

# Land off Coventry Road, Long Lawford

## Planning Statement & Draft Section 106 Heads of Terms

Prepared on behalf of  
**Bloor Homes Limited**

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304 PS FINAL 160118

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# 1 INTRODUCTION

- 1.1.1 This Planning Statement has been prepared in support of a full planning application by Bloor Homes Limited for the development of 153 residential dwellings and associated public open space and infrastructure on land off Coventry Road, Long Lawford.
- 1.1.2 Pre-application consultation has been carried out, notably with Rugby Borough Council (RBC), to inform the scheme proposals and preparation of the application submission package. Other key stakeholders including Warwickshire County Council were consulted and the key findings from this exercise are set out in the Statement of Community Involvement that also accompanies the planning application.
- 1.1.3 In addition to the standard forms, notices and plans, the planning application is accompanied by the following key documents:
- Design and Access Statement incorporating Involvement and Sustainability Statements;
  - Transport Assessment;
  - Flood Risk Assessment incorporating Drainage Strategy;
  - Phase 1 Extended Habitat Survey, Bat Activity Survey, Reptile Survey and correspondence regarding habitat suitability for Great Crested Newt;
  - Arboricultural Impact Assessment;
  - Air Quality Assessment;
  - Noise Assessment;
  - Geophysical Survey Report; and
  - Historic Environment Desk-Based Assessment (final Archaeological Investigations Report to follow).
- 1.1.4 The development proposals have been evolved through an iterative masterplanning exercise that has taken into account the requirements of these technical and environmental assessments and the consultation undertaken, as well as best urban and landscape design practice. The Design and Access Statement (DAS) that accompanies the application sets out a detailed description of the site evaluation and evolution of the development proposals to reflect that. It also incorporates a detailed explanation and illustrations of the design principles applied to the scheme to demonstrate how the scheme can provide a high quality development that is sensitive to its context.
- 1.1.5 The purpose of this Planning Statement is to outline the national and local planning context for the determination of the planning application and assess how the development proposals respond to relevant policies. The Statement continues to establish why the proposals represent sustainable development under the terms of the NPPF, and set out the potential Heads of Terms for the Section 106 Agreement, before finally drawing an overall conclusion in respect of the acceptability of the development proposals.

## **2 THE SITE AND DEVELOPMENT PROPOSALS**

### **2.1 SITE & CONTEXT DESCRIPTION**

- 2.1.1 The application site comprises circa 6.8ha of land lying immediately north of Coventry Road adjoining the southern-most boundary of the village of Long Lawford, Warwickshire. The site comprises farmed agricultural land that is bounded by a mix of hedgerows and trees. The A428 Coventry Road provides the boundary to the south of the site, with Back Lane adjoining the eastern boundary. Residential development currently under construction by the applicant adjoins the northern boundary and the back gardens of existing dwellings adjoin the western boundary. Agricultural fields extend south of the site, south of the A428 Coventry Road, similarly bounded by hedgerows and trees.
- 2.1.2 The southern boundary of the application site forms the amended southern edge of the formal village boundary as proposed in the Publication Local Plan for the Borough that is to be examined shortly prior to adoption. This also proposes an amendment to the Green Belt boundary, which includes the removal of the application site, and its designation for residential development, as described fully in Section 3 below.
- 2.1.3 Two existing public rights of way (footpaths) cross the site from the development to the north of the site, running north to south across the site and linking to the existing footway along Coventry Road. The eastern-most footpath (R125) continues southwards of the Coventry Road.
- 2.1.4 The site boundary is, for the most part, clearly defined by a mix of trees and hedgerows. Similarly the site is sub-divided internally by hedgerows, one of which follows an existing drainage culvert that runs from south to north. Views of the site from main roads and public rights of way are limited from the north due to the denser planting along the northern boundary and development to the north. From the south, views are generally restricted to those gained from the A428 Coventry Road, with any views beyond that restricted by planting and the raised topography to the south.
- 2.1.5 To the north, beyond the residential development on the northern side of Back Lane, is the West Coast Mainline railway track, which is set into a cutting and crossed by pedestrians and vehicles via a road bridge at the northern end of Back Lane and via Chapel Street to the west of the site, which continues to run north from The Green. Highway improvements along Back Lane are to be implemented in conjunction with earlier planning permissions for development north of the application site.
- 2.1.6 The centre of Long Lawford village lies to the north of this mainline railway track, with the historic village core located predominantly along Main Street. The village has a number of facilities including a Co-op general store incorporating a Post Office, an independent general store, a primary school, local pubs, takeaway food shops, a hairdressing salon, Memorial Hall and the Royal British Legion club.
- 2.1.7 The site contains no statutory designated land or structures in respect of ecology, heritage or landscape, given the proposed allocation of the site through the Publication Local Plan (as described in full in Section 3 below). However, land south of the A428 Coventry Road is designated Green Belt. A desktop examination of the setting of cultural heritage assets is included within the application documents and indicates that there are a number of designated heritage assets within the vicinity of the application site, most notably including the Grade II listed Avon Lodge to the south east of the site.

## **2.2 THE PROPOSAL**

- 2.2.1 The planning application seeks full planning consent for 153 residential dwellings with associated infrastructure, including highway and pedestrian access and landscaping. It is proposed that 25% of the total dwellings proposed will be offered as affordable homes, subject to a viability assessment of the development that will be considered as part of the full planning application and as summarised further in Section 4 of this statement.
- 2.2.2 The development comprises a mix of dwelling types and sizes including one, two, three and four bedroom semi detached and detached houses. The development proposes predominantly two storey dwellings, but includes a number of bungalows proposed along the western boundary, adjacent to existing residential properties and to reduce the extent of built form evident in closest proximity to the Grade II listed Avon Lodge. A few two and half storey dwellings are proposed to create focal points that add interest and variation in scale in key locations through the site.
- 2.2.3 Vehicle access is to be provided off a modified junction between Coventry Road and Back Lane, creating an entrance to the site along the eastern boundary of the site. Closure of the existing junction at the southern end of Back Lane is proposed and enhanced by the creation of an area of landscaped open space. A secondary access is proposed via the existing development to the north. It is intended that all internal roads will be constructed to an adoptable standard with footpaths to provide pedestrian access.
- 2.2.4 Both public footpaths will be retained within the site along their existing alignment, linking at the southern boundary of the site to the existing footpath that runs along the north side of Coventry Road.
- 2.2.5 Pedestrian access to and from the site is integrated with these existing footpaths and provided in conjunction with the new junction and site access proposed the connects to the Coventry Road and Back Lane.
- 2.2.6 The scheme proposes to retain and enhance the existing planting along the site boundary to maximise existing natural features and defines the new settlement edge, as proposed within the Publication Local Plan. This includes new hedgerow planting along the site frontage to mitigate those areas of existing hedgerow to be removed in conjunction with the proposed new access. It also includes additional tree planting along this boundary and within public open spaces to enhance both the landscape and ecological value of the site.
- 2.2.7 The Design and Access Statement provides a detailed description of the design and layout of the scheme, and how this is integrated with access, demonstrating how the scheme will provide a high quality development sensitive to its context.

### **3 PLANNING POLICY CONTEXT**

#### **3.1 OVERVIEW**

- 3.1.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 require that planning applications must accord with the provisions of the adopted Development Plan, unless material considerations indicate otherwise. This Planning Statement therefore, considers the application proposals in light of the relevant planning policy context and any other relevant material considerations.
- 3.1.2 This requirement is emphasised in the National Planning Policy Framework (NPPF) that was published by the Department for Communities and Local Government in March 2012 (paragraphs 2 & 12). The NPPF is the most recent statement of the Government's planning policy, and paragraphs 2 and 11 confirm that it is itself a material consideration in the determination of planning applications. Moreover, the NPPF is underpinned by the presumption in favour of sustainable development (paragraph 14) and core planning principles (paragraph 17) that require the Borough Council to identify and then meet the development needs of the area.
- 3.1.3 In this regard, the NPPF requires the system to be genuinely plan-led to provide a framework within which decisions on planning applications can be made with a high degree of predictability and efficiency, but critically requires those plans to be kept up-to-date. It also requires the system to proactively drive and support sustainable economic development to deliver the development that the country needs: *“Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth”*.

