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NORTH WARWICKSHIRE
BOROUGH COUNCIL

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**PLANNING & DEVELOPMENT
DIVISION**

PLANNING STATEMENT

LAND NORTH OF ORTON ROAD, WARTON

MARCH 2025

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1. INTRODUCTION

1.1 This Planning Statement has been prepared on behalf of Richborough, Michael Ensor Caton and Andrew Norman Caton. ('the applicant') and supports an outline planning application for residential development on land north of Orton Road, Warton, North Warwickshire ('the application site').

1.2 The description of development ('the proposed development') being applied for is:

"Outline planning application for the construction of up to 110 dwellings, with access, landscaping, sustainable drainage features, and associated infrastructure. All matters are reserved except for primary vehicular access from Church Road."

1.3 The application site comprises 6.37 hectares of agricultural land defined by Church Road to the north and west, Orton Road to the south and the recently constructed 'Cornfields' development to the east. The site is contiguous with the western urban edge of the village of Warton.

1.4 In light of North Warwickshire's deliverable housing supply shortfall, this site is being proposed to help boost housing delivery and meet identified housing needs.

1.5 This statement sets out the contents of the planning application and the proposals in a clear and informative way. The statement will then assess the merits of the planning application against prevailing planning policies at both the national and local level, as well as considering policies and guidance, and other material considerations. It will also bring together additional supporting information accompanying the planning application.

1.6 It will be shown that there are no adverse impacts of the proposals that would significantly and demonstrably outweigh the benefits and, that having regard to the material considerations, planning permission should be granted under S.38(6) of the Act.

1.7 The material submitted in support of this application is as follows:

- Site Location Plan, prepared by Stantec
- Parameters Plan, prepared by Stantec
- Design & Access Statement, prepared by Stantec

- Transport Statement, prepared by Hub Transport Planning Ltd
- Transport Plan, prepared by Hub Transport Planning Ltd
- Flood Risk Assessment & Drainage Strategy, prepared by Link Engineering
- Landscape & Visual Impact Assessment, prepared by Blade
- Landscape Masterplan, prepared by Blade
- Preliminary Ecological Appraisal, prepared by Blade
- Biodiversity Net Gain Assessment, prepared by Blade
- Noise Assessment, prepared by Rappor
- Built Heritage Statement, prepared by RPS
- Archaeological Desk-Based Assessment, prepared by RPS
- Geophysical Survey Report, prepared by Magnitude Surveys
- Grounds Investigation Desk Study Report, prepared by ASL
- Soils & Agricultural Land Report, prepared by Land Research
- Arboricultural Impact Assessment, prepared by Midland Forestry
- Statement of Community Engagement, prepared by Evolve Planning
- Affordable Housing Statement, prepared by Evolve Planning

1.8 The above documents and plans should be read in conjunction with this Planning Statement.

2. THE SITE & SURROUNDING AREA

The Site

- 2.1 The Site Location Plan shows the site in its immediate context. The application site comprises 6.37ha of land located directly to the west of the settlement of Warton in North Warwickshire. It is located approximately 4km to the east of Tamworth.
- 2.2 The site is currently in agricultural use (arable) and is made up of one field parcel. The site is gently sloping with a gradual fall from the west and north to the south east.
- 2.3 The site is defined by Church Road to the north and west, Orton Road to the south and the recently constructed 'Cornfields' development to the east. The eastern boundary meets the existing settlement edge of Warton.
- 2.4 The north western boundary of the application site is defined by hedgerow and hedgerow trees and runs alongside Church Road. There is an existing field entrance with a dropped kerb in the north of the site where agricultural access is gained into the field. On the northern side of Church Road lies several residential properties.
- 2.5 The southern boundary of the field is defined by an existing hedgerow and a number of mature trees, particularly to the centre of the southern boundary. The hedgerow thins in the south eastern corner where there is an existing field entrance with a gate. On the southern side of Orton Road are further agricultural fields.
- 2.6 The eastern boundary is adjacent to the recently built properties on the 'Cornfield' estate. This development was previously promoted by the applicants in 2018, with reserved matters consent achieved in 2019. There is no physical boundary marking the edge of this development. The northern part of the eastern boundary is adjacent to Warton Recreation Ground. Hedgerow and small hedgerow trees along with remnants of wire fencing separate the site from the recreation ground. Further east of the recreation ground and 'Cornfield' development lies the village of Warton.
- 2.7 A small pond forms part of the eastern edge of the site, adjacent to the recreation ground.
- 2.8 There are no Public Rights of Way (PRoW) within or adjacent to the site.
- 2.9 The site is within Flood Zone 1 (based on Environment Agency mapping data).

- 2.10 There are no listed buildings on or directly adjacent to the application site.

The Surroundings

- 2.11 The eastern boundary of the application site adjoins the residential edge of Warton at the 'Cornfields' development. There is also linear residential development running west out of Warton along Church Road. This part of the village is predominantly residential.
- 2.12 Warton Recreation Ground is adjacent and Warton Holy Trinity Church is 150m from the north eastern boundary. Further equipped facility is located to the north of the village. Allotments are provided off Waverton Avenue. 'The Top Shop', which facilitates a Post Office and convenience store, 'The Office at Warton' public house and the Village Hall lies 350m from the north eastern corner of the site along Church Road and Maypole Road. Warton Nethersole C of E Primary School lies further to the east along Maypole Road, 400m from the eastern site boundary.
- 2.13 To the north, west and south is open countryside, predominately in agricultural use.
- 2.14 Polesworth is located further west of the site, approximately 2km from the site's western boundary. This contains further educational, recreational and employment facilities.
- 2.15 *Transport:* There are a number of Public Right of Way (PRoW) routes within the village, providing foot and bridleway connections across to Orton on the Hill and Tamworth, up to Austery and down to Atherstone. The closest to the site is 247/AE15/2 which can be accessed from Church Road.
- 2.16 There are no national cycle routes or local cycle paths located near the site. Within the village the roads are generally lightly trafficked and are suitable for local trips by bicycle.
- 2.17 The village is served by the 786 and 785 Arriva bus services which run from Tamworth via Austery in a clockwise and anti-clockwise loop respectively. These buses provide services from Warton to Tamworth during / before the AM peak hour and provide services to Warton from Tamworth during the PM peak hours. Bus stops are located on Orton Road (385 service), adjacent to Windmill Close approximately 325m north of the application site and Little Warton Road (386 service) approximately 530m north of the application site.
- 2.18 The bus service ends at Tamworth Cooperation Street bus station which is approximately 800m walking distance away from Shrewsbury train station. There

are a number of rail services from Tamworth train station connecting further afield to Birmingham, Crewe, Nottingham, Cardiff and Liverpool.

- 2.19 **Ecology:** Two internationally designated sites are located within 15km of the application site: the River Mease SAC (c.8km north); and the Ensor's Pool SAC (c.14.5km south east).
- 2.20 There are two SSSIs within 2km of the site boundary. Birches Barn Meadows SSSI is located c.960m south of the site and is designated for its rich meadows and diverse flora and fauna. Alvecote Pools SSSI is located c.1.95km to the north west of the site and is designated as an extensive and diverse wetland area, supporting regionally important bird species.
- 2.21 There are three locally designated sites identified within 1km of the site boundary. The Roundberry (pLWS) is located c.525m northwest of the site and comprises rough waste ground with a good diversity of scrub and rough grass vegetation. Roundberry Quarry (LGS & RIGS) is located c.525m to the northwest and comprises a disused quarry with good exposure of Triassic Polesworth Formation. The Bushes, Donative Farm (LWS) is located c.900m northwest and comprises an old quarry face of exposed rock with a complex mosaic of scrub and grassland with calcareous influence.
- 2.22 **Heritage:** Beyond the site, there are two Listed Buildings located within 1km of the site boundary. The closest of these is the Grade II Church of the Holy Trinity located approximately 210m to the northeast of the site boundary. The Grade II property, 14 Austrey Road, is located approximately 420m northeast of the site boundary. There is no conservation area present within Warton.

