Supporting Planning, Design and Access Statement

Incorporating Affordable Housing Statement

Outline application for residential development of up to 116 No. dwellings, with all matters reserved except access

Land South of Station Road, Fenny Compton, Southam, CV47 2YW

Prepared on behalf of Fenway Group

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1 INTRODUCTION

1.1 CC Town Planning has been appointed by Fenway Group ('the Applicant') to prepare a Planning Statement to accompany an outline planning application for the proposed residential development of up to 116 No. dwellings on land to the south of Station Road, Fenny Compton, Southam, CV47 2YW ('the site').

1.2 The planning application is submitted to Stratford-on-Avon District Council as the determining Local Planning Authority ('LPA' / 'Council') for the area and seeks outline planning permission with all matters reserved except access.

1.3 The statement is structured to provide the LPA with the requisite level of information to justify the proposals and to enable the determination of the planning application at the earliest opportunity.

1.4 Each section seeks to address a specific point, and the document is structured as follows;

Section 2: Site & Surroundings

Section 3: Planning History

Section 4: The Proposed Development

Section 5: Planning Policy Context

Section 6: Planning Justification

Section 7: Conclusion

1.5 As explained further in Sections 5 and 6, the Council is currently unable to demonstrate a five-year housing land supply (5YHLS) as per the extract from the website shown below, and thus the principle of development at Policy S5 – 1 j) i) of the National Planning Policy Framework (NPPF) applies.

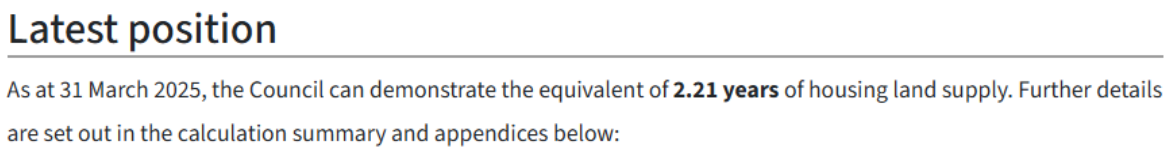


Figure 1 – Extract from LPA website 20/07/2026 confirming lack of 5YHLS

1.6 The Applicant has had regard to the Council's own feedback on the principle and density of development on this site, obtained through pre-decision correspondence on a recent Permission in Principle application – 26/00492/PIP ('the PiP') – in bringing forward this comprehensively planned scheme.

1.7 The LPA's 5YHLS position has declined from 2.74 years in February 2026 (when the PiP was submitted) to 2.21 years at the time of writing this statement in July 2026.

1.8 The following supporting drawings and reports are also submitted with the planning application:

Drawing / Document Title	**Reference**
Site Location Plan	WG1576-010 Rev C
Indicative Site Layout	WG1576-003 Rev K
CIL Additional Information	N/A
Topographical Survey	1215/1774/1
Agricultural Land Classification (ADAS)	1011770 – March 2026
Arboricultural Impact Assessment (Origin Environmental)	260202 26020 AIA V1a – 4th September 2026
Archaeological Desk-Based Assessment (Cotswold Archaeology)	MK1401_1 – July 2026
Ecological Impact Assessment (Aurochs Ecology) (includes BNG metrics spreadsheet)	AE0124 – June 2026
Flood Risk Assessment & Drainage Strategy (DSA) (Includes Clean Water Development Enquiry response from Severn Trent Water dated 18.06.2026)	25/59808 – 04/09/2026
Landscape and Visual Impact Assessment (LVIA Ltd)	CDC1747lvia Revision B – 04.09.2026
Phase One Desktop Study and Infiltration Testing (RDM)	RDM1278 – 16.04.2026
Transport Assessment (DTA Transportation Ltd)	DN/NS/27520-01a – 15th May 2026

2 SITE & SURROUNDINGS

2.1 The application site comprises approximately 4.76 hectares (11.76 acres) of land in pastoral agricultural use, forming part of a larger field immediately to the south of Station Road, Fenny Compton. The site is bounded by hedgerows, including a mature hedgerow of approximately 3 metres in height and depth along the Station Road frontage.

2.2 The site is located within the Neighbourhood Area for the purposes of the Neighbourhood Plan, and lies outside, but immediately adjoins, the settlement / Built-Up Area Boundary (BUAB) of Fenny Compton. It sits between two sections of the village's BUAB, with continuous linear built form continuing eastwards along Station Road towards its junction with the A423 Banbury Road. The location plan is shown below.

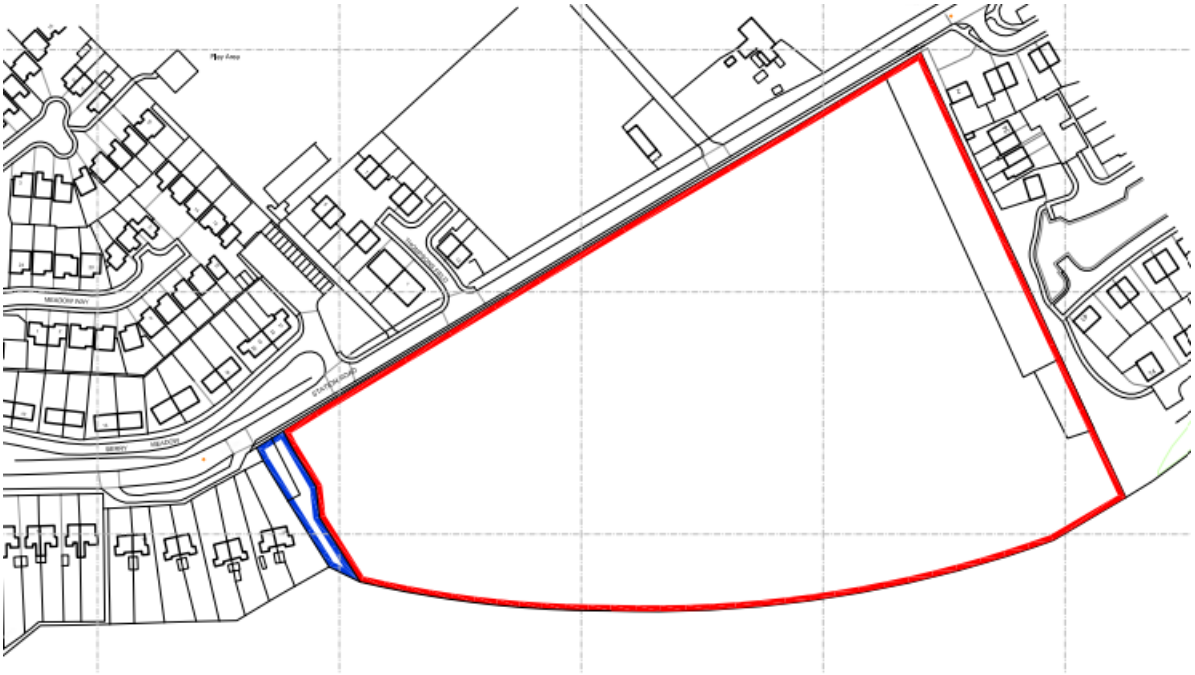


Figure 2 – Extract from Site Location Plan

2.3 As shown above, the site adjoins existing and emerging residential development to the north and west. It is only separated from the existing residential development to the west by the land shown in blue, which is to be retained as access to the neighbouring farmland. The site is bounded to the south by open countryside rising towards Mill Hill.

2.4 Existing surface water flow routes cross the site, as identified on the accompanying indicative site layout, and are to be addressed through the proposed drainage strategy and attenuation ponds.

Planning Designations and Constraints

2.5 The site lies within the Ironstone Hills Special Landscape Area, a locally designated landscape under Policy CS.12 of the Stratford-on-Avon Core Strategy (2011–2031), as confirmed by the Council's case officer in pre-decision correspondence on the Applicant's recent Permission in Principle application (see Section 3).

2.6 The site falls within the area covered by the made Fenny Compton Neighbourhood Development Plan 2021–2031 ('the NDP'), which forms part of the statutory development plan. Policy NA1 of the NDP identifies a series of locally valued views, including the 'Red Vista', described at paragraph 9.2.5 of the NDP and illustrated at Figure 20, the extent of which covers part of the site. This designation, and the implications of the proposal for it, is addressed further in Section 6 of this statement, and is informed by the accompanying Landscape and Visual Impact Assessment.

2.7 A Tree Preservation Order was made on the 16th July 2026 on a single oak tree close to Station Road, the location of which is shown below. This is identified as a constraint to be addressed through the layout and confirmed by way of an arboricultural survey, with full details to follow at reserved matters stage.

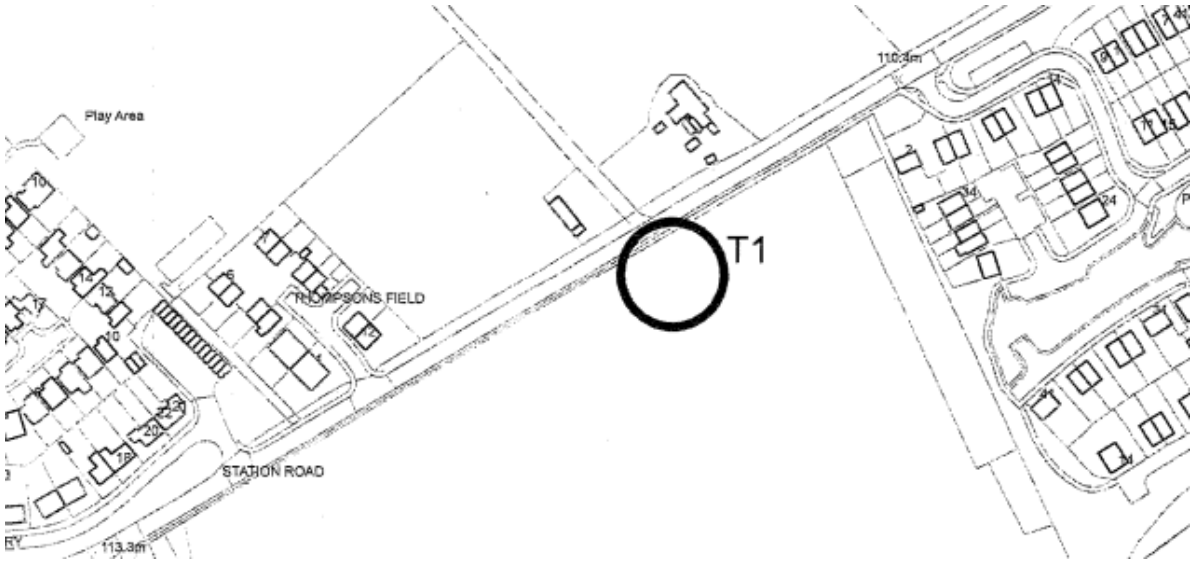


Figure 3 – Location of Tree Preservation Order TPO/035/006 SDC 781

2.8 The site lies within no nationally designated landscape, heritage or ecological area and is not located within an area at high risk of flooding from rivers or the sea according to publicly available Environment Agency mapping. Surface water drainage is addressed further in Section 6.

