

**Planning Committee:** 12 June 2013

**Item Number:** 5

**Application No:** W 12 / 1143

**Town/Parish Council:** Baginton

**Registration Date:** 14/09/12

**Case Officer:**

Rob Young

**Expiry Date:** 14/12/12

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**Land within and to the north, west and south of Coventry Airport and land at the junctions of the A45 with the A46 at Festival and Tollbar Islands and the junctions of the A444 (Stivichall/Cheylesmore By-Pass) with the A4114 (London Rd) and Leaf Lane**

Comprehensive redevelopment comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), general industrial uses (Use Class B2), storage and distribution (Use Class B8), hotel accommodation (Use Class C1), museum accommodation (Use Class D1), model car club facility, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), car showroom accommodation, replacement airport buildings, new countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of highways/junctions on the existing highway network, stopping up/diversion of footpaths, associated parking, servicing and landscaping (Hybrid planning application seeking full planning permission in respect of the replacement airport buildings and their associated parking/servicing/landscaping and outline planning permission, with reserved matters details concerning access only to be discharged, in respect of the remainder of the proposed development). FOR Coventry and Warwickshire Development Partnership LLP

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**INTRODUCTION**

The application was deferred at the Planning Committee on 19 December 2012 so that further information could be provided, including the issues set out in the bullet points below and other matters relevant to the decision. Members also requested that a full independent report be undertaken into potential sites, with forecasts of job numbers to be based on the best information available.

- An assessment of the likely number of jobs created at the Gateway for residents of Warwick District;
- Further details of the potential future occupiers of the units, and the corresponding employment numbers if possible;
- The travel benefits for Warwick District including cycle and bus routes;
- An update on the progress made with English Heritage with regard to the Lunt Roman fort;

- Provision in the Section 106 agreement to link education providers with future employers;
- Further information on the propositions being made to the Beatty family with regard to their future at the farm or elsewhere;
- Generally more indication as to the benefits for Warwick District, rather than the main focus being on the gains that Coventry City Council are likely to reap;
- Feedback from the Landscape Consultant employed by the Council on the latest scheme proposed.

This report summarises the further information that has been submitted in relation to the above issues and includes a further assessment in relation to these issues. This report is intended to be read in conjunction with the 19 December 2012 Committee Report and Addendum Report, which are included as Appendices. Therefore this report does not revisit all of the issues, it only deals with the further information that was requested by Planning Committee and any other matters that have arisen since the application was considered by Planning Committee in December 2012.

The recommendation set out below uses the wording “minded to approve” because the application must be referred to the Secretary of State to confirm whether they wish to call the application in for determination. If Planning Committee resolve that they are minded to grant planning permission, the application would then need to be referred to the Secretary of State for Communities & Local Government, who would decide whether or not to call in the application for any decision to be made by himself.

A revised schedule of conditions is included at the end of this report to incorporate minor changes since the previous Committee Report was completed. The changes are identified in bold.

One notable matter that has arisen is the abolition of the West Midlands Regional Spatial Strategy. This is dealt with in the section entitled Policy Matters.

This report also includes a summary of the representations that have been received since the 19 December 2012 Planning Committee.

## **RECOMMENDATION**

Planning Committee are recommended to resolve that:

i) they are minded to approve those elements of the application within the administrative area of Warwick District Council subject to the conditions listed and a Section 106 agreement being entered into by the applicant in respect of those matters highlighted in this and the December Report and subject to the Secretary of State not wishing to intervene regarding determination of the application; this decision will relate directly to those matters under the District Council’s jurisdiction; and

ii) they are supportive of the application proposals as a whole for the reasons highlighted in this report and the attached report.

## **FURTHER INFORMATION**

The following further information has been received following the 19 December Planning Committee:

- a further report from GL Hearn on the need / demand for a major employment development, the availability of alternative sites and forecast job numbers;
- feedback from the Council's landscape consultant; and
- information from the applicant in response to the queries raised by the Planning Committee, including a summary of the benefits for Warwick District.

The additional information submitted by the applicant includes the following details in response to the specific queries raised by Planning Committee:

- details of the new cycleways and footways within Warwick District;
- details of the commuter bus services (including routes running through Stratford, Warwick, Kenilworth, Leamington and intervening villages); and
- details of the applicant's commitment to establish links between education providers and future occupiers, to be secured in the Section 106 agreement.

The applicant's summary of the benefits for Warwick District includes the following:

- the development will bring significant benefits to the local economy through investment and job creation;
- in addition to the 10,000 jobs within the completed development, it is estimated that 900 employees per year would be supported by the construction of the project (expected to take 3 years);
- the development will have the potential to generate over £440m in increased productivity or economic output as measured by Gross Value Added (GVA);
- estimates suggest that, under the government's business rate retention scheme, the development would generate revenue of £1.7m per year for Warwick at a 15% retention rate and £2.2m per year at a 20% retention rate;
- a commitment to proactive partnership working between the developer, future occupiers and existing education, skills and training providers to maximise local training and employment opportunities;
- potential commercial partnerships and research opportunities related to Warwick and Coventry University's specialisms and strengths, given the types of business and sectors attracted to the Gateway;
- provision of grow-on and incubator space for the existing Technology Park (Puma Way);
- the proposals would support the delivery of City Deal;
- there will be a net "major beneficial" impact on the strategic road network between the M40 and M6 & M69 motorways;

- without the Gateway highway improvements, extensive queuing will occur at key locations on the surrounding highway network, including Festival Island and the A46/A428 roundabout;
- there will be reduced traffic flows in some surrounding rural areas;
- improvements to the Stoneleigh Road Interchange on the A46 would be provided as an early part of the scheme;
- dedicated commuter bus services will link the Gateway site with Warwick, Leamington and Kenilworth;
- around £4.5m is proposed for investment in new or enhanced cycleways and footpaths, half of which would be in Warwick District;
- approximately 9,500 metres of new public footways/cycleways will be created (currently there are no public rights of way or access to the site);
- provision of an extensive countryside park (105.5 hectares);
- there would be a net gain in biodiversity;
- planting of around 12 hectares of new native woodland with more than 30,000 trees;
- creation of 5,000 metres of new native hedgerows;
- provision of public access to the setting of the Lunt Fort (adjacent fields to form part of the countryside park);
- remediation of significant areas of landfill and sewage treatment works;
- whilst the majority of jobs created will be "new" jobs to the Coventry City / Warwick District area, it is anticipated that the Gateway scheme will provide for businesses in poorly located employment sites to relocate, enabling those sites to be redeveloped for more suitable uses (e.g. residential) and reducing the pressure to develop Green Belt / green field sites for housing;
- the Gateway will offer the opportunity for businesses seeking space to "grow-on" or consolidate their activities and yet remain in Warwick District;
- improved emergency access to Middlemarch Business Park, avoiding minor roads and Baginton village; and
- valuable evidence of a sound approach to the Duty to Co-operate in relation to the new Local Plan and cross-boundary issues.

Two of the queries raised by Planning Committee have been resolved as a result of revised consultation responses:

- the agricultural tenant of Rock Farm (Mr Beatty) has withdrawn his objection having reached agreement with his landlord and the applicant; and
- English Heritage have withdrawn their objection.

### **POLICY MATTERS**

Members are advised that there have been three changes with regard to Planning Policy since Planning Committee previously considered the application at their meeting on the 19 December 2012. These will be dealt with under separate headings below.

## **West Midlands Regional Spatial Strategy**

The West Midlands Regional Spatial Strategy (RSS) was revoked by the Secretary of State for Communities & Local Government on the 20 May 2013. This revocation means that the RSS no longer forms part of the Development Plan covering the application site. In terms of that part of the application site within Warwick District Council's area, the Development Plan now comprises only the Warwick District Local Plan (WDLP) 1996-2011 and the Warwickshire Structure Plan (WSP) 2001.

CPRE, in a further objection dated April 2013, consider that given the revocation of the RSS it is no longer a material consideration. They also consider that the RSS Phase 2 Revision which was never formally adopted is likewise not a material consideration.

Notwithstanding the above, whilst these documents in themselves are no longer a material consideration it is the view of officers that the evidence base underlying the RSS and the RSS Phase 2 Revision remains a material consideration relevant to the determination of this planning application. It is for the decision maker to decide what weight to give this evidence and it is the opinion of officers that it should be given some weight.

In this regard on page 48 of the appended report to the December Planning Committee officers advised that the sub-regional economic growth issues which the RSS and RSS Phase 2 Revision sought to address remain current, as evidenced by the recent Coventry & Warwickshire Economic Assessment and LEP 5 Year Strategy.

Furthermore, GL Hearn in their latest report as detailed below, concur with officers that the evidence base underlying the RSS and RSS Phase 2 Revision remains a material consideration in deciding this application as the evidence base underlying these is the most recent joint cross-authority work undertaken regarding strategic employment land provision and has been the subject of formal examination in public.

### **Revised development strategy for new Warwick District Local Plan**

A report will be put before the Council's Executive on 4 June 2013 proposing a revised development strategy for the new local plan. This proposes that an area of land in the vicinity of Coventry Airport is identified as a major employment site of sub-regional significance. This states that a policy framework for the site will be developed which:

- a) limits the uses on the site to predominantly B1, B2 and B8 uses;
- b) ensures the whole site is planned and developed in a comprehensive way, taking full account of the infrastructure requirement and minimising environment impact;
- c) sets out the very special circumstances that would need to be demonstrated to allow this development within the Green Belt. These very special circumstances would include the demonstrating the need for a major sub-regional employment development, the creation of a significant number of new jobs, evidence that there is a lack of alternative sites that

are available and suitable and the delivery of other community and environmental benefits; and  
d) ensures the land is retained within the Green Belt until such time the site is fully developed.

The meeting of the Executive is taking place before the Gateway planning application is considered by Planning Committee and the decision of the Executive and any implications that that might have for the consideration of the planning application will be covered in the Addendum Report to Committee.

### **Withdrawal of Coventry Core Strategy**

In considering planning policy relating to those parts of the application site within Coventry City Council's area, Members are advised that on the 16 April 2013 Coventry City Council's Cabinet formally withdrew the City Council's 'Proposed Submission' Core Strategy. However, as with the RSS and RSS Phase 2 Revision the evidence base underlying this document remains a material consideration.

### **SUMMARY OF FURTHER REPRESENTATIONS**

A total of 798 objections were received by the time the application was considered by Planning Committee on 19 December 2012. There had also been 6 letters of support, 2 comments both objecting and supporting and 3 comments neither objecting nor supporting. A summary of all of these representations and all other comments that were received from statutory and non-statutory consultees is included in the appended 19 December Committee Report and Addendum Report.

A further round of public consultation has been undertaken since the receipt of the GL Hearn report and the further information from the applicant. The further comments received are summarised below.

Unless explicitly stated below, the comments summarised in the 19 December Committee Report and Addendum Report remain valid and unchanged.

**Baginton, Bubbenhall and Stoneleigh & Ashow Parish Councils (joint comments):** Further objections have been submitted, raising the following concerns:

- the application uses biodiversity offsetting to imply false environmental credentials to a proposal that is quite clearly inappropriate development within the Green Belt;
- biodiversity offsetting should only be used as a last resort;
- biodiversity offsetting is unproven;
- studies of alternative sites attach too much weight to economic considerations, when the NPPF requires these to be balanced against social and environmental considerations;
- studies of alternative sites have not properly considered relative impacts on landscape and ecology, focussing exclusively on economic factors;

- alternative sites would be preferable in environmental terms;
- the RSPB and Warwickshire Wildlife Trust question whether biodiversity offsetting is the correct approach for this site, confirming that this should be a 'last resort' and that alternative sites with less harmful impacts should be considered first;
- there would not be a net gain in biodiversity given that there is loss of irreplaceable habitats such as veteran trees;
- as the proposals will have adverse impacts on European Protected Species the local authority is duty bound to ensure that there is no satisfactory alternative to avoiding these impacts;
- there would be an assured loss of biodiversity when development takes place and only a hypothetical gain many years in the future;
- the revocation of the RSS means that no weight at all should be given to RSS policies and their criteria and constructs, e.g. Regeneration Zones, Regional Investment Sites and Regional Logistics Sites;
- distance from the Regeneration Zone is not now a material consideration when considering alternative sites;
- the Coventry Core Strategy did not identify any need for further employment land;
- the Gateway will not be beneficial to the needs of Nuneaton and Bedworth;
- claims that Ryton occupies a more physically isolated location than the Gateway site are false;
- there is no evidence that the triflingly small differences in the distance of sites from universities make any significant impact on economic benefit;
- with the final demise of the RSS, the officer's report must now accept that sites such as Ansty, Birch Coppice, Blythe Valley, DIRFT, Ryton and Tournament Fields are better alternatives than developing the Gateway site in the Green Belt;
- in practice Zone A might include no manufacturing at all (the proposals are for **up to 30% B2**);
- Jaguar Land Rover's (JLR) decision to site its new engine plant near Wolverhampton was not due to the availability of land but due to the position of that site in between the 3 existing JLR assembly plants and due to the fact that that site is part of an Enterprise Zone with significant financial incentives;
- the Gateway claims 10 times the number of jobs of the JLR engine plant proposals with only half the investment;
- Enterprise Zone status was turned down for the Gateway due to the Green Belt status of the land, lack of clarity around the broad sectoral focus proposed and concerns about the capacity of the A45;
- MIRA claims that it will create only 2,000 jobs by 2020, in contrast to the inflated claims of the Gateway;
- Gateway has significant disadvantages compared to MIRA including the need for expensive infrastructure and remediation, the lack of Enterprise Zone status and the lack of any identified high profile industrial names;
- the country park itself is inappropriate development in the Green Belt;
- the 2012 report by Richard Morrish Associates (RMA) considered that the area around Coventry Airport met the 5 required functions of the Green Belt;

- the RMA update report is not based on the criteria that is required for a full landscape impact assessment;
- the RMA update report states that in the short term there would be “notable adverse landscape impacts”;
- the road corridor for the Zone A access road at the southern end of the airport runway is too narrow for planting or acoustic mitigation;
- the Zone B Technology Park will be prominent in views from the A45 and from Rowley Road, in an area where there are notable and positive views over agricultural land which provides part of the landscape setting for Baginton and the Lunt Fort;
- it will take at least 10-15 years to obtain an ‘established’ landscape setting;
- the Technology Park would cover approximately 20ha of agricultural land;
- the additional road building north of the A45 would diminish opportunities for habitat enhancement in the river corridors and would conflict with the planning obligations of the Whitley Business Park development;
- concerns about whether the mounding and screening works are practicable;
- adverse landscape impact, particularly in the short-term;
- failure to fulfil the green infrastructure in a timely manner would greatly increase adverse impacts, especially for near neighbours;
- adverse impact on the setting of the nearby villages and Conservation Areas;
- adverse impact on the setting of Scheduled Ancient Monuments, including the Lunt Fort;
- artificial mounding is incongruous, unsustainable and out of place; and
- Coventry City Council refused planning permission in October 2011 for a warehouse on the Jaguar Browns Lane site (brownfield land) that would have been similar to those proposed for the Gateway; since outline planning permission was granted for the Browns Lane site, the only planning consents that have been granted are for residential development of this designated employment land; this is not making the best use of existing brownfield land.

**Baginton Parish Council:** Further objections have been raised on the following grounds:

- the emerging Warwickshire, Coventry and Solihull Green Infrastructure Strategy supports our view that the Gateway is inappropriate development within the Green Belt, creating unsustainable urban sprawl and ruining the openness of the area;
- there are no very special circumstances justifying destruction of the Green Belt;
- the developer’s job creation prospects are over-stated, unrealistic and unachievable;
- other better suited sites existing in the local area, outside of the Green Belt;
- there is no need for the development;
- increased traffic;



- conflict of interest with the LEP Chairman also being the Gateway developer;
- the trunk road improvements can proceed without this development;
- the Green Belt in this area acts as an essential buffer to urban encroachment of the countryside;
- the Richard Morrish Associates report concludes that the scheme will have adverse landscape impacts and will remove open land;
- there should be no weight placed on RSS documents whatsoever;
- the GL Hearn estimate of jobs is thousands less than the developer's proposals and fails to account for displaced jobs;
- the GL Hearn report indicates the lack of an established demand for the Technology Park; and
- there are clearly alternative sites with less harmful impacts.

**Bubbenhall Parish Council:** Further objections have been raised on the following grounds:

- the job numbers claimed by the applicants are seriously overstated;
- the job numbers take no account of the commercial feasibility of the development;
- without any consideration of the commercial feasibility of the Gateway, any job numbers associated with the project are meaningless;
- the developer would have to fund huge up-front infrastructure costs;
- the developer would not be able to attract commercial tenants willing to pay the rentals and accept the rental terms for what is certain to be a relatively high cost location;
- GL Hearn should have been asked to consider the commercial feasibility of the Gateway;
- the estimates of job numbers in the Hearn report rely on the same mechanical "job densities" calculations that were utilised in the earlier report;
- alternative sites exist for the Zone A and Zone B proposals;
- if approved the Gateway project would almost certainly face a long a difficult struggle over many years to demonstrate its commercial viability and deliverability, leading to development blight;
- the actual jobs created by other nearby sites (e.g. Ansty and Ryton) are nowhere near the estimates initially claimed because there is a lack of demand;
- the latest GL Hearn job estimates are significantly lower than the number initially suggested by the applicant (6,370 net jobs compared to 14,000 initially claimed);
- the estimated job numbers that might arise in Warwick District are based on flawed methodology, there is no up-to-date information about commuting dynamics to justify these figures;
- 'expressions of interest' from prospective occupiers cannot be used as an accurate indicator of commercial demand;
- Warwick University Science Park does not find that a significant number of tenants who need the type of accommodation envisaged by Zone B;
- without demand from real companies, no jobs will be created;
- Zone A and Zone B should be assessed separately because there is no requirement for them to be located together;
- many alternative sites are available, most with better transport links;

- current supply of alternative sites far outstrips demand;
- there are no very special circumstances to justify this development within the Green Belt;
- no weight should be given to RSS policies when evaluating the proposals or alternative sites;
- environmental impact should be balanced with economic value when evaluating the proposals or alternative sites; and
- concerns about the appointment of new members to Planning Committee and the inadequate time that they have to undergo the requisite training and to read the complex and extensive documentation relating to the application.

**Stoneleigh & Ashow Parish Council:** Further objection has been raised on the following grounds:

- GL Hearn should have undertaken development appraisals for the development to inform the likely deliverability of the development compared with other available sites.

The Parish Council's also submitted comments detailing the issues that they thought that GL Hearn should be asked to consider as part of their report.

A further 18 objections have been received from members of the public since the December Committee. The further objections raise the following concerns:

- the developer is inexperienced in relation to large developments such as this;
- the developer has a weak financial position and would not be able to fund the significant upfront infrastructure costs;
- the developer's verbal statement to Committee about the schemes that they have built was false;
- the schemes referred to by the developer were in fact built by another developer, Goodman's group, and the job numbers at one of the sites are already in question because 200 jobs are at risk of being relocated;
- it is the company, Roxhill, that is applying to carry out the Gateway project and therefore it is irrelevant that some of Roxhill's senior management may previously have worked at companies such as Goodmans or Prologis;
- some serious due diligence needs to be conducted regarding the financial capabilities that Roxhill claims to have;
- the claims of the developer regarding the value of the investment in the site are unclear;
- the £30m earmarked for the highways developments is inadequate;
- some serious financial guarantees are required to avoid development blight;
- endorsing the objections of Roe-Symes, CPRE, Baginton Parish Council, Stoneleigh & Ashow Parish Council and Warwickshire Wildlife Trust;
- alternative sites are available, including brownfield land;
- all alternative sites should be considered afresh, including the potential for the expansion of existing sites;
- this development would be unsustainable;

- there will be a requirement for additional housing land as a result of the Gateway development;
- inappropriate development within the Green Belt;
- loss of countryside;
- loss of identity for Baginton and Bubbenhall;
- concerns about airport expansion;
- this is a thinly disguised preliminary to an application to enlarge Coventry Airport;
- increased airport noise;
- contrary to the Inspector's decision at the Airport Inquiry;
- adverse traffic impact;
- adverse impact on air quality;
- the road alterations will cause more traffic congestion at locations within Coventry;
- noise pollution;
- the cumulative impact of all of the major developments in the locality should be taken into account, including Stoneleigh Park, Warwick University and HS2, including construction impacts;
- the procedure for consulting on the GL Hearn report was biased;
- harmful ecological impact;
- the close proximity to Coventry Airport limits the potential for ecological mitigation to be provided on or close to the site (e.g. ponds will have to be netted);
- habitat loss in Stonebridge Meadows Local Nature Reserve and nearby Local Wildlife Sites;
- adverse impact on the ecological connectivity of Stonebridge Meadows Local Nature Reserve;
- the ecological mitigation measures will not account for the loss of habitat mosaic, fragmentation and loss of ecological connectivity, increased exposure to disturbance and reduced climate change resilience;
- concerns about the deliverability of the biodiversity offsetting proposals;
- there is no evidence that every opportunity to avoid and mitigate adverse impacts on biodiversity have been considered before adopting the 'last resort' of biodiversity offsetting;
- harmful landscape impact;
- light pollution;
- concerns about contamination and the ability of the development to fund the remediation works;
- concerns about the presence of 2 disused sewage works and a toxic waste site within the application site;
- harm to ground water;
- concerns about the role of the LEP and City Deal;
- the job numbers are inherently uncertain; and
- the last minute changes to Planning Committee seem to be gerrymandering.

A further letter of support has been received from a member of the public making the following points:

- this should be approved so that young people like me can look forward to applying for jobs;

- further jobs will be created during construction; and
- this will provide income for the Council and the region.

**Agricultural tenants of Rock Farm:** Agreement has been reached with the landlord and the developer and therefore the previous objection is withdrawn.

**CPRE:** Further objections have been raised on the following grounