### COMMITTEE REPORT

<table>
<thead>
<tr>
<th>Application Ref.</th>
<th>15/02013/FUL</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Spitfire Properties</td>
</tr>
<tr>
<td><strong>Reason for Referral to Committee</strong></td>
<td>Scale of Development</td>
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<tr>
<td></td>
<td>Objection from Parish Council</td>
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<td>Objection from Ward Member</td>
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<tr>
<td><strong>Case Officer</strong></td>
<td>Jamie Whitehouse</td>
</tr>
<tr>
<td><strong>Presenting Officer</strong></td>
<td>Jamie Whitehouse</td>
</tr>
<tr>
<td><strong>Site Address</strong></td>
<td>Land To The Rear Of Appleton House, Church Road, Snitterfield</td>
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<thead>
<tr>
<th><strong>Description of Development</strong></th>
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<tr>
<td>▪ Full applications for erection of 10 dwelling houses, realignment of vehicular access off Church Road and associated development.</td>
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<td>▪ All plots would be provided with 2 parking spaces. Plots 1,2,3,4,8,9 and 10 would all have double garages. A turning area is proposed within the site for refuse vehicles.</td>
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<tr>
<td>▪ All dwellings are two full storeys in height.</td>
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<tr>
<td>▪ Designs include brick and render facades with stone dressings and half-timbered details. All windows are to be casement windows. Roofs are to be tiled with materials to be agreed.</td>
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<tr>
<td>▪ Each dwelling would include a private amenity space to the rear. Density of development would be approx 13 per hectare.</td>
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<td>▪ None of the dwellings on site are to be affordable. Contributions are to be provided for off-site provision.</td>
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<tr>
<td>▪ Financial contribution towards off site open space</td>
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<td>▪ Composition includes 6 x 5-bed properties, 1 x 4-bed property and 3 x 3-bed properties.</td>
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<tr>
<th><strong>Description of Site Constraints</strong></th>
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<tr>
<td>▪ The application site is located within the West Midlands Green Belt.</td>
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<tr>
<td>▪ The site area measures 0.78 hectares. The site is rectangular in shape. There are no existing buildings within the application site.</td>
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<tr>
<td>▪ Adjoining the site access, there is a modern detached dwelling within the site known as Appleton House.</td>
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<td>▪ The northern part of the site is a former paddock, and the application site is enclosed on four sides by the rear gardens of neighbouring dwellings.</td>
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<td>▪ There is a notable fall in levels toward the houses located on School Road.</td>
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<td>▪ There are two listed buildings to the west of the application site at the dwellings known as the Gables and Avebury. There are also two listed buildings to the east of the site at Holly Lodge and Park View.</td>
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<tr>
<td>▪ The site is not within a Conservation Area, but the site is located at the edge of the Snitterfield Conservation Area. The Conservation Area boundary wraps around the site to the north, west and south.</td>
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<tr>
<td>▪ There is a watercourse that runs along School Road. The site is not located within Flood Zones 2 or 3.</td>
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<tr>
<td>Summary of Recommendation</td>
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Development Plan

Paragraph 215 of the National Planning Policy Framework (NPPF) advises that “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework”.

Relevant Policies in the Development Plan for this application are:-
- **PR.1, DEV.1, DEV.4, DEV.10, IMP.1, IMP.6** – consistent with Framework
- **EF.13 and EF.14** - High degree of Consistency with Framework.
- **PR.2, PR.7, PR.8, DEV.2, DEV.3, DEV.7, DEV.8, DEV.9, EF.6, EF.7, EF.9, EF.10, EF.11, COM.4, COM.5, COM.9, COM.13, COM.14, IMP.4, IMP.5** – some consistency but Framework is less restrictive.
- **STR.1, STR.2, 2A, 2B, STR.4, DEV.5, DEV.6, COM.1, IMP.2** – inconsistent with Framework/out-of-date.

Other Material Considerations

Central Government Guidance
- NPPF National Planning Policy Framework 2012
- Planning Policy Guidance 2014
- Circular 06/05: Biodiversity and Geological Conservation
- English Heritage Historic Environment Good Practice Advice in Planing
  - Note 1 - The Historic Environment in Local Plans
  - Note 2 - Managing Significance in Decision Taking in the Historic Environment
  - Note 3 - The Setting of Heritage Assets.

Supplementary Planning Documents & Guidance
- Stratford on Avon District Design Guide 2002
- PPG17 Open Space, Sport and Recreation Assessment and Playing Pitch Strategy (Arup, April 2011, with updates in 2012 and 2014)
- Corporate Strategy 2015-2018
- Planning and Community Safety - Design and Crime Reduction 2006: Planning Advice Note

Other Documents

Draft Core Strategy 2015

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency which the relevant emerging policies have with the NPPF policies.

The Council has published a Core Strategy Proposed Modifications document setting out the suggested changes to the Core Strategy following publication of his interim report in March 2015.

In June 2015 the Council adopted, on an interim basis, a number of the Core Strategy policies to help inform decisions about planning applications. The policies that have been adopted are those that are not subject to significant representations or unresolved concerns.

The following have therefore been regarded as material considerations carrying some weight in the evaluation of the proposal.
Other emerging policies within the plan will carry limited weight for decision making purposes may be referenced where they support the aims of the NPPF. In particular CS.10, CS.15, CS.16, CS.17 and CS.18 may provide helpful information.

The 2012 Strategic Housing Land Availability Assessment (SHLAA) Review

The site is identified within the SHLAA as parcel of land SNI703. The SHLAA identifies this land as a potential site for housing.

The SHLAA has only looked at suitability for housing, using obvious site constraints ("potential show-stoppers"). It does not follow that what it shows as a ‘suitable’ site is necessarily an ‘appropriate’ site. The SHLAA 2012 does not assess appropriateness against the emerging Core Strategy. In officers’ opinion the conclusions reached by the SHLAA should be given limited weight and the appropriateness of the site should be assessed against relevant development plan policies and all relevant material considerations.