#### **3.2 DEVELOPMENT PLAN STATUS**

- 3.2.1 The Development Plan for Rugby Borough currently comprises the Core Strategy (RBCS) adopted in June 2011, which sets out the vision and spatial planning framework for the Borough for the period to 2026, and a number of saved policies from the Rugby Borough Local Plan 2006 (SLP).
- 3.2.2 As the RBCS was prepared and adopted in advance of the NPPF, it does not reflect the focus on housing delivery that is central to it; notably the requirement (paragraph 47) to meet *“the full, objectively assessed needs for market and affordable housing in the housing market area”*. The Strategic Development Target for housing development identified within the RBCS (page 9) of 10,800 dwellings for the plan period reflects the population and household estimates and affordability within the Borough, based upon a Strategic Housing Land Availability Assessment (SHLAA) undertaken in 2009 and allocates land for housing accordingly. The RBCS cannot, therefore, be considered to be NPPF compliant and is significantly “out-of-date” in terms of paragraph 14 of the NPPF.
- 3.2.3 RBC has subsequently prepared a new Local Plan for the Borough that seeks to provide a framework to manage change and growth across the Borough until 2031, including through the allocation of sites for housing development. In contrast, this Publication Local Plan (PLP) clearly seeks to ensure that it addresses the full, objectively assessed needs of the housing market area, including the significant unmet needs of adjacent authorities such as Coventry in accordance with the Duty to Cooperate.

- 3.2.4 In doing so, the PLP identifies a greater housing requirement that can only be met through the allocation of additional land for housing beyond that allocated within the RBCS, and requiring the release of some areas of Green Belt land and extension of settlement boundaries.
- 3.2.5 The PLP has been submitted to the Secretary of State for independent examination and the policies and proposals of the PLP are material considerations. The weight to be applied to the policies depends on how far they have progressed through the statutory process. Examination hearings will take place in January 2018 to consider whether the plan is sound, with a view to adoption later in the year. Significantly the PLP encompasses proposed changes to the Green Belt boundaries within the Borough that reflect the Coventry & Warwickshire Joint Green Belt Review (December 2015), which includes the exclusion of the application site from the Green Belt and the proposed village boundary amended accordingly.
- 3.2.6 Once adopted, the PLP will replace the Core Strategy and the policies saved from the Rugby Borough Local Plan 2006. On this basis it is considered that significant weight should be given to the policies within the PLP and, in particular, their relevance to the delivery of housing in this location to meet the objectively assessed housing needs in accordance with the NPPF and relevant National Planning Practice Guidance.
- 3.2.7 Given the relevance of policies contained within the PLP to the application proposals and the anticipated examination and adoption of the document during the determination period for this application, the planning context for the development is considered with an emphasis on the submission PLP policies.

### **3.3 PLANNING POLICY SUMMARY**

- 3.3.1 National and local policies and adopted guidance relevant to the application site and proposals are summarised at Appendix A (as attached). These seek to guide sustainable development and provide a development strategy for the Borough and specifically for housing. In this regard, there are a number of PLP policies that are of particular relevance to the principle of housing development within the application site, notably:
- 3.3.2 **PLP Policy GP2: Settlement Hierarchy** – confirms Long Lawford as a Main Rural Settlement (MRS) within the settlement hierarchy. The policy highlights the role of MRSs to support the sustainability and maintenance of existing services by enabling development that will support the local community. This reflects a sufficient level of services, or access to services, provided in MRSs to allow for development within the existing settlement boundaries. As such there is no threshold on the size of sites that come forward within their settlement boundaries
- 3.3.3 **PLP Policy DS3: Residential Allocations** – identifies sites suitable for residential development, including the application site (Site Reference DS3.8) and refers to development of up to 100 dwellings.
- 3.3.4 **PLP Policy DS6: Rural Allocations** – relates to specific allocated sites under PLP Policy DS3 (including the application site DS3.8) and requires proposals for rural housing to consider:
- The appropriate treatment of Green Belt boundaries, where relevant, limiting the impact of the development on the Green Belt;
  - Density of development sympathetic to the settlement to which it will extend;

- The provisions of any relevant Neighbourhood Plans in place, or extensive community engagement during the development of proposals where no Neighbourhood Plan is in place;
  - Provision, where opportunities are present, of links to existing pedestrian and cycle paths with the adjacent settlement;
  - Provision, where opportunities are present, for a comprehensive onsite Green Infrastructure Network, utilising existing habitats, where possible linking to adjacent networks;
  - Provision of and/or contribution to community facilities such as schools, community buildings and sports facilities; and
  - Provision and/or improvement to telecommunications infrastructure, including broadband and mobile telephone services.
- 3.3.5 In allocating the application site for development, supporting evidence to the PLP (Addendum to the Site Allocations Development Pack for Long Lawford) specifically confirms that Site Ref. S16304, which includes the application site and adjacent land that has residential planning permission, is suitable for removal from the Green Belt and notes that further assessment of the site with regard to its potential local wildlife site (LWS) status and the resulting impact this has on the landscape sensitivity confirmed that it is not be suitable for designation as a local wildlife site due to limited meadowland biodiversity value remaining on the site. The area has, therefore, been updated to remove its potential LWS status.
- 3.3.6 The remaining policies contained within the summary at Appendix A seek to guide the appropriate assessment of the site and proposals to ensure that the development meets the social, environmental and economic needs of the Borough.
- 3.3.7 Given the planning policy context outlined above, Sections 4 and 5 of this statement consider the principle, scope and design of the development with a particular emphasis on meeting the requirements of the NPPF and those policies set out within the PLP.

## 4 THE PRINCIPLE OF DEVELOPMENT

### 4.1 DEVELOPMENT STRATEGY

#### **Spatial Strategy**

- 4.1.1 The proposed development accords with the spatial strategy proposed by PLP Policy GP2 in seeking to direct development in accordance with the settlement hierarchy. As a Main Rural Settlement (MRS), Long Lawford is considered to have a sufficient level of services, or access to services to enable it to support sustainable development, and is geographically well located to Rugby town centre and the higher level facilities and services provided within it.
- 4.1.2 As noted in paragraph 3.16, Policy GP2 provides a clear sequential approach to the selection of sustainable locations for development and takes into account the overarching spatial vision and objectives for housing, and recognises the important role that the sustainable growth of MRSs will have in meeting the housing needs of the rural population and in supporting rural infrastructure and services. The spatial vision also proposes *“infrastructure to support growth will be phased into developments in such a way to ensure impacts are properly mitigated.”*
- 4.1.3 Similarly the spatial objectives (paragraph 2.23) reinforce the role that appropriate amounts of development in MRSs plays in bolstering their role as local service centres, supporting affordable housing provision in rural areas, whilst seeking to maintain a focus on environmental enhancement and sustainable design. As noted in paragraph 3.3.4 above, the potential biodiversity sensitivity to development of this site has been considered through the preparation of the PLP, with the site being declassified as a potential Local Wildlife Site, and has been confirmed by RBC as acceptable.

#### **Development Location**

- 4.1.4 The Village Inset Map for Long Lawford that supports the RBCS currently identifies the application site as lying within Green Belt, beyond the settlement boundary. However, the PLP specifically seeks to allocate the application site for residential development, thereby excluding it from the Green Belt and incorporating it within the proposed village boundary (as identified by PLP Inset Map 20).
- 4.1.5 As described in Section 2, land immediately to the north, east and west of the application site is already developed for predominantly residential use, with the A428 Coventry Road effectively containing the site along its southern boundary. These factors significantly reduce the relevance of the site in meeting the five core purposes of the Green Belt, as assessed in Joint Green Belt Review – Stage 1 Final Report (25 June 2015) on behalf of six West Midland councils including Rugby Borough Council (RBC).
- 4.1.6 Notably the report assesses the application site (referred to as Site LL2) and confirms (paragraph 4.28) that although it contains no built development, the site makes a less significant contribution to Green Belt purposes primary due to the development that has occurred along Coventry Road to the east and west of the parcel, *“limiting the role that the land plays in inhibiting ribbon development and maintaining the gap between Rugby and Long Lawford”*. Furthermore, it considers Coventry Road to be a significant boundary to the site and acknowledges the lack of intervisibility with Rugby’s historic core.

- 4.1.7 As one of the lowest performing parcels of Green Belt considered as part of the joint study, the report proposes (paragraphs 5.8 and 5.9) that Site LL2 be considered for removal from the Green Belt and that development in such locations “*would effectively be considered as ‘infill and would be well contained by existing significant features and the landscape’*”.
- 4.1.8 In identifying and allocating the site for housing development, RBC has fully considered its sensitivity with regard to the Green Belt and local landscape character. This is summarised in an Addendum to the Site Allocations Development Pack (June 2016), which concludes that the site is considered to no longer fulfil its role as Green Belt and is appropriate for development dependent on provision of a landscape buffer along Coventry Road. The Addendum also notes that RBC requested that the Habitat Biodiversity Audit Team at Warwickshire County Council (WCC) undertook a further assessment of land including the application site and confirms that following this “*the site was adjudged to not be suitable for designation as a local wildlife site due to limited meadowland biodiversity value remaining on this site (this also includes a parcel of land adjacent to S16034 which currently has a residential planning permission) and the area has therefore been updated to remove its potential LWS status.*”
- 4.1.9 This approach accords with the conclusions of the Joint Green Belt Review, which proposes that local authorities should seek to minimise any harm to the remainder of the Green Belt by indicating the type of development (in terms of height and density) that would be acceptable in these locations. This is considered in Section 5 below.
- 4.1.10 Both the RBCS and PLP identify Long Lawford as a Main Rural Settlement within the settlement hierarchy for the Borough (Policies CS1 and GP2 respectively). As such, the village is considered capable of meeting some housing development needs, with specific emphasis placed upon the need for development to take place within the defined village boundary.
- 4.1.11 Given the proposed allocation of the site for development under PLP Policy DS3 (and specifically Site DS3.8 – Land North of Coventry Road, Long Lawford) and, thereby, its proposed removal from the Green Belt and inclusion within the settlement boundary, PLP Policy GP2 underpins the suitability of the application site as an appropriate location for residential development.
- 4.1.12 On this basis, the proposed location is considered acceptable for residential development and the application should, therefore, be considered against the acceptability of the proposals in meeting other policies within the Development Plan and any other material considerations.

