Planning Committee: 21 June 2016 **Item Number:** **7**

Application No: W 16 / 0603

Registration Date: 08/04/16
Town/Parish Council: Radford Semele **Expiry Date:** 08/07/16
Case Officer: Liam D'Onofrio
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Land East of Radford Semele, North of Southam Road, Radford Semele, Leamington Spa, CV31 1TP

Variation of condition 1 imposed under planning permission W/15/1293 to remove reference to engineering plan RADF-5-500 to allow changes to site levels to compensate for two high pressure water mains that cross the site. FOR BOVIS HOMES WEST MIDLANDS REGION

This application is required to be determined at Committee due to the amount of objections received, however it has also been requested to be presented to Committee by Councillor Doody and Councillor Weed.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

Planning permission is sought to vary condition 1 imposed under planning permission W/15/1293 to allow changes to the site levels and finished floor levels of approved properties to compensate for two high pressure water mains that cross the site. The variation seeks removal of reference to engineering plan RADF-5-500 within condition 1 and for the foul and surface water drainage works details to be dealt with by way of Condition 17 under the outline consent W/14/0322. The spine road will rise by up to 1.3 metres over approved levels and changes in finished floor levels across the site range from -350mm to +950mm with no change to several properties.

The applicant Bovis homes has provided the following justification in support of the changes:

Bovis Homes have two high pressure asbestos cement water mains run across the site. At the planning application stage, Severn Trent Water (STW) had approved our proposed road and sewer designs but had not made clear their restrictions on the use of mechanical plant within the vicinity of the water mains. Once this was stipulated by STW it led to the need to lift the site to provide adequate cover to the mains.

In lifting parts of the site due to the water mains this had an impact on the way in which the surface water attenuation functions within the site, which led to clashes between the surface water attenuation and the proposed foul drainage on the site. Unfortunately this was further compounded by the need to connect into a fixed invert level within an existing foul manhole in Southam Road.

The lifting of finished floor levels on the site was not a decision taken, but a result of the engineering detailed designs considering the aforementioned constraints.

THE SITE AND ITS LOCATION

The application site comprises two former arable fields forming a largely rectangular plot bounded by Southam Road to the South with arable land to the North, East and South. The land is currently being developed under previous consents and several houses have already been erected around the spine road. The western site boundary adjoins the built up edge of Radford Semele village. The rear gardens of two semi-detached houses in The Greswoldes, and the side garden of Amberwood, a detached bungalow fronting Southam Road, adjoin this western site boundary.

On the opposite side of Southam Road near the eastern site boundary lies The Grange, a large detached house. The site is within open countryside and generally flat, with a small drop from south to north. Land to the north drops steeply towards the River Leam. The site is within the wider Plateau Fringe Special Landscape Area. The eastern most part of the site lies close to a gas transmission works outside the site, and a water main crosses mid-way through the site.

PLANNING HISTORY

W/15/1293 Reserved Matters for the approval of siting, design, external appearance, landscaping, engineering and materials for residential scheme granted under Outline Application ref: W/14/0322: Granted 17/11/15

W/15/0297 Reserved Matters for the approval of appearance, landscaping, layout and scale for 60 dwellings granted under Outline Application W/14/0322: Granted 1st June 2015

W/14/0322 Construction of up to 60 market and affordable dwellings, new vehicular access, open space and associated infrastructure (outline application including details of access): Granted 6th June 2014

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)

- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)

<u>The Emerging Local Plan</u>

- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H4 - Securing a Mix or Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR3 - Transport Improvements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

WCC Highways: No objection.

WCC Flood Risk Management: No objection.

Public response:

There have been 22 objections received raising the following concerns:
- Hill top location, changes will be unacceptably visible/site is too high/affect skyline.
- Local houses will now be overlooked, not the case with the original.
- Properties on raised land may be subject to subsidence.
- Flooding will be made worse.
- Builders should be forced to comply with original agreement.
- Changes of up to 5m, not 1m as suggested/changes estimated at 5.2m.
- Some calculate 5m, it is thought levels are 2m higher.
- Objection as revised proposal exhibits very little difference to the original.

The case officer notes that 10 of the above objections raise concerns based on the incorrect assumption that the land levels have been increased by 5 metres.

ASSESSMENT

Principle

The principle for the housing development of 60 units was established following the grant of outline planning application W/14/0322 at Planning Committee on 27th May 2014. This application also dealt with matters associated with the principle for the development, including loss of agricultural land, affordable housing, the impact upon local services and infrastructure and agreed the access point. The outline application was subject to a Section 106 legal agreement securing necessary contributions.

The appearance, landscaping, layout and scale of the development has already been granted under reserved matters applications W/15/0297 and W/15/1293. The current application seeks to alter approved land levels and finished floor levels. The housing mix, parking and scale/design remain as approved.