Landscape Sensitivity Study (July 2011 and 2012)

This document forms part of the evidence basis underpinning the preparation of the Core Strategy. Part B of the document covers land parcels/sensitivity assessments for the main towns and villages.

The site is identified as being within the built-up-area-boundary of Snitterfield, and is labelled within this study as parcel of land SN01. The site is identified as being of medium sensitivity to housing - the lowest classification of all the land in and around the settlement. The study states "...the zone is land locked at the back of existing dwellings on four sides. It comprises a little used area of pasture with mature trees and outgrown hedging, linking with mature back garden planting on many boundaries. Some of the mature trees on the site are visible from other areas of the settlement and help create a semi-rural character. This zone could only accommodate low density development - around 4 new dwellings. If housing was to be considered for this site it should be oriented so that backs of new dwellings faces those adjacent, with existing mature trees protected by TPOS or a planning condition."

Historic Environment Assessment (2012)

This document forms part of the evidence basis underpinning the preparation of the Core Strategy. The entire application site is identified as being of high archaeological sensitivity. The Historic Landscape Character mapping data (Figure 31.3) depicts the surrounding area of Snitterfield settlement as dominated by fieldscapes, many of which can be dated back to medieval times. Scattered around the medieval settlement core are several historical farmsteads.
Snitterfield Village Design Statement 2000

The application site is identified within the village design statement as an established open area that cultivates the feeling of space. This is identified as an essential feature of Snitterfield. Conversion of this area into housing would have a serious impact on the rural aspect of Bell Land and the village as a whole. This document provides design guidance and establishes that consideration of the preservation of open spaces in the village must be paramount in the determination of future development. The document also emphasises the importance of the retention of mature trees within the village.

Snitterfield Parish Plan 2006

The Parish Plan emphasises the importance of the design guidance contained within the Village Design Statement 2000. In relation to housing development, the Parish Plan contains a presumption against the development of luxury housing and the development of large family homes. The Parish Plan encourages smaller, affordable homes to be provided in line with the housing mix identified from the results of the Parish plan Questionnaire.

Emerging Snitterfield Neighbourhood Plan

The Neighbourhood Plan Area was approved by the District Council on 8 April 2013. The Neighbourhood Plan is currently at an early stage of preparation and carries limited weight in decision making.

Other Legislation

- Human Rights Act 1998
- Natural Environment and Rural Communities (NERC) Act 2006
- The Conservation of Habitats and Species Regulations 2010
- Localism Act 2011
- Community and Infrastructure Levy (CIL) Legislation
- Equality Act
- Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended)

- Section 66 of the Act imposes a "General duty as respects listed buildings in exercise of planning functions." It states that "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

- Similarly Section 72 of the Act imposes a "General duty as respects conservation areas in exercise of planning functions." It states that "In the exercise, with respect to any buildings or other land in a Conservation Area...special attention shall be paid to the desirability of preserving or enhancing the character and or appearance of that area".
**Summary of Relevant History**

The site has an extensive planning history as it forms part of a previously approved residential development. The most relevant planning applications are below:

<table>
<thead>
<tr>
<th>Reference Number</th>
<th>Proposal</th>
<th>Decision and date</th>
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<tbody>
<tr>
<td>07/02974/FUL</td>
<td>Creation of new vehicular access to dwelling to form an 'in' and 'out' drive.</td>
<td>Refused on 20.12.2007 and dismissed on appeal on 02.05.2008</td>
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<tr>
<td>(Appleton House)</td>
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<tr>
<td>01/02614/OUT</td>
<td>Demolition of existing dwelling house and the development of land for housing purposes together with ancillary works</td>
<td>Application Withdrawn 18.12.2001</td>
</tr>
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</table>

**Applicant’s Supporting Documents**

Summary provided by applicant

- The proposal should be approved because the site is located within Snitterfield settlement boundary, at the heart of the village and within walking distance of its services and facilities.
- Snitterfield is a Category 3 Local Service Village, which according to the emerging Core Strategy is capable of accommodating approximately 26 to 50 homes. 10 houses will contribute to the supply of housing in the village.
- There is a shortfall of housing in the District.
- The land has been identified in the Council's SHLAA assessment in 2012.
- The proposal constitutes limited infilling in villages and therefore is appropriate development in the Green Belt.
- The land is classified by MAFF as "land predominantly in urban use" as so it does not constitute "best and most versatile agricultural land."
- The site does not contain any designated heritage assets or known archaeological deposits.

**List of documents:**

- Application Form
- Design and Access Statement
- Tree Survey and Report
- Landscape and Visual Impact Assessment
- Planning Statement
- Extended Phase 1 Ecological Appraisal
- Drainage Strategy
- Geo-environmental Report
- Heritage Assessment and update received 12.10.2015
- Archaeology Statement and updated fieldwork results received 12.11.2015
Consultations

Ward Member
Councillor Richards – Objects to the application on the grounds listed below (23.07.2015):

- The site for this application is very much an open space within the Green belt and therefore should be protected against development. The site is central to the village and by developing the land with ten large properties, would irrevocably change the setting of the village and its special character.
- Snitterfield is on the whole a low density village. Any new development should have a similar housing density. Ten properties on this site would have a detrimental effect on the openness of the village and represent an over development of the site.
- Neighbouring properties current enjoy the openness of this site. It is on an incline which would result in neighbouring properties being overlooked by new builds and would have a negative impact on privacy.
- The site is immediate adjacent to Park House, Manor House, and Bell Brook House, all of which are listed buildings. The development would have a significant harmful impact on these heritage assets.
- The visibility splays from the tight exit are insufficient for cars existing onto Church Road.
- The brook along School Road is prone to flooding and has suffered to major floods in the last 10 years. Adding further hard standing to the incline would increase flood risk and there is insufficient detail as to how this would be overcome.
- The Local Neighbourhood Plan is at an advanced stage and has identified appropriate sites for development in Snitterfield. This site has been identified as low on the priority for development.
- The proposal is contrary to the Village Design Statement as it would exceed the 5 unit linear design guidance.
- There is an oversupply of 4 and 5 bed homes and a need for smaller properties, bungalows and affordable homes.