## **4.2 HOUSING NEED**

### **Context**

- 4.2.1 The PLP identifies a housing requirement for the plan period (2011-2031) of 12,400 dwellings, drawing upon the findings of the Updated Assessment of Housing Need: Coventry-Warwickshire HMA (September 2015). This identifies the Borough’s Objectively Assessed Housing Need (OAHN) as 480 dwellings per annum, equating to 9,600 dwelling over the plan period. In addition it proposes a further 2,800 dwellings are provided towards meeting Coventry’s unmet housing needs, equating to circa 620 dwellings per annum post PLP adoption (at that time assumed to take place in 2017).

- 4.2.2 In seeking to identify adequate land within the Borough to deliver housing growth to meet the identified need, the application site has been identified by RBC as having potential for housing development. Notably, Policy PLP DS3 identifies the site (Residential Allocation Site DS3.8) as one of nine sites within Main Rural Settlements that are currently located in the Green Belt; the application site being proposed to provide up to 100 dwellings, being one of three sites identified to provide the largest quantum of housing development under the policy within an MRS. The supporting text (paragraph 4.31) confirms the need to alter the settlement boundary to allow these settlements to play a supplementary role to Rugby town in helping to deliver the strategic growth targets for the Borough, and affirms the careful consideration that has been given to the release of Green Belt land and limit impact by selecting the most sustainable development sites.
- 4.2.3 The PLP and supporting evidence base, including the Housing Delivery Study: Key Findings (October 2015) acknowledge the reliance within the RBCS on two key strategic urban extensions in order to boost housing delivery in the Borough and the complexity of bringing such large sites forward. Indeed, whilst these development are progressing, their rate of delivery has not been as fast as originally anticipated and the Housing Delivery Study clearly emphasises the need to broaden the range of market segments and locations which deliver housing to achieve the level of growth proposed within the PLP.
- 4.2.4 The September 2016 Update of the Strategic Housing Land Availability Assessment (SHLAA) for the Borough includes the application site (Site Ref. S16034) and confirms it as being suitable and deliverable for residential development within Years 1-5. Indeed the Red/Amber/Green (RAG) Site Assessment that was subsequently updated in 2017 (Appendix 2 of the SHLAA Addendum July 2017) reiterates the conclusions of the Green Belt Review, confirming that the site no longer meets the five purposes of including land within the Green Belt and categorises a number of matters as 'amber', i.e. development having some impact and requiring appropriate consideration, but for which the associated mitigation is more likely to be achievable. These include matters typical of the sensitivity of developing a greenfield site, such as ecology, natural features, and access, which are considered in more detail in Section 5 below.
- 4.2.5 In the assessment summary for all identified sites, the SHLAA applies an average net development area and development density relevant to the size of the site and its urban or rural location to identify each site's capacity. On this basis, it indicates that the application site has the capacity to provide around 158 dwellings based upon a relatively low development density of 33 dwellings per hectare (dph).

#### **SHMA**

- 4.2.6 The Strategic Housing Market Assessment (SHMA) 2013 and subsequent updates form an important part of the evidence base to support proposed policies within the PLP. Indeed PLP Policies H1 and H2 make specific reference to the need to have regard to the SHMA (or relevant update) in determining the housing mix for all development, and make specific recommendations on the proportion of market and affordable dwelling sizes that should be provided as part of housing proposals.
- 4.2.7 Where developments propose a non-compliant housing mix, both policies require justification to be provided for the alternative approach taken. In this regard the SHMA cannot be taken in isolation to define housing mix. Indeed all development must address the broader physical and planning policy constraints to ensure that it makes the most efficient use of land and provides the most sustainable form of development. Development viability and the expectations of affordable housing providers will also influence the approach to housing mix.

- 4.2.8 In terms of the application site, the location of development and size of the site is significant to the proposed housing mix. The layout proposes a slightly higher density of development to that within the adjacent housing development to the north, being circa 37dph compared to 32dph respectively. In doing so, the housing mix takes into account the suggested SHMA mix for both affordable and market housing, as well as the scale of dwellings proposed in relation to adjoining residential properties to the north and west, the proximity of development to the Coventry Road, and the relationship the site has with the amended Green Belt boundary to the south. In doing so, a balanced approach has been taken to the proposed housing mix that provides a broad mix of housetypes and sizes, that reflects the physical site context and the delivery expectations of this location, as detailed further in Section 5 below.

#### **Five Year Housing Land Supply**

- 4.2.9 Prior to the PLP, RBC's Assessment of 5 Year Land Supply (December 2016) stated that a total of 5,523 dwellings were completed in the Borough between 2006 and 2015/16. The assessment confirms that whilst there had been a peak in housing completions in 2006-07, under delivery in the subsequent 8 years indicates that a 20% buffer should be applied. As such the five year requirement from 2016/17 equated to 3,169 dwellings, with an annualised requirement of 634 dwellings.
- 4.2.10 In considering the availability of land to provide a five year supply from 2015/16, the trajectory included within the December 2016 statement indicates a shortfall of some 775 dwellings, with the Council only able to demonstrate 3.78 years land supply. Moreover, this relies heavily on the timely delivery of dwellings within the larger SUEs within the Borough, with many phases of these developments only benefitting from outline planning permission.
- 4.2.11 The PLP seeks to address this shortfall by allocating further housing land, including the application site, and Appendix 2 provides an updated draft housing trajectory that proposes these additional allocations will meet the shortfall in provision to date and the five year housing land supply requirement going forward (post adoption). Notably the trajectory proposes the application site can deliver housing within the immediate five year period, with delivery commencing in 2018-19.
- 4.2.12 It is, therefore, considered appropriate that the application site is brought forward now to secure much needed housing for the Borough and help to secure the five year housing land supply. As the application site has already been identified within the housing trajectory (PLP Appendix 2), its development can clearly be achieved without any impact on the primary development strategy of delivering the highest proportion of development within the urban area.

#### **Delivery**

- 4.2.13 The application site (save for land within the adopted highway that has been included in the application boundary) is in the control of the applicants and the site is therefore available now for immediate development. Moreover, the applicants are Midlands-based housebuilders, without funding or capacity constraints and who have been active in the County for many years. Should the site receive the benefit of planning permission it will be immediately included in their build programme, and they will seek to bring the site forward as quickly as possible.

- 4.2.14 The potential development capacity of the site has been thoroughly tested in conjunction with the preparation of this application and the proposed development is considered to appropriately reflect the surrounding context. In particular it proposes a mix of 1 to 4 bedroom dwellings that are detached, semi-detached and terraced in terms of their layout. Whilst the density of development is slightly higher (at just over 37dph) compared to the RAG Assessment of 33dph, the number of dwellings proposed is slightly less. Similarly, whilst the density is slightly higher than that immediately north of the application site, this reflects a higher proportion of 2 and 3 bedroom dwellings and lower proportion of 4 bedroom dwellings proposed by the current application compared to that being developed immediately north of the site. This approach is considered in more detail in Section 5 and is considered appropriate to the location and deliverable based upon the comprehensive detailed design exercise that has been undertaken to inform the proposals now submitted.
- 4.2.15 The application site can, therefore, be considered to be both available and achievable, and will make a valuable contribution towards remedying the shortfall in housing land provision previously identified within the Borough, with the potential to deliver housing early in the PLP plan period.

#### **Affordable Housing**

- 4.2.16 As set out above, a viability assessment of the development is to be carried out and will be reviewed in full during the determination of the application. It is acknowledged that there is an identified need for affordable homes within the Borough and based upon preliminary viability work, it is proposed that the application site could provide 38 affordable homes (25% of the total dwellings proposed) to contribute to meeting these local needs.
- 4.2.17 This is slightly below the identified target of 30% sought under PLP Policy H2 for green field sites, but the contribution this will provide to affordable housing provision within this rural location should be given appropriate weight in the determination of this application.