3. PLANNING HISTORY

- 3.1 There are no relevant previous planning applications of relevance within the proposed development site.
- 3.2 The site immediately to the east represents a housing site previously promoted by Richborough. This site was not allocated and was permitted through an outline consent achieved by Richborough in 2018, with reserved matters consented in 2019.

4. PRE-APPLICATION ENGAGEMENT

4.1 Initial pre-application discussions with Planning Officers at North Warwickshire Borough Council began in February 2025 with the applicants seeking advice on the prospects of a residential scheme in light of the borough's housing land supply shortfall.

4.2 A summary of the pre-application advice received from North Warwickshire Borough Council is outlined below.

- ***Principle of development:*** The proposed development is not directly adjacent to Warton's development boundary, which could be seen as expanding into open countryside. A strong justification would be needed for expanding the settlement south-eastward.

Evolve Comment: The site adjoins Warton's development boundary to the east as set out on the Local Plan Policies Map.

- ***Landscape & Character:*** Warton has a linear settlement form, and the proposed development may disrupt this pattern, creating an urban extension that conflicts with the rural landscape.
- ***Affordable Housing:*** The proposal includes 40% affordable housing, with a mix of 84% affordable rent and 16% intermediate homes, aligning with the council's expectations.
- ***Open Space Requirements:*** The development's low density (19.3 dwellings per hectare) allows space for open areas. Justification for this lower density is needed, and contributions to nearby facilities (such as play areas) will be required, as no on-site provision is planned.

Evolve Comment: The proposal achieves a net density of 33.5dph which corresponds to the Local Plan requirement of a minimum of 30dph (net).

- ***Parking & Access:*** Parking complies with standards, but further consultation with the Highways Authority is advised. Concerns about using a single access point for 210 dwellings need to be addressed, and multiple access points may be considered to improve connectivity.
- ***Biodiversity:*** The development must demonstrate a 10% net gain in biodiversity and conduct a badger survey due to potential impacts on a badger sett. The retention of hedgerows is crucial for both biodiversity and visual appeal.

- **Archaeology:** The site has significant archaeological potential, including evidence of Roman and earlier settlements. A geophysical survey and trial trenching should be undertaken to assess the archaeological impact.

Evolve Comment: A dialogue with WCC Archaeology has been progressed prior to application submission.

- **Flood Risk:** Although the site is in Flood Zone 1, surface water flooding issues have been noted nearby. The development must incorporate Sustainable Urban Drainage (SuDS) to manage water runoff in compliance with Local Plan policies.

4.3 The applicants undertook a pre-application public consultation exercise with the local community in Warton. The details of this public consultation are set out in full within the submitted Statement of Community Engagement.

4.4 Changes to the scheme and further work undertaken as a result of pre-application engagement include:

- A revised access strategy with the principal vehicular access moving from Red Marl Way to Church Road.
- A Flood Risk Assessment has been undertaken to consider risk of flooding from all sources and an appropriate drainage strategy designed to incorporate Sustainable Drainage Systems (SuDS).
- A Landscape & Visual Appraisal has been undertaken to inform the extent of built development, which steps away from the site's western high point.
- An appearance strategy has been produced to ensure future development reflects the character and aesthetic of Warton and provides an appropriate response to the countryside edge.
- Badger survey has been commissioned and will be provided prior to application determination.
- Further engagement between WCC Archaeologist and our heritage consultant.

5. THE PROPOSED DEVELOPMENT

- 5.1 This application is in outline with all matters reserved with the exception of access.
- 5.2 The development concept and design iterations are fully explained in the accompanying Design and Access Statement (DAS). The DAS sets out the constraints and opportunities associated with the site.
- 5.3 The aspiration for the development of the site is to provide an opportunity to create a sustainable and attractive extension to the village, inspired by the context and local character of Warton. Embracing high quality and sustainable design principle, the proposals are designed to sensitively integrate with the surrounding landscape and built form, providing a range of new homes that can respond to future needs.
- 5.4 The design concept that has been developed sets out a broad framework for the illustrative development plan. The overarching principles opportunities that underpin the proposal are as follows:
- Vehicular and pedestrian access to Church Road;
 - Keeping a rural, landscape edge along the western boundary of the Site to define the edge of development whilst creating a buffer to blend with the wider landscape and surroundings;
 - Protecting and enhancing existing trees and hedgerows along the boundaries of the Site, along with the existing pond, through the creation of ecological corridors;
 - Offering an attractive central green focal space, providing opportunities for people to meet and socialise;
 - Creating a network of pedestrian connections to facilitate active travel within the Site and to the wider area;
 - Creating active travel links through to the recreation ground to the north east to provide access to the local bus services via Red Marl Way; and
 - Maximising views out from dwellings fronting the landscape edge to provide an attractive setting.

Access and Parking

- 5.5 Primary access to the proposed residential development is to be delivered in the form of simple priority junction with Church Road.
- 5.6 This access will have with a 5.5m wide carriageway and adjacent 2m wide footways proposed in accordance with the Warwickshire Design Guide for a Link Road / Tertiary Road
- 5.7 The access proposals are shown on Drawings T24529.001 Rev C and T24529.002 Rev C.
- 5.8 The primary access road into the site would be designed to adoptable standards, connecting to a hierarchy of internal streets, including secondary streets (also designed to adoptable standards) and tertiary streets. Private drives serving up to 5 dwellings will typically feature to the edges of development.
- 5.9 A separate pedestrian access is also proposed to be served from Church Road at the western boundary of the site, which is to connect with existing footways that directly lead to Polesworth.
- 5.10 Off-site junction improvements at the Orton Road / Kisses Barn Lane / Stiper's Hill / Linden Lane junction are proposed in the form of providing larger, illuminated and overall, more visible give-way signs along Kisses Barn Lane and Linden Lane, both on approach and at the junction with Stiper's Hill and Linden Lane.
- 5.11 Each new dwelling will have on-plot car parking with 1 space for 1 bedroom properties plus 0.5 for visitor parking and a minimum of 2 allocated spaces for every 2+ bed property. This includes the provision of garages for the 4 bed properties. All properties will have electric vehicle charging.

Residential Use

- 5.12 The application proposes the construction of up to 110 dwellings on this site, including the provision of 40% affordable dwellings. The proposal provides an opportunity to deliver a range of types, sizes and tenures that reflect local need. The built development area includes roads, footways, private drives, incidental open space and other associated infrastructure.
- 5.13 Based on 110 dwellings coming forward within the development area, the net density would average approximately 33 dwellings per net developable hectare across the site. Within the development area variations may occur, including lower densities to the edges where development interfaces with the wider rural

area. This makes efficient use of the site whilst also reflecting the character of residential development of the wider area.