(The full response is available in the application file)

Snitterfield Parish Council
Object to the proposal on the following grounds (14.07.2015):

- The application does not represent "limited infilling in villages"
- The site is on the side of a valley, leading down to a stream. It is contrary to the design guidance in the Landscape Sensitivity Study 2012.
- 10 house represents overdevelopment for the plot of land and would have a detrimental impact on the semi-rural character of the area.
- The site has high visibility from northern routes into the village.
- The proposed housing design is not in keeping with surrounding properties.
- The scheme does not include any affordable housing.
- The topography of the site is such that the houses shown on the plans at the Church Road side of the site will be 10 metres higher at ground level that those position at the School Road side of the site. This will dominate the public view of the surrounding properties and the area.
- The site topography is unsuitable for sustainable management of water and would exacerbate flood risk.
Housing development on this site has previously been refused and dismissed at appeal.

(The full response is available in the application file)

Third Party Responses

Public consultation has been undertaken and site and press notices displayed. 65 responses have been received, although it should be noted that some local residents have commented multiple times. All of the responses raise objections to the proposal.

The objections to the proposal can be summarised as follows:

- The proposed development would result in up to 40 additional vehicles which would cause harm to the safe and free flow of vehicles in Church Road, which is already overloaded. Church Road is not wide enough to accommodate the additional traffic.
- The proposed visibility splays at the junction are inadequate and the proposal would result in the partial loss of an existing stone wall to the site frontage. Access by larger vehicles is not possible.
- The development is back land development and cannot be considered to be limited infilling within a village. The proposal would therefore be contrary to Green Belt policy.
- The site is used by badgers and bats, which are protected species. There are numerous non-protected species that use the site which contributes to biodiversity. There has been recent clearance of the site which would have impacted on habitats.
- The submitted Flood Risk Assessment is inadequate. The proposed development would be located on sloping land that slopes towards an existing brook and would exacerbate flood risk in the locality due to increased hard surfacing. Any pumping station would harm residential amenity due to noise and disturbance. Any discharge into the brook would exacerbate flood risk. There are already instances of flooding (photos provided).
- The site is very visible from long distance views and the proposal would have a harmful impact on the character and appearance of the area due to the infilling of an important open space within the village. The application at Borden Hill was rejected for these reasons. The large dwellings on small plots are out of character with the surrounding properties, and the Parish Plan seeks to provide linear development in Snitterfield.
- The mock-Tudor design is out of character with Snitterfield.
- The scale of the development is out of keeping with the properties along Bell Lane.
- The cul-de-sac design is contrary to the linear design of the village.
- The proposal would cause harm to the privacy of adjoining occupiers, particularly Bell Brook by virtue of significant overlooking. Concerns are also raised in relation to loss of light. Concerns are raised that the amendments to the design of the scheme do not overcome this concern.
- The siting of the access road in close proximity to Elmdon House, would result in harm to the living conditions of occupiers by virtue of noise and pollution.
- The primary school is already oversubscribed and cannot accommodate the increase in the number of children of school age.
- The proposal would result in luxury houses for which there is no identified need in the Parish Plan. There is a presumption against such houses.
- The site has never been built upon. It is therefore not brownfield land.
- Severn Trent should not enforce gravity drainage due to noise from pumps
• None of the proposed dwellings are to be affordable.
• There are Roman archaeological findings at Holly Cottage. The development of the site would have an impact on archaeological remains.
• The proposal would have a harmful impact on adjoining heritage assets including the 13 listed buildings in the vicinity, and the adjoining Conservation Area. The proposal also fails to provide sufficient evidence in terms of describing the significance of heritage assets and their setting, as set out in paragraph 128 of the NPPF.
• Increased vehicles increase odours and air pollution.
• The proposal exceeds the number of dwellings identified in the Core Strategy for the Local Service Village.

A number of comments express concerns that are not material planning considerations.

(The full responses are available in the application file)

**Consultations**

**WCC Highways:** No objections to revised drawings which demonstrate that a refuse vehicle can manoeuvre within the site and re-enter the public highway using forward gear, and the required forward visibility can be achieved around the bends within the site. Five planning conditions are recommended in relation to the implementation of the access details shown on drawings P1026/303 and 1534/50/A. The applicant should also be required to contribute £75 per dwellings for sustainable travel welcome packs. (19.11.2015).

**Coal Authority:** confirm that site is not within a defined coalfield (25.06.2015)

**WCC Ecology:** No objections subject to recommended conditions in relation to the implementation of ecology mitigation measures. (10.07.2015).

**Natural England:** No objection - (09.07.2015).

**Canal & River Trust:** Do not have any comments regarding watercourse (01.07.2015)

**Historic England:** Do not wish to offer comments but advise that Council uses its own specialist advice. (08.07.2015)

**WCC Archaeology:** No objections are raised subject to conditions relating to archaeological mitigation. (13.11.2015).

**Lead Local Flood Authority:** Raise no objection to the proposals subject to recommended conditions to secure details of a suitable mitigation strategy for overland flows. (11.08.2015).