Accessibility and Local Context

2.9 The site has frontage onto Station Road, which provides a footway link into the centre of Fenny Compton. The village offers a range of day-to-day services and facilities within comfortable walking and cycling distance of the site, including a doctor's surgery, a convenience store, a primary school, a nursery, a children's park and a village hall.

2.10 In terms of public transport, the village is served by the 77A, 77B and 77E services to Leamington Spa and Stratford upon Avon, with the closest bus stop located on the north side of Station Road by Brindley Way. In terms of cycling infrastructure, National Cycle Route 48 passes through the west part of the village.

2.11 The settlement of Fenny Compton is also located within close proximity to the A423, a key route between Banbury and Coventry via Southam. It is also close to the M40 motorway, thereby providing convenient links to Birmingham and London and their respective airports.

2.12 Therefore, as the site benefits from good accessibility to both local services and local / strategic roads, it is considered suitable to accommodate a residential development of the scale proposed.

3 PLANNING HISTORY

3.1 Based on information available on the Council's E-Planning mapping system, the site has a history of older applications as follows:

- 76/02224/FUL – Erection of Dwelling Houses – Refused 01/04/1976
- 84/01271/FUL – Development to provide 9 no. (max) two bedroom & three bedroom dwellings & suitable agreed tree planting

3.2 On the north side of Station Road, opposite the application site, and also outside the established Built Up Area Boundary, permission was granted at appeal in July 2024 for a development of 12 self-custom build houses – Council Ref: 22/02138/OUT / Inspectorate Ref: APP/J3720/W/23/3332382.

North of Station Road

3.3 On the north side of Station Road, opposite the application site, and also outside the established Built Up Area Boundary, permission was granted at appeal in July 2024 for a development of 12 self-custom build houses – Council Ref: 22/02138/OUT / Inspectorate Ref: APP/J3720/W/23/3332382.

3.4 The Inspector found that the Council was unable to demonstrate a five-year housing land supply and that the tilted balance was engaged in favour of the development. This appeal decision pre-dates the Council's most recent housing land supply position, which has since declined further.

South of Station Road / East of the Application Site

3.5 Planning permissions were granted for the redevelopment of a former industrial premises to the immediate east of the site for a combined total of 100 dwellings, Council references:

- 13/02734/OUT and 17/02377/REM (80 dwellings; and
- 18/01097OUT and 20/02701/REM (20 dwellings)

Permission in Principle Application 26/00492/PIP and Community Feedback

3.6 On 12 March 2026, the Applicant submitted an application for Permission in Principle (ref 26/00492/PIP) for up to 9 dwellings on a smaller portion of the site, the maximum permitted under the Permission in Principle route.

3.7 The application was validated, by way of an acknowledgement letter dated 22 April 2026, following a long delay in the processing of the application fee.

3.8 Objections were received from the local community (neighbour / Parish Council / Councillor) on the following grounds:

- Opposition in principle to extending beyond the BUAB;
- Dispute the infill nature of the proposals;
- Drainage and flood risk concerns;
- Assertions that there is no need for new housing (and that the village has exceeded its allocation);
- Where the 5YHLS is acknowledged (Cllr only), this was not considered to be outweighed by the modest provision of up to 9 dwellings;
- Further growth of the village would be excessive; and
- Lack of available provision for the local school and doctors surgery

3.9 During the course of the application, the case officer confirmed in writing (correspondence dated 5 June 2026) that, notwithstanding the site's location outside the BUAB, significant weight was attached to the principle of residential development on this site given the Council's 5YHLS position.

3.10 The sole substantive concern raised by officers was that a scheme of between 1 and 9 dwellings across the full extent of the site as then proposed would represent a low-density form of development that would not make the most effective or efficient use of land, contrary to paragraphs 129 and 130 of the (previous version of the) NPPF. Officers indicated that they were minded to recommend the application for refusal on this basis.

3.11 The case officer's informal suggestion was that a reduced red line, focused on the western part of the site adjoining the main part of the village and not extending beyond the line of Thompsons Field opposite (thereby also avoiding the new Tree Preservation Order), would be more likely to be supported at officer level, albeit still subject to a tilted balance assessment.

3.12 The case officer also agreed that, irrespective of any amendment to the red line, the Parish Council and Ward Member were likely to maintain their objections to the scheme, such that determination by committee would remain likely.

3.13 Whilst a formal Statement of Community Involvement does not accompany this application, comments from local residents, the Parish Council and the Ward Member regarding the principle of residential development have been carefully reviewed and have informed the evolution of the current proposals. In particular, matters relating to drainage, infrastructure

capacity, landscape impact and the overall relationship of the development with the village have been taken into account through the preparation of the technical assessments and the indicative masterplan submitted with this application.

3.14 Having had regard to community and officer feedback and noting that amending the red line in this way would not have provided certainty of a positive recommendation while resulting in a still-modest scheme of up to 9 dwellings, the Applicant withdrew the Permission in Principle application. This was confirmed by the Council on 11 June 2026.

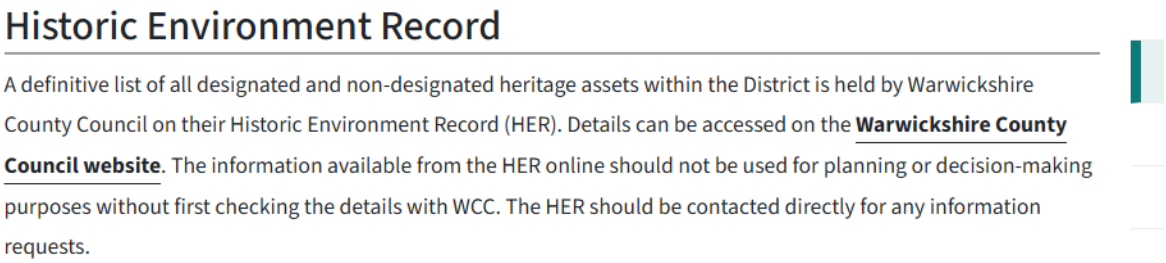
3.15 The Applicant has taken this feedback on board in bringing forward the current outline application for up to 116 dwellings across the wider site. The Applicant acknowledges that concerns from the local community regarding further growth at Fenny Compton are likely to remain.

3.16 As set out at Section 6, the proposed development achieves a density that is consistent with that of the neighbouring development to the east, thereby addressing the sole substantive concern raised by the Council in respect of the Permission in Principle application, while the principle of residential development in this location – expressly afforded significant weight by the Council's own case officer – is unchanged. A copy of the PiP decision and relevant correspondence is provided at Appendix A.

Archaeological Advice

3.17 In addition to the above, as part of the due diligence in preparing this application, the applicant's archaeological consultant sought advice from Warwickshire County Council's archaeological team in July 2026. However, in a response dated 13th July 2026 from Warwickshire County Council, it was confirmed that Stratford-upon-Avon District Council no longer engages with the Warwickshire County Council archaeological team for curatorial advice.

3.18 In the absence of clear guidance on the Stratford website of how to obtain archaeological advice from the Council as shown below – which still directs customers to Warwickshire County Council, the archaeological desk-based assessment is submitted on this basis.



Historic Environment Record

A definitive list of all designated and non-designated heritage assets within the District is held by Warwickshire County Council on their Historic Environment Record (HER). Details can be accessed on the **Warwickshire County Council website**. The information available from the HER online should not be used for planning or decision-making purposes without first checking the details with WCC. The HER should be contacted directly for any information requests.

Figure 4 – Extract From Stratford Council website regarding archaeological records

4 THE PROPOSED DEVELOPMENT

4.1 The application seeks outline planning permission for up to 116 dwellings, with associated vehicular access, parking, landscaping, public open space and drainage infrastructure. The application is submitted with all matters reserved for subsequent approval save for access.

4.2 The indicative site layout (Walker Graham Architects, WG1576-003 Rev J) illustrates how a scheme of this scale could be accommodated on the site, including an illustrative housing mix as follows:

Dwelling Type	Number	% of Total
1-bed (2-person) dwellings / 2-storey maisonettes	10	8.6%
2-bed (4-person) dwellings	44	37.9%
3-bed (5-person) dwellings	48	41.4%
4-bed (8-person) dwellings	14	12.1%
Total	**116**	**100%**

4.3 The indicative layout also provides 0.62 hectares (6,170 sqm / 1.52 acres) of public open space, located along the western and southern boundaries of the site, together with attenuation ponds and swales addressing the existing surface water flow routes that cross the site.

Design, Scale and Layout

4.4 While layout, scale, appearance and landscaping are all reserved matters, the indicative layout demonstrates a logical and deliverable approach which responds directly to the site's context. Development on the perimeters can retain an appropriate setback from the boundary, and can face outwards toward Station Road, the neighbouring built form to the east, the open countryside to the south and the indicative open space area to the west.

