

**Extended Delegated Decisions Meeting:** 02 July 2020

**Application No:** [W 18 / 0643](#)

**Town/Parish Council:** Stoneleigh  
**Case Officer:** Ragu Sittambalam  
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**Registration Date:** 03/04/18  
**Expiry Date:** 03/07/18

### **Land at Kings Hill Lane, Stoneleigh**

Outline application with access: Development of up to 2,500 dwellings (C3); 4,000 sq.m. of mixed use floorspace (A1, A2, A3, A4, A5, B1, C2, D1 and D2); Primary School; Secondary School, Open Space and Associated Infrastructure FOR Lioncourt Strategic Land Limited, Lioncourt Homes (Development No.17) Limited De

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This update is being presented as the ongoing planning application was previously determined by Planning Committee.

The application was approved at planning committee on 03/12/19, subject to a legal agreement pursuant to s106 of the Town and Country Planning Act. Over the course of negotiations, additional planning obligations have been found to be required.

The purpose of this report is to ratify the addition of these clauses for the above legal agreement.

### **RECOMMENDATION**

That the additional clauses are APPROVED subject to the originally approved conditions and planning obligations of the committee and accompanying update report.

The planning obligations are as follows;

#### Affordable Housing

- 450 units - Social Rent
- 250 units - Affordable Rent
- 150 units - Shared Ownership
- 150 units - Discount Market Value

#### Environment

- £1,128,982 – Air Quality Mitigation (or commensurate on-site provision)
- £3700 – Ecological Monitoring Costs

#### Services

- £1,710,755 and 0.501ha –towards an on-site health centre or £1,283,113 – for off-site expansions/improvements

- £360,528 or 50sqm of police accommodation
- £134,090 – Police
- £1,581,216 South Warwickshire NHS Trust
- £1,884,134 University Hospital NHS Trust

#### Highways

- £9,012,000 - Road Infrastructure Works
- £5,050,000 - Sustainable Transport
- £1,750,000 - Walking/Cycling

#### Education

- £18,149,768 – Full range education
- 8.2ha Serviced land for secondary school (valued at £7,313,533)
- 2.65ha Serviced land for primary school
- £54,720 – Library contribution

#### Sports & Leisure

- On-Site pitches
- Changing Facilities (approx. 50sqm)
- £3,017,792 - Sports Facilities
- Cost cap for playing pitches
- Cost cap for changing facilities
  
- £90,000 - Warwick District Council Monitoring Fee
- Warwickshire County Council Monitoring Fee
  
- Marketing of District Centre
- Marketing of Community Centre
- Cost cap for Community Centre

Obligations that have been underlined are additional to those previously approved.

### **DETAILS OF THE DEVELOPMENT**

This outline application is submitted within the H43 housing allocation, removed from the Green Belt within the Warwick District Local Plan (WDLP). The site is allocated with a guide capacity for up to 4000 dwellings with 1800 to be delivered within the plan period up to 2029. This application includes a large proportion of the overall allocation both in terms of housing and community infrastructure.

The application seeks Outline Planning permission with access for;

- Up to 2500 dwellings;
- Up to 4000sqm of mixed use floorspace (A1/A3/A4/C2/D1/D2);
- Primary School;
- Secondary School;

- Associated Landscaping & Infrastructure; and
- Access arrangements at Stoneleigh Road and Green Lane.

## **THE SITE AND ITS LOCATION**

The application site is located to the north of the District, abutting the administrative boundary between WDC and CCC. The allocation is spatially adjoined to the north-east by the existing built up area within Finham (a parish of Coventry), to east and south east by the A46 and Finham Water Treatment Works, to the south-west by Stoneleigh Road with Green Belt beyond and to the north-west by the railway line and ancient woodland adjacent Kenilworth Road (A429).

