

SUPPLEMENTARY PLANNING REPORT

Application No: [W 18 / 1635](#)

Town/Parish Council: Kenilworth
Case Officer: Dan Charles

01926 456527 dan.charles@warwickdc.gov.uk

Registration Date: 28/08/18

Expiry Date: 27/11/18

Land East of Kenilworth, Glasshouse Lane/ Crewe Lane, Kenilworth

Demolition of existing farmhouse and agricultural buildings and outline planning application for residential development of up to 620 dwellings (Use Class C3), land for a primary school, (Use Class D1) including means of access into site (not internal roads), parking and associated works, with all other matters (relating to appearance, landscaping, scale and layout) reserved FOR Catesby Estates Plc

RECOMMENDATION

At the meeting of Planning Committee on 17 June 2020, Members resolved that W/18/1635 be granted, subject to the conditions below, a Section 106 agreement to secure the necessary financial contributions/ obligations and the approval in writing by the Head of Development Services, in consultation with Chairman of the Committee, of a scheme of mitigation for the proposed roundabout at the junction of Stansfield Grove and Glasshouse Lane, to the reasonable satisfaction of the Environmental Health Officer, that would ensure the application complies with Local Plan Policy BE3, amenity of neighbours, in respect of headlight glare, noise and loss of privacy by no later than 30 September 2020. If the scheme of mitigation for the proposed roundabout cannot be agreed by this time it shall be brought back to Committee on 8 October 2020.

This report considers the mitigation scheme submitted in pursuance of the committee resolution and seeks approval from the Head of Development Services and the Chairman of Planning Committee.

DETAILS OF THE DEVELOPMENT

The proposal relates to an outline application for up to 620 dwellings together with a one-form entry primary school. All matters are reserved other than access.

The access point the subject of this supplementary report is proposed to be provided from Glasshouse Lane via a new 4 arm roundabout serving the site, Glasshouse Lane and Stansfield Grove. The proposal also includes the provision of a 3-metre wide shared footway/cycleway to link into the footway/cycleway link proposed for the High School application (W/19/0655).

This access point forms the primary access to the site to serve the proposed spine road through the site that would connect to the second point of access from Crewe Lane.

The mitigation proposals that have been put forward are;

- The provision of chevron signage on the roundabout.
- The provision of planting on the island.
- The provision of 1 metre high walls to either side of Stansfield Grove access.
- The provision of additional verge planting to reinforce the existing.

THE SITE AND ITS LOCATION

The location of the proposed roundabout would be located on Glasshouse Lane immediately adjacent to Stansfield Grove, a residential cul-de-sac of 14 properties.

The location has been identified to take into account the site constraints of Victoria Spinney to the North and an existing area of orchard land to the South. These two areas of land are identified as Priority Ecological Habitats.

PLANNING HISTORY

No relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- Kenilworth Neighbourhood Plan
- KP4 - Land East of Kenilworth
- KP8 - Traffic
- KP13 - General Design Principles
- Warwick District Local Plan (2011-2029)
- DS1 - Supporting Prosperity
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- PC0 - Prosperous Communities
- BE1 - Layout and Design
- BE2 - Developing Strategic Housing Sites
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

- Guidance Documents
- East of Kenilworth Development Brief Supplementary Planning Document (March 2019)

SUMMARY OF REPRESENTATIONS

PLEASE NOTE THAT THIS SUMMARY CONTAINS ITEMS RECEIVED AFTER THE RESOLUTION TO GRANT FROM COMMITTEE ON 17 JUNE 2020.

WDC Environmental Health Officer: No objection to the proposals. (Note, comments form body of report)

Public Response: A total of 8 additional letters of objection have been received regarding the proposed roundabout. Comments made;

Objection Comments

- Current roundabout scheme contrary to Policies BE1 and TR1 of the Local Plan and KP13 of the Kenilworth NDP.
- Lack of negotiation with residents of Stansfield Grove.
- Will result in vehicles turning into Stansfield Grove in error.
- Harm to residential amenity of all residents of Stansfield Grove from light pollution.
- Alternative solution should be sought.
- Lack of joined up thinking across the developments.
- No case for mitigation.
- The East of Kenilworth Development Brief places significant emphasis on ensuring that the amenity of both existing and new properties is satisfactory in terms of disturbance and noise.
- The original plans incorporated a spine road from the development directly to the A46 at Thickthorn roundabout. However, the revised plans show the main entrance to be via a new 4-way roundabout at the junction of Glasshouse Land and Stansfield Grove. Other than a minor exit onto Crewe Lane, all existing traffic between St John's gyratory along Glasshouse Lane, incorporating all the new developments in eastern Kenilworth, will pass through this roundabout.
- Pollution from dust and carbon emissions from vehicles negotiating the roundabout in close proximity to homes (nowhere in Kenilworth has such a large traffic island been sited so near to residential properties) Increased traffic noise from vastly increased traffic levels (especially from school coaches, lorry, and bus brakes as they slow for the roundabout) Intrusion and loss of privacy (some windows face the road and double decker buses will look directly into bedrooms as they negotiate the roundabout just a few metres away)
- Light pollution (at night and in the early morning/late afternoon (in winter) when headlights from vehicles navigating the roundabout will shine straight into homes)
- Parking (blocked drives, or drivers inadvertently entering the cul de sac and turning around in driveways since the presence of the pond means there is actually only a few metres of public road in which to turn)