- 5.14 The masterplan allows for a mix of dwelling types and sizes to assist in providing choice within the local housing market and contribute to creating a sustainable, mixed community.
- 5.15 It is assumed that development will, in the main, comprise 2 storey housing, consistent with the typical height of development seen in the surrounding residential areas of Warton. In key locations 2.5 storey dwellings could be used to create focal points, define primary vistas/entrances and add variation to the roofscape
- 5.16 40% of all proposed dwellings will be delivered as affordable housing (85% affordable/social rent and 15% intermediate). The affordable housing will be secured through a S106 Agreement. The applicants would support the inclusion of Local Occupancy Criteria within the S106 Agreement to ensure those with a connection to Warton are prioritised.
- 5.17 Further information is set out in a submitted Affordable Housing Statement.

Green Infrastructure

- 5.18 The masterplan demonstrates the delivery of approximately 2ha of green infrastructure. This includes 0.83ha of amenity green space and 1.17ha of natural and semi natural green space.
- 5.19 New open space is proposed in the form of a green infrastructure 'frame' within the site. The green infrastructure provision has been designed to respond to the landscape character of the locality, topography, drainage patterns, field boundaries and existing vegetation.
- 5.20 These characteristics are integrated into a design approach that provides a softening of the development edge to provide a transition to the open countryside whilst delivering a range of open space typologies that create a multifunctional space.
- 5.21 Open space is provided in the form of a central, focal green and a circular walk incorporating natural play opportunities. The site identifies a proposed link to the neighbouring recreation ground which includes equipped play. A financial contribution to improve existing equipped play has been identified. Orchard planting is proposed within the western extent of the public open space.

- 5.22 The areas of public open space will include soft landscaping and planting and will be overlooked by the proposed new homes.
- 5.23 Specific habitats for biodiversity have been incorporated within the green infrastructure network including species-rich, meadow and wetland meadow grassland. Areas relied upon for the provision of biodiversity net gain are protected by proposed fencing.
- 5.24 A small section of low-quality hedgerow is proposed to be removed to accommodate the principal vehicular access and pedestrian routes onto Church Road. However, all other existing hedgerows around the site and all other existing trees will be retained and strengthened. There will also be new tree and hedgerow planting throughout the new development.

Attenuation

- 5.25 The proposed development is accompanied by a draft drainage strategy which identifies a new SuDS attenuation pond located in the south eastern area of the site where the topography slightly falls. This SuDS attenuation pond will provide drainage attenuation for the proposed development.

6. PLANNING POLICY CONTEXT

- 6.1 This section provides an overview only of relevant planning policy, which is then explored in greater detail in the context of the application proposals in sections 7, 8 and 9.
- 6.2 In accordance with Section 38 of the Planning and Compulsory Purchase Act (PCPA), applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.3 Material considerations for any proposal are national policy and guidance contained within the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG) and any relevant Supplementary Planning Documents (SPDs) adopted by the Council.
- 6.4 The Development Plan for North Warwickshire Borough Council comprises the adopted North Warwickshire Local Plan (September 2021).
- 6.5 Polesworth Neighbourhood Plan (2022-2033) went to referendum on the 20th March 2025 and received a yes vote. For the purpose of this planning application, it has been considered that the Neighbourhood Plan has been 'made' and forms part of the development plan for Warton.

North Warwickshire Local Plan

- 6.6 The North Warwickshire Local Plan was adopted in September 2021 and sets out the spatial vision and objectives along with the development strategy up until 2033.
- 6.7 Policy LP1 (Sustainable Development) sets out the presumption in favour of sustainable development.
- 6.8 Policy LP2 (Settlement Hierarchy) identifies Warton as a Category 4 settlement where development within development boundaries will be supported in principle. Development directly adjacent to settlement boundaries may also be acceptable. All development will be considered on its merits; having regard to other policies in this plan and will cater for windfall housing developments usually on sites of no more than 10 units at any one time depending on viability, services and infrastructure deliverability.
- 6.9 Policy LP7 (Housing Development) expects sites to provide for a range of needs and opportunities including homes for those with mobility issues, older people; younger people; and plots for custom/ self-builders. It expands that development proposals should make serviced plots available for self-build to address relevant

demand identified in the Council's Self and Custom Build register at the time of the planning application, unless that would be unfeasible on account of the nature of the development proposed, its scale, or viability. Special needs housing will be sought on all major development. The amount of special needs housing sought will be expected to amount to 10% of the total housing provision on the site. Housing is expected to be built at a net density of no less than 30 dwelling per hectare.

- 6.10 Policy LP9 (Affordable Housing Provision) requires all major development on greenfield sites to provide 40% of housing as affordable. On sites of over 100 dwellings consideration will be given to land being gifted to the Borough Council in lieu of the total affordable housing provision. Affordable housing should include a tenure to be approximately 85% affordable rent and 15% intermediate tenure will be provided where practicable and unless evidence justifies departure from this.
- 6.11 Policy LP14 (Landscape) states that development should look to conserve, enhance and where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. Specific landscape, geo-diversity, wildlife and historic features which contribute to local character will be protected and enhanced as appropriate. New development should, as far as possible retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and biodiversity through further hard and soft landscaping. New features will be assessed against the descriptions in the Landscape Character Areas.
- 6.12 Policy LP16 (Natural Environment) seeks to minimise impacts on and provide net gains for biodiversity. Development that damages habitats and features of importance for nature conservation will only be permitted where there are no reasonable alternatives to the development taking place in that location. Where appropriate, developments will be required to help enhance these features and/or secure their beneficial management.
- 6.13 Policy LP17 (Green Infrastructure) requires development to demonstrate how they contribute to maintaining and enhancing a comprehensive and strategically planned Green Infrastructure network.
- 6.14 Policy LP21 (Services & Facilities) requires all major developments to provide land and / or financial contributions to enable the provision of additional services and facilities.

- 6.15 LP22 (Open Spaces and Recreational Provision) expects development proposals to provide a range of new on-site and open space recreational provision such as parks and amenity space, sport or recreation facilities and semi-natural areas such as woodland wherever appropriate to the area and to the development.
- 6.16 Policy LP23 (Transport Assessments) requires Transport Assessments and Travel Plans appropriate to the scale of development proposed to accompany development proposals. It elaborates that development will be expected to link with existing road, cycle and footpath networks. Developments that are likely to generate significant amounts of traffic and particularly larger developments will be expected to focus on the longer-term management of new trips; encourage the use of public and shared transport as well as appropriate cycle and pedestrian links.
- 6.17 Policy LP27 (Walking and Cycling) requires developments to consider what improvements can be made to encourage safe and fully accessible walking and cycling.
- 6.18 Policy LP29 (Development Considerations) seeks developments that:
- promote healthier lifestyles for the community to be active outside their homes and places of work;
 - encourage sustainable forms of transport focussing on pedestrian access and provision of bike facilities;
 - Provide safe and suitable access to the site for all users;
 - before proposals are supported expand or enhance the provision of open space, sport and recreation facilities, using, in particular, the Green Space Strategy and Playing Pitch Strategies;
 - avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution;
 - protect and enhance the historic and natural environment;
 - manage the impacts of climate change through the design and location of development, including sustainable building design and materials, sustainable drainage, water efficiency measures, use of trees and natural vegetation and ensuring no net loss of flood storage capacity;
 - protect the quality and hydrology of ground or surface water sources so as to reduce the risk of pollution and flooding, on site or elsewhere;
 - seek to maximise opportunities to encourage re-use and recycling of waste materials, both in construction and operation;
 - provide adequate space for bins;
 - provide for information and communication technologies; and

- seek to reduce crime.