### **4.3 CONCLUSION**

- 4.3.1 The NPPF is clear in the emphasis it gives to delivering the homes required to meet identified general and affordable housing needs as a critical element of the golden thread of sustainable development, particularly in terms of making social progress. The evidence base that supports the PLP and proposed allocation of the application site for housing and removal from the Green Belt clearly supports the development of this site.
- 4.3.2 The proposed development of 153 new dwellings on the application site would make a valuable contribution towards meeting the identified housing needs in a manner that accords with the PLP's development strategy that recognises the important role of the Main Rural Settlements in the Borough as sustainable locations for future development growth.

## **5 COMPLIANCE WITH OTHER POLICY & GUIDANCE**

### **5.1 SITE APPRAISAL**

- 5.1.1 To inform the preparation of the development proposals, a number of environmental and technical assessments were undertaken. The findings can be summarised as follows:

#### **Ecology**

- 5.1.2 An Extended Phase 1 Habitat Survey of the site was undertaken by James Blake Associates in April 2017. The survey confirms there are no statutory designated sites of nature conservation value within 2km of the site and no SACs, SPAs or Ramsar sites within 7km of the site. The survey also identifies 19 non-statutory conservation sites within 2km of the site, 7 of which are Local Wildlife Sites (LWS) and all others are potential LWS within the same distance.
- 5.1.3 The survey report (dated November 2017) notes that the site was considered to be a potential LWS in 2016, but has since been considered to have no designation to the site.
- 5.1.4 The desk study and field survey assessed the presence and potential for protected species and habitats. In particular it identified a number of mature and semi-mature trees considered to have bat roost potential. A bat activity survey (including climb and inspect results) has also been carried out and the findings summarised in the submitted report (Rev A - December 2017). This identified foraging bats around the site, with hedgerows used as commuting routes, which could suggest nearby roosts for some species, with the climbing survey of trees confirming that there are no bat roosts within the site itself.
- 5.1.5 The survey identified that grassland and hedgerows within the site provided moderate quality habitat for reptiles and recommends additional presence surveys are carried out. These will be complete between April and September.
- 5.1.6 The survey also identified suitable habitat within the site for great crested newts. Whilst the original report recommended that eDNA surveys are carried out on all ponds on and within 500m of the site in order to reassess any presence, subsequent consideration of the suitability of relevant ponds and the recent neighbouring development is considered to limit their movement to and from the site, and pond surveys on land to the north had found no great crested newts (JBA letter dated 6<sup>th</sup> October 2017). As such no further survey is proposed.
- 5.1.7 A reptile survey of the site recorded no reptile species using the site and no further survey is proposed.
- 5.1.8 The submitted survey reports recommend a number of enhancement measures, including the retention and enhancement of key landscape features as part of the proposals.
- 5.1.9 The approach to site assessment, retention of existing landscape features and proposed landscape enhancement through replanting and creation of additional habitats through the landscape scheme and in conjunction with the SUDS on site accords with the key objectives of the PLP (notably Policies NE1, NE2 and NE4) in seeking to protect and enhance the ecological and biodiversity value of the site.

### **Trees & Hedgerows**

- 5.1.10 James Blake Associates has also carried out a tree survey and prepared an Arboricultural Impact Assessment (AIA) dated December 2017 in accordance with British Standard 5837: Recommendations (2012). The survey includes all existing trees within the site and those located close to it to assess their condition, identify any arboricultural works and their suitability for retention as part of the proposed development.
- 5.1.11 The survey highlights that of the 28 survey entries there are no Category A trees within the site, 7 were considered to be Category B (of moderate quality and value), 20 Category C (low quality and value) and 1 Cat U (poor quality). The age class of trees and hedgerows surveyed is predominantly semi mature (16 entries), with 9 identified as early mature and 3 mature.
- 5.1.12 The survey also considers the condition of the hedgerows along the boundary of the application site, with the most prominent along the southern boundary (H26) in fair condition and comprising a mix of Ash, Hawthorn, Blackthorn and English Elm.
- 5.1.13 In order to implement the proposed development, the AIA confirms it will be necessary to remove 1 tree of moderate quality and value (T1 – a mature Ash) to accommodate the site access. Removal of 4 trees (T15, T16, T19 & T27), plus sections of low quality hedgerows and tree groups will also be required, including tree groups (G4, all of G14 & G21) and hedgerows (H6, H26 & H28).
- 5.1.14 In response to the arboricultural survey, the AIA also confirms the position and extent of tree protection, and identifies specific works that should be overseen by an arboricultural consultant and limited areas requiring a no dig construction where this encroaches on the Root Protection Area (RPAs).
- 5.1.15 The report concludes that the development provides an opportunity to undertaken management that will benefit some trees across the site and replacement tree planting will ensure a thriving tree stock on site. A detailed Arboricultural Method Statement would be provided post determination.

### **Cultural Heritage**

- 5.1.16 A Geophysical Survey was commissioned by Nexus Heritage to determine the likelihood for buried structures of archaeological interest. The findings of the survey undertaken in early 2017 also make reference to the previous work undertaken on land to the north of the application site to further support the assessment.
- 5.1.17 Nexus Heritage also carried out a desk-based assessment (DBA) of the historic environment, including a review of relevant archaeological investigations, including trial trenching, within the site by Cotswold Archaeology and the setting of any cultural heritage assets that might be affected by the proposed development and the findings are summarised in the submitted DBA report. This report confirms that the site contains evidence of medieval period agricultural activity characterised as ridge and furrow cultivation and also identifies three listed buildings within the assessment area. Having examined the archaeological, historic, architectural and artistic interests and the value of the heritage assets to this and future generations, the report concludes that the known and suspected heritage assets on the site are of Local Significance. The report confirms that the ridge and furrow earthworks are a non-designated heritage asset covering a small area of the site and is not, therefore, considered to compromise development.

- 5.1.18 Whilst the development would result in the loss of this asset, due to the commonality of ridge and furrow in the county, their loss is considered acceptable when weighed against the delivery of housing, and proposed mitigation for the loss is proposed through the recording of the earthworks through photographic record and earthwork survey, to advance the understanding of the significance of this asset.
- 5.1.19 Three Grade II Listed Buildings have been identified within the assessment area and are noted to be of National Significance. Of these, Avon Lodge is situated beyond the south-western boundary of the site, to the south of Coventry Road. The assessment confirms that whilst the building has some aesthetic value and its represents a historical touch point with the rural character of Long Lawford, the extensive residential development and presence of the busy A428 Coventry Road and substantial screening by trees and hedgerows, denigrates the contribution of setting to its significance.
- 5.1.20 The sensitivity of this heritage asset has been sensitively considered as part of the proposals and the layout proposes to include bungalows and proposes larger dwellings are set back from the south-western site boundary with intervening public open space, and maintaining and enhancing boundary planting in this location.
- 5.1.21 As such, the information provided in conjunction with the application and the proposed scheme accord with PLP Policy SDC3 in identifying all relevant heritage assets and the potential impact upon them as a result of the development, and proposes to minimise that impact through an appropriate layout.

#### **Ground Conditions**

- 5.1.22 A Geophysical Survey Report is submitted with the application that was commissioned by Nexus Heritage to assess the potential for buried structures.
- 5.1.23 The report summarises the background information provided in the previous assessment of land to the north of the application site (undertaken in 2012-13) and confirms the overall ground environment within site to include slowly permeable seasonally wet soils, with variations in the superficial geology as to sand, gravel, silt and clay content, with a bedrock of Rugby Limestone. Hydrology across the site is natural with two locally and seasonally wet areas. The findings of this assessment and knowledge of the construction requirements for land immediately adjacent to the application site have been used to inform the most suitable methods of design and construction and the overall drainage strategy.

#### **Flood Risk**

- 5.1.24 Travis Baker has undertaken a Flood Risk Assessment (FRA) in respect of the detailed development proposals.
- 5.1.25 The site lies within the Environment Agency (EA) Flood zone 1, indicating no risk of flooding during a 0.1% flood probability event from Main Rivers. However, there is a minor watercourse that passes through the area and this is to be retained as part of the proposed development. The FRA therefore considers the flooding characteristics of this and considers the incorporation of sustainable urban drainage measures and flow attenuation in relation to the proposed development.
- 5.1.26 Based upon the assessed flow rates for surface water and foul water outlined within the FRA, a drainage strategy has been prepared for the proposed development, as described more fully in Section 6 below.