Therefore the main issues relevant to the consideration of this application are as follows:

- The impact on the Character and Appearance of the Area;
- The impact on the living conditions of nearby dwellings;
- Drainage and flood risk;
- Health and Wellbeing.

The impact on the Character and Appearance of the Area

The layout and building designs remain as previously approved and the changes just therefore focus on levels. The development is already underway and the spine road level rises from the south adjacent to Southam Road to a maximum of 1.3 metres into the site over the approved levels. The dwellinghouses around this spine road are most affected with high increases of up to +950mm. Nevertheless the visual impact will be minimal as the houses are viewed in the context of a wider building group forming the new housing development. The finished floor level of the two dwellinghouses on the spine road closest to the Southam Road are +100mm (Plot 1) and unchanged (Plot 6). While the majority of houses across the site have some change to the previously approved finished floor levels these are considered minor and vary between -500mm and +500mm.

The changes will not affect the visual amenity of the streetscene or wider views compared to the approved scheme and there is not considered to be any reasonable planning policy justification to refuse the scheme.

The impact on the living conditions of nearby dwellings

The layout is unchanged and the separation distances therefore remain in accordance with the Council's guidelines. The changes in levels across the site do not affect these distances and the scheme will still provide an acceptable level of outlook and amenity for future occupiers.
Concerns raised by local residents regarding overlooking are noted, however many of the concerns are based on the incorrect understanding that site levels are being raised by 5 metres. The changes are relatively minor within the context of the wider site with no changes and a -350mm drop in levels proposed to the two buildings closest to the western boundary with the neighbouring property Amberwood. Where dwellinghouses are being raised these are at distances from existing properties that are well in excess of minimum separation distances. The changes to the approved scheme are not therefore considered to create any significant impact upon the light, privacy, outlook or amenities of surrounding occupiers.

Drainage and Flood Risk

Local residents have raised concern regarding flood risk. The two approved balancing ponds remain in place. The exact design and construction of the site's sustainable urban drainage was conditioned at outline stage under W/14/0322 and further design details will need to be submitted with the Local Planning Authority for agreement and discharge.

The County Flood Risk Management Team have raised no objection to the scheme.

Health and Wellbeing

The scheme is not considered to raise any health or well-being issues.

SUMMARY/CONCLUSION

The proposed changes are considered to be acceptable and the scheme will remain largely the same as previously approved under W/15/1293. The development as a whole is considered to provide a high quality residential environment in accordance with the garden suburbs principles, including an appropriate mix of market and affordable housing and acceptable dwellinghouse and layout design solutions, including public open space and complies with the policies listed.

CONDITIONS

1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) HTPD_AGD2-1, HTPD_AGS2-1, HTPD_AGS2-2, HTPD_AGT2-1, HTPD_AGT2-2, HTPD_S351 TYPE_S3, HTPD_S461_TYPES4, HTPD_S241_TYPE S2 REV A, HTPD_2B BUNG TYPE A, HTPD_C200B_S5 REV A, HTPD_C3003 TYPE D 1-2 REV A, HTPD_C3003 TYPE D 2-2 REV A, HTPD_P301VT TYPE B REV A, HTPD_P306 TYPE C REV A, HTPD_P404 TYPE E, HTPD_P501VT TYPE F - RENDER, HTPD_P506 TYPE G 1-2, HTPD_P506 TYPE G 2-2, HTPD_S1 REV A, RADF-02 500, RADF-02-100D, RADF-02-200C, RADF-03-080, RADF-02-400-B, Radford Semele LEAP and specification contained therein, submitted under W/15/1293 on 13th August 2015 and RADF-5-1001, RADF-05-2000 submitted on 05/04/16. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

2 Notwithstanding the details on the approved plans the fence to the western site boundary shall be 2 metres high and shall have been erected prior to the first occupation of the dwellings (plots 40 and 49-50). The fence shall not then be removed without the prior written approval of the Local Planning Authority. **REASON:** To ensure a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

3 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON**: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.

4 The landscaping scheme submitted as part of the application hereby permitted shall be completed, in all respects, not later than the first

planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted. **REASON**: To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) no windows or openings, including dormer windows (apart from any shown on the approved drawings) shall be formed in the rear roof slopes of Plots 20, 40 and 49-50 hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed. **REASON:** In the interests of the amenities of the occupiers of nearby properties in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out on Plot 40, which comes within Class A of Part 1 of Schedule 2 of this Order, without the prior permission of the Local Planning Authority. **REASON**: To retain control over future development of this property in the interests of residential amenity, given its close relationship with the adjoining property Amberwood and to help meet the objectives of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

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A3 Original Sheet Size

PLANNING ISSUE

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PROJECT: Radford Semele

DRAWING TITLE: site location plan

SCALE	DATE	DRAWN BY	DRAWING NO.	REV
1:1250	feb 15	DL	RADF/02/50	