**Environmental Health:** No representation. (13.07.2015).

**WCC Infrastructure Team:** Confirm that no contributions are sought towards education or libraries (28.07.2015)

**Severn Trent Water:** No objection subject to a recommended condition to require details of surface and foul water drainage to be agreed and implemented in order to reduce flood risk. (19.08.2015)

**SDC Heritage Consultant:** Identifies a number of heritage assets around the site. With regard to listed buildings, while there would be a loss of a large open space forming part of the wider setting of a small number of listed buildings, I could not identify any adverse impacts to the specific setting of any individual buildings which could substantively diminish the significance of such buildings in terms of their special or historic interest. So, the harm in this respect is very minor. Of more concern is the impact on the Conservation Area, which on plan, has a complex footprint sweeping around the settlement.... In my opinion the proposed development would cause 'less than substantial harm' to the setting of the Conservation Area and paragraphs 132 and 134 of the NPPF are engaged. (13.10.2015)
**ASSESSMENT OF THE KEY ISSUES**

**Principle of Development**

The Council is required to make a decision in line with the Development Plan, unless material considerations indicate otherwise. (Section 38(6) PCPA 2004 and Section 70(2) TCPA 1990). The National Planning Policy Framework (NPPF) is the key material planning consideration. The emerging Core Strategy is also a material consideration.

**Housing Supply**

There is a strong imperative in favour of housing delivery in the NPPF. It states that a Council must always be able to demonstrate a five-year supply of housing land.

It provides that where a five-year housing land supply is absent then relevant policies for the supply of housing should not be considered up-to-date and the determining authority should therefore make decisions in accordance with paragraph 14 of the NPPF.

Paragraph 14 requires that, authorities should grant permission for development unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or where specific policies in the Framework indicate development should be restricted.

The most recent assessment in Stratford-on-Avon establishes that the district is unable to demonstrate a 5-year supply of housing land. Consequently, it is necessary to determine this application in the context of paragraph 14.

As such, unless specific NPPF policies indicate otherwise, or the impacts of doing so would significantly and demonstrably outweigh the benefits, the development should be approved.

Accordingly, it is necessary for decision makers handling this application to consider whether any identifiable impacts will significantly and demonstrably outweigh the benefits of the development.

**The Development Plan**

Policies for the supply of housing within the development plan must be considered out of date, as the district cannot at this time demonstrate a five-year housing land supply. As such, they cannot be afforded full weight in the determination of this proposal.

Notwithstanding the above, the saved policies within the Local Plan provide useful guidance regarding the sustainability of proposals and the general approach to development across the district.
Saved policy STR.1 provides a settlement hierarchy for the purposes of controlling and regulating development and to reflect the wider functions of settlements. The principle of a settlement hierarchy, as set out in saved policy STR.1, is consistent with objectives contained within the Framework, which seeks to direct development to locations that reduce car based travel and the need to travel.

The application site falls outside the built up area boundary of Stratford upon Avon or any Main Rural Centre. However, Snitterfield is identified as a Local Centre Village, where housing for identified local needs, in accordance with Policy COM.1 is supported.

In summary, whilst the proposal is contrary to the above saved policies of the Development Plan, these policies are not wholly consistent with the NPPF. STR.1 in particular is considered out of date. Therefore whilst the principle of the proposal does not accord with the adopted Development Plan as a whole there are other material considerations to take account of which suggest that approval should be considered in more detail.

Material considerations

The National Planning Policy Framework

Paragraph 14 of the NPPF sets out a presumption in favour of sustainable development. It states that: “Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless:

• Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of this Framework taken as a whole; or
• Specific policies in this Framework indicate development should be restricted.”

Paragraph 55 of the NPPF says that housing should be located where it would enhance or maintain the vitality of rural communities. The NPPF whilst promoting the development of brownfield land does not preclude the residential development of greenfield land in principle.

Emerging Core Strategy

Paragraph 216 of the NPPF allows for weight to be given to relevant policies in emerging plans, unless other material considerations indicate otherwise, and only subject to the stage of preparation of the plan, the extent of unresolved objections and the degree of consistency of the relevant emerging policies to the NPPF policies.

The Council has published a Core Strategy Proposed Modifications document setting out the suggested changes to the Core Strategy following its examination in January 2015.

In June 2015 the Council adopted, on an interim basis, a number of the Core Strategy policies to help inform decisions about planning applications. The policies that have been adopted are those that are not subject to significant representations or unresolved concerns.

Policies CS.4, CS.5, CS.6, CS.7, CS.8, CS.9, CS.12, CS.24 and CS.26 will therefore be regarded in the determination of the proposal.

The other key policies which remain as having little weight area CS.15, CS.16 CS.17 and CS.18.
Emerging policies in the draft Core Strategy follow the approach in paragraph 55 of the NPPF. Snitterfield is identified as a sustainable location for new housing development, with a requirement to accommodate a proportion of 2,000 homes during the plan period.

Whilst the above approach is contained within a policy which is subject to challenge through the local plan process, the evidence base which supports the policy development is a material consideration. It is therefore considered reasonable to infer that Snitterfield is a location which is sustainable in principle, and which is likely to be a location where the Authority will aim to meet at least some part of its housing needs.

This is confirmed in the Core Strategy Examination Inspector’s Interim Conclusions published on 18 March 2015 in which he states:

‘In my view the list of villages, as proposed to be modified, is a reasonable basis on which to direct the 2,000 dwellings currently proposed, in order to achieve a sustainable outcome. This level of housing would help to sustain the existing services and facilities in these villages, including public transport, primary schools and shops. At a minimum it would maintain the vitality of rural communities and therefore comply with the policy in paragraph 55 of the Framework, which seeks to promote sustainable development in rural areas’. (Paragraph 198)

He further stated at paragraph 202 that: ‘I have no reason to find that the existing allocation is undeliverable. However it would need to be shown why any further increase in the numbers allocated to LSVs would be a sustainable option when, taking account of Green Belt, other villages in some categories might already need to take, in relative terms, a large number of dwellings’.

Accordingly, it is apparent in the inspector’s view that a balance must be struck, between the need to deliver housing to ensure the vitality of LSV’s across the district and the need to ensure development is appropriately proportioned and distributed to ensure a sustainable pattern of development.