4.5 The established pattern of development along Station Road can be retained, with the built form stepping back from, and the lowest-density elements of the scheme can be located towards, the southern and western boundaries where the site is most open to the wider countryside and the Red Vista as identified in the neighbourhood plan.

4.6 A single point of vehicular access is proposed from Station Road, located to avoid the existing mature roadside hedgerow and newly preserved tree as far as practicable. Building heights and detailed massing will be confirmed at reserved matters stage and are anticipated to be similar to, or lower than, the ridge heights of the adjoining built form, consistent with the

mitigation strategy set out in the accompanying LVIA. The indicative site layout plan is shown at Figure 5 below.



Figure 5 – Indicative Site Plan

Landscaping and Biodiversity

4.7 A full landscape strategy and Biodiversity Net Gain assessment will accompany the reserved matters submission(s) but in broad terms, the indicative layout retains and reinforces the existing boundary hedgerows, in particular the mature hedgerow fronting Station Road, introduces new native hedgerow and tree planting along the southern boundary, and provides for the creation of wildflower grassland within the public open space, in line with the mitigation measures recommended within the LVIA.

Access and Parking

4.8 Vehicular access is proposed via a new junction onto Station Road, assessed in detail within the accompanying Transport Assessment (see Section 6). Car and cycle parking provision will be brought forward at reserved matters stage in accordance with the Council's adopted parking standards.

4.9 Indicatively a package of off-site accessibility improvements is proposed, informed by the Transport Assessment, including additional (if necessary) bus stop infrastructure (flags, timetable cases and hardstanding), residential travel information packs, and a new dropped kerb and tactile paving crossing point near the doctor's surgery, to be secured by way of planning conditions and/or a Section 106 agreement.

5 PLANNING POLICY CONTEXT

5.1 Section 38(6) of the Planning & Compulsory Purchase Act 2004 (The Act) requires that decisions on planning applications be taken in accordance with the development plan, unless material considerations indicate otherwise. This is also reinforced within the National Planning Policy Framework ('NPPF') at Paragraph 3.

5.2 In assessing the planning policy context, consideration has been given to the adopted development plan and to national planning policies. All relevant documents are set out below in order of national and local levels.

THE NATIONAL PLANNING POLICY FRAMEWORK ('NPPF') (AUGUST 2026)

5.3 The National Planning Policy Framework ('NPPF') sets out the government's national decision-making policies for England.

5.4 A material change to the latest version (August 2026) in comparison to the December 2024 and preceding versions is that it now contains specific national decision-making policies ('NDMPs') which should be read as a whole, including relevant footnotes and annexes.

5.5 The NPPF document sets out the Government's view of sustainable development and gives an overview of the economic, social and environmental roles which planning should play.

5.6 Paragraph 9 is clear that any relevant annexes included within the NPPF are also national planning policy.

5.7 Paragraph 11 is clear that where policies set out lists in the form of sub-paragraphs, all of those sub-paragraphs apply unless the text indicates otherwise.

5.8 The NPPF sets out that the purpose of the planning system is to contribute to the achievement of sustainable development, by managing the use and development of land in the long-term public interest.

5.9 The document sets out the government's view of sustainable development and gives an overview of the economic, social and environmental roles which planning should play.

Policy DM3 – Determining development proposals

5.10 When considering development proposals, the onus is on a Council to

a. Work positively and proactively with applicants, seeking solutions to problems where necessary, to enable timely decisions;

b. Take a proportionate approach to the consideration of planning matters raised, in a way that reflects their scale, complexity and potential impact;

c. Take account of planning matters raised during pre-application engagement;

d. Take a proportionate approach to consultation, consulting only where necessary to do so, and not unreasonably delaying decisions where consultees do not respond within the statutory timescales;

e. Consider whether conditions or obligations could make otherwise unacceptable development proposals acceptable in planning terms; and

f. Not refuse applications which should clearly be approved, having regard to the development plan, other NDMPs and other material considerations.

Section 4 – Achieving Sustainable Development

Policy S3 – Presumption in favour of sustainable development

5.11 At the heart of the NPPF, this policy sets out that decisions on development proposals should apply a presumption in favour of sustainable development.

- For development within settlements, Policy S4 applies;
- For development outside settlements, Policy S5 applies; and
- For development partly within and partly outside a settlement, Policies S4 and S5 should apply to the relevant parts of the proposal.

5.12 In all locations, Policy S3 is clear that development proposals that accord with both an up-to-date development plan and the NDMPs should be approved without delay.

Policy S5 – Principle of development outside settlements

5.13 Paragraph 1 is clear that only certain forms of development should be approved outside settlements (list shown below). These should be **approved**, unless the benefits of doing so would be **substantially outweighed** by any adverse effects, when assessed against the NDMPs.

5.14 Approved forms of development are as follows:

a) Development for: agriculture, horticulture and forestry; outdoor sport and recreation; allotments; cemeteries and burial grounds; mineral extraction and processing; engineering operations and infrastructure (including for transport, energy, water and telecommunications); roadside facilities in accordance with policy TR5; national defence and security; or which is solely for nature conservation, restoration and/or enhancement;

b) Development for rural businesses and services, including tourism, where a location outside settlements is shown to be necessary;

c) The reuse, extension, alteration or replacement of an existing building, provided that the existing building is of permanent and substantial construction, is lawful in planning terms, and any extension or alteration will not result in a disproportionate increase in size compared to the existing building – with footnote 25 clarifying that is the building as it stood on the 17th August 2026, if lawful. In the case of proposals for a replacement building, it should be for the same use and not disproportionately larger than the one it replaces;

d) The redevelopment of previously developed land (including a material change of use to residential or mixed-use including residential);

e) Limited infilling within groups of houses;

f) An exception site as provided for in policy HO10, or development brought forward under a Community Right to Build Order or Neighbourhood Development Order;

g) Development which would address an evidenced unmet need for gypsy, traveller or travelling show people accommodation, provided it meets the criteria in NDMP HO12. Footnote 26 clarifies that a 5-year supply of deliverable sites can be applicable, referencing NDMP H03.

h) Residential and mixed-use development which would

    i. Be within reasonable walking distance of a well-connected station (applying the definitions in the glossary at Annex B)

    ii. Be physically well-related to the station or the settlement within which the station is located

    iii. Be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; and

    iv. Not prejudice any proposals for long-term comprehensive development in the same location

i) The development of land allocated for that purpose in the development plan (where this lies outside settlements); and

j) Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites or scores below 75% in the most recent Housing Delivery Test (Referencing Annex D), and where the development would:

i. Be physically well-related to an existing settlement (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or

ii. Comprise major development for freight and logistics purposes which accords with policy E3

5.15 Paragraph 1 j) i. applies to this application as the Council is presently unable to demonstrate a 5-year supply of housing, and the site is physically well related to the settlement, sitting within its two BUABs.

Policy S6 – Neighbourhood plans and the presumption

5.16 Where proposals involve the provision of housing, the benefits of approval are likely to be substantially outweighed by the adverse effects where a proposal would conflict with a neighbourhood plan, provided the following apply:

a. The plan became part of the development plan five years or less before the date of decision; and

b. The plan contains allocations to meet its identified housing requirement (see NDMP policy HO2)

Section 5 – Meeting the challenge of climate change

5.17 This sets out the government's objective to support the transition to net zero by 2050 and to shape places in ways which are more resilient to the effects of climate change.

Policy CC2 – Mitigation of climate change

5.18 Paragraph 1 sets out that development proposals should, where relevant:

a. Prioritise sustainable patterns of movement and take opportunities to improve walking, wheeling, cycling and public transport;

b. Support good access to facilities in order to limit the need to travel, whether through location, or density;

c. Use design approaches which conserve energy and other resources in accordance with NDMP policy DP3(2)(b);

d. Take advantage of opportunities to reuse existing structures and materials;

e. Take advantage of opportunities to draw low carbon energy from decentralised networks where available, and to co-locate energy and heat generators and users;

f. Contribute to the creation or restoration of habitats which can act as carbon stores, while avoiding harm to habitats which can act as important carbon stores; and

g. Not involve the extraction of fossil fuels unless it is in accordance with NDMP policy M5.

5.19 Paragraph 2 is clear that **substantial weight** should be given to the benefits of improving the energy efficiency of existing buildings and/or drawing energy from district heat networks, renewable and low carbon sources where this would be achieved through proposals for development.

Policy CC3 – Adaptation to climate change

5.20 Paragraph 1 states that proposals should take into account current and potential impacts of climate change over its lifetime, and in order to minimise vulnerability to these impacts should, where relevant:

a. Be located where the risk of flooding is minimised, or can be managed and made safe without increasing risk elsewhere, in accordance with NDMP policies F4, F5, F6, F7 and F8;

b. Comply with NDMP policy F9 where located in an area vulnerable to coastal change, as specified in that policy;

c. Incorporate sustainable drainage systems to manage surface water flow rates and reduce volumes of runoff in accordance with NDMP policy F8;

d. Use design approaches which minimise risks from overheating in accordance with NDMP policy DP3(2)(b), and include green infrastructure and suitable tree planting in accordance with NDMP policies DP3(2)(c) and N3; and

e. Incorporate proportionate measures to mitigate against wildfires, where opportunities exist and where wildfires pose a particular risk.

5.21 Paragraph 2 places substantial weight on the benefits of improving the resilience of existing buildings and public spaces to anticipated climate change impacts.

Section 6 – Delivering a sufficient supply of homes

5.22 This sets out the government's objective of significantly boosting the supply of homes, seeks to ensure that the needs of groups with specific housing needs are addressed, and to ensure that land with permission is developed without unnecessary delay.

Policy H07 – Meeting the need for homes

5.23 This is clear that **substantial weight** should be given to the benefits of providing homes which will contribute towards meeting the evidenced accommodation needs of the community, as identified through the Council's needs assessments and other relevant evidence.