6.19 Policy LP30 (Built Form) requires development in terms of its layout, form and density to respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. All proposals should therefore:

- ensure that all of the elements of the proposal are well related to each other and harmonise with both the immediate setting and wider surroundings;
- make use of and enhance views into and out of the site both in and outside of the site;
- make appropriate use of landmarks and local features;
- reflect the characteristic architectural styles, patterns and features taking into account their scale and proportion;
- reflect the predominant materials, colours, landscape and boundary treatments in the area;
- ensure that the buildings and spaces connect with and maintain access to the surrounding area and with the wider built, water and natural environment;
- are designed to take into account the needs and practicalities of services and the long term management of public and shared private spaces and facilities;
- create a safe, secure, low crime environment through the layout, specification and positioning of buildings, spaces and uses in line with national Secured by Design standards;
- reduce sky glow, glare and light trespass from external illumination; and
- ensure that existing water courses are fully integrated into site layout at an early stage and to ensure that space is made for water through de-culverting, re-naturalisation and potential channel diversion.

6.20 Policy LP33 (Water and Flood Risk Management) requires water runoff from new development to be no more than natural greenfield runoff rates and developments should hold this water back on the development site through high quality Sustainable Urban Drainage (SuDS), reducing pollution and flood risk to

nearby watercourses. In order to improve and protect water quality, infiltration measures are the preferred means of surface water disposal where ground conditions are appropriate and where practicable, the separation of surface water from sewers should be undertaken. New development proposals should be accompanied by a Water Statement that includes evidence to demonstrate that there is adequate sewerage infrastructure in place or that it will be in place prior to occupation.

- 6.21 Policy LP34 (Parking) expects adequate vehicle parking provisions, guided by the standards in the Document "Parking standards". Electric charging points are required provided as part of all relevant developments.
- 6.22 Policy LP35 (Renewable Energy & Energy Efficiency) expects new development to be energy efficient in terms of its fabric and use including, where viable, the production of 10% of operational energy from on-site renewables.

Polesworth Neighbourhood Plan (2022-2033)

- 6.23 Policy PNP3 (Sustainable Design and Construction) expects development to respond positively to the key attributes of the neighbourhood area and the key design features of the settlement in which it is to be situated.
- 6.24 Policy PNP4 (Conserving & Enhancing the Landscape) require development to conserve, enhance and where appropriate restore local landscape.
- 6.25 Policy PNP7 (Sports, Recreation & Leisure Facilities) supports proposals that enhance the appearance, improve access and accessibility to Warton Allotments when they are in accordance with other development plan policies and the policies of the PNP.
- 6.26 Policy PNP8 (Transport) expects development proposals to contribute to the following highway improvements where the tests set out in Paragraph 57 of the NPPF are met:
- Barn End Road/ Orton Road crossroads, Warton (safety improvements);
 - Warton (safer school crossing);
 - Road safety schemes; and
 - Measures to improve public transport.

Supplementary Planning Documents (SPDs)

- 6.27 North Warwickshire Borough Council also has a number of Supplementary Planning Documents (SPDs) providing further guidance on developer contributions, sustainable design and the type and affordability of housing.

National Planning Policy Framework (2024)

- 6.28 The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how they should be applied.
- 6.29 The Government published a revised NPPF in December 2024.
- 6.30 Paragraph 8 defines three overarching objectives that the planning system should pursue in order to achieve sustainable development. These, it says, are interdependent and should be pursued in mutually supportive ways:

"an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy."

- 6.31 At the heart of the NPPF is a presumption in favour of sustainable development, defined by Paragraph 11. This applies to both plan-making and decision-taking. In respect of the latter, Paragraph 11 states:

"For decision-taking this means:

- a) Approving development proposals that accord with an up-to-date development plan without delay; or*

b) *Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination"*

6.32 Paragraph 12 states:

"The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

6.33 Paragraph 14 states:

"In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:

- a) *the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;*
- b) *the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70)."*

6.34 Paragraph 39 requires local planning authorities to approach decisions on proposed development in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area and decision-makers

at every level should seek to approve applications for sustainable development where possible.

6.35 Paragraph 48 confirms that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

6.36 Paragraph 49 states:

"Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."*

6.37 Paragraph 61 reiterates the Government's objective of significantly boosting the supply of homes with the overall aim to meet as much of an area's identified housing need as possible, including an appropriate mix of housing types for the local community.

6.38 Paragraph 66 expects major housing developments to deliver identified local needs of homes as affordable home ownership.

6.39 Paragraph 69 requires strategic policy-making authorities to establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period. Within this overall requirement, strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.

6.40 Paragraph 77 confirms that the supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new

settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities.

6.41 Paragraph 78 requires Local Planning Authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing, against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer of:

- a) 5% to ensure choice and competition in the market for land; or
- b) 20% where there has been significant under delivery or housing over the previous three years, to improve the prospect of achieving the planned supply; or
- c) From 1 July 2026, for the purpose of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework, and whose annual average housing requirement is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

6.42 Paragraph 79 requires local planning authorities to monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance where delivery falls below 95%, include a 20% buffer where delivery falls below 85% and where delivery falls below 75% the presumption in favour of sustainable development applies.

6.43 Paragraph 96 requires planning policies and decisions to aim to achieve healthy, inclusive and safe places, whilst Paragraph 98 also requires policies and decisions to provide the social, recreational and cultural facilities and services the community needs.

6.44 Paragraph 109 confirms that:

"transport issues should be considered from the earliest stages of plan making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places. This should involve:

- a) Making transport considerations an important part of early engagement with local communities;*
- b) Ensuring patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places;*
- c) Understanding and addressing the potential impacts of development on transport networks;*
- d) Realising opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, - for example in relation to the scale, location or density of development that can be accommodated;*
- e) Identifying and pursuing opportunities to promote walking, cycling and public transport use; and*
- f) Identifying, assessing and taking into account the environmental impacts of traffic and transport infrastructure – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains."*

6.45 Paragraph 110 confirms that significant development should be focused to locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.

6.46 Paragraph 115 requires applications to ensure that:

- a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users;*
- c) the design of streets, parking areas other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and*
- d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety,*

can be cost effectively mitigated to an acceptable degree through a vision-led approach.

6.47 Paragraph 116 states:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.”

6.48 Paragraph 117 confirms that applications should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas and to facilitate access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services.

6.49 Paragraph 118 requires developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a vision-led transport statement or transport assessment so that the likely impacts of the proposal can be assessed and monitored.

6.50 Paragraph 129 requires planning policies and decision to support development that makes efficient use of land.

6.51 Paragraph 131 confirms that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. On 1st October 2019 the Government published updated guidance including the National Design Guide, and the Design and Access Statement sets out how the proposals accord with the principles of this.

6.52 Paragraph 136 recognises that trees make an important contribution to the character and quality of urban environments and requires new streets to be tree lined and opportunities are taken to incorporate trees elsewhere in developments.

6.53 Paragraph 139 states that development that is not well designed should be refused, especially where it fails to reflect local design policies.

6.54 Paragraph 161 reiterates that the planning system should support the transition to net zero by 2050, taking full account of all climate impacts including overheating, water scarcity, storm and flood risk and coastal change.