- 5.1.27 In summary, the FRA demonstrates that through the incorporation of attenuation basins / ponds, there is adequate capacity to convey flows along the minor watercourse without out of bank flow occurring and any flooding from the piped drainage systems under critical storm events will be routed away from dwellings. The report indicates that in extreme flood conditions the water levels associated with the watercourse will reach 86.9m and proposes a minimum finished floor level of 600mm above this.
- 5.1.28 This approach fully accords with the objectives set out in PLP Policies SDC5 and SDC6 in directing new development to areas at lowest risk of flooding and proposing the incorporation of SUDS measures as an integral part of the drainage strategy

### **Transport**

- 5.1.29 Travis Baker has prepared a Transport Assessment (TA). The scope of the report has been prepared in consultation with WCC Highways and the structure reflects relevant national and local policies and guidance. The findings of the assessment have informed the scheme design and associated measures required to support the development of the site.
- 5.1.30 With regard to the location of site, Long Lawford is within 2 miles of Rugby Town Centre, which already serves as a core service centre for the village, containing high order community facilities and retail services. The application site is therefore well located in terms of its proximity and accessibility to the employment opportunities that exist within the Rugby. This provides the opportunity for future residents of the proposed development to live and work in close proximity.
- 5.1.31 The A428 Coventry Road is a key public transport corridor with regular and direct bus services to Rugby and Coventry, and bus stops are located close to the application site along Back Lane and Coventry Road. The site also benefits from good local pedestrian and cycle connections that are integral to the proposed layout of development.
- 5.1.32 A review of existing highway conditions, has identified the A428/Back Lane/Bilton Lane junction as a cluster site and would be the location that would be used by a significant proportion of development traffic. The development access scheme therefore includes the realignment of Back Lane to create a left-right staggered junction at this location, replacing the existing cross-road junction. This highway scheme forms an integral part of the development proposals and is expected to significantly reduce the risk of accidents in the immediate vicinity. This approach has been accepted in principle by WCC's road safety team.
- 5.1.33 It is considered that subject to implementation of the access strategy to an agreed detailed design, the proposed development would not give rise to any significant increase in the risk of road traffic accidents in the local area.
- 5.1.34 To promote sustainable transport, New Resident Travel Packs will be provided for each dwelling. This and any associated measures will be included within a S106 Agreement related to the development as set out in Section 6 below.
- 5.1.35 A further detailed analysis using the Rugby Wide Area S-Paramics model is to be undertaken during the determination period for the application in consultation with WCC and will be reported as a supplement to the submitted TA. This seeks to reinforce the findings of the TA.

- 5.1.36 As such the assessment is considered to be in accordance with PLP Policies D1, D2 and D3 in providing the appropriate transport infrastructure to support the provision of housing in this location.

#### **Air Quality**

- 5.1.37 Air Quality Consultants Ltd have undertaken an assessment as required under PLP Policy HS5 to consider the potential air quality impacts associated with the proposed development, given that the site lies within an Air Quality Management Area (AQMA) for nitrogen dioxide as designated by RBC.
- 5.1.38 The assessment takes into account existing local air quality and the predicted air quality in the future (with and without the development), having regard to traffic-related impacts that have been informed by the Transport Assessment.
- 5.1.39 The findings of the report note there is currently good air quality at the proposed development site, with concentrations of pollutants below the air quality objectives. The impacts of traffic emissions associated with the development (focussing upon nitrogen dioxide and fine particulate matter) have been assessed. It is concluded that the operational impact of the development on local air quality is insignificant, based upon there being negligible impacts.

#### **Noise**

- 5.1.40 A Noise Assessment has been undertaken by Cole Jarman to establish existing external noise levels and to determine any mitigation measures that will need to be incorporated into the proposed scheme to achieve levels that meet the relevant standards and guidance to accord with the national and local planning policy.
- 5.1.41 The assessment included an unattended survey of existing external noise levels specifically relating to Coventry Road to the south of the site and Back Lane to the east, in order to establish noise levels inside new habitable rooms based on WHO guidelines and BS 8233:2014 (the design criteria as agreed with RBC).
- 5.1.42 It concludes that traffic noise associated with traffic along the Coventry Road would exceed levels and WHO criterion for specific dwellings along the southern edge of the development.
- 5.1.43 This can be mitigated by enhanced acoustic glazing provided for windows in specified façades as concluded in the report, with standard thermal double glazing provided elsewhere where a lower sound reduction performance is proposed.
- 5.1.44 The report also confirms that distance and screening losses offered by intervening buildings have been shown sufficient to achieve the criteria for external amenity areas in most of the proposed gardens. A 1.8m timber fence has been specified to the garden of the bungalow in the south-western corner of the site to achieve the relevant criteria.

#### **Summary**

- 5.1.45 The site appraisal has responded to the specific context of the application site, taking into account key factors that might affect development of the site. This reflects the general principles set out within the NPPF and PLP that seek to appropriately locate development and minimise any associated impact on the site, its surrounds and neighbouring uses. The appraisal has therefore directly confirmed that there are no significant constraints that prevent the site from being developed for the purpose proposed and has been used to inform the detailed design as outlined below.

## **5.2 DESIGN AND LAYOUT**

5.2.1 The proposals have been developed through a clear knowledge and understanding of the specific characteristics of this site, seeking to maximise the use of existing features and respect the local context within which the development will sit. The core aim is to create an attractive and sustainable environment that responds to and respects its existing setting, retaining key features where possible, to create a high quality residential development which respects the character of its surroundings whilst also generating a sense of place.

5.2.2 The development proposes 153 residential units within the site. The detailed design exercise has informed the suitable layout of development within the application site and, on this basis, the application proposes a density of development slightly higher than the 33dph indicated within the SHLAA Update, proposing approximately 37dph to reflect the higher number of 2 and 3 bedroom properties.

### **Open Space and Landscaping**

5.2.3 The application site lies on the edge of a village in a rural location. The public open space (totalling approximately 1.3ha excluding proposed attenuation pond areas that equate to a further 0.4ha) proposed as part of the detailed landscape scheme are informal in character. The largest of these is centrally located and has been appropriately designed to provide maximum benefit to residents of the new dwellings in terms of the outlook over a green landscaped area and the recreational benefit that they can provide. This area of public open space could incorporate a children's play area and the preferred form of such will be agreed in consultation with RBC and the Parish Council as appropriate during determination of the application.

5.2.4 The proposed development layout has been designed to ensure the retention of the majority of existing hedgerows and trees that currently define the site boundaries and what will become the new settlement edge as proposed under PLP Policies DS3 and DS6. Additional planting within the site, with particular emphasis along the southern boundary, will also help to integrate the proposed development into the countryside edge to the south and soften any impact on intermittent views from the A428 Coventry Road.

5.2.5 The development proposals will require the removal of some trees within the site, as highlighted within the Arboricultural Impact Assessment, but proposes to retain all existing trees along the retained site boundary. As noted earlier, a single Category B tree is to be removed to allow for the amended junction between Coventry Road and Back Lane. All other trees to be removed are considered to be of poorer quality based upon the survey undertaken. Moreover, the proposed landscape scheme will enhance tree planting across the site and retain those considered to provide potential roosts for bats.

5.2.6 The two existing public footpaths running north to south through the site, connecting between the development immediately north of the application site and the footpath along the Coventry Road, will both be retained along their existing alignment. Both footpaths are adjoined by the proposed amenity green spaces to maximise the recreational benefit of both routes to any users and surrounding dwellings will provide an appropriate level of informal surveillance.

5.2.7 Consultation with RBC and the local Parish Council will be undertaken in conjunction with the determination of the application to confirm the detailed design of all amenity green space proposed and management and maintenance requirements for such.

- 5.2.8 The two larger amenity green spaces within the site incorporate attenuation ponds at natural low points within site that link to existing drainage culverts across the site. These pond areas form part of the amenity green space, whilst also providing potential for habitat diversity. The ponds will be close to pedestrian routes through the site and well overlooked by proposed surrounding properties.

### **Housing Design**

- 5.2.9 As noted within the Design & Access Statement (DAS), there is a varied architectural context upon which to inform the building design and the overall appearance of the proposed development is designed to integrate with the existing village and new adjacent housing developments. Notably local buildings exhibit external treatments that are characteristic of the Arts & Craft movement. The development incorporates the latest housetype range developed by Bloor Homes and this proposed new range of housetypes also draws very clear design cues from this style and, therefore, links to those visual characteristics within the existing village. The evolution of the housetype range proposed for the site has specifically considered the local character and context, and reflects Bloor Homes' knowledge and long term delivery of housing development in Rugby Borough and the wider County.
- 5.2.10 The proposed housing also reflects the varied surrounding context by incorporating a mix of detached, semi-detached and short terraced dwellings. Whilst the majority of dwellings proposed are 2 storeys in height, bungalows and 2.5 storey dwellings are incorporated into the layout to reflect the surrounding scale of development and the visual appearance of the scheme.
- 5.2.11 The orientation of dwellings and private gardens within the layout has been considered at length, with proposed dwellings generally backing onto the rear boundaries of existing properties adjacent to the site. Private gardens will provide an appropriate separation and buffer between the existing properties and the proposed housing while maintaining privacy and security to the rear of properties.
- 5.2.12 A full schedule of proposed house types and materials are provided as part of the application and described in further detail within the DAS.