Policy HO8 – Providing affordable homes

5.24 Paragraph 1 sets out that proposals should meet or exceed up-to-date development plan requirements for the proportion and mix of affordable houses relevant to the location, including the minimum proportion of social rent. This should be provided on-site unless:

a. Off-site delivery would optimise the quality or quantity of affordable homes to be built; or

b. A contribution in lieu of on or off-site provision can be justified and contributes toward creating mixed and balanced communities.

5.25 Paragraph 2 relates to military affordable housing and sets out exemptions in respect of the requirements outlined in Part 1 above. Proposals for military housing should demonstrate an evidenced unmet need, and meet development plan requirements for the proportion of affordable housing on the site.

5.26 Paragraph 3 references that where development proposals are compliant in respect of affordable housing, a flexible approach should be taken to any development plan requirements in respect of the number of bedrooms for market homes, taking into account market conditions.

Section 12 – Making effective use of land

5.27 This sets out the government's objective to promote the effective use of land in meeting the need for homes, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

5.28 This is particularly relevant in light of the advice given on permission in principle application 26/00492/PIP on density, and the density of the modern residential development to the immediate east of the site.

Policy L3 – Achieving appropriate densities

5.29 Paragraph 1 requires development proposals to make efficient use of land, taking into account:

- The identified need for different types of housing,
- Local market conditions,
- The availability of infrastructure and its scope for improvement;
- A site's connectivity; and
- The importance of securing well-designed, attractive and healthy places.

5.30 Paragraph 2 expands upon this, setting out that to contribute to making efficient use of land, proposals that are outside settlements should make the best use of a site's potential.

Section 14 – Achieving well-designed places

5.31 The government's objective is to promote high quality, healthy, inclusive and sustainable places.

Policy DP3 – Key principles for well-designed places

5.32 Paragraph 1 sets out the expectations for proposals to respond to their context, so that they integrate with and enhance their surroundings. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with NDMP policies L2 and L3.

5.33 Paragraph 2 identifies the following principles (as relevant) as being crucial to the delivery of well-designed places:

a. Liveability: Support healthy, mixed, vibrant and integrated communities, which will function well over the lifetime of the development, by incorporating a range of uses and tenures, employing features which promote social interaction, and which are robust, durable and easy to look after;

b. Climate: Contribute to climate change mitigation and adaptation and the transition to net zero by using building layouts, building orientation, massing, landscaping and materials which conserve energy and other resources, and which minimise risks from the impacts of climate change including overheating;

c. Nature: Incorporate and/or connect to a network of high quality, accessible, multifunctional green infrastructure to provide opportunities for recreation and healthy living, strengthen habitats, improve climate change resilience and improve air and

water quality. This should include maintaining and enhancing tree cover and incorporating sustainable drainage systems in accordance with NDMP policies N3 and F8;

d. Movement: Provide transport infrastructure and choices which support the design vision for the site, provide good connections to the wider settlement (or those nearby), and prioritise walking, wheeling, cycling and public transport;

e. Built Form: Use the pattern of buildings to define the arrangement of streets, squares and other spaces, promote compact forms of development to optimise a site's potential, distinguish between public and private areas, create focal points and, where appropriate, enhance views into and out of the scheme;

f. Public Space: Include spaces that are safe, secure, inclusive, and accessible for all ages and abilities, including for groups such as women and girls; and which facilitate and encourage social interaction, play and healthy lifestyles; and

g. Identity: Create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

Policy DP4 – The design process

5.34 Paragraph 1 focuses on the need for design quality to be considered throughout the lifespan of a proposal, from pre-application through to delivery, as outlined in Part 2 of the government's Design and Placemaking planning practice guidance.

Section 15 – Promoting sustainable transport

5.35 This outlines the government's objective to ensure that transport matters are taken fully into account in the evolution and assessment of proposals; using a vision-led approach to embed the role that transport infrastructure and choices can play in creating well-designed, sustainable, inclusive and popular places.

Policy TR3 – Locating Development in sustainable locations

5.36 Paragraph 1 sets out that proposals should reflect the following principles, considering the site's vision, the type of development, and its location:

a. Proposals which could generate a significant amount of movement, in the context of the area within which they would be situated, should be in locations that are sustainable (or which can be made so). The location should limit the need to travel, particularly by private car, and offer a genuine choice of transport modes for residents and users, unless the nature of the development would make this impractical;

b. Opportunities should be taken to utilise existing or proposed transport infrastructure in optimising the amount or density of development which can be accommodated in different locations, especially where this can support more walking, wheeling, cycling and public transport use;

c. Any significant adverse impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, should be mitigated to an acceptable degree using a vision-led approach;

d. The environmental impacts of traffic and transport infrastructure should be identified, assessed and taken into account – including taking opportunities to avoid or mitigate any adverse environmental effects, and to secure net environmental gains such as reductions in air pollution; and

e. In rural areas, opportunities to improve walking, wheeling, cycling and public transport and enhance the connectivity of an area should be taken where they exist and can be supported by the proposals.

Policy TR4 – Street design, access and parking

5.37 Paragraph 1 outlines that transport considerations should be integral to creating well-designed places and that development proposals should:

a. Give priority first to walking, wheeling and cycle movements, both within the scheme and with neighbouring areas; and second – as far as possible – to facilitating easy access to high quality public transport, with layouts and densities which maximise the catchments for public transport;

b. Incorporate or contribute towards appropriate features to support this prioritisation, such as permeable street networks, continuous footways and segregated cycle facilities which are adequately lit, sufficient secure and accessible cycle parking, regularly spaced public seating and good quality waiting facilities for public transport;

c. Ensure that the arrangement of streets and other routes help to create places that are safe, inclusive and attractive for all users. This includes reflecting relevant aspects of NDMP policy DP3(2), as well as employing measures to:

    i. Minimise the scope for conflict between pedestrians, cyclists and vehicles.

    ii. Meet the needs of disabled people, older people and children in relation to all modes of transport, and

    iii. Avoid unnecessary street clutter.

d. Allow for the efficient delivery of goods, and ease of access by service and emergency vehicles, in ways which do not compromise key place-making principles (set out in NDMP policy DP3(2)); and highlights that transport issues should be considered from the earliest states of proposals.

e) Provide a suitable number of parking spaces for a range of transport modes where appropriate, reflecting the location and nature of the development (including its connectivity), any locally-set standards in the development plan, and including adequate provision of spaces and infrastructure that allow for the charging of electric vehicles in safe, accessible and convenient locations.

Policy TR6 – Assessing Transport Impacts

5.38 Paragraph 1 requires proposals that are likely to generate a significant amount of movements to be supported by:

a. A transport statement / assessment proportionate to the nature and scale of the development, so that impacts can be assessed and monitored; and

b. A travel plan, which indicates how sustainable transport objectives will be delivered, monitored and managed over time

5.39 Paragraph 2 outlines that transport assessments / statements / travel plans, should reflect the vision for the development and the transport strategy for the area, and how these are intended to be achieved (including identifying fallback options if initial measures do not deliver the expected outcomes).

5.40 Paragraph 3 sets out that in assessing movement patterns and potential impacts, including whether they are considered to be severe, reasonable future scenarios should be considered, taking into account impacts at relevant times of the day, potential cumulative impacts, multimodal trip generation and the promotion of sustainable modes of travel, and realising the transport vision for the development itself. Proposals should be considered having regard to these potential impacts and the other NDMP policies which are relevant (including TR3, TR4 and DP3(2)(d)).

5.41 Paragraph 4 directs councils to refuse proposals if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement. This applies both during the construction phase and following completion.

Section 16 – Promoting healthy communities

5.42 This sets out the government's objective to promote the creation of healthy and inclusive places and support the provision of appropriate public services, by enabling development and seeking to retain, improve and deliver new facilities which are important for community wellbeing and minimising inequalities.

Policy HC3 – Community facilities and public service infrastructure serving new development

5.43 Paragraph 1 sets out that proposals which would give rise to significant numbers of additional people living in, working in or visiting an area should:

a. Be informed by an understanding of the need for any associated improvements to community facilities and public service infrastructure, whether on or off-site; and

b. Provide for new or improved community facilities and public service infrastructure which are necessary for the development to be acceptable in planning terms, whether by direct provision or a contribution to off-site improvements.

5.44 Paragraph 2 states that where a development plan does not set locally-specific standards for recreational land and facilities, proposals should use relevant national standards and best practice to identify improvements in the quantity and quality of provision.

5.45 Paragraph 3 refers to the use of planning conditions and obligations to secure the timely delivery of facilities and infrastructure required to serve new development, so that they are available for use when the development (or an agreed proportion) is first occupied.

Section 17 – Pollution, public protection and security

5.46 This outlines the government's objective to ensure that new development is appropriate for its location, taking into account risks posed by pollution and other hazards; that any impacts are taken into account; and that sufficient provision is made for development required for public safety and security.

Policy P2 – Ground conditions

5.47 Paragraph 1 sets out that sites should be suitable for their proposed use, taking into account:

a. Ground conditions, including any risks arising from land instability or contamination; and

b. The extent to which any risks can be mitigated, and the potential impacts on the natural environment arising from remediation.

Section 18 – Managing flood risk and coastal change

5.48 This sets out the government's objective to minimise risks to development arising from all sources of flooding, taking into account the impacts of climate change, by steering development away from areas of risk, ensuring that development will be safe for its lifetime without increasing flood risk elsewhere, and incorporating sustainable drainage systems where appropriate.

5.49 The application site is in Flood Zone 1, which is at the lowest risk of flooding.

Policy F4 – Assessing flood risk for decision-making

5.50 Paragraph 2 relates to Flood Zone 1, and requires a site-specific Flood Risk Assessment where:

a. The site is one hectare or more;

b. The land has been identified by the Environment Agency as having critical drainage problems; and

c. The land has been identified in a strategic FRA or the Flood Map for Planning as being at risk of flooding from any source, whether now or in the future

5.51 Paragraph 3 clarifies that FRAs should be appropriate to the scale, nature, and location of development

5.52 The application is supported by a Flood Risk Statement and Drainage Strategy to address these matters.

Policy F7 – Ensuring development is safe from flooding

5.53 Paragraph 1 is clear that proposals should not present a risk from flooding to potential occupiers, users, or visitors, and should not increase flood risk elsewhere.