- 6.55 Paragraph 170 confirms that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk whilst Paragraph 181 requires local planning authorities to ensure that flood risk is not increased elsewhere when determining any planning applications.
- 6.56 Paragraph 182 requires major development to incorporate sustainable drainage systems to control flow rates and reduce the volume of runoff, which are proportional to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. The systems used should:
- a) take account of advice from the Lead Local Flood Authority;*
 - b) have appropriate proposed minimum operational standards; and*
 - c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.*
- 6.57 Paragraph 193 concerns biodiversity and confirms that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused.
- 6.58 Paragraph 231 confirms that for the purpose of decision-making the policies contained within the NPPF constitute material considerations which should be taken into account in dealing with applications from the day of its publication.
- 6.59 Paragraph 232 states that where a five-year supply can be demonstrated (with appropriate buffer) and where the housing delivery target indicated that delivery is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure is greater than the housing requirement set out in adopted policies, for a period of 5 years from the date of the plans adopted.

7. HOUSING LAND SUPPLY POSITION

- 7.1 The Council's latest housing supply position was published in April 2024 and provides an assessment of the housing land supply in North Warwickshire over the five-year period from 2024 to 2029 in relation to the housing requirement identified within the adopted Local Plan.
- 7.2 The latest published position of North Warwickshire Borough Council states that the deliverable supply in North Warwickshire equates to 3,365 dwellings, which against the adopted housing requirement, plus the shortfall, and implementation of a 5% buffer equates to **5.1 years**.
- 7.3 The applicants however dispute this position.
- 7.4 On the requirement side, the strategic policies in the North Warwickshire Local Plan (adopted 2021) are less than five years old. Therefore, in accordance with paragraph 78 of the NPPF, the 5YHLS should be measured against the adopted housing requirement.
- 7.5 The stepped trajectory which backloads development to the latter years of the plan period identifies a housing requirement for 2024 to 2029 of 3,135 dwellings.
- 7.6 The base date of the North Warwickshire Local Plan is 1st April 2011. The Council's AMR indicates that between 1st April 2011 and 31st March 2024, 2,766 dwellings were completed in North Warwickshire against a housing requirement of 3,135 dwellings. The housing supply shortfall at 31st March 2024 is therefore 369 dwellings. However, the Council has incorrectly adjusted its completion figures in years 2019/20 and 2020/21 to account for the Covid-19 pandemic. The AMR explains that due to the pandemic, the Government has included a 4-month adjustment for the 2020/21 year and 1-month adjustment for the 2019/20 year in the HDT to the respective housing requirement figures.
- 7.7 However, this adjustment was intended only for the housing requirement for the purposes of the Housing Delivery Test measurement. The HDT measurement technical note states:

"...in order for the 2022 Housing Delivery Test to reflect the disruption caused to housing delivery by the pandemic, the period for measuring the homes required in 2020/21 has been reduced by 4 months. The period for measuring the homes required in 2019/20 was reduced by 1 month for a similar reason."

- 7.8 There is no justification for an adjustment to be made to the actual housing completions achieved in those years, as this would result in an artificial inflation of housing delivery.
- 7.9 The PPG is clear that the shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5-year period, i.e., the Sedgefield approach. Therefore, 369 dwellings (not 274 dwellings) should be added to the five-year requirement.
- 7.10 The latest Housing Delivery Test result (2023) confirmed that North Warwickshire achieved a result of 81%. Therefore, this means that in accordance with paragraph 79 of the NPPF, a 20% buffer should be applied. The Council's calculation incorrectly applies a 5% buffer.
- 7.11 On the supply side, the Council claims to have a deliverable supply of 3,365 dwellings.
- 7.12 Applying the 5-year requirement for North Warwickshire based on the adopted Local Plan, the correct buffer (20% buffer) and the correct dwelling shortfall (396 dwellings), the Council can only demonstrate a **4.32 year supply** of deliverable housing land based on the Council's own assumed deliverable supply at 1st April 2024.
- 7.13 The applicants consider the deliverable housing land supply in North Warwickshire is lower than that assumed by the Council and is only likely to reduce due to the following factors:
- The stepped trajectory within the adopted Local Plan backloads the housing requirement to the latter years of the plan period and the five-year requirement will only increase in future years
 - A significant proportion of the planned supply are predicated on the implementation of strategic highways improvements along the A5 corridor and funding has not yet been secured
 - Large parts of the Borough are within Green Belt or subject to other policy/technical constraints
- 7.14 To address the acute deliverable housing land shortfall within North Warwickshire, windfall development is required in the short term.

8. PLANNING ASSESSMENT

Principle of Development

- 8.1 The application seeks approval from North Warwickshire Borough Council for outline permission with all matters reserved, save for access.
- 8.2 The adopted Local Plan Policy LP2 identifies Warton as a Category 4 settlement where development within development boundaries will be supported in principle. In addition, Policy L2 states that development directly adjacent to settlement boundaries may also be acceptable.
- 8.3 The site is contiguous with Warton's settlement boundary and therefore is in accordance with this policy. The site will make effective use of this site to help meet future housing needs.
- 8.4 Policy LP2 continues that all development will be considered on its merits; having regard to other policies in the Local Plan and will cater for windfall housing development usually on sites of no more than 10 units at any one time depending on viability, services and infrastructure delivery.
- 8.5 Whilst this site is for up to 110 homes the following planning assessment demonstrates that the site is in accordance with all other plan policies, providing a sustainable extension the village of Warton.
- 8.6 As set out in Chapter 7 of this Statement, whilst the Council maintain that they can demonstrate a five-year housing land supply against current local housing needs, the latest Housing Delivery Test result (2023) confirmed that North Warwickshire achieved a result of 81%. Therefore, this means that in accordance with paragraph 79 of the NPPF, a 20% buffer applies. The Council is now unable to demonstrate a five-year supply of housing land.
- 8.7 Accordingly in line with paragraph 11 of the Framework, the presumption in favour of sustainable development is now engaged and the tilted balance set out in paragraph 11d applies. This means that where the policies which are most important for determining applications are out-of-date (which includes situations where the local planning authority cannot demonstrate a five-year supply of housing) granting permission unless any adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole. This also includes having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

- 8.8 In this context it is imperative that the Council boost the supply of housing within the Borough. The Council is therefore reliant on sustainable locations coming forward now to help reduce this deficit and meet the Government's objective to boost the supply of housing as outlined in the recent planning reforms.
- 8.9 The site is in a sustainable location, with the proposal delivering up to 110 dwellings, making effective use of land and providing much needed affordable homes. In line with paragraph 11 dii of the Framework, these are all now factors which weigh in favour of the application in the tilted balance.
- 8.10 Material considerations therefore indicate that the principle of residential development on this sustainable site is acceptable, specifically the provision of up to 110 new dwellings proposed as part of this application.

Access & Highways

- 8.11 Proposed primary vehicular access to the site is to be provided in the form of simple priority junction formed off Church Road, with a 5.5m wide carriageway and adjacent 2m wide footways proposed in accordance with the Warwickshire Design Guide for a Link Road / Tertiary Road. A separate pedestrian access is also proposed to be served from Church Road at the western boundary of the site, which is to connect with existing footways that directly lead to Polesworth.
- 8.12 Paragraph 115 of the NPPF seeks to ensure that applications for development have taken opportunities to promote sustainable transport modes, achieve a safe and suitable access for all users, that the design of streets and parking areas reflect current national guidance and any significant impacts on the transport network or on highway safety can be cost effectively mitigated to an acceptable degree.
- 8.13 Paragraph 117 adds that applications for development should give priority to pedestrian and cycle movements, address needs of people with disabilities, create places that are safe, secure and attractive, allow for the efficient delivery of goods, and access by service and emergency vehicles and be including provision for EV and low emission vehicles.
- 8.14 Policy LP23 requires Transport Assessments & Travel Plans appropriate to the scale of development proposed to accompany development proposals. It elaborates that development will be expected to link with existing road, cycle and footpath networks. Developments that are likely to generate significant amounts of traffic and particularly larger developments will be expected to focus on the longer-term management of new trips; encourage the use of public and shared transport as well as appropriate cycle and pedestrian links.