## **PLANNING HISTORY**

This planning application is linked to FUL/2018/0842 submitted to Coventry City Council (CCC) for;

*Proposed installation of two new highways access junctions on land west of Green Lane and the junction of Saint Martins Road / Green Lane / Howes Lane in relation to the site clearance and mixed-use development of land at Kings Hill for the provision of up to 2,500 dwellings (Use Class C3), 4,000 sq.m. of mixed use floor space (Use Classes A1, A3, A4, C2, D1 and D2) in a district centre, a primary school, a secondary school, formal and informal open space and enabling infrastructure including new roads within the site and improvements to the existing road junction at Stoneleigh Road.*

Members of CCC approved the application at planning committee in December 2019 subject to the legal agreement of the WDC planning application to secure the recommended planning obligations.

## **RELEVANT POLICIES**

### National Policy

- National Planning Policy Framework
- Planning Practice Guidance
- National Design Guide

### Warwick District Local Plan (2011-2029) (WDLP)

- DS1 - Supporting Prosperity
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS10 - Broad Location of Allocated Sites for Housing
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- DS20 - Accommodating Housing Need Arising from Outside the District
- PC0 - Prosperous Communities
- EC1 - Directing New Employment Development

- CT1 - Directing New Meeting Places, Tourism, Leisure, Cultural and Sports Development
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- H15 - Custom and Self-Build Housing Provision
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE2 - Developing Strategic Housing Sites
- BE3 - Amenity
- BE5 - Broadband Infrastructure
- BE6 - Electronic Communications (Telecommunications and Broadband)
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- HS1 - Healthy, Safe and Inclusive Communities
- HS3 - Local Green Space
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS5 - Directing Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- CC3 - Building Standards and Other Sustainability Requirements
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- FW4 - Water Supply
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- DM2 - Assessing Viability

#### Supplementary Planning Documents (SPD)

- Affordable Housing
- Air Quality & Planning Supplementary Planning Document
- Open Space
- Parking Standards
- Residential Design Guide

#### Supplementary Planning Guidance (SPG)

- Garden Towns, Villages and Suburbs
- The 45 Degree Guideline
- Distance Separation
- Warwickshire Landscape Guidelines SPG

Neighbourhood Plan

- Stoneleigh & Ashow Neighbourhood Plan

## **CONSULTATION RESPONSES**

The response to consultation is as per the Committee and Update Report.

## **ASSESSMENT**

The main consideration that this report serves to address is the inclusion of additional planning obligations that were not included in the original committee report. The additional obligations to be included within the legal agreement are as follows;

- Cost cap for Playing Pitches
- Cost cap for Changing Facilities
- Marketing of District Centre
- Marketing of Community Centre
- Cost cap for Community Centre
- Warwickshire County Council Monitoring Fee

*S122 of the Community Infrastructure Levy Regulations 2010 sets out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*

- a) Necessary to make the development acceptable in planning terms;*
- b) Directly related to the development; and*
- c) Fairly and reasonably related in scale and kind to the development*

*Paragraph 54 of the NPPF requires Local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations with obligations used where it is not possible to address unacceptable impacts through a planning condition.*

*DM1 of the WDLP expects development to contribute toward measures to directly mitigate its impact to make it acceptable in planning terms and physical, social and green infrastructure to support the needs associated with the development.*

The purpose of the additional obligations is to provide security to the Local Planning Authority to manage the delivery of social infrastructure associated with the development. The inclusion of provisions to market elements of the scheme will ensure that land is made available to provide the District and Community Centre.

Cost caps have been applied to compensate the LPA in the event that elements are not delivered or if there are substantive circumstantial changes that would warrant changes against the provisions secured (at the LPA's discretion). The

inclusion of such clauses also provides a degree of certainty to the developer for future build costs.

The inclusion of a further monitoring fee reflects up to date working practice of Warwickshire County Council for the calculation and administration of infrastructure obligations.

### **SUMMARY/CONCLUSION**

The location of development, quantum and land use would comply with National and WDLP policies. Detailed matters will be addressed at the reserved matters stage.

The main planning considerations through the inclusions of the additional recommendations have been set out and considered above to demonstrate accordance with Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and it is considered and the proposals also comply with the NPPF.

It is therefore considered that the proposal is acceptable and that the recommendation is confirmed.

### **CONDITIONS**

The conditions of planning approval are as per the approved Committee and Update Report.