- Infringement of rights to privacy and continued enjoyment of our possessions
- No consideration has been given to the adverse impacts the proposed new roundabout will have on the lives of the residents, and on access to their properties.
- No assessment has been made of the impact of HS2 traffic and the HS2 construction village near to the A46 Stoneleigh junction.
- No assessment has been made of the impact of this development with others planned for Kenilworth such as on the rugby club land, Wardens cricket club or the housing adjacent to the new school; all sited just a short distance away in either direction along Glasshouse Lane.
- The planned spine road linking the various planned developments internally and directly to the A46 has been abandoned meaning residents of each sector will need to exit their estate and join traffic along Glasshouse Lane to re-enter the next, for instance to access schools and shops.
- Concerns about an unacceptable increase of traffic on Glasshouse Lane and Crewe Lane have not been taken into account (this already results in daily tailbacks and traffic overload especially at St John's gyratory).
- The new roundabout is planned to be situated within 100 metres of a notorious 90-degree bend on Glasshouse Lane and site of numerous accidents and fatalities in the past. This bend is a blind spot for residents and will become even more dangerous with additional traffic flows.
- The planned improvements at St Johns gyratory are simply new traffic lights. This will cause increased tailbacks and 'encourage' drivers to choose alternatives routes out of Kenilworth via the proposed development thereby increasing, yet further, traffic at the roundabout.
- Catesby Estates have made numerous and expensive concessions to their original plans in order to get through outline planning. However, no thought has been given to the impact and loss of amenities to existing residents.
- In the Committee report published 5 June, the section 'Impact on existing properties (page 18) is just four short paragraphs. It makes no mention of any of the issues listed above. In fact, it does not mention Stansfield Grove and the access roundabout at all. Without any proper consideration of the issues, it ends with 'Officers are satisfied that the development is acceptable having regard to Policy BE3 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood Plan.' In contrast, the next section in the report, 'Provision of an appropriate living environment for future occupants of the proposed development,' is 11 paragraphs long and far more detailed. This reinforces the belief that the decision to grant this planning application was made in haste, and with a total disregard for the adverse impacts this will have on current residents.
- This belief was further evident at the committee hearing on 17 June - this residents group have shared concerns that the hearing did not demonstrate the standards of fairness, openness and impartiality when several comments about the impact to Stansfield Grove residents were made without a sound evidential basis.
- This development, and the road and traffic impacts, cannot be evaluated in isolation and must be considered holistically with the other developments planned for Kenilworth.
- The original spine road from Thickthorn roundabout into the development should be re-introduced to avoid a disastrous increase in traffic on Birches

Lane, Glasshouse Lane, Stansfield Grove and Crewe Lane. This is in the interests of all existing and future Kenilworth residents and visitors.

- The roundabout planned at the entrance of the Stansfield Grove cul de sac should be re-positioned - either further along Glasshouse Lane to form a three arm junction away from existing housing, or moved significantly inside the development in order that its impact can be more effectively managed.
- Any mitigation measures must be to the satisfaction of current residents in compliance with Policy BE3 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood Plan.

Applicant's Comments

The applicants have submitted a detailed scheme of works and supporting report for the provision of the details proposed. In summary, the report states;

- The proposed roundabout has been designed to tie in with Stansfield Grove due to existing constraints to the east of Glasshouse Lane, namely Victoria Spinney to the north which is a Priority Woodland Habitat, as well as retaining the orchard fronting Woodside Management Centre (also classified as Priority Habitat) and finally ensuring the works can be delivered with land under the applicant's control.
- The roundabout has been designed to the relevant national standards and delivers the necessary visibilities and deflection.
- If the roundabout were moved further east then the southbound approach would likely enter land outside of the applicant's control and would also reduce the separation distances between Stansfield Grove and the Glasshouse Lane arms.
- The roundabout in this location was the preferred location as discussed with WCC during pre-application discussions as it would assist with slowing vehicles to support a 30mph extension and would also facilitate better egress from Stansfield Grove compared to it being retained as a simple priority junction.