It is self-evident that a large-scale housing scheme will have a greater potential impact on a settlement than a small-scale scheme. The scale of the development and a comparison against the number of dwellings already approved during the plan period in a particular LSV are material considerations and the potential for harm needs to be considered thoroughly based on robust evidence.

Snitterfield is identified within the Core Strategy as a Category 3 Local Service Village and an allocation of no more than around 59 dwellings is seen as potentially appropriate. Since the start of the plan period there have been approvals amounting to 20 dwellings. Consequently, as this threshold has not been exceeded, officers do not consider that the proposal conflicts with the interim findings of the inspector or the emerging Core Strategy. Furthermore they do not conclude that the proposals when assessed on the above basis are disproportionate in scale and kind with the future expectations of the village.

Conclusion on Principle of Development

Having regard to the above I consider that the application site is a sustainable location for new residential development, in accordance with paragraph 55 of the NPPF and in this instance, the proposed dwellings would be within the built-up area of the settlement. In the absence of a 5 year housing land supply, the Local Plan policies relating to the supply of housing are out-of-date. Notwithstanding that the principle of development does not accord with the saved Development
Plan, the other material considerations explored above lead me to conclude that the principle of development is acceptable.

**Impact on West Midlands Green Belt**

I note that a large number of comments have been submitted in relation to Green Belt matters, and the impact of the development on the Green Belt.

The site is wholly within the West Midlands Green Belt. Paragraph 89 of the NPPF states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Paragraph 89 includes a list of exceptions to this principle. The fifth bullet point establishes that "limited infilling in villages" is not inappropriate development. In this case, the application site is within the built-up-area boundary of the village and is enclosed on four sides by existing buildings. I therefore consider that the proposed development will infill the gaps between existing buildings and constitute "infilling". I have had regard to the scale of the development in relation to the size of the settlement, and I consider that the "limited" test is also met given the scale of the development.

Given the above, I consider that the exception contained within Paragraph 89 of the NPPF is met and that the proposed development would not result in significant harm to the West Midlands Green Belt by virtue of inappropriateness.

**Impact on the landscape and character of the area**

The NPPF requires as part of its core principles (paragraph 17 (5)), that, amongst other things, planning should take account of the different roles and character of different areas and recognise the intrinsic character and beauty of the countryside. Policy CS.5 of the emerging core strategy requires development to minimise and mitigate impacts on the landscape character and quality, including cumulative impacts. Paragraph 109 of the NPPF also states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

The application site is an open field in the centre of the village. I concur with local residents that the openness of site makes an important contribution to the rural setting of Snitterfield. The site is visible from some limited vantage points. The most sensitive vantage points are located to the north of the site from the public right of way along Bell Brook and also as the land rises up on the other side of the valley from Wolverton Road.

The applicant has submitted a Landscape and Visual Impact Appraisal which considers the visibility of the proposed development within the landscape. I note that the proposed development within the application site would be visible within long distance views from the north. However, as these views already contain views of existing residential development in the village, I conclude that impacts on long distance views will not be materially harmful to the appearance of the landscape, especially once the scheme has been completed and landscaping been established. A planning condition could be used to secure appropriate external materials, including roofing materials to prevent a harmful impact in this regard.

In considering the impact on the character of the landscape, I disagree with the Applicant’s assessment that the site has a suburban and enclosed character. Whilst the site is enclosed on four sides, the site retains a largely open and rural character. I concur with local residents that, despite the low-density of the scheme, that the introduction of such a large number of two-storey man-made structures within this open area would result in some harm to the rural character of the village, by virtue of the loss of openness of this important area.
The identified harm to the character of the landscape and to the setting of the locality needs to be weighed in the balance when considering all of the beneficial and negative aspects of the development proposals. It is however for the Committee, as decision-taker, to weigh all of the material considerations and draw its own conclusions regarding the degree of harm to the character and appearance of the landscape in this case.

**Impact on Heritage Assets**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development that affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. In addition Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention should be paid to the desirability or preserving or enhancing the character or appearance of a conservation area.

Paragraphs 128 to 139 of the NPPF seek to protect heritage assets, including sites of archaeological importance. However, paragraphs 133 and 134 state that harm to heritage assets may be acceptable if outweighed by public benefits. Saved policies EF.11, EF.13 and EF.14 of the Local Plan Review are less flexible and more restrictive in their approach than the NPPF, as the key requirement is the protection of heritage assets. They are therefore not considered to be fully consistent with the NPPF, and consequently cannot be afforded full weight. Policy CS.8 of the emerging Core Strategy does however allow for harm to a heritage asset to weighed against the public benefits of a proposal.

Archaeological assessments have been submitted as part of this application. WCC Archaeological Services have assessed these and recommend further investigative and evaluative work prior to the commencement of development, and for this to be secured via planning condition.

For these reasons, I currently consider that the proposed development would be acceptable having regard to the provisions of the NPPF (Section 12). Saved policy EF.11 of the Local Plan is not considered consistent with the NPPF, as it is a more restrictive policy than the NPPF and therefore afforded limited weight.

Turning to the impact on Listed Buildings, the SDC Heritage Consultant has assessed the proposal and considers that the proposed development, and resultant loss of a large open space, would not have an adverse impact on the setting of any individual listed buildings which would substantively diminish the significance of such buildings in terms of their special architectural or historic interest. So the harm in this respect is very minor.