- 8.15 Policy LP27 requires developments to consider what improvements can be made to encourage safe and fully accessible walking and cycling.
- 8.16 A Transport Assessment (TA) and Travel Plan (TP) has been submitted as part of the application. They find that the site is in a sustainable location in transport terms, with local facilities within a comfortable walking and cycling distance of the site, and bus services connecting the site to large settlements to the north and south of the village.
- 8.17 The TA has considered the proposed access and finds that a safe and suitable vehicular access to the site can be provided via Church Road.
- 8.18 The additional traffic generation associated with the proposed development is forecast to be minimal and will not be noticeable across the highway network.
- 8.19 The TA finds that there are no existing highway safety issues in the vicinity of the site, nor will the proposed development have a material impact on highway safety.
- 8.20 Active travel permeability has been provided through the provision of a further footpath/cycleway links to Church Road to the west and Warton Recreation Ground.
- 8.21 The number, format and layout of parking spaces for cars and bicycles will be agreed at the reserved matters stage, taking into account prevailing local standards at that time, however, all dwellings will be provided with an Electric Vehicle (EV) charging facility and meet parking standards contained within Appendix 5 of the Core Strategy.
- 8.22 In line with the NPPF, the development will not have a severe impact on the operation of the local highway network, nor an unacceptable impact on highway safety; as such, there are no reasons why the proposals should be resisted on traffic or transportation grounds. Furthermore, the proposals are in accordance with Local Plan Policies LP23 and LP27 and Neighbourhood Plan Policy PNP8.

Landscape & Visual Impact

- 8.23 Blade was commissioned by the applicants to carry out a non-EIA Landscape & Visual Assessment (LVA) to accompany this application.
- 8.24 The LVA provides a description of the existing landscape and visual conditions of the site and its surroundings, commentary regarding the impacts of the proposed development and an appraisal of the likely effects of the proposed

development on the landscape resource, landscape character and views from public viewpoints.

- 8.25 The site is on the southwestern edge of Warton Village, which has a similar landform as the site. The centre of the village is found at approximately 91m AOD at the junction of Church Road and Maypole Road. The landscape context for this proposal is not simply open agricultural land of the site; it includes the peri-urban landscape of Warton and the wider built context of the village, which provide the setting for this proposal.
- 8.26 Overall, it is considered that the site could successfully accommodate the proposed residential development with minor adverse impacts on the landscape resource, character and visual amenity of the site and surrounding area.
- 8.27 From a landscape perspective, the LVA concludes the proposals as now formulated, will deliver a coherent and logical development of new homes on the southwestern edge of Warton village providing a high quality new landscape with a new social landscape function, and would preserve the distinctiveness of the village, as well as the open countryside setting of the No Mans Heath to Warton – Lowlands Landscape Character Area, and its nucleated settlement pattern.
- 8.28 The scheme will replace the site's agricultural character, but a substantial degree of naturalness will remain, albeit in a different form to that which currently exists.
- 8.29 A Landscape Strategy Plan prepared by Blade has been submitted with the application setting out the proposed landscaping across the site. This includes strengthening of existing trees and hedgerows, the introduction of new native trees (including traditional orchard planting) and creation of dedicated habitats for biodiversity net gain including species rich grassland, tussock and wetland meadow planting.
- 8.30 The proposed development accords with relevant national and local policies and guidance, including Policy LP14 and LP16 of the adopted Local Plan and Policy PNP4 of the Neighbourhood Plan.

Public Open Space

- 8.31 The masterplan demonstrates the delivery of 2ha of open space, with 0.83ha of Amenity Green Space and 1.17ha of Natural and Semi Natural Green Space.
- 8.32 The open space is proposed in the form of a focal green space and a circular corridor that extends to all site boundaries, incorporating natural play

opportunities. A potential link through to Warton Recreation Ground is also identified, providing access to existing playing fields and equipped play.

- 8.33 The green spaces will integrate the development into its setting, providing a soft development edge to the open countryside, deliver a range of benefits for both people and nature and respond positively to the local context. Therefore, it enhances landscape character, local ecology and creates a space for people.
- 8.34 The proposed open space exceeds the Council's Green Space Strategy (2019-2033) in respect of amenity green space and natural and semi-natural green spaces as set out below:

OPEN SPACE REQUIREMENTS			
Type	Requirement (Ha per 1000 pop)	On-Site Requirement (Ha)	Provision (Ha)
Amenity Green Space	0.50	0.13	0.83
Natural & semi-Natural Green Space	0.50	0.13	1.17
Parks & Public gardens	0.50	0.13	-
Allotments	0.50	0.11	-
	Total:	0.50	2.00

- 8.35 Whilst the proposal does not provide additional allotment space, the landscape strategy plan identifies an area of traditional orchards which provides an alternative sustainable food production opportunity within the community.
- 8.36 The outstanding parks, public gardens and allotment requirements will be delivered through financial contributions secured through the Section 106 Agreement.
- 8.37 As the proposal provides green space in line with the Green Space Strategy, it is in accordance with Policy LP20.

Flood Risk and Drainage

- 8.38 Link Engineering was instructed by the applicants to prepare a Flood Risk Assessment (FRA) and Drainage Strategy to support this application.
- 8.39 The site is located within Flood Zone 1 and is assessed as being at low or very low risk of flooding from fluvial and pluvial sources.
- 8.40 A Surface Water Drainage Strategy has been prepared to demonstrate that a sustainable drainage solution can be provided for the proposed development. The Surface Water Drainage Strategy has been designed largely in accordance with current sustainable development best practice and meets the requirements

of North Warwickshire Borough Council and Warwickshire County Council (as the LLFA).

- 8.41 The proposed development will discharge to the local drainage network at rates equivalent to existing conditions. The surface water drainage system shall be designed to ensure that flood storage volumes are retained onsite for critical storm events up to the 1 in 100-year return period plus an allowance for the effects of climate change.
- 8.42 To further mitigate the flood risk to properties in the event of a failure within the drainage system, surface levels will be designed to ensure that flood flows are not directed toward dwellings.
- 8.43 A SuDS attenuation basin is proposed to the south east of the site which will treat and store flows ahead of discharge. The development drainage system is to have a controlled outfall east beneath Orton Road, before ultimately discharging into the existing Seven Trent Water (STW) public sewer at the junction between Orton Road to the surface water sewer. The development proposals ensure that the nature and behaviour of the surface water drainage replicates that of the pre-developed site.
- 8.44 SuDS Management Trains will provide suitable treatment of run-off by removing pollutants prior to discharge.
- 8.45 A foul water drainage strategy has been prepared which implements measures to discharge foul water flow from the proposed development. Foul water will connect into an existing public foul water sewer located at the junction between Orton Road and Barn End Road.
- 8.46 The FRA and Drainage Strategy report demonstrates that the proposed development will not result in any detrimental impact onto the existing surrounding properties. The proposed drainage scheme will neither result in nor cause an increase of flood risk to surrounding properties or the development site. The proposed development is therefore in line with NPPF requirements and Local Plan Policy LP33.