Policy F8 – Sustainable drainage systems and watercourses

5.54 Paragraph 1 sets out that proposals which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, in ways which are proportionate to the nature and scale of the proposal. The systems employed should provide multifunctional benefits where possible, facilitating improvements in water quality, biodiversity and amenity.

5.55 Paragraph 2 outlines the requirements for sustainable drainage systems. These should

a. Be designed in accordance with the National Standards for Sustainable Drainage Systems;

b. Have maintenance arrangements in place to ensure an acceptable standard of operation for the anticipated lifetime of the development; and

c. In the case of proposals for major development, take account of advice from the Lead Local Flood Authority.

Section 19 – Conserving and enhancing the natural environment

5.56 The government's objective is to influence the design and location of new development to help drive nature's recovery and to contribute to wider environmental outcomes, safeguarding the most important habitats, species and landscapes and recognising the centrality of natural capital to deliver sustainable growth.

Policy N2 – Improving the natural environment

5.57 Paragraph 1 sets out that in order to contribute positively to the natural environment, and to support nature's recovery, proposals should:

a. Consider the environmental qualities of land proposed for development, including habitats, landscape character and the natural beauty of the countryside, and identify opportunities for those qualities to be conserved or enhanced (including through requirements for biodiversity net gain where applicable);

b. Take into account the quality of agricultural land (including that classified as best and most versatile agricultural land, and its grade), and if significant development of agricultural land is necessary, use areas of poorer quality land where possible;

c. Take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments;

d. Conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings;

e. Use green infrastructure provided as part of the scheme and nature-based solutions to secure multiple benefits: such as for biodiversity; surface water and pollution management; climate change mitigation and adaptation, and recreation;

f. Minimise adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Proposals should

incorporate integrated nest boxes into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective; and

g. Ensure that green infrastructure and other features to support nature are located and designed to minimise risk of future failure, and that appropriate measures are in place for any necessary long-term management.

Policy N3 – Trees in new development

5.58 This policy recognises the benefits that trees can provide for biodiversity, climate change mitigation and adaptation, and the character and quality of the built environment and sets out that proposals should:

a. Make new streets tree-lined (unless there are strong reasons why this would be inappropriate), and incorporate trees in other suitable locations;

b. Ensure that species and their placement are compatible with highways and other infrastructure requirements and the needs of different users of public spaces; and will be effective in helping to adapt to the effects of climate change and delivering other environmental benefits; and

c. Make provision for long-term maintenance of existing and new trees.

Section 20 – Conserving and enhancing the historic environment

5.59 The government's objective is to conserve and enhance the historic environment. Assets should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Policy HE7 – Decisions on non-designated heritage assets

5.60 Paragraph 2 identifies that where a proposal would harm the significance of a non-designated asset, this should be weighed against the benefits and a balanced judgement made, having regard to the scale of any harm or loss and the significance of the non-designated heritage

THE DEVELOPMENT PLAN

5.61 The Development Plan for the site comprises the Stratford-on-Avon District Core Strategy (2011–2031) (Adopted July 2016) ('DCS') and the Fenny Compton Neighbourhood Development Plan 2021-2031. These documents provide the policy context in which this application will be determined.

Stratford-on-Avon District Core Strategy (2011–2031) ('DCS')

5.62 The DCS sets out the vision and strategic policies for the growth and development of the District up to 2031. The plan provides the overall spatial vision for the District up to 2031 and includes objectives required to achieve the Council's vision. A key component of the vision is the delivery of an average of 730 dwellings per year.

5.63 **Policy CS.1 – *Sustainable Development* –** sets out that development proposals which accord with the policies in the Core Strategy (and, where relevant, neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

5.64 **Policy CS.2 – *Climate Change and Sustainable Construction* –** sets out the Council's expectations and strategies for mitigating and adapting to climate change, and for sustainability standards in buildings.

5.65 **Policy CS.4 – *Water Environment and Flood Risk* –** requires all development proposals to take into account the predicted impact of climate change on the water environment. The policy sets out that all development proposals should be located in Flood Zone 1 and that development will not be permitted where it results in an increase in the risk of flooding elsewhere.

5.66 **Policy CS.5 – *Landscape* –** requires development to protect landscape character, minimise visual harm and, where possible, to provide landscape enhancements.

5.67 **Policy CS.6 – *Natural Environment*** – refers to biodiversity and geodiversity, setting out that:

- Proposals will be expected to minimise impacts on biodiversity and, where possible, secure a net gain in biodiversity; and
- Proposals should also seek, wherever possible, to conserve and enhance features of geological interest for the future

5.68 **Policy CS.8 – *Historic Environment* –** sets out the expectation for development proposals to protect and where possible enhance the historic environment, including non-designated heritage assets and their settings.

5.69 **Policy CS.9 – *Design and Distinctiveness*** – requires all forms of development to improve the quality of public realm and to enhance the sense of place, reflecting the character and distinctiveness the locality. To ensure high-quality design, the Council will assess development proposals for high quality design on the basis that the development is:

- Attractive;
- Sensitive;
- Distinctive;
- Connected;
- Environmentally Sustainable; and
- Accessible

5.70 **Policy CS.12 – *Special Landscape Areas*** – requires developments within a Special Landscape Area – in this case the Ironstone Hills Fringe – to respect the current and historic relationship of the settlement within the landscape.

5.71 **Policy CS.15 – *Distribution of Development* –** identifies the settlement categories across the District. Fenny Compton is within Part D of the Policy as one of the Category 2 Local Service Villages.

5.72 **Policy CS.16 – *Housing Development* –** sets out the distribution of housing across the different settlement types across the District. Category 2 Local Service Villages as a whole are expected to contribute around 700 homes, of which no more than around 12% should be provided in any individual settlement.

5.73 **Policy CS.18 – *Affordable Housing* –** sets out a threshold of 35% for residential developments of 6 or more dwellings in most parishes, unless credible site specific viability evidence indicates otherwise. The policy also sets out the requirements for on-site provision and the tenure mix, which is to be informed by the up-to-date position set out in the Development Requirements SPD.

5.74 **Policy CS.19 – *Housing Mix and Type*** – builds upon Policy CS.18, and sets out the general needs housing mix, split by number of bedrooms and tenure type (market and affordable). The policy also requires dwellings to provide flexible accommodation that incorporates sufficient storage space, practical usable space, and an overall good standard of amenity.

5.75 **Policy CS.25 – *Healthy Communities*** – requires new housing development to enable an increase in, or enhancement of open space and recreation facilities to meet the needs of residents. The policy also sets out the criteria for open space typologies.

5.76 **Policy CS.26 – *Transport and Communications*** – sets out that development will be permitted where any necessary mitigation arising from the development is provided. The policy also signposts to supplementary planning documentation for parking standards.

5.77 **Policy CS.27 – *Developer Contributions*** – sets out the Council's position regarding the Community Infrastructure Levy (CIL) and requirements for Section 106 and/or 278 agreements to secure appropriate mitigation for development proposals.

5.78 **Policy AS.10 – *Countryside and Villages* –** sets out the circumstances in which uses are acceptable in principle. The policy also sets out the criteria by which development proposals will be considered, making it clear that all proposals will be assessed against the principles of sustainable development, including the need to:

- *"minimise impact on the character of the local landscape, communities and environmental features;*
- *minimise impact on the occupiers and users of existing properties in the area;*
- *avoid a level of increase in traffic on rural roads that would be harmful to the local area;*
- *make provision for sustainable forms of transport wherever appropriate and justified;*
- *prioritise the re-use of brownfield land and existing buildings; and*
- *seek to avoid the loss of large areas of higher quality agricultural land.*

Fenny Compton Neighbourhood Development Plan (2023) ('NDP')

5.79 The Neighbourhood Development Plan ('NDP') sets out the strategic vision for the Parish of Fenny Compton based on responses taken from a 2018 neighbourhood survey. The first identified main finding from the survey was as follows:

> *"Within the Parish, new developments shall be sympathetic to its history and surroundings, while introducing features of modern living and minimising environmental impact"*

5.80 **Policy BU2 – *Home Working*** – sets out that development of new dwellings is encouraged to provide spaces to support home working.

5.81 **Policy CN1 – *Connected Infrastructure*** – requires all new residential development to include compatible infrastructure for connectivity to high-speed broadband.

5.82 **Policy DE1 – *Sensitive Building Design*** – refers to the Village Design Statement and its associated design guidelines based on the local vernacular. This would be addressed at reserved matters stage.

5.83 **Policy DE2 – *Housing Development*** – states that proposals for new residential development are to be within the identified BUABs and that new dwellings beyond the BUABs are to be considered in line with Policy AS.10 of the Core Strategy.

5.84 **Policy FL1 – *Ensuring Development Manages the Flood Risk*** – sets out that development proposals will be supported if they do not exacerbate the risk of pluvial and fluvial flooding. The policy also requires all applications for new development to demonstrate that all surface water discharges have been carried out in accordance with the principles laid out within the drainage hierarchy, in such that a discharge to the public sewerage system is avoided, where possible.

5.85 **Policy HE1 – *Conserving or Enhancing the Historic Environment*** – requires development proposals that affect designated / non-designated assets to demonstrate how they will conserve or enhance the historic environment.

5.86 **Policy NA1 – *Valued Vistas*** – requires development proposals falling within the scope of the identified vistas to demonstrate how they have regard to, are appropriate to, and integrate with the topography and character of the vista landscape.

5.87 **Policy NA3 – *Verges, Trees and Hedges*** – encourages development proposals to protect all healthy trees and edges, and to appropriately compensate for any loss.