Turning to the impact on the Conservation Area, the SDC Heritage Consultant identifies that the undeveloped nature of the site clearly has a major role in defining the setting of the Conservation Area. Although the bulk of the development would be set back from the Conservation Area boundary, the introduction of the development would result in ‘less than substantial harm’ to the setting of the Conservation Area for the purposes of the NPPF. I concur with this view. It therefore falls to members of the planning committee, in deciding the application, to weight this harm against the public benefits and justifications for the scheme.
Highways Matters

Paragraph 32 of the NPPF states ‘inter alia’ that decisions should take account of whether opportunities for sustainable transport modes have been taken up; safe and suitable access to the site can be achieved for all people and whether improvements can be undertaken effectively limiting the impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

Paragraph 34 of the NPPF also states that developments that generate significant movements are located where the need to travel will be minimised, albeit, this needs to take into account policies throughout the framework relating to rural areas. Saved policies DEV.4 and COM.9 of the Local Plan Review remain generally consistent with this approach. Policy CS.25 of the emerging Core Strategy requires development to mitigate any unacceptable transport impacts which arise directly from that development by, amongst other things, ensuring that the scale of traffic generated by the proposal is appropriate for the function and standard of the roads serving the area; implementing necessary works to the highway; providing new and improved pedestrian and cycle routes.

I acknowledge that a number of representations have been received from local residents on the grounds that the proposal will have a detrimental impact on highway safety and free flow.

Access, Free Flow, and Safety

Highways have carefully considered the proposal, the supporting parking plans and other relevant information which indicates, whilst there would be an increase in traffic, the increase in trip movements would not be significant given the size of the settlement. In addition WCC Highways have confirmed that the predicted level of vehicle movements generated by the development can be accommodated by the road network. The provision of two parking spaces per dwelling is considered to be acceptable. Highways have pointed out that appropriate space for a refuse vehicle to turn within the site can be achieved, and that appropriate pedestrian and vehicle visibility splays would be achieved at the proposed means of access.

Given that the increase in vehicle movements is not significant compared to the number of dwellings in the village, and subject to the implementation of the access arrangements shown on the submitted plans, and subject to compliance with the recommended conditions below, I do not consider that the proposal would result in the ‘severe’ impact threshold within the NPPF to justify the refusal of the application on highway grounds.

Accessibility

There are existing local bus services that operate nearby and provide access to the town centre and villages. The No. 229 bus service operates through Snitterfield.

Conclusion on highway matters

Taking into account all of the above, and notwithstanding the objections raised on highway safety, I consider that the proposed development would not have an unacceptable adverse impact on highway safety in relation to access, cycle and pedestrian movements, traffic generation and the wider traffic network, and provides a reasonably sustainable level of access to local services, without the
need to fully rely on the use of a private car, in accordance with the guidance contained in paragraphs 32 and 34 of the NPPF and saved policy DEV.4 of the Local Plan Review and policy CS.25 of the emerging Core Strategy which remain generally consistent with the NPPF.

**Layout, scale, landscaping and appearance**

The applicants have, as part of their submission, provided a proposed layout plan and details of elevations. The design parameters include two-storey buildings with half-timbered elevations with stone detailing.

In terms of design, scale and appearance, I note that the proposed dwellings have clearly taken design cues from existing residential development within the village. I consider that the scale, design and appearance would be in keeping with the built form in the locality. A condition is recommended in relation to materials to require these to be agreed prior to implementation.

I have strong concerns regarding the proposed casement windows which could result in a unduly modern external appearance in close proximity to heritage assets. A condition is recommended to secure an alternative window design.

Given the above, I consider that the proposed development would comply with Policies DEV.1 and DEV.3 of the saved Local Plan and policy CS.5 of the emerging Core Strategy.

**Housing mix and affordable housing**

Paragraph 50 of the NPPF refers to the need to deliver a wide choice of high quality homes to create sustainable, inclusive and mixed communities, and to include appropriate provision of affordable housing. Saved policies COM.13 and COM.14, whilst now quite old, seek to secure affordable housing and a mix of housing types and therefore still have some consistency with the NPPF.

The most recent evidence base supporting policy CS.17 of the emerging Core Strategy is located within the *Coventry & Warwickshire Joint Strategic Housing Market Assessment*, published in November 2013 and updated in 2014 and 2015 ("the SHMA") and within *Plan Viability and Affordable Housing Study*, published in April 2014). The SHMA identifies a recommended mix of market housing as follows 1-bed (5-10%), 2-bed (35-40%), 3-bed (40-45%) and 4+bed (15-20%).

The proposal would comprise a mix of dwelling types and sizes that significantly departs with the recommended mix of housing within the SHMA. The proposed composition is 3 x 3-bed, 1 x 4-bed and 6 x 5-bed homes, with. However, the Applicant has submitted additional evidence from the last census in 2011 that identifies that the 888 dwellings in Snitterfield have a composition as follows:

- 1-bed (23) = 2.6%
- 2-bed (160) = 18%
- 3-bed (358) = 40.3%
- 4-bed (200) = 22.5%
- 5-bed or more (147) = 16.6%

This evidence identifies a significant deficit of 1-bed and 2-bed dwellings as a percentage of total dwellings located within Snitterfield. The proposed development would not accord with the recommended housing mix contained within the SHMA. Furthermore, the proposal would not accord with emerging Policy CS.18 of the submitted Core Strategy. However, I note that Policy CS.18 currently carries limited weight for decision making purposes. In any event, I
consider that the proposal would exacerbate an existing deficit of 1-bed and 2-bed dwellings and would result in a disbenefit in terms of the social role of sustainability outlined within Paragraph 6 of the NPPF. This disbenefit should be considered by the decision maker as part of the planning balance.

**Residential amenity**

I note the concerns raised by local residents in relation to impact on privacy and daylight to habitable room windows of adjoining properties. I have had regard to the design guidance within Extending your Home Design Guidance, which advised that two-storey elevations should be (in a back-to-back relationship) 21 metres between built elevations. This guidance also advises that first-floor rear-facing windows should be at least 10 metres from boundaries with adjoining gardens.

The submitted layout demonstrates satisfactory separation distances between proposed properties and those located on neighbouring land are achievable. These separation distances, when coupled with appropriate new landscaping and retention of existing trees around the site, ensures the development would not have a significant adverse impact on neighbouring residential amenity by way of loss of light, overshadowing, loss of privacy and without creating an overbearing or dominating impact.