Ecology

- 8.47 Blade was instructed by the applicants to undertake a Preliminary Ecological Assessment of the application site.
- 8.48 The site comprises arable land and a pond associated with willow scrub. Species rich hedgerow form the boundaries of the site.

Designated Sites

- 8.49 No statutory or non-statutory designated sites are present within the site boundary. The site falls within the risk zones of Birches barn Meadow SSSI and Alvecote Pools SSSI. It is currently undetermined how many units the scheme will propose or the level of discharge. However, if it is above 100 units and/ or more than 5m³/day of water or liquid waste is discharged than Natural England will need to be consulted.
- 8.50 It is therefore concluded that the development will not have a significant impact on any Statutory Nature Conservation Sites.

Habitats

- 8.51 *Arable:* the land is utilised for arable purposes. Crop production dominates the site.
- 8.52 *Pond:* a pond is situated at the north-east of the site. It is overshadowed by goat willow scrub, reaching 4m in height, with minimal aquatic vegetation present. Common nettle dominates the banks.
- 8.53 *Hedgerows:* four hedgerows are present within the application site. Hedgerow was the only habitat identified as meeting the criteria to be classified as Habitat of Principle Importance criteria under the local and/or national BAP. The vast majority of hedgerow will be retained. Habitat offering a low ecological value at the site level includes improved grassland, and dense/continuous scrub. Habitat offering higher ecological value includes hedgerow and mature broadleaved trees.
- 8.54 The proposal would remove small sections of hedgerow to facilitate the development of the site through the provision of access.
- 8.55 Mitigation and compensation for the loss of this habitat can be accommodated through the creation and enhancement of species-rich grassland within the proposed open space provision.

Fauna

- 8.56 *Great Crested Newts (GCN):* It is unknown whether the on-site pond or those within 500m of the application site support GCN. Therefore, surveys will be required of all ponds within 250m to confirm presence / absence of newts. These surveys have been commissioned and will be submitted in due course.
- 8.57 *Birds:* The habitats on-site to be impacted (arable) are not unique or scarce in the context of the surrounding landscape. Furthermore, it is anticipated that

schemes with large biodiversity areas and retention of hedgerows holds the opportunity to provide a benefit for bird species at Site level post-development.

- 8.58 However, as Alvecote Pools (SSSI) located c.1.9km north-west supports a regionally important bird community, with over 100 species recorded annually and between 60 to 70 species breeding on-site, it is recommended that an initial scoping survey for birds is undertaken. These surveys have again been commissioned and will be submitted in due course.
- 8.59 *Bats:* all mature hedgerows and trees are to be retained and protected as part of the proposals. Should any mature trees be impacted (removal due to health and safety reasons, change of layout, post-development light spill etc.); tree inspections for bats will be required to identify any potential suitable roosting features (PRFs) and presence / absence of bats.
- 8.60 The Framework Plan indicates that large biodiversity buffers will be afforded around all boundary hedgerows. Maintaining these as dark corridors, incorporating 'bat friendly' planting and providing bat boxes would provide a benefit for bat species at Site level. As no loss or impact upon commuting / foraging routes is anticipated.

Conclusion

- 8.61 Subject to the adoption of the recommendations detailed in the Preliminary Ecological Assessment, the development proposals would fully accord with national, regional and local policy, including adopted policies LP14 and LP16 and Neighbourhood Plan Policies PNP4 and will avoid any significant impacts on any designated sites for nature conservation.

Biodiversity Net Gain

- 8.62 Blade was commissioned by the app[licants to undertake a BNG Assessment of the proposed development.
- 8.63 Following calculations based upon the illustrative proposals undertaken using DEFRA Biodiversity Metric Calculation Tool, it can be seen that a net gain in biodiversity can be delivered as a result of the proposed development. Specifically, an increase in habitat units from 12.23 units to 13.97 units which equates to an 14.24% increase overall. An increase in hedgerow units has also been calculated, from 18.17 units to 20.59 units (which equates to a 13.3% increase).
- 8.64 It has been demonstrated that the proposed development will achieve a 10% overall net gain in biodiversity over the existing situation in line with national requirements and Policies LP16 and LP17.

Arboriculture

- 8.65 Policy LP16 of the Local Plan seeks to protect the natural environment, including important woodland/trees/hedges. The policy encourages development which conserves, enhances, connects, restores or recreates natural assets.
- 8.66 A Tree Survey and Arboricultural Impact Assessment has been submitted with the application. It finds that the proposed development would result not result in any Category A, B or C trees being removed, however the proposed access from Church Road will result in the loss of 15m of low quality and declining hedgerow. A single tree is proposed to be removed; however, this will inevitably die and fall in a short time frame irrespective of whether the site is developed.
- 8.67 The small section of hedgerow removal required to facilitate the proposed vehicular access is not considered to result in a significant visual amenity impact and replacement tree and hedgerow planting is proposed within the site to mitigate any impact. There are extensive opportunities to deliver a net increase of hedgerow and trees on the site as a result of the proposed development. An illustrative planting strategy is shown on the submitted Landscape Strategy Plan.
- 8.68 The proposed development will not require any works to be completed within the Root Protection Areas of retained trees and all retained trees will be fully protected by the installation of tree protection barriers prior to the commencement of development. Tree protection measures are set out in the report.
- 8.69 The proposals are therefore in accordance with Policy LP16 of the Local Plan and PNP4 of the Neighbourhood Plan.

Cultural Heritage & Archaeology

- 8.70 RPS was instructed to by the applicants to prepare both a Heritage Statement and an Archaeological Statement in respect of the proposed development.
- 8.71 The Heritage Statement considers the potential impact of the proposed development on the setting and significance of those designated and non-designated heritage assets located in the vicinity of the application site.
- 8.72 The assessment identified two Listed Buildings, and twenty-one potential non-designated built heritage assets located within a 1km search radius around the site. The report has also considered a Grade I Listed Building located outside of the search area.

- 8.73 The statement established that only the Holy Trinity Church (Grade II) and St Edith Church (Grade I) have the potential for their significance to be affected by the site's development, through changes within their settings.
- 8.74 The assessment concludes that the site comprises a neutral element within the setting of both of these designated heritage assets whereby it makes no contribution to their significance. The development will result in a small visual change within their settings, which will have no effect on how their significance is appreciated or understood.
- 8.75 The proposed development will therefore not cause harm to the significance of these designated and non-designated heritage assets. In the determination of the planning application, the NPPF testing of paragraphs 214, 215 and 15 need not be engaged.
- 8.76 The Archaeological Statement assesses whether there are any likely archaeological constraints to development of the site and identifies whether there will be a requirement for any further archaeological investigation.
- 8.77 It concludes that, there are no archaeological constraints to the site's development, and it is unlikely that the site will contain any archaeological remains that will need to be preserved in-situ or to be designed around.
- 8.78 The identified activity on the adjacent site to the east was investigated through trial trenching post consent and there is no evidence that any of the features extend into this site. It would therefore be appropriate for any further archaeological works that the planning archaeologist might recommend, to ground-truth the geophysics results, to be secured by an appropriately worded planning condition.
- 8.79 Therefore, the proposed development accords with relevant national and local policies and guidance, including Policy LP14 and LP29 of the adopted Local Plan and Policies PNP4 of the Neighbourhood Plan.