5.88 **Policy NA4 – *Conserving the Natural Environment*** – requires development proposals to minimise impacts on, and to secure a net gain in biodiversity.

5.89 **Policy PA1 – *Protection and Development of Village Community Assets*** – lists the assets that are considered to be of significance to maintain the social, economic and environmental viability of the community, and sets out that development proposals that enhance and / or improve existing community assets, or extend their range in ways agreed with the community, are supported in principle.

5.90 **Policy RE1 – *Protection and Development of Village Recreational Assets* –** lists the children's play area, bowls club, sports pavilion / playing field and allotments as assets, and sets out that proposals which enhance and improve these assets will be supported in principle.

Supplementary Planning Documents ('SPDs')

5.91 Although not formally part of the Development Plan, policies from the DCS explicitly reference SPDs. The Development Requirements SPD is relevant to this application and sets out the Council's expectations for matters such as affordable housing, open space, design, residential amenity, and parking standards.

6 PLANNING JUSTIFICATION

6.1 The following section seeks to provide justification for the proposed development in light of the content of the relevant planning policies and planning history identified above.

Principle of Development, Location and Land Use

6.2 The site is currently comprised of agricultural land. Therefore, in accordance with the definition set out within the NPPF, the site is not considered to be previously developed land.

6.3 The site lies outside, but immediately adjoins, the Fenny Compton settlement boundary / BUAB, between its two extents, with continuous linear built form continuing along Station Road to the A423.

6.4 Within the main BUAB of the village, Station Road is characterised by linear built form. This linear built form briefly ceases within the gap between the two BUAB areas, before recommencing in the easternmost BUAB, and continuing all the way out to the A423.

6.5 There is an existing footpath along the south side of Station Road which connects the two BUAB areas. It is also material that permission 22/02138/OUT on the north side of Station Road, granted at appeal in 2024, was also outside of the main BUAB area.

6.6 The application proposals would be able to continue this established linear built form of dwellings between the two BUAB areas along the Station Road frontage, and as such would share a positive relationship with the street and surroundings. Development further into the site can accord with the principles already established in the modern development to the immediate east. The proposals do not expand any further south than the neighbouring development to the east.

6.7 Furthermore, with additional existing and consented properties to the north, it is considered that the proposal amounts to an appropriate development which closes the gap between the two BUAB areas and continues the linear form and depth (from Station Road) of this part of the village.

6.8 Fenny Compton is one of the District's designated Category 2 Local Service Villages. The settlement contains a range of day-to-day facilities including a primary school, doctors' surgery, convenience store, nursery, village hall and recreational facilities. It also has a bus service. National and local planning policies recognise that such settlements are capable of accommodating growth and making a contribution towards meeting housing needs.

6.9 Local Policy also accepts that such villages can accommodate additional residential development, and as evidenced in the Policy comments to the PiP application:

> *"The housing requirements provided by Policy CS.16 are approximate figures and do not constitute a limit that cannot be exceeded"*

6.10 This reflects the broader objective of the NPPF to significantly boost the supply of housing, with housing requirements intended to represent minimum levels of provision rather than ceilings on growth.

6.11 Future residents would therefore have access to a range of services and facilities without the need to travel to nearby larger settlements for day-to-day needs. It is therefore considered that the proposals are of a sustainable nature and that the settlement is able to accommodate appropriate growth.

6.12 In the context of the Council's acute (and worsening) housing land supply shortfall, the application falls to be considered under NDMP S5 1) j) i. of the NPPF. This sets out that proposals for residential development outside a settlement boundary are acceptable in principle and should be approved, unless the benefits of doing so would be **substantially outweighed** by any adverse effects, where:

- It would address an evidenced unmet need;
- It would be physically well-related to an existing settlement; and
- It would be of a scale which can be accommodated

6.13 Therefore, unless there are any significant adverse effects, planning permission for new residential development should be granted.

6.14 As set out in Section 3 and Appendix A, the Council's own case officer has already confirmed, in writing, that significant weight is attached to the principle of residential development in this location notwithstanding its position outside the settlement boundary / BUAB.

6.15 In the context of Section 12 of the NPPF, it is considered that the most efficient use of the site would be for residential development. This would be most in keeping with the context, density and character of the surrounding area. The surrounding area is residential in nature and accordingly use of the site for residential purposes will also be appropriate in principle as it will not introduce any land use conflicts. The proposals would also contribute directly towards meeting an identified and pressing need for new homes within the District.

6.16 Whilst the final housing mix would be subject to further consideration at the reserved matters stage, an appropriate and policy compliant housing mix to include 35% affordable can be

delivered on the site in line with the LPA's requirements and can be secured in a legal agreement. The indicative mix is set out below and can be tailored at reserved matters stage.

Dwelling Type	Number	% of Total
1-bed (2-person) dwellings / 2-storey maisonettes	10	8.6%
2-bed (4-person) dwellings	44	37.9%
3-bed (5-person) dwellings	48	41.4%
4-bed (8-person) dwellings	14	12.1%
Total	**116**	**100%**

6.17 Overall, it is considered that the development of the site for residential use is acceptable in principle and accords with both the development plan policies (CS.1, CS.16, AS.10, CS.18 and CS.19 of the DCS, DE2 and PA1 of the NDP) and Sections 5 and 11 of the NPPF.

Agricultural Land Classification

6.18 An Agricultural Land Classification (ALC) survey has been undertaken by ADAS across the entire 4.8ha site. The assessment identified the site as comprising **100% Grade 4 agricultural land**, with the principal limitation arising from poorly draining clay soils and associated soil wetness.

6.19 The site is therefore not classified as Best and Most Versatile (BMV) agricultural land, which is defined as Grades 1, 2 and Subgrade 3a, and the proposed development would not result in the loss of Best and Most Versatile Agricultural Land.

Density and Amount of Development

6.20 The only substantive concern raised by the Council (**Appendix A**) in respect of the Applicant's earlier Permission in Principle application for a smaller site area adjacent to Station Road was the density. The PiP application would have represented approximately 9 dwellings per hectare if it had been approved, and if the maximum number of dwellings had been delivered.

6.21 The Council does not have a definitive policy or standard when it comes to density / dwellings per hectare, so each case is considered on its own merits.

6.22 Officer advice on the PiP was that a scheme of up to 9 dwellings would have represented an inefficient use of land contrary to paragraphs 129 and 130 of the 2024 NPPF, stating

- *"the low density is of serious concern to us"* (5th June 2026); and
- *"Making a comparison against surrounding dwellings in the area, I'd hope that 9 dwellings could be provided so as not to extend beyond the point of Thompsons Field on the opposite side of the highway, which would also avoid the TPO"* (9th June 2026).

6.23 Although there are material differences between a PiP application for up to 9 dwellings and an outline application for up to 116 dwellings, it was useful to understand the Council's position on density / dwellings per hectare ('dph').

6.24 We know the Council accepted circa 19dph for the development to the east but would not accept 9dph for the PiP application.

6.25 This application directly addresses the density concern. It would achieve a gross density of approximately 24dph. This slightly exceeds the density of the immediately adjoining, Council-supported residential scheme, representing an even more efficient and effective use of land in accordance with Section 12 – NDMP L3 of the NPPF, and resolving the sole substantive density-related objection raised by the Council in pre-decision correspondence on the PiP application.

6.26 The amount of development will make a material contribution to the Council's housing land supply and is also proportionate to the site, which:

- Is bordered on three sides by existing and consented residential built form;
- Closes the remaining gap between the two BUAB areas in the Station Road street frontage;
- Retains the ability to continue the linear built form adjacent to Station Road; and
- Does not project any further south than the modern development to the immediate east.

General Layout, Design and Appearance Considerations

6.27 The proposed development seeks outline planning permission with matters of appearance, landscaping, layout and scale to be considered at reserved matters stage. As such, the layout plan submitted with the application is indicative only but includes areas for on-site drainage attenuation and for play.

6.28 The indicative layout further demonstrates that there is sufficient space to accommodate the maximum quantum of development, whilst ensuring residential amenity, the existing

protected tree, and the majority of the established hedgerow along Station Road can be adequately protected.

6.29 Additionally, the indicative layout demonstrates that all dwellings can be provided with sufficient private outdoor garden space and that the physical relationships and separation distances between dwellings will be acceptable across the site.

6.30 It is expected that the proposed dwellings would reflect those existing in the surrounding area – particularly those from the modern development to the immediate east – in terms of their character, appearance and materials.

6.31 In summary, matters of detailed layout and design / appearance are for further consideration at reserved matters stage. The indicative site plan is realistic and demonstrates that the proposals will be able to result in a high-quality living environment for existing and future residents. The application proposals therefore accord with Policies CS.9 and CS.19 of the DCS, Policy DE1 of the NDP, and Section 14 – NDMP DP3 of the NPPF.

Landscape Character, Valued Vistas (Policy NA1) and the Ironstone Hills Special Landscape Area

6.32 The site's landscape and visual context, including its relationship with Policy NA1 of the NDP (the "Red Vista") and the Ironstone Hills Special Landscape Area (DCS Policy CS.12), has been assessed in detail within the accompanying Landscape and Visual Impact Assessment ('LVIA').

6.33 The LVIA assesses the site and its immediate context as having an overall medium landscape sensitivity and identifies a medium magnitude of landscape change arising from the proposed development.

6.34 On this basis, the significance of landscape character effects is assessed as moderate adverse at the operational stage – expressly identified within the LVIA as not amounting to a material change – reducing further to a minor adverse, non-material effect once landscape mitigation has become established, within an assessed 15-year period.

6.35 In respect of visual effects, the LVIA assessed seven representative viewpoints. Of these, two short sections of Station Road and one section of footpath SM143a were assessed as experiencing a material adverse effect at the point the development becomes operational; following the implementation of landscape mitigation (boundary hedgerow reinforcement, new tree and hedge planting, and the weathering of materials). Other viewpoints are assessed as experiencing residual effects that are not material.