HEADLIGHT GLARE

- Any headlight glare affecting the properties in Stansfield Grove will primarily result from vehicles turning right from the spine road. Headlights from vehicles turning left into / out of the spine road will not impact the properties in Stansfield Grove.
- The proposals shown on drawing 17377-05e-04 present the following mitigation for headlight glare from vehicles turning right from the spine road:
- Walls on entry to Stansfield Grove to provide screening from headlights of vehicles turning right from the new spine road and also provide a sense of place for Stansfield Road to reduce the potential for drivers to enter the cul-de-sac thinking it was a through road. This can be supplemented with additional signage;
- Enhanced planting on the south western side of the junction to further screen any headlight glare from vehicles leaving the site especially during the autumn/ winter periods when vegetation coverage is reduced and the hours of darkness are increased;

- chevron signs and tree planting is proposed on the roundabout, which blocks direct headlight glare across the roundabout from vehicles leaving the spine road. Standards require all approaching drivers to be able to see the entire circulatory so substantial planting would be unlikely to be acceptable;
- the proposed alignment of the roundabout for vehicles travelling north will also benefit those frontage properties as it takes vehicles away from Stansfield Grove meaning headlight glare (that would normally target the nearside kerb line) will be moved away from those properties.

NOISE IMPACT

- Table 6.1 of the submitted Noise Assessment provides an assessment of road traffic noise levels along Glasshouse Lane for 'with' and 'without' development scenarios:
- The anticipated noise increase at Stansfield Grove (link 7) as a result of the proposed development is calculated to be 0.2dB(A). Such a level of increase is negligible and would be imperceptible to those nearest residences. Reflecting this situation no additional noise mitigation is proposed.

LOSS OF PRIVACY

- Glasshouse Lane is already a busy road with a high number of vehicles passing the entrance to Stansfield Grove. Reflecting this situation it is not considered that the increase in traffic resulting from the development will materially impact the existing privacy of the properties.
- Notwithstanding this, it is considered the proposed mitigation walls, improved planting and visual interruptions on the roundabout in the form of chevrons and trees will provide additional screening for those properties in Stansfield Grove, ensuring there is no material loss of privacy.

ASSESSMENT

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

The East of Kenilworth Development Brief sets out a range of design criteria that any development of the site must achieve in order to maintain a high level of visual amenity and to protect the character of the surrounding area.

Policy KP13 of the Kenilworth Neighbourhood Plan requires new development to have a positive response to the site characteristics and surroundings.

There are 3 elements to be assessed as part of this supplementary report;

- Impact of headlight glare on residential properties.
- Impact of noise on residential properties.
- Loss of privacy to residential properties.

Impact of headlight glare on residential properties.

The current situation is that Stansfield Grove is a side road with priority to vehicles travelling straight along Glasshouse Lane. In terms of headlights, these would be travelling in a north-south direction with no deflection in the road that would result in headlights being directed into Stansfield Grove other than vehicles entering and exiting the cul-de-sac.

The submitted mitigation works include a raised table for the roundabout together with chevrons signage located on the island with various planting. In addition, two walls measuring 1 metre in height are proposed on the highway verge either side of the access to Stansfield Grove. Finally, additional planting is proposed to the southern side of the access to Stansfield Grove to supplement the existing planted boundary. All of the proposed works fall within the boundaries of the public highway and can be secured through the proposed highways works.

The roundabout would introduce vehicles turning out of the development onto Glasshouse Lane in both a southerly and northerly direction. Due to the deflection in the carriageway, headlights from vehicles turning left (southerly) would be angled away from the access to Stansfield Grove and the angle of the dipped beam would further orientate the lights away from Stansfield Grove. The existing hedgerow along this area of frontage would mitigate the headlights in this direction. Where nearer to the access, the proposal incorporates a 1 metre high wall to provide a barrier to mitigate the headlight glare.

Vehicles turning right to travel in a northerly direction would be required to navigate the roundabout with headlights being directed into Stansfield Grove. On the approach to the roundabout, chevron signage and planting is used to diffuse the direct facing headlights. The combination of walls and new hedge planting within the public highway would provide additional mitigating measures to minimise any undue headlight glare.

The Environmental Health Officer (EHO) has considered the proposal and notes that in terms of headlight glare, this is generally only a problem when the car is located on a higher plane than the residential dwelling. Issues around headlight glare are typically found with vehicle ramps in multi-storey car parks when a car is descending or ascending the ramp and the headlight beam is directed towards a residential façade.