Noise

- 8.80 Policy LP29 on development considerations seeks to avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution.
- 8.81 A Noise Assessment has been submitted in support of this application. The assessment relates to the potential impact of existing noise sources on the proposed external amenity areas and on the living rooms and bedrooms within the proposed development.

8.82 The Noise Assessment demonstrates the feasibility of the site for residential use, assuming proposed dwellings are located a reasonable notional setback distance within the proposed developable area.

8.83 The assessment finds that noise can be satisfactorily controlled by the design of the development. The proposals are therefore in accordance with local Policy LP29.

Sustainable Development

8.84 As discussed previously in Chapter 6 of this statement, the NPPF sets out three dimensions to sustainable development which the proposed development should be assessed against.

Economic Benefits

8.85 The Government has consistently attached significant weight to the need to secure economic growth and employment. Indeed, the NPPF states (para 85): 'Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.'

8.86 The main economic benefits of developing up to 110 dwellings and public open space on Land north of Orton Road can be summarised as:

- Employment supported by the construction phase;
- Contribution of the construction phase to economic output;
- Growing labour force;
- Increased household spend and which a substantial proportion would be retained within North Warwickshire;
- First occupation expenditure linked to new properties; and
- Increased Council Tax income and New Homes Bonus.

Social Benefits

8.87 In terms of social benefits, the planning application will deliver a mix of market and affordable properties that are aligned to local need and demand.

8.88 The provision of market housing will also contribute towards meeting the wider housing needs arising within the district, contributing towards the Council's

housing land supply. The provision of affordable homes will contribute to meeting identified affordable housing needs within the district.

- 8.89 Delivery of new public open space provides new opportunities to support recreation and contribute towards healthy, safe and sustainable communities.

Environmental Benefits

- 8.90 The site is not subject to any specific environmental designations and there are few environmental sensitivities.
- 8.91 Moreover, as set out in detail above, a number of environmental and technical assessments have been undertaken, which confirm that the development of the site would not give rise to any unacceptable impacts in terms of landscape character and visual amenity, ecology, heritage, flooding, drainage and traffic. The technical assessments, together with the feedback from engagement with key stakeholders, have informed the preparation of the proposal to ensure that appropriate mitigation has been embedded to address any potential impacts that may arise from the development.
- 8.92 The proposed development seeks to make the most efficient use of this site that is well connected to the existing settlement of Warton and is sensitively integrated within the landscape.
- 8.93 The proposal would secure a Biodiversity Net Gain in excess of the 10% required, through on-site ecological enhancement.
- 8.94 The application includes measures to promote the utilisation of sustainable modes of transport such as walking and cycling and provides opportunity for local residents to access existing services, facilities and employers in close proximity to the site. All dwellings will have EV charging points.
- 8.95 The provision of SuDS through the inclusion of an attenuation basin fulfils a functional role to ensure flood risk is not increased as a result of the development whilst simultaneously enhancing and promoting biodiversity.
- 8.96 Overall, it can be demonstrated that the proposal will result in a net gain in biodiversity.

Planning Balance

- 8.97 The Policies most important for determining the application are out of date because the Council cannot demonstrate a five-year supply of deliverable housing sites under the terms of paragraph 78 of the Framework. Policies relating

to the delivery of housing, including Policy LP2 are now out of date and the weight to be attributed to them is reduced.

- 8.98 Under the provision of the presumption in favour of sustainable development the application should be granted unless there are protected areas or assets of particular importance that provide a strong reason to refuse the development (p11di) or any adverse impacts of the development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination (p11dii).
- 8.99 The harms associated with the proposed development are limited to the site's location outside of, but adjacent to, the settlement boundary and the minor adverse landscape impacts focused at the local level. In addition, the site represents best and most versatile agricultural land.
- 8.100 There are no protected areas or assets of particular importance that provide a strong reason to refuse the development.
- 8.101 The measurable benefits of the proposed development include:

Social Benefits

- Market Housing within the context of an increasing housing need and the provision of a housing mix to meet local needs – significant weight;
- 40% Affordable Housing within the context of a significant, and increasing, local need and shortfall in supply – very significant weight;
- Creation of new green space and play area publicly accessible to both new and existing residents – moderate weight.

Economic Benefits:

- The proposal would result in a number of economic benefits, notably job creation during construction, increased local spend at shops and facilities, increased Council Tax receipts and a New Homes Bonus payment. These economic benefits would accrue moderate weight in the planning balance.

Environmental Benefits:

- The ecological enhancement on site securing Biodiversity Net Gain above the required 10%.

- 8.102 It is the case that there are no adverse impacts of the development that significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

9. SECTION 106 HEADS OF TERMS

- 9.1 Local and national policy requires new development to be supported by the required infrastructure, to be delivered at an appropriate stage. This could be through the form of on-site provision or financial contributions in lieu of on-site provision.
- 9.2 At this stage it is anticipated that, subject to compliance with Regulation 122 of the CIL Regulations 2010, the following items will be included within a Section 106 Agreement (or other legal agreement as appropriate), to be secured upon grant of planning permission in respect of the proposed development:
- a) Provision of 40% affordable homes:
 - 85% affordable/social rent
 - 15% intermediate
 - b) Off-site park, public garden and allotment financial contributions;
 - c) Off-site highways works, including improvement to:
 - Orton Road
 - Kisses Barn Lane
 - Stiper's hill
 - Linden Lane junction;
 - d) Public open space provision and management;
 - e) On-site biodiversity enhancements and long-term management as identified to achieve a minimum 10% net gain in biodiversity;
 - f) Financial contributions related to monitoring of the Travel Plan;
 - g) Financial contributions towards primary school and secondary provision if additional capacity required as a result of the development;
 - h) Financial contributions towards local healthcare provision if additional capacity required as a result of the development.
- 9.3 To ensure compliance with Policy LP21 the detail of these any further identified obligations will be negotiated and agreed in accordance with the CIL Regulations

2010 once formal requests have been received from the relevant statutory consultees.

10. CONCLUSIONS

- 10.1 This planning statement has been prepared on behalf of the applicants in support of an outline planning application for the delivery of up to 110 dwellings, public open space, landscaping and planting, associated infrastructure and enabling works. Primary vehicle access is to be constructed via Church Road.
- 10.2 Section 38(6) of The Planning and Compulsory Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.3 The policies relating to the delivery of homes are, however, now out-of-date in NPPF terms given that the Council is unable to demonstrate a five-year supply of deliverable land for housing.
- 10.1 Land north of Orton Road is continuous with the settlement boundary for Warton. Warton is identified as a Category 4 settlement within the adopted Local Plan. It therefore provides a sustainable extension to the settlement whilst also helping address the Council's housing shortage.
- 10.2 A range of technical and environmental assessments have been undertaken to inform the preparation of the development proposals and ensure appropriate mitigation is included to address any impacts that may arise from the development. These have been summarised in Chapter 8 and demonstrate that the site is not subject to any insurmountable constraints, that it is a suitable location for growth, and that any impacts that would arise from the development of this site are minimal.
- 10.3 There are, therefore, no adverse impacts that would (individually or collectively) 'significantly and demonstrably' outweigh the clear and substantial benefits of the proposed residential development of the application site and part (ii) of paragraph 11d of the NPPF is passed.
- 10.4 The application proposals constitute sustainable development and would contribute towards meeting the identified local housing needs of the district. Therefore, it is respectfully requested that the Council grant planning permission within the framework set by Section 38(6) of The Planning and Compulsory Purchase Act 2004.

