent pub and beer garden.

Severn Trent Water - No objection subject to conditions

Warwickshire County Rights of Way Team – No objection but requests a financial contribution towards improvements to public rights of way in a 1.5 mile radius.

Warwickshire County Museum – No comments received

Warwickshire Wildlife Trust – No objection providing that the recommendations of the Ecological Appraisal and Reptile and Botanical Survey are secured by condition.

Representations

Both letters of objection and letters of support have been received in respect of this proposal.

There have been 3 letters of objection to the application raising the following matters:

- The road already carries enough traffic, much of which is speeding vehicles.
- The small village school is very busy and the extra children will put pressure on it.
- The site contains a lot of wildlife and trees/habitat for wildlife.
- Loss of open views
- There isn't much useable countryside hereabouts.
- The new access opposite Windmill Close in addition to new driveways could be a danger.
- The land was sold for community benefit and this development will not benefit the community.

There have been 4 letters in support of the application. The following matters are raised:

- The opportunity of a self build project is exciting.
- It will enable the building of properties to individual's specification at an affordable cost.
- Opportunities like this have been difficult to find.
- The site is in a good and convenient location.
- The development will enable family to live in the village.

Observations

a) The Principle

The development plan currently comprises the North Warwickshire Local Plan 2006 ("The Local Plan"). Saved Core Policy 2 identifies a hierarchy of settlements according to their sustainability credentials and directs most new development to those with the greatest number of services. Warton is a relatively small rural village with limited facilities and a limited bus service. The Local Plan identifies it as a location suitable only for affordable housing to meet local needs, but this application is for market housing, albeit with a contribution for the off-site provision of affordable housing. The village has a development boundary but this site is outside it. Thus the proposal does not accord with the adopted development plan strategy for the location of new housing.

The Council's emerging Core Strategy ("CS") has been submitted for examination, which is well advanced, but this plan has not yet been found sound and is not yet part of the adopted development plan. This affects the weight it can be given. The CS approach to the distribution of new housing is similar to that in the Local Plan. Its Strategic Objective 1 is 'To secure a sustainable pattern of development reflecting the rural character of the Borough'. Warton is still described in the emerging CS as a small village but it is identified that there is potential of some redevelopment within and expansion adjoining the village. More specifically, draft Policy NW4 puts the village in Category 4 ('Other Settlements with a development boundary') and indicates it should cater for 45 new housing units.

A Site Allocations Plan (SAP) is being prepared but, notwithstanding the consultations carried out to date, it is still at a relatively early stage. It therefore carries little weight. However the first consultation draft provided for 6 dwellings on part of the current application site where it has a frontage to Orton Road.

The National Planning Policy Framework is a key material consideration which post-dates the adopted Local Plan. It contains advice on the weight to be given to existing and emerging local plans. In particular it advises that relevant policies for the supply of housing should not be considered up-to-date if a Council cannot demonstrate a 5-year supply of deliverable housing sites. This normally means a 5-year supply across the whole of a local authority's area, rather than in particular settlements. The availability of a 5 year (+20%) supply cannot currently be demonstrated in North Warwickshire.

Therefore, to the extent that it restricts the supply of housing, Core Policy 2 cannot be considered up-to-date. Moreover, although the emerging CS can be given some weight, it does not yet have the status of an adopted development plan. This means that, as set out in the NPPF paragraph 14, permission should be granted unless the adverse

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

In terms of the sustainability of Warton as a location for new housing, recent appeal decisions (Appeal Decisions APP/R3705/A/13/2208891, APP/R3705/A/13/2208894) considered the Council's approach to the hierarchical strategy for the location of new development in the saved and emerging policy. It found the approach to be a well-established approach that can encompass various elements of sustainable development and that identifying different types of settlements for differing levels of growth generally accords with policy guidance in the Framework. This supports the definition of Warton as a category 4 settlement and the limit on the amount of new housing that it should accommodate.

In all of these circumstances it is considered that planning permission should be granted here unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. It is necessary to consider whether there are any such adverse impacts.

b) Detailed Considerations – Design, Scale and Location

The site lies at the edge of the settlement and would constitute an extension to it. The land is however contained by an existing well established boundary and lies immediately adjacent to a row of existing development (residential and a public house) on the south side of Orton Road. The photograph below shows the adjacent public house, with the application site being to the right hand side of this building. The site would appear as the continuation of this row of development.



Existing pairs of semi-detached dwellings lie on the opposite side of Orton Road. Though the proposed dwellings are of a larger scale than these near neighbours, the scale of each unit would be comparable to the scale of the pair of semi detached properties opposite. The adjacent public house is of a comparable scale.

The 4 dwellings fronting Orton road have been rotated 18 degrees to continue the precedent set by the existing properties to the east of the Fox and Dogs.

The images below show the neighbouring properties



The artist's impression below gives an illustration of the scale of the proposed development in the context of the scale of the existing built form. Though they will appear as larger properties, it is not considered that they will be of such proportions that they are overly prominent or unduly out of keeping.