### **Housing Mix**

- 5.2.13 The mix of dwellings proposed would provide a variety of accommodation to maximise the mix of potential occupants within this location, comprising one, two, three and four bedroom dwellings. The mix of housetypes proposed also includes bungalows to broaden accessibility to elderly and/or less physically able occupiers.
- 5.2.14 Whilst reference has been made to the requirements of the SHMA and PLP Policies H2 and H3, the housing mix has also been directly informed by the physical site constraints and surrounding development context.
- 5.2.15 Other types of specialist housing have been considered during the preparation of the proposals, as referred to in PLP Policy H6, but the size and location of the site is not considered suitable for supported living. We have also considered the integration of self-build plots within the scheme, but as the whole development is of a conventional layout with each plot built on a piled foundation, it is impractical to provide self-build plots as the piling would have to be installed at the same time as the rest of the scheme.

- 5.2.16 The development proposes a total of 38 dwellings (25%) to be provided as affordable homes, comprising a mix of 1, 2 and 3 bed dwellings, 28 of which will be made available for rent and 10 dwellings for share ownership.
- 5.2.17 The housing mix includes a proportion of 1 bedroom apartments (including 4 market and 4 affordable dwellings), comprising circa 5% of the total dwellings proposed. Given the rural location and character of the development and surrounding dwellings, this is considered to be an appropriate proportion of apartments and reflective of the rural location and relatively narrow rectangular shape of the site.
- 5.2.18 Whilst the overall housing mix across the site is considered to provide the optimum mix in response to the physical and locational site constraints, it has also taken account of preliminary viability work that has been carried out in relation to the development, to demonstrate the proportion of affordable housing that can be achieved within the site. This preliminary viability work will be refined once S106 and other costs have been considered in detail with the relevant statutory parties, and a full viability assessment will then be subject to detailed consideration by RBC and their advisers through the determination of the application.

### **Drainage Strategy**

- 5.2.19 Informed by the findings of the FRA, a drainage strategy has been proposed for the site in respect of surface water and foul water drainage, as outlined therein.
- 5.2.20 This confirms that surface water drainage is to be via a positively drained system, with the maximum allowable surface water discharge rate of 4.4 litres per second, based upon a greenfield site and taking into account climate change. To achieve this flow rate, the development incorporates three open balancing features to which the piped networks will discharge. These are designed to be generally dry, but fill during times of extreme rainfall. The volume of the ponds proposed has been calculated to exceed the water levels anticipated under the critical 100yr + 30% rainfall scenario.
- 5.2.21 The strategy proposed that the watercourse is cleaned and enhanced with appropriate planting, with additional culverts provided beneath the estate roads.
- 5.2.22 The strategy also proposes that foul water generated by the development will be dealt with in a separate sewer network that will convey flows away from the site. A Sewer Capacity Assessment is appended to the FRA and it considers there to be no restriction on foul water flows to the public sewer system.
- 5.2.23 As outlined within the FRA, the long term maintenance of the surface water drainage will lie with both Seven Trent Water and RBC.

### **Access & Highway Infrastructure**

- 5.2.24 The TA concludes that a safe vehicular access to the site can be provided from a simple priority junction with the realigned section of Back Lane. A secondary access into the site would also be provided onto the northern section of Back Lane via an extension of the current spine road through the development immediately north of the application site. Footway links are also provided onto the A428 through the proposed development.
- 5.2.25 The Back Lane realignment scheme and the development's internal road layout have been designed with due regard for local and national design guidance, including Manual for Streets and the Design Manual for Roads and Bridges.

- 5.2.26 The internal road layout and design will clearly define the central access road from shared drives, and pedestrian footpaths will be provided along the length of the central access road. As already stated the existing public footpaths will be retained and these will act as key pedestrian routes through the site and integrated with the proposed internal footpaths as appropriate.

**Summary**

- 5.2.27 The design and layout of the site and development content has been tested through an iterative masterplanning exercise, taking into account the requirements any technical and environmental requirements identified through the site appraisal. In doing so, the proposals not only address the general design principles of the NPPF, but respond directly to the principles of PLP Policies GP1 and DS6 and the Sustainable Construction SPD.
- 5.2.28 Significantly the proposed development seeks to considerably enhance highway safety by providing an enhanced access from Coventry Lane onto Back Lane, thereby offsetting the junction with the lane to the south and providing a right hand turning lane for westbound traffic along the Coventry Road.

**5.3 SOCIO-ECONOMIC STATEMENT**

- 5.3.1 The development will support the growth of the Borough as anticipated within the PLP. The scale of development is considered likely to generate in the region of 370 new residents to the area, which will assist in supporting local community facilities and services within the village.
- 5.3.2 By delivering an appropriate mix of new housing stock, including a proportion of affordable housing, the development will provide a wider choice in the range of housing available for existing residents and for people wishing to move to the village.
- 5.3.3 The development will also provide temporary employment opportunities accessible to local residents during construction.
- 5.3.4 The development proposal includes provision of amenity green space, with potential for inclusion of formal play space as appropriate. By maintaining access between existing neighbourhoods and the site and linking to the countryside to the south, the recreation opportunities can be maintained.

## **6 PLANNING OBLIGATIONS DRAFT HEADS OF TERMS**

- 6.1.1 As described in Section 5, the development proposes to provide circa 1.4ha of green space on site as public open space (POS). This is subject to review by RBC and the local Parish Council as part of the formal planning application process. In accordance with the guidance provided within the Planning Obligations SPD, any contributions associated with the maintenance of on-site POS and the provision and maintenance of off-site POS will be agreed with RBC prior to determination of the application.
- 6.1.2 Early consultation has been undertaken with RBC's Housing Department, and as described in Section 4 and 5, the applicants propose to provide 25% of all dwellings as affordable housing within the development. This recognises the target of 30% proposed under PLP Policy HS2. It is expected that the final provision will be based on the viability testing in accordance with the relevant guidance.
- 6.1.3 Further discussions as part of the application process will confirm the level of provision and final tenure split and housing mix.
- 6.1.4 Initial consultation with WCC Highways has established the parameters for transport matters associated with the proposed development. This exercise, in conjunction with the Transport Assessment work, has confirmed that there is no direct requirement for contributions towards highways improvements other than those proposed as part of the application.
- 6.1.5 Feedback will be sought from WCC's Education Department with regard to the capacity in existing primary and secondary school within any relevant catchment schools. This information will inform the calculation of any contributions towards education stemming from the development.
- 6.1.6 All Section 106 contributions will be negotiated and agreed once responses from the statutory consultees have been received in accordance with Regulation 122 of the Community Infrastructure Regulations introduced in April 2010.

## **7 SUMMARY AND CONCLUSIONS**

- 7.1.1 The development of the application site at Back Lane accords with the broad planning principles of the NPPF in seeking to secure high quality development that addresses the existing character of an area and that seeks to minimise any associated impact on resources, whilst providing the necessary infrastructure to ensure the development is sustainable. It also reflects the objectives of the PLP in relation to the location of development and delivery of housing growth. The site has been identified within the SHLAA and the PLP and appended housing trajectory for delivery during the early plan period. It would not, therefore, undermine any development elsewhere within the Borough and indeed would assist in addressing the previously identified shortfall in deliverable housing sites within the next five years.
- 7.1.2 Comprehensive environmental and technical assessments have been undertaken to inform the design of the development proposals. This has ensured that any appropriate mitigation to address potential impacts that may arise from the development has been included in the development proposals. As such it is apparent from the conclusions of the assessments summarised above that the development accords with the planning policies and guidance identified in Section 3.
- 7.1.3 The Design and Access Statement (DAS) that accompanies the planning application provides a detailed account of the application proposals including the development layout and building and landscape design. The ambition as set out in the DAS is to deliver a high quality development as advocated by the NPPF, PLP (including significantly Policies DS6, HS1 and NE4) and SPD guidance as set out in Section 3 above.
- 7.1.4 Overall, the development proposals will deliver a high quality housing development that is integrated with the built form of Long Lawford, respects its relationship with the revised Green Belt boundary to the south, and uses the site in an effective and efficient manner.
- 7.1.5 The development would result in the provision of 153 homes (including 38 affordable homes subject to viability), in a sustainable location, where residents can support local facilities within the village and have good access to the wide range of facilities and services within Rugby town, means that the development proposals accord with relevant national, regional and local planning policies. Planning permission should, therefore, be granted in accordance with the Government's presumption in favour of sustainable development.

## APPENDIX A

### PLANNING POLICY SUMMARY

Given the site's location and the nature of the proposed residential development, the following policies and guidance are considered relevant to the evolution of proposals for this site and in the determination of this planning application.