6.36 In respect of the NDP-identified Red Vista specifically, the LVIA assessed the vista directly through viewpoints 4 to 6, representing the extent of the view described in the Neighbourhood Plan. The LVIA concludes that the proposed development would not result in material harm to the qualities for which the vista is identified:

- The vista would remain legible;
- Its apparent rural setting would be retained; and
- The development would sit within the existing settlement fringe context rather than projecting into the open countryside beyond.

6.37 The assessed effect on this specific viewpoint group is therefore negligible adverse, and is not considered to be a material change.

6.38 On this basis, the proposed development is considered capable of being accommodated without material conflict with Policy NA1 of the NDP or Policy CS.12 of the Core Strategy.

6.39 To the extent that any limited, less-than-material landscape or visual harm remains, this falls to be weighed in the planning balance below, alongside the substantial benefits of the scheme.

Housing Mix and Affordable Housing

6.40 In accordance with Policy CS.18 of the Core Strategy, 35% of the dwellings (up to approximately 41 units) would be provided as affordable housing, with tenure mix and exact numbers to be confirmed and secured via a Section 106 agreement. The indicative mix of dwellings (general, not by tenure split) is shown below.

Dwelling Type	Number	% of Total
1-bed (2-person) dwellings / 2-storey maisonettes	10	8.6%
2-bed (4-person) dwellings	44	37.9%
3-bed (5-person) dwellings	48	41.4%
4-bed (8-person) dwellings	14	12.1%
Total	**116**	**100%**

Access and Highway / Parking Matters

6.41 A single vehicular point of access into the site is proposed to be from Station Road – avoiding the newly confirmed protected tree. Indicatively, additional pedestrian points of access may also be provided, subject to design and impacts upon the existing established hedgerow along Station Road.

6.42 The accompanying Transport Assessment prepared by DTA Transportation Ltd (ref 27520-01a) demonstrates that the site benefits from safe and suitable access for all modes. The proposed site access junction, and the existing A423 / Wharf Road junction through which the majority of development traffic would pass, are both shown to operate comfortably within capacity in the 2031 future year with development scenario, with all assessed ratios of flow to capacity well below 1.0.

6.43 The Transport Assessment further identifies no highway safety issues arising from the five-year personal injury collision record in the study area, and it concludes that the level of traffic generated by the proposed development – assessed using industry-standard TRICS trip rates – would have a negligible impact on the surrounding highway network at peak times.

6.44 The site is also shown to be well served by walking and cycling routes and by public transport, relative to the status of the settlement. The site is already connected by footpath to the east and the rest of the village to the west along Station Road. Bus stops are situated within walking distance on the north side of Station Road and in the centre of the village, and National Cycle Route 48 also passes through the village.

6.45 The Transport Assessment recommends a package of accessibility improvements – bus stop infrastructure (flags, timetable cases and hardstanding), residential travel information packs, and a new dropped kerb and tactile paving crossing point near the doctor's surgery – which would further support sustainable travel choices for future residents.

6.46 The report therefore concludes that the development will not result in an unacceptable impact on highway safety and the residual cumulative impact will not be severe. Therefore, the proposal should not be refused on highways grounds as it satisfies the requirements of Section 15 – NDMPs TR3 and TR4 of the NPPF.

6.47 With regard to parking, the indicative layout submitted with the application demonstrates that sufficient parking can be achieved on site in line with the Council's requirements as set out in the Development Requirements SPD.

6.48 Overall, it is therefore considered that the proposed development would be acceptable in terms of access and highway / parking matters and is therefore in full accordance with Section 15 – NDMPs TR3 and TR4 of the NPPF and Policy CS.26 of the Core Strategy.

Drainage / Flood Risk

6.49 As required by local and national planning policies, the application site falls within flood zone 1 which is at the lowest risk of flooding. The supporting Flood Risk Assessment and Drainage Strategy also considers other potential sources of flooding, including surface water,

groundwater, sewer and reservoir flooding, and concludes that none present a significant constraint to the proposed development.

6.50 The site has been designed to respond positively to local drainage conditions and the historic drainage regime serving the wider Mill Hill catchment. The assessment acknowledges historic flooding incidents on Station Road but notes that substantial drainage improvement works were undertaken and approved as part of the adjoining residential development.

6.51 A comprehensive drainage strategy is proposed incorporating attenuation basins, flow controls and managed exceedance routes. Surface water runoff from the development will be restricted to rates that closely replicate the site's existing greenfield response, ensuring that the development does not increase flood risk elsewhere. Foul drainage is proposed to connect to the existing public sewer network, subject to the relevant statutory approvals.

6.52 Hydraulic modelling confirms that the drainage system accommodates the 1 in 100-year storm event including a 40% climate change allowance without flooding from the drainage network, whilst exceedance events are safely managed through controlled overland flow routes.

6.53 The assessment concludes that the development complies with relevant national and local planning policy and is acceptable from both a drainage and flood risk perspective.

Land Contamination

6.54 A Phase 1 Geo-Environmental Assessment has been undertaken and confirms that the site has remained in agricultural use throughout the available historic record and there is no evidence that it has previously been developed or used for potentially contaminative purposes. Additionally, a site walkover undertaken in April 2026 identified no visual evidence of contamination either within the site or arising from surrounding land uses.

6.55 The assessment reviewed the site's historical development, surrounding land uses, environmental records and geological setting. Whilst a small commercial and industrial area previously existed to the north-east of the site prior to its redevelopment for housing, the report concludes that the cohesive clay geology, limited permeability and local topography significantly restrict the potential migration of any contaminants. No significant pollutant linkages were identified that would give rise to unacceptable risks to future residents, construction workers, buildings or the wider environment.

6.56 The report concludes that the site does not pose a risk to human health and that there are no contamination-related constraints that would preclude residential development of the site. Overall, the proposed development is considered acceptable from a land contamination perspective.

Construction Disturbance

6.57 This can be mitigated through the usual range of conditions, including a pre-commencement Construction Management Plan ("CMP"), and any necessary additional conditions such as those relating to mud / wheel washing, dust and construction hours.

Archaeology / Heritage

6.58 The Archaeological Desk-Based Assessment included with the application submission concludes that there are no overriding archaeological constraints which would preclude or significantly influence the proposed development of the site.

6.59 The site lies outside the historic core and Conservation Area of Fenny Compton and previous archaeological investigations in the surrounding area have predominantly identified medieval and post-medieval remains, with little evidence of significant prehistoric activity.

6.60 The assessment therefore identifies only a low potential for significant buried archaeological remains within the site and concludes that any remains encountered are unlikely to be of sufficient significance to prevent development proceeding.

6.61 The principal archaeological feature identified within the site comprises surviving medieval ridge and furrow earthworks, visible on aerial photography, LiDAR data and during the site survey. These earthworks represent remnants of Fenny Compton's former open field agricultural system and are regarded as a non-designated heritage asset of evidential and historic value.

6.62 The ridge and furrow earthworks are considered to comprise a non-designated heritage asset of low significance, and the assessment concludes that their loss would not amount to a significant archaeological impact.

6.63 Whilst the ridge and furrow is considered to have some local archaeological interest, the assessment concludes that it is of relatively low significance and does not warrant preservation in situ. The earthworks have been comprehensively recorded through survey, aerial photography and LiDAR and their potential loss would not constitute a significant archaeological impact.

6.64 Additionally, the report also notes that the site has been subject to extensive historic cultivation, which is likely to have disturbed any shallow archaeological remains. Although there remains some limited potential for evidence relating to the medieval agricultural landscape to survive beneath the ridge and furrow earthworks, the likelihood of encountering remains of high archaeological significance is considered to be low.

6.65 Consequently, the assessment recommends consultation with the Council's archaeological advisors to determine whether proportionate archaeological mitigation is required. As set out in Section 3, consultation was attempted, but there no longer appears to be a relationship between Stratford and Warwickshire Councils in this regard.

6.66 Notwithstanding this, in practice, the outcome is likely to result in a standard pre-commencement programme of archaeological investigation or recording secured by planning condition, rather than representing any constraint on the principle of development.

Trees / Hedgerows, Ecology and Biodiversity Net Gain

Trees / Hedgerows

6.67 The Arboricultural Impact Assessment included with the application surveyed a total of:

- 8 Individual trees;
- 6 groups of trees; and
- 2 hedgerows.

6.68 Retention values vary from Category A through to Category U. It is anticipated that 1 group of trees and 1 section of hedgerow would need to be removed to facilitate the development.

6.69 The indicative layout retains the principal boundary hedgerows around the site, and the recent Tree Preservation Order identified at paragraph 2.7 above will be addressed through the detailed design at reserved matters stage, informed by the arboricultural survey.

6.70 The final landscape details will be determined at reserved matters stage. The site can accommodate the proposed level of development whilst protecting the vast majority of existing trees and hedgerows, and supplementing with necessary additional tree (9 new) and hedgerow planting (30m new), particularly on the site's perimeters.

6.71 Additional controls / conditions can be imposed to ensure that appropriate protections are afforded to existing trees and hedgerows during the construction phase.

Ecology / Biodiversity Net Gain

6.72 The application submission includes an ecological impact assessment ('ECIA'). The ECIA confirms that the site comprises predominantly modified grazing pasture of limited ecological value, together with small areas of scrub and neutral grassland bounded by hedgerows and trees.

6.73 The site is not subject to any statutory ecological designation and is well separated from nationally important sites. The assessment concludes that the habitats present are of limited

intrinsic ecological value and are of no significance beyond the site itself. Detailed surveys have identified:

- No evidence of badger setts
- No bat roosting features within trees, and
- No ecological constraints that would prevent the development of the site.

6.74 Whilst the boundary vegetation (hedgerows primarily) provides some limited opportunities for protected and notable species, the site forms only a small component of the wider ecological resource available within the surrounding landscape.

6.75 The EcIA also concludes that the ecological impacts associated with the proposed development are limited and can be appropriately avoided, mitigated and enhanced through the proposed design. Existing boundary vegetation will be largely retained, with only minor hedgerow removal required to facilitate access.