Notwithstanding this, they would be of a large in scale by comparison to neighbouring properties. If permission is granted it would be appropriate to remove permitted development rights to retain control over the scale of any extensions to ensure that the new dwellings remain in harmony with their immediate setting and wider surroundings.

c) **Highways**

The Highway Authority supports the access arrangements taking the form of a staggered junction with Windmill Close and offers no objection to the development subject to conditions. Traffic generation will be of a low scale and will not have any adverse impact on highway safety.

d) **Landscape and Ecology**

Though the site contains a pond, vegetation, trees and hedgerow, it is habitat which is commonly found. A small population of grass snakes is present on the site which can be addressed through mitigation. The scheme presents an opportunity to enhance the ecological value of the existing pond and a small wildlife area is proposed. This enhancement combined with the retention of existing boundary hedgerows will result in no significant overall harm to ecological interests. A landscaping scheme, incorporating the retention of existing trees and hedgerow should result in no significant harm to the rural landscape.

e) **Affordable Housing**

No affordable housing is proposed on site, however, the applicant has undertaken an appraisal of the viability of the scheme and a sum of £96,531 is offered for the provision of affordable housing elsewhere in the area. Whilst this does not equate to 40% of the units on the site, it will nevertheless contribute to the achievement of 40% delivery of affordable housing across the plan period. Given the viability appraisal, it is not considered that undersupply of affordable housing could reasonably be a reason for refusal.

f) **Amenity**

The proposed dwellings will be of generous sized accommodation with appropriately proportioned gardens. No overlooking or loss of privacy issues would result for any occupiers of new dwellings or occupiers of existing dwellings.

Though noise from the public house has been identified as a potential issue, this is capable of being addressed with acoustic treatment of the properties and the site boundary.

g) **Other matters**

Local residents have expressed concern that the village primary school does not have capacity to take additional pupils. Final confirmation from the County Council of the position in relation to school places is awaited but it is believed that there is no deficiency in school places that would affect the grant of planning permission. A verbal update will be offered at the Board meeting.

The Rights of Way team at Warwickshire County Council has sought a financial contribution towards the improvement of public rights of way within a 1.5 mile radius of the site based on increased maintenance liability resulting from increased use. Such a contribution would be far more appropriately dealt with by the Community Infrastructure Levy (CIL) and at present the Council is not a charging Authority. The request here is not of such weight to consider a refusal of planning permission should such a contribution not be provided.

h) **Conclusion**

It is considered that there are no adverse impacts of the development that would significantly and demonstrably outweigh the benefits of this proposal. These are that it will contribute to the Council's 5 year supply of housing land; provide an off-site affordable housing contribution and meet the desirable objective of offering opportunities for self-build. Planning permission should therefore be granted.

Recommendation

That subject to the signing of a Section 106 Agreement relating to the provision of affordable housing as outlined in this report, the application be **GRANTED** planning permission subject to the following conditions:

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

REASON

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

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 131023/0001, 131023/0111, 131023/0112, 131023/0113, 131023/0114, 131023/0115, 131023/0116 and 131023/0117 received by the Local Planning Authority on 18 December 2013 and the plan numbered 131023/0003 Rev A received by the Local Planning Authority on 29 January 2014.

REASON

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

3. No development shall take place until a site investigation of the nature and extent of contamination has been carried out in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

4. In the event that contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall be remediated in accordance with the approved measures before development begins. As part of the remediation works a verification plan and report will be required. The report shall be submitted within 3 months of the completion of the earthworks associated with the development.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5. If, during the course of development, any contamination is found which has not been identified in the site investigation, additional measures for the remediation of this source of contamination shall be submitted to and approved in writing by the local planning authority. The remediation of the site shall incorporate the approved additional measures.

REASON

To ensure that risks from land contamination to the proposed end users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

6. Prior to the commencement of development an Ecological Method Statement for Construction shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall incorporate the protected species safeguards in paragraphs 5.21 (for badgers), 5.22 (Bats) and 5.27 (nesting birds) of the Preliminary Ecological Appraisal Report by Swift Ecology date 28 May 2013 and the reptile mitigation measures detailed in paragraphs 5.2 and 5.3 of the Reptile and Botanical Survey by Swift Ecology dated 4 October 2013. The approved measures shall be implemented in full, shall comply with all relevant protected species legislation and shall be overseen by a suitably qualified ecologist.

REASON

To ensure that the proposals protect the biodiversity assets on site, in accordance with the requirements of Policy ENV3 of the North Warwickshire Local Plan 2006 (Saved Policies).

7. Prior to the commencement of development a Habitat Enhancement and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out the details of habitat improvements around the pond, the hedgerows and the designated wildlife area. It shall include a list of species to be used, suitable methods for establishment and must set out provisions for their management in perpetuity. The approved plan shall be implemented in full at all times.