They would also suspect that street lighting remains on in the local area until 00:00 on weeknights so vehicle headlights would not be as prominent as perhaps in a more rural location. After 00:00 the EHO would not expect a large number of vehicle movements to and from the proposed development so again the impact from headlight glare is likely to be quite low.

In this instance, the vehicles on Glasshouse Lane and the development access road do not appear to be on a higher plane than the existing residents on Stansfield Grove therefore there is already a low possibility of headlight glare being a problem.

In conclusion, the Environmental Health Officer is satisfied that the applicant's proposals for additional landscaping, 600mm high walls, and chevrons in the vicinity of the roundabout will all assist in screening any potential headlight glare

further and the proposal would not result in demonstrable harm sufficient to object to the application.

Impact of noise on residential properties.

The application was submitted with a detailed noise assessment that was carried out in accordance with recommended methodology using monitoring data collected on the site to determine the potential noise increase as a result of the development and to determine an acceptable course of mitigation for future residents as a result of the adjacent A46 running to the southern boundary of the site.

During the course of the application, the noise report was assessed by the EHO who raised no objection to the scheme. It is noted that during the course of the application, the report was revised and updated but this was focussed on noise to future residents as result of the proximity of the A46 corridor rather than any concerns regarding the impact on existing properties as a result of the development.

The EHO has revisited the noise report as a result of the outcome of Committee and reviewed the submitted data. The EHO has noted that the original noise assessment report predicts negligible noise impacts (an increase of 0.2dB) at the junction of Glasshouse Lane and Stansfield Grove and in his professional opinion, any additional mitigation measures will only have a marginal improvement upon the previous proposals and cannot see what additional measures the applicant could reasonably take to reduce this further.

In light of the limited potential impact, the EHO has raised no objection to the proposal.

Officers are therefore satisfied that the proposal would not result in any noise harm to the amenity of the residents of Stansfield Grove that would warrant the refusal of planning permission.

Loss of privacy to residential properties

The key aspect of the loss of privacy would be the potential for double decker bus users to be able to gain views into properties as the vehicle navigates the proposed roundabout.

In Officers opinion, the potential for any increased loss of privacy as a direct result of the development is negligible. Glasshouse Lane currently runs adjacent to Stansfield Grove and buses currently run along this road. The development would extend an existing bus service into the site but would not directly result in additional buses on the route. Therefore, there would be no net gain in bus service frequency that could have a cumulative impact.

The impact of car users would be mitigated for by the provision of additional planting along the boundary together with new walls that would provide some screening from potentially loss of privacy issues.

Taking into consideration the existing road layout, Officers are satisfied that the development would not result in any demonstrable loss of privacy as a result of the proposed new roundabout.

Other Matters

Highways Considerations

In making the assessment of this case, Officers have noted that the layout and design of the roundabout has been designed to the appropriate Highways standards. Consideration into moving the location of the roundabout back into the application site would result in significant increased deflection of the carriageway of Glasshouse Lane that would potentially be beyond the tolerances for an acceptable element of essential highway infrastructure. In addition, this movement of the roundabout would then result in a further issue of how to connect to the existing Stansfield Grove access point which would require an additional engineering solution.

Therefore, the potential for moving the roundabout from its current location would not be practicable on highways grounds.

Impact on Ecology/Protected Species

Adjacent to the proposed access point, there are two areas of high ecological importance consisting of Victoria Spinney to the north which is identified as a Priority Woodland Habitat and an area of orchard that fronts the Woodside Management Centre which is also classified as Priority Habitat.

The relocation of the access point back into the boundary of the site would require the alteration of the carriageway of Glasshouse Lane to take into consideration the appropriate levels of deflection required to meet the highways standards. The resultant amendments would require the removal of large areas of the identified Priority Habitats. This would result in the potential for objection from both WCC Ecology and Natural England. It would not be possible to adequately mitigate for this loss satisfactorily and any proposal would therefore result in significant ecological harm.

Conclusion

The recommendation of Committee was to require the submission of a scheme of mitigation for the proposed roundabout at the junction of Stansfield Grove and Glasshouse Lane that demonstrated, to the reasonable satisfaction of the Environmental Health Officer, that amenity of neighbours, in respect of headlight glare, noise and loss of privacy would ensure the application complies with Local Plan Policy BE3.

A scheme of mitigation works has been submitted and assessed by the Environmental Health Officer who has raised no objection to the proposal and is satisfied that the mitigation works are acceptable.

Officers therefore request permission from the Head of Development Services and the Chairman of Planning Committee to proceed with the application to determination on completion of the associated Section 106 Agreement.