#### ***Sustainable Development***

**Planning for Growth** is a Written Ministerial Statement dated the 23<sup>rd</sup> March 2011 that remains in place following the publication of the NPPF. It states that the:

*“Government’s clear expectation is that the answer to development and growth should wherever possible be ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy.”*

**NPPF paragraph 6** states that the purpose of the planning system is to contribute to the achievement of sustainable development, and that the policies set out in paragraphs 18-219 (outlined below), taken as a whole, define the Government's view of what sustainable development actually is in practice for the planning system. Furthermore, **paragraphs 7 & 9** identify 3 dimensions to sustainable development: an economic role, a social role and an environmental role, and highlight that *“pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environmental as well as in people’s quality of life.”*

**Paragraph 14** emphasises that the NPPF is underpinned by a presumption in favour of sustainable development that is central to both plan-making and decision-taking. This reflects the intent for the planning system to positively and proactively support sustainable development and not act as an obstruction.

**Paragraph 17** stresses the primary emphasis of the NPPF is that all Local Plans and decisions on planning applications should reflect the ‘presumption in favour of sustainable development’. In this respect the NPPF sets out a number of core planning principles, the most relevant to the proposed development are set out below:

- drive sustainable economic development to deliver the homes, employment premises and infrastructure to meet the needs of an area;
- always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- promote the vitality of urban areas and recognise the intrinsic character and beauty of the countryside;
- support the transition to a low carbon future in a changing climate, taking full account of flood risk, and encourage the reuse of existing resources and encourage the use of renewable resources;
- contribute to conserving and enhancing the natural environment and reducing pollution, allocating land of lesser environmental value for development, where consistent with other policies;
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
- deliver sufficient community and cultural facilities and services to meet local needs.

The NPPF's presumption in favour of sustainable development is reflected in **PLP Policy GP1: Securing Sustainable Development**. It highlights that RBC will work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that will improve the economic, social and environmental conditions in the District.

### **Development Strategy & Housing**

**NPPF paragraph 47** highlights the important of significantly boosting the supply of housing, requiring local planning authorities to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing. It also requires them to identify a supply of specific "*deliverable*" sites sufficient to provide 5 years worth of housing against their housing requirements, with an additional buffer of either 5% or 20% depending upon the authority's ability to delivery housing development historically.

**NPPF paragraph 49** confirms that applications for residential development should be considered in the context of the presumption in favour of sustainable development, and that relevant policies to the supply of housing cannot be considered up-to-date if a 5 year land supply cannot be demonstrated.

**NPPF paragraph 50** refers to the delivery of a wide choice of high quality homes, widening opportunities for home ownership and the creation of sustainable, inclusive and mixed communities.

**Policy CS1: Development Strategy** – establishes the settlement hierarchy within the Borough against which the location and scale of development must comply and policy identifies Long Lawford as a Main Rural Settlement (MRS).

**Policy CS5: Growth Delivery** – seeks to ensure an adequate supply of housing land through monitoring, with any identified significant shortfall being managed by the identification, allocation and release of other sites for development.

**Policy CS19: Affordable Housing** – requires all new development of 30 dwellings or more to provide a proportion of those dwellings as affordable housing, with the target for provision being 40% of all dwellings. Where the provision of affordable housing is demonstrated to affect the financial viability of a scheme, RBC will consider a reduced target.

**PLP Policy GP2: Settlement Hierarchy** – reflects Policy CS1 and confirms Long Lawford as a MRS within the settlement hierarchy. The policy highlights the role of MRSs to support the sustainability and maintenance of existing services by enabling development that will support the local community. This reflects a sufficient level of services, or access to services, provided in MRSs to allow for development within the existing settlement boundaries. As such there is no threshold on the size of sites that come forward within their settlement boundaries.

**PLP Policy DS1: Overall Development Needs** – confirms a need for 12,400 additional homes within the Borough over the plan period, and indicates a total anticipated provision of 13,664 dwellings comprising those already constructed, those with planning permission and windfall sites, plus 5,182 dwellings allocated within the plan for completion within the plan period.

**PLP Policy DS3: Residential Allocations** – identifies sites suitable for residential development, including the application site (Site Reference DS3.8) and refers to development of up to 100 dwellings.

**PLP Policy DS6: Rural Allocations** – relates to specific allocated sites under PLP Policy DS3 (including the application site DS3.8) and requires proposals for rural housing to consider:

- The appropriate treatment of Green Belt boundaries, where relevant, limiting the impact of the development on the Green Belt;
- Density of development sympathetic to the settlement to which it will extend;
- The provisions of any relevant Neighbourhood Plans in place, or extensive community engagement during the development of proposals where no Neighbourhood Plan is in place;
- Provision, where opportunities are present, of links to existing pedestrian and cycle paths with the adjacent settlement;
- Provision, where opportunities are present, for a comprehensive onsite Green Infrastructure Network, utilising existing habitats, where possible linking to adjacent networks;
- Provision of and/or contribution to community facilities such as schools, community buildings and sports facilities; and
- Provision and/or improvement to telecommunications infrastructure, including broadband and mobile telephone services.

**PLP Policy H1: Informing Housing Mix** – seeks to ensure delivery of a wide choice of high quality housing, including an appropriate mix of market housing house types consistent with the latest Strategic Housing Market Assessment (SHMA), taking into account the overall mix of the locality, current need, elderly, first time buyers and demand for existing housing stock. An alternative mix will only be considered where it is clearly demonstrated that site-specific constraints prohibit such or other local housing needs should be met. Large sites will be required to consider self-build.

**PLP Policy H2: Affordable Housing Provision** – requires affordable housing to be provided on all sites capable of accommodating 11 dwellings or more, with a target of 30% provision on greenfield sites. The housing mix must be in compliance with guidance within the Housing Needs SPD.

**Housing Needs SPD (March 2012)** – prepared to assist in the implementation of the RBCS and provide guidance on the provision of affordable housing in the Borough.

### **Accessibility**

**NPPF paragraph 32** requires planning decisions to take account of whether the opportunities for sustainable transport modes have been taken up (depending on the nature and location of the site), safe and suitable access to the site can be achieved, and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. **Paragraph 34** seeks to direct developments that generate significant movement to locations “*where the need to travel will be minimised and the use of sustainable transport modes can be maximised*”.

**Policy CS11: Transport and New Development** – specifies that new development will be permitted where sustainable modes of transport are prioritised and measures mitigating against any transport impact stemming from the development are provided. Where the development is located within an Air Quality Management Area, transport assessments should set out plans for mitigating any air quality impacts.

**PLP Policy HS5: Traffic General and Air Quality** – requires effective mitigation of significant impacts as a result of pollution, noise or vibration caused by traffic generation.

Development within an AQMA must be supported by an Air Quality Assessment and mitigation plan as appropriate.

**PLP Policy D1: Transport** – confirms that development that prioritises sustainable modes of transport and mitigation of transport impacts will be supported and requires all large scale developments generating significant traffic movements to be supported by a Transport Assessment.

**PLP Policy D2: Parking Facilities** – supports development that provides parking facilities in accordance with the Council's parking standards as included in Appendix 5 of the PLP.

**PLP Policy D3: Infrastructure and Implementation** – highlights the need to ensure sufficient capacity in existing infrastructure to support the delivery of new development and confirms that (where this cannot be demonstrated) contributions may be sought to fund new infrastructure and a programme of delivery before development takes place.

**SLP Policy T5: Parking Facilities** – states that planning permission will only be granted for development where suitable parking provision is provided for motor cycles, cycles and people with disabilities, based upon the Council's standard.

### ***Community and Green Infrastructure***

**Policy CS10: Developer Contributions** – seeks to ensure that developers make provision to address the potential impact of development proposals on infrastructure or community facilities, taking into account the form and scale of development and level of existing infrastructure and community facilities. In the first instance infrastructure contributions will be sought on site, otherwise they will be sought through off site (commuted) contributions. The financial viability of a development will also be a consideration when determining the level of contributions.

**PLP Policy HS1: Healthy, Safe and Inclusive Communities** – seeks to ensure all development create healthy, safe and inclusive communities by giving consideration to how development will meet the needs of all, maximise building efficiency and design quality, and provide a safe and attractive environment with associated infrastructure.

**PLP Policy HS2: Health Impact Assessments** – requires all development proposals of 150 dwellings or more to undertake a Health Impact Assessment in accordance with the advice and best practice published by the Department of Health and other agencies.

**PLP Policy HS4: Open Space and Recreation** – requires residential development of 10 dwellings or more to provide or contribute towards open space provision in accordance with the Council's open space standards.

**PLP Policy NE3: Blue and Green Infrastructure Policy** – confirms the Council's commitment to the creation of a comprehensive Borough wide Strategic Green Infrastructure Network and, where appropriate, requires new development to provide suitable GI links and demonstrate how it contributes to the overall achievements of the GI network.