6.76 In addition, the scheme incorporates a range of recommended ecological enhancements including new native tree planting, new species-rich grassland, mixed scrub planting and biodiversity-sensitive SuDS features. The assessment confirms that, subject to these measures, no significant adverse effects on designated sites, habitats or protected species are anticipated.

6.77 With regard to Biodiversity Net Gain ('BNG') there is a legislative requirement to demonstrate a minimum 10% BNG uplift based on the current site conditions. The BNG element of the ECIA demonstrates that the development is capable of achieving the statutory requirement.

6.78 Whilst the development necessarily results in the loss of predominantly low-distinctiveness modified grassland, this can be offset through on-site habitat creation and enhancement together with the purchase of off-site biodiversity units if necessary.

6.79 The EcIA concludes that the proposed biodiversity strategy can secure the mandatory net gain for both habitat and hedgerow units and will ensure full compliance with national policy, with legislation, and with the Development Plan policies.

Local Infrastructure / Section 106

6.80 It is anticipated that the legal agreement for the application will include obligations / contributions toward the following:

- Affordable housing – at 35% to comply with policy, with a tenure split to be agreed with the Council;
- Bus service improvements – a residential travel pack and potential upgrades to bus stop infrastructure;
- Biodiversity Net Gain – 10% gain, with the potential for a mixture of on and off-site provision;
- Education and Libraries – a per dwelling figure based on the Council's requirements; and
- Footpath improvements – to improve access to the doctors' surgery

6.81 Subject to all requests for contributions meeting the mandatory tests set out in the Community Infrastructure Levy Regulations, the development will adequately mitigate its impact and will be acceptable in planning terms.

Recent Appeal Decisions

6.82 The following recent appeal decisions are materially relevant to the determination of this application.

Land North of Little Horwood Road and Cherry Leas, Great Horwood (Appeal Ref. 6003090) – Appendix C

6.83 This appeal was allowed in June 2026 for up to 70 dwellings outside the settlement boundary of Great Horwood. The Inspector found conflict with the settlement strategy, acknowledged landscape and heritage harm, and accepted that the village had already exceeded its planned housing requirement.

6.84 Nevertheless, substantial weight was attached to market and affordable housing delivery in the context of a significant housing land supply shortfall. The Inspector concluded that the adverse impacts did not significantly and demonstrably outweigh the benefits and allowed the appeal.

Orchard Adjacent to Chutneys, Bordon Hill, Stratford-upon-Avon (Appeal Ref. 3358848) – Appendix D

6.85 This appeal was allowed in September 2025 for up to 130 dwellings on land outside the Built-Up Area Boundary of Stratford-upon-Avon. The Inspector identified conflict with Policies CS.15 and AS.10 and accepted moderate landscape harm and low-level heritage harm.

6.86 However, significant weight was attached to the delivery of market and affordable housing in circumstances where the Council could not demonstrate a five-year housing land supply. The Inspector concluded that the adverse impacts did not significantly and demonstrably outweigh the benefits and granted planning permission.

Land East of Lincoln Road, Glinton, Peterborough (Appeal Ref. 3361419) – Appendix E

6.87 This appeal was allowed in July 2025 for up to 95 dwellings on land outside the defined settlement boundary of Glinton. The proposal had initially been refused on the basis of conflict with countryside policies, landscape and visual impacts and highway concerns.

6.88 During the appeal process, highway matters were resolved and the Council accepted that it could no longer demonstrate a five-year housing land supply. The Inspector noted that whilst some harm would arise from the introduction of residential development into the countryside, the site adjoined the existing village and represented a sustainable location for growth.

6.89 In light of the housing land supply shortfall and the benefits associated with the delivery of market and affordable housing, public open space, landscaping and sustainable drainage infrastructure, the appeal was allowed.

Summary

6.90 Collectively, these appeal decisions demonstrate a consistent approach by Inspectors where housing land supply shortfalls exist. Whilst conflict with settlement boundary policies, countryside policies and landscape harm remain important considerations and can be unpopular locally, such matters do not automatically justify refusal.

6.91 In each case, the Inspector undertook a planning balance exercise and concluded that the benefits arising from housing delivery, including affordable housing, outweighed the identified harms.

6.92 The Applicant considers that the current application falls to be assessed in a materially similar policy context, namely one where a local planning authority is unable to demonstrate a five-year housing land supply and where conflict with settlement boundary policies falls to be considered through the tilted balance.

Planning Balance

6.93 It is acknowledged that the application proposals would result in the development of a greenfield site outside the defined settlement / Built-Up Area Boundaries and would introduce built form into an area that presently contributes to the rural setting of this part of the village.

6.94 It is further acknowledged that the application is likely to generate opposition.

6.95 However, the technical evidence submitted with the application demonstrates that these effects are limited in extent and capable of being appropriately mitigated. In brief:

- The LVIA concludes that the proposals would not result in material harm to the identified Red Vista or the wider Special Landscape Area;
- The site is not subject to any statutory landscape, heritage or ecological designation;
- No Best and Most Versatile agricultural land would be lost; and
- There are no technical objections in respect of highways, drainage, ecology or archaeology that would justify withholding planning permission.

6.96 Against this must be weighed the **significant** benefits of the scheme.

6.97 The development would deliver up to 116 new homes, including up to 41 affordable dwellings, at a time when the Council can demonstrate only 2.21 years of housing land supply.

6.98 The proposals would provide public open space, biodiversity net gain, improvements to pedestrian connectivity and public transport infrastructure, and financial contributions towards local services and facilities.

6.99 The proposals would also generate substantial economic benefits through construction activity, expenditure by future residents and increased support for village services and community facilities. Further archaeological investigation and recording secured through planning condition would also increase understanding of the site's historic agricultural landscape.

6.100 In these circumstances, it is considered that the benefits of the development are substantial and clearly outweigh the limited and localised adverse impacts identified. Accordingly, the proposals accord with NDMP S5 1) j) i. of the NPPF, which weighs firmly in favour of granting planning permission

6.101 Taking the Development Plan and all other material considerations into account, there are no adverse impacts arising from the proposal that significantly and demonstrably outweigh its benefits when assessed against the Framework as a whole. The proposal therefore constitutes sustainable development, and planning permission should be granted.

7 CONCLUSION

7.1 This statement has been prepared to accompany an outline planning application for the proposed residential development of up to 116 No. dwellings on land south of Station Road, Fenny Compton.

7.2 The application proposals should be supported by the Council for the following reasons:

- **Housing land supply**: Presently the Council cannot demonstrate a five-year housing land supply, with its own published position confirming only 2.21 years of supply. The application proposals would make a significant and timely contribution towards addressing this acute shortfall in housing delivery.
- **Affordable housing:** Based on the maximum figure of 116 dwellings, the proposals would deliver up to 41 affordable homes, making a significant contribution towards identified affordable housing needs within the District.
- **Sustainable location:** Future residents would have safe and walkable access to a range of local services and facilities without the need to travel to larger settlements for day-to-day needs. Public transport provision is good relative to the settlement's status in the settlement hierarchy.
- **A direct response to previous Council and community feedback:** The application proposals have been informed by the Council's advice on the earlier Permission in Principle application and directly address the concern regarding the efficient use of land through a density that exceeds that of the adjoining Council-supported development. The proposals have also been informed by feedback from local residents, the Parish Council and the Ward Member, resulting in a comprehensive package of technical assessments and mitigation measures addressing the principal issues raised during the earlier planning process.
- **No material landscape or visual harm:** The accompanying LVIA concludes that the proposal would not result in material harm to landscape character, to the Ironstone Hills Special Landscape Area, or to the "Red Vista" identified under Policy NA1 of the Neighbourhood Plan, with the vista remaining legible and the development reading as part of the existing settlement fringe.
- **No overriding heritage or archaeological constraints:** The archaeological evidence concludes that there are no overriding constraints that could influence or preclude development, and any residual archaeological interest can be appropriately addressed through proportionate mitigation secured by planning condition.

- **No loss of Best and Most Versatile agricultural land:** The survey confirms that the site comprises 100% Grade 4 agricultural land and therefore no Best and Most Versatile Agricultural Land would be lost as a result of the development.
- **No contamination constraints:** The Phase 1 Geo-Environmental Assessment confirms that the site has remained in agricultural use throughout the available historic record, identifies no significant contamination risks and concludes that there are no land contamination constraints that would preclude residential development.
- **No flood risk or drainage constraints:** The site lies within Flood Zone 1 and the drainage strategy restricts runoff to greenfield rates, incorporates attenuation and climate change allowances, and demonstrates that the development can proceed without increasing flood risk on or off site.
- **Safe and suitable access:** The Transport Assessment confirms safe and suitable access for all modes, with no severe residual cumulative impact on the highway network, supported by a package of accessibility improvements that will improve connectivity for new and existing residents of the village.
- **Public open space:** The proposals can provide a policy compliant 0.62 hectares of public open space.
- **Ecological enhancements and Biodiversity Net Gain:** The Ecological Impact Assessment concludes that the site is of limited ecological value, identifies no significant ecological constraints to development and confirms that the proposal will deliver biodiversity enhancements and the mandatory Biodiversity Net Gain through a combination of on-site habitat creation and off-site biodiversity units.
- **Legal agreement to secure other necessary mitigation measures:** The proposals will provide mitigation to local services necessary to make the development acceptable in planning terms.
- **No overriding technical constraints:** Assessments in relation to highways, drainage, ecology, arboriculture and archaeology all confirm that the site can be developed without unacceptable impacts and that any residual matters can be appropriately addressed through planning conditions and obligations.

7.3 For the reasons set out in this statement, it is respectfully submitted that the benefits of the proposed development significantly and demonstrably outweigh any limited and less-than-material adverse impacts, when assessed against the NDMPs of the NPPF and the Development Plan taken as a whole, and that planning permission should be granted.