For these reasons, I consider that the proposed development would not have an adverse impact on neighbouring residential amenity and would ensure the creation of an appropriate quality living environment for existing and future occupiers. The proposal would therefore comply with Policy DEV.1 of the saved Local Plan and policy CS.5 of the emerging Core Strategy.

**Provision of Public Open Space**

The NPPF, at paragraphs 58 and 73, encourages access to high quality open spaces and opportunities for sport and recreation. Policy CS.24 of the Core Strategy also seeks to secure appropriate standards of open space provision. Having regard to this, where there is a deficiency in public open space, new development proposals should seek to make new provision available.

The scheme would not provide any additional open space on site. The applicant proposes to provide a financial contribution of £17,424.91 to enable public open space to be provided off-site. Maintenance of the open space can be controlled through the S106 obligation.

I consider that this contribution accords with policy CS.24 of the Core Strategy, and would positively contribute to the identified need for additional open space within Snitterfield found within the 2014 assessment of open space within the District.

**Landscaping and Trees**

The submitted plan shows that boundary vegetation would mainly be retained, and that additional planting can be provided. I consider this to be acceptable and can be controlled by the imposition of a condition to require full landscaping details to be agreed and implemented. I have reached the view that overall, the scheme is acceptable having regard to the provisions of paragraphs 58 and 109 of the NPPF and saved policies PR.1 and DEV.2. Tree and hedgerow protection measures, which are necessary to secure screening to the site boundary, can be secured by planning condition.
Drainage and Flood Risk

Paragraphs 100 to 104 of the NPPF seek to ensure that development considers impact of flood risk. Saved policies PR.7 and DEV.7 remain generally consistent with the NPPF. Policy CS.4 of the emerging Core Strategy seeks to maintain the floodplain; manage the risk of flooding in a catchment area and achieve good status for water bodies by, amongst others, locating development in Flood Zone 1, securing SUDs solutions to surface water drainage, managing run off from sites and ensuring that foul drainage flows are kept separate to surface water drainage.

I note the concerns raised by local residents in relation to the potential for any development to exacerbate flood risk. I acknowledge that there are existing flooding concerns in the locality. The site is located within Flood Zone 1 (lowest risk of flooding) where residential development is considered acceptable in principle by the NPPF in relation to flood risk. Foul drainage is proposed to be disposed of via the main sewer. This is a technical matter and final drainage proposals can be designed at the conditions stage following further discussions between the applicants and STW. Severn Trent Water raises no objections subject to approval of drainage proposals.

The drainage proposals will be the subject of further approval and therefore at this stage I have no reason to believe that the drainage scheme not be in accordance with the provisions of paragraphs 93-108 of the NPPF and saved policies PR.7 and DEV.7 of the Local Plan Review and policy CS.4 of the emerging Core Strategy, which remain broadly consistent with the NPPF.

Ecology

One of the core planning principles of the NPPF is to conserve and enhance the natural environment, as expanded upon by paragraph 118. Saved policies EF.6 and EF.7 of the Local Plan Review generally accord with the NPPF as they relate to the retention, protection, management and, where appropriate, creation of wildlife habitats, albeit, the NPPF is less restrictive.

I concur with local residents that the site is likely to support feeding for bats and that adjoining trees could be used for nesting by birds.

The submitted Ecological Assessment found that there are no identified habitats on the site for protected species that could not be addressed through suitable mitigation measures. The County Council Ecologist therefore raises no objection to the proposals subject to a recommended condition to secure mitigation works. For these reasons, I consider that the development would have an acceptable ecological impact in accordance with paragraph 118 of the NPPF, saved policies EF.6 and EF.6 of the Local Plan Review and policy CS.6 of the emerging Core Strategy and the provisions of the NERC act.

Land Contamination

The application site is within an area with of low potential risk for land contamination. However, subject to the imposition of planning conditions, ensuring the identification of any potential risks and any appropriate mitigation, any potential harm to other land uses, health or the natural environment is considered acceptable. This would ensure the proposed development is not considered to give rise to any land contamination issues in accordance the provisions of saved policy PR.8 and the principles of the NPPF.
Community Facilities & Social Infrastructure

I note that a number of representations made in relation to the inadequacy of the village's infrastructure, services and facilities to support the impact of this development. Whilst, it is considered the proposed development would inevitably have some impact, it must recognised that the scale of development is limited to a maximum of 10 dwellings and no objections have been received from the NHS, WCC Education, WCC Libraries, County Education, as the key statutory/technical consultee’s in relation to services, facilities and infrastructure.

In such circumstances, there is insufficient evidence to demonstrate that any harm would constitute a reason for refusal.

Planning Obligations

The below requested contributions are considered by officers to be compliant with the CIL Regulations at the time of writing this report.

Affordable Housing

The applicant has agreed to the provision of £370,913 plus indexation from 31 October 2014 toward the provision of off-site affordable housing. The District Council’s Development and Enabling officer has confirmed that this is acceptable.

Highways

Warwickshire County Highways have requested the following contribution in the event that a planning permission was granted:

- £75 per dwelling for sustainable welcome packs to help promote safe and sustainable travel in the local area.

Public Open Space

A financial contribution of £17,424.91 to enable equipped public open space for children and young people, and allotments and community gardens to be provided off-site. Maintenance of the open space, should the contribution not be spent to enhance existing parks, would be controlled through the S106 obligation.

Conclusions

The ‘golden thread’ running through the NPPF is the presumption in favour of sustainable development. It gives three dimensions to sustainable development: social, economic and environmental. These should not be assessed in isolation, because they are mutually dependent. On this basis, I have concluded that the proposal is sustainable development.

Assessing the planning balance, it is considered that the benefits from the scheme would be:

- Provision of new homes in a sustainable location, contributing towards maintaining the Council’s 5 year housing land supply. This social benefit must be considered in light of the dis-benefit identified above in relation to the proposal exacerbating an existing deficit of 1-bed and 2-bed homes in Snitterfield.
- Provision of contributions towards affordable housing
- Provision of contributions (£17,424.91) towards public open space to serve the needs of residents and the wider community
- Creation of short term construction jobs
- Longer term support for the local economy from new residents.
- New homes bonus.