**PLP Policy D4: Planning Obligations** – requires a legal agreement or planning obligation to be entered into in accordance with the Community Infrastructure Levy (CIL) Regulations 2010 where necessary to mitigate the impact of development. The policy emphasises that infrastructure contributions will be sought on site in the first instance, with commuted contributions for any appropriate off site provision.

**SLP Policy H12: Open Space Provision** in residential developments in the rural area confirms that planning permission will be granted for residential developments on sites of 0.2ha/6 dwellings or more, where appropriate open space provision is made in accordance with the Open Space Standards set out in Policy LR1. All such developments will be expected to provide adequate amenity green space in accordance with Policy LR1.

**SLP Policy LR1: Open Space Standards** – sets out a minimum standard for each type of open space within rural and urban areas and states that planning permission will be granted for the provision of open space that contributes to the attainment of these standards. The policy seeks to secure development that contributes to meeting current deficiencies in the provision of open space.

**Planning Obligations SPD (March 2012)** sets out the Council's approach towards the delivery of infrastructure to support development and associated contributions for on and/or off site provision. In doing so, the SPD sets out the criteria for open space, indoor sports, transport, air quality and education provision, and the associate formula to be applied to calculate contributions.

### ***Design & Development Requirements***

**NPPF paragraphs 56 - 66** specifically emphasises the importance of the design of the built environments, noting “good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making place better for people”. Notably it also proposes that policies and decisions should aim to ensure that developments:

- function well and add to the overall quality of the area;
- establish a strong sense of place;
- optimise the potential of the site;
- respond to local character and history;
- create safe and accessible environments; and
- are visually attractive.

**Paragraphs 69 - 75** highlight that the planning system has an important role in facilitating social interaction and creating healthy, inclusive communities. It states that planning decisions should aim to achieve places which promote opportunities for meetings between members of the community, provide a safe environment, contain clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas. It also refers to access to high quality open spaces and opportunities for sports and recreation, and to the protection and enhancement of public rights of way.

### ***Environmental Sustainability & Protection***

**NPPF paragraph 109** sets out the measures through which the planning process should conserve and enhance the natural environment, whilst meeting development needs, by protecting valued landscapes, recognising ecosystems benefits, minimising impacts and maximising gains in biodiversity, preventing pollution and remediating land where possible.

**Policy CS16: Sustainable Design** – seeks to ensure a high standard of design in all new development, of a scale, density and design that does not cause material harm to the quality, character and amenity of an area. It also seeks to ensure Sustainable Urban Drainage measures are incorporated, proportionate to the scale of development proposed, and that all residential development meets the water conservation standards of Level 4 of the Code for Sustainable Homes. This policy also proposes that consideration should be given to the reduction in use of non-renewable resources and taking into account the impact of climate change.

**PLP Policy SDC4: Sustainable Buildings** – requires all new dwellings to meet the Building Regulations requirement of 110 litres of water/person/day unless it can be demonstrated that it is financially unviable.

**PLP Policy SDC5: Flood Risk Management** – seeks to ensure new development is directed to areas with the lowest risk of flooding and requires a site-specific Flood Risk Assessment appropriate to the scale and nature of development proposed to assess flood risk and identify options for mitigation as appropriate.

**PLP Policy SDC6: Sustainable Urban Drainage** – requires Sustainable Urban Drainage Systems (SUDS) to be incorporated on site within all new developments wherever possible. The policy also encourages the reuse and recycling of surface water and domestic waste water.

### ***Agricultural Land***

**NPPF paragraph 112** states that the economic and other benefits of the best and most versatile agricultural land should be taken into account, but where development is necessary the use of areas of poorer quality land should be sought in preference to those of higher quality.

### ***Ecology***

**NPPF paragraph 118** states that when determining planning applications local planning authorities should apply a number of key principles that include refusing development where significant harm to biodiversity cannot be avoided, mitigated or compensated for, or where the development would result in the loss of irreplaceable habitats. It also encourages the incorporation of biodiversity in and around development.

**PLP Policy NE1: Protecting Designated Biodiversity and Geodiversity Assets** – seeks to protect designated areas and species (or those of importance to biodiversity or geodiversity), and requires that development resulting in the loss, deterioration, degradation or harm to such will not be permitted unless the benefits of development outweigh the adverse effect, or it is demonstrated that appropriate mitigation can be provided.

**PLP Policy NE2: Biodiversity** – supports new development that protects, enhances and/or restores biodiversity and requires development proposals to avoid negative impacts on and lead to a net gain of biodiversity, and to secure the long term management and maintenance of biodiversity assets.

**SLP Policy E6: Biodiversity** – seeks to safeguard, maintain and enhance features of ecological and geological importance, in particular priority species/habitats. The policy also requires Developers to take measures to prevent the disturbance of wildlife and protect retained natural features and habitats, such as ponds, hedgerows, ditches and trees. Where loss of habitat is unavoidable, adequate mitigation measures should be undertaken and only where this is not possible, adequate compensation measures should be implemented.

### ***Landscape***

**PLP Policy NE4: Landscape Protection and Enhancement** – supports new development that positively contributes to landscape character and seeks to conserve, enhance or restore important landscape and biodiversity features in accordance with local and national guidance. The policy requires new development proposals to demonstrate how this has been addressed and integrated into the design of development at an early stage.

**SLP Policy LR3: Quality and accessibility of open space** – requires all open spaces to be high quality and accessible facilities, to ensure they are appropriately maintained, secure, attractive, enhance natural and cultural environment, provide appropriate ancillary facilities/equipment, convenient and accessible, and avoid significant loss of amenity to residents, neighbouring uses or biodiversity.

**SLP Policy GP2: Landscaping** - aims to ensure that landscaping forms an integral part of the overall design, ensuring the retention and/or enhancement of important features, existing character, native species, minimising of visual intrusion to neighbours or the countryside, and securing the long-term maintenance and management of landscape features.

### ***Cultural Heritage***

**NPPF paragraphs 128-131** states that applicants should describe the significance of any heritage assets affected by the proposed development, including any contribution made by their setting, and when determining planning applications, account should be taken of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution their conservation can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness.

**PLP Policy SDC3: Protecting and enhancing the Historic Environment** – seeks to conserve and enhance heritage assets and requires development proposals to identify and appropriately assess any associated impacts and to demonstrate that any harm to the significance of such assets is minimised and/or adequately justified.

### ***Drainage***

**NPPF paragraphs 100 & 103** require that development is directed away from areas of the highest flood risk and seeks to ensure that development does not increase flood risk elsewhere.

**PLP Policy SDC7: Protection of the Water Environment and Water Supply** – highlights the need for developers to ensure adequate water supply is available to serve existing and proposed developments, and will only permit proposals that do not have a negative impact on water quality. The policy also requires early consultation with Severn Trent Water to ensure required wastewater infrastructure is in place in sufficient time.

### **Pollution**

**NPPF paragraphs 120 & 121** require that planning decisions ensure that new development is appropriate for its location in terms of risks from pollution and land instability. **Paragraphs 122-125** also refer to the consideration of noise, air and light pollution impacts arising from developments.

### **Energy**

**NPPF paragraph 96** states that local planning authorities should expect proposed developments to comply with adopted Local Plan policies that set out local requirements for a decentralised energy supply unless it can be demonstrated that this would not be feasible or viable. It also requires that development proposals take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

**Policy CS17: Sustainable Buildings** – requires all development to accord with published Building Regulations at the time of construction and (for developments of 10 dwellings or more) requires them to reduce predicted carbon dioxide emissions by at least 10%, subject to viability.

Detailed requirements for the design of development within the Borough are provided within the adopted Sustainable Design & Construction Supplementary Planning Documents (February 2012) and summarised under Section 3.3.4 below.

The actual provision of measures in accordance with Policies CS16 and CS17 will be determined through negotiation with RBC, taking into account the specific site characteristics and viability of development.

**Sustainable Design & Construction SPD (March 2012)** aims to support the delivery of the objectives identified within Core Strategy Policies CS16 and CS17 (outlined above), Section 3 of the SPD providing guidance on the requirements of these policies with particular regard to ensuring high quality design that:

- complements or enhances the historic environment;
- incorporates sustainable drainage systems (SuDS);
- meets water efficiency standards; and
- maximises carbon and energy efficiency.

The SPD also provides guidance on how applicants can demonstrate compliance with each requirement.

Further details of the appropriate approach to air quality in relation to planned development is provided in the draft guidance document '**Air Quality Guidance for Developers**' (RBC 2012) which states that development will only be permitted where: it would not cause unacceptable levels of air, noise, vibration, light, water or other pollution or otherwise cause unacceptable detrimental effects to the amenity of adjoining or nearby occupiers (receptors); and the amenity of future occupiers or users of the proposed development is not adversely affected by existing or projected levels of air, noise, vibration, light, water or other pollution.