REASON

To ensure that the proposals enhance biodiversity assets on site in accordance with paragraph 109 of the National Planning Policy Framework (NPPF).

8. Before the commencement of the development, a landscaping scheme shall be submitted to the Local Planning Authority for approval. The scheme shall incorporate the retention of existing boundary hedgerow and existing trees.

REASON

In the interests of the amenities of the area.

9. The scheme referred to in Condition No 8 shall be implemented within six calendar months of the date of occupation of the first house approved under reference PAP/2013/0594 for domestic purposes. In the event of any tree or plant failing to become established within five years thereafter, each individual tree or plant shall be replaced within the next available planting season, to the satisfaction of the Local Planning Authority.

REASON

In the interests of the amenities of the area.

10. No development or site works whatsoever shall commence on site until details of measures for the protection of existing trees and boundary hedgerow have been submitted to and approved in writing by the Local Planning Authority.

REASON

In the interests of the amenities of the area.

11. No development or site works whatsoever shall commence on site until the measures approved in Condition No 9 above have been implemented in full.

REASON

In the interests of the amenities of the area.

12. The dwellings hereby approved shall be constructed using acoustically treated glazing and ventilation.

REASON

In the interests of protecting the amenity of the occupiers of the new dwellings to minimise the potential for noise disturbance.

13. A solid close board fence shall be erected alongside the eastern boundary with the adjacent public house and beer garden to supplement the existing hedgerow. Prior to the commencement of development details of the design and siting of the fence shall be submitted to and approved by the Local Planning Authority in writing. The approved fence shall be erected prior to the occupation of any of the approved dwellings and shall remain in situ at all times.

REASON

In the interests of protecting the amenity of the occupiers of new dwellings to minimise the potential for noise disturbance.

14. No development whatsoever within Classes A, B or C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development Order) 1995, as amended, shall commence on site 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.

15. Access for vehicles to the site from the public highway (Orton Road C5) shall not be made other than at the positions identified on the approved drawing, number 131023 0003 Rev A. The existing vehicular access to the site shall be closed off and the public highway footway reinstated to the satisfaction of the Highway Authority within 1 month of the new access being formed.

REASON

In the interests of safety on the public highway.

16. No development shall commence until full details of the construction of the road serving the development including bellmouth, footways, private drives and means of accessing individual plots, drainage (including the outfalls) and levels of the car parking and manoeuvring areas as shown on the approved plan have been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority. The site shall not be occupied until the areas have been laid out and substantially constructed. Such areas shall be permanently retained for the parking and manoeuvring of vehicles.

REASON

In the interests of safety on the public highway.

17. The development shall not be occupied until visibility splays have been provided to the vehicular access to the site, passing through the limits of the site fronting the public highway, with 'x' distances of 2.4 metres and 'y' distances of 45.0 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway.

REASON

In the interests of safety on the public highway.

18. 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.

19. Notwithstanding the plans submitted no development shall commence until full details of the provision of the footway and accesses (pedestrian and vehicular) fronting Orton Road, car parking and manoeuvring 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 accesses 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.

20. No development shall be commenced before details of the facing bricks, roofing tiles and surfacing materials to be used have been submitted to and approved by the Local Planning Authority in writing. The approved materials shall then be used.

REASON

In the interests of the amenities of the area.

21. Before the development commences a scheme for the construction of the foul and surface water drainage systems shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON

To prevent pollution of the water environment and to minimise the risk of flooding on or off the site.

22. No work relating to the construction of the development hereby approved 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 the occupiers of nearby properties during the construction period.

Notes

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. Section 163 of the Highways Act 1980 requires that water will not be permitted to fall from the roof or any other part of premises adjoining the public highway upon persons using the highway, or surface water to flow - so far as is reasonably practicable - from premises onto or over the highway footway. The developer should, therefore, take all steps as may be reasonable to prevent water so falling or flowing.

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.

3. In dealing with this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner through pre-application discussions, seeking to resolve planning objections and issues. 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/2013/0594

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	18/12/13 29/1/14
2	Environment Agency	Consultation Reply	3/1/14
3	Environmental Health Officer	Consultation Reply	7/1/14 14/2/14
4	Warwickshire County Museum (Archaeology)	Consultation Reply	8/1/14 28/3/14
5	M Moss	Representation	7/1/14
6	G Hodgson	Representation	8/1/14
7	C Koppe	Representation	9/1/14
8	N Lloyd	Representation	9/1/14
9	Severn Trent Water	Consultation Reply	15/1/14
10	S King	Representation	13/1/14
11	J King	Representation	10/1/14
12	D Studd	Representation	10/1/14
13	A Allsop	Representation	22/1/14
14	Warwickshire County Council (Rights of Way)	Consultation Reply	24/1/14
15	Warwickshire County Highways Authority	Consultation Reply	20/1/14 3/2/14
16	Applicant	Draft S106	14/3/14

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.