Which needs to be balanced against:

- The less than substantial harm, specifically to the setting of the Conservation Area, and cannot be mitigated or controlled satisfactorily through planning conditions.
- The moderate level of harm to the rural character of the settlement in landscape terms.
- The proposed housing mix would exacerbate an existing deficit of 1 and 2 bedroom dwellings.

Technical issues from statutory consultees can be dealt with by planning conditions.

It is concluded that the benefits of the scheme justify the Grant of planning permission subject to conditions.

Recommendation

Whilst officers have made a recommendation on the basis of the Development Plan and other material considerations it is for the Committee to weigh and balance these in coming to a decision.

It is therefore recommended that subject to:-

- the satisfactory completion of a S.106 agreement to provide the following requirements and contributions with delegated authority to the Head of Environment and Planning in consultation with the Chairman of the Planning Committee in respect of any final negotiations:
  - £370,913 plus indexation from 31 October 2014 toward the provision of off-site affordable housing.
  - £75 per dwelling (£900) for sustainable welcome packs to help promote safe and sustainable travel in the local area.
  - Provision of contributions (£17,424.91) towards public open space to serve the needs of residents and the wider community.

the Planning Manager be authorised to GRANT planning permission, subject to the following conditions and notes, the detailed wording and numbering of which is delegated to officers:

Permission Definition Conditions

1. Standard 3-year time limit.

2. Plans to which decision relates for the avoidance of doubt.

3. Hours of demolition/ground works/construction work shall not take place outside the following hours: Monday to Friday 0800-1800, Saturdays 0800-1300 and at no times on Sundays or Bank Holidays.

4. The proposed access arrangements and site layout shall be in general accordance with drawings P1026/303 and 1534/50/A.
Pre-commencement Conditions

5. The development shall not be commenced until space has been provided within the site for the parking and loading/unloading of construction/delivery vehicles in accordance with details to be approved in writing by the Local Planning Authority.

6. Levels details to be agreed and implemented, and detailed cross sections to be submitted prior to commencement.

7. Notwithstanding the submitted details, details of revised window frames and means of opening to be agreed and implemented.

8. Details of external materials to be agreed and implemented.

9. Hard and soft landscaping details to be agreed and implemented.

10. The development shall not be occupied until space has been provided within the site for the parking/loading/unloading of vehicles associated to the construction phase in accordance with details to be approved in writing by the Local Planning Authority.

11. Requirement for Archaeological Investigation to be agreed and implemented.

12. The applicant/developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as a result of construction traffic leaving the site. Prior to the commencement of the development, the details of these measures, including type, method of operation and control of use, shall be submitted in writing to the Local Planning Authority for their written approval.

13. Surface water Drainage proposals including SuDS provision, specification, siting, maintenance scheme to be agreed and implemented. The submitted details shall take account of the following design principles:
   a) The vertical alignment of the proposed access road (taken from Church Road) shall be designed and constructed so that the access road does not provide an overland flow route through the site.
   b) During the detailed design stage, the vertical alignment of the proposed access road adjacent to plot 4, 5, 6 and 7 shall be designed and constructed so that any residual risk posed by overland flood flows through the site will be appropriately mitigated.

14. The development hereby permitted shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
   Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

15. Construction Method and Management Plan/Statement including dust suppression measures, construction phasing plan, HGV routing plans,
restrictions on HGV movements, and details to prevent mud/debris on the public highway.

16. Tree/hedge protection measures to be agreed and implemented.

17. Development shall not commence between 1 March and 31 August inclusive (including ground clearance and any vegetation removal) unless a competent ecologist has checked the site for active birds nests.

18. The development hereby permitted shall be carried out in accordance with the recommendations in relation to nesting birds contained in section 5 of the Extended Phase 1 Ecological Survey report by Ruskins, received by the Local Planning Authority on 05.06.2015.
Reason: In order to ensure that protected species are not harmed by the development.

19. Prior to the commencement of the development hereby approved, details of biodiversity enhancement measures relevant to bats, hedgehog and nesting birds shall be submitted to and agreed in writing with the Local Planning Authority. The measure shall thereafter be implemented as approved, unless otherwise agreed in writing with the Local Planning Authority.
Reason: In order to enhance the nature conservation value of the site.

20. Ground contamination - site characterisation

21. Ground contamination - Remediation Scheme

22. Ground Contamination – Validation

23. Ground Contamination – Unexpected

Pre-occupancy Conditions

24. The access to the site shall not be constructed in such a manner as to reduce the effective capacity of any drain or ditch within the limits of the public highway.

25. Provision of water butts

26. Provision of wheelie bins

Notes:

1. Duty to cooperate
2. Read in accordance with associated legal agreement
3. Native planting
4. Condition numbers 4 and 15 above require works to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must enter into a Highway Works Agreement with the Highway Authority under the provisions of Section 184 of the Highways Act 1980. Application to enter into such an agreement should be made to the Planning & Development Group, Communities Group, Warwickshire County Council, Shire Hall, Warwick, CV34 4SX.
In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice. Before commencing any Highway works the applicant /
developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Applications should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less ten days, notice will be required. For works lasting longer than 10 days, three month’s notice will be required.

5. Pursuant to Section 149 and 151 of the Highways Act 1980, the applicant/developer must take all necessary action to ensure that mud or other extraneous material is not carried out of the site and deposited on the public highway. Should such deposits occur, it is the applicant's/developer's responsibility to ensure that all reasonable steps (e.g. street sweeping) are taken to maintain the roads in the vicinity of the site to a satisfactory level of cleanliness.

ROBERT WEEKS
HEAD OF ENVIRONMENT AND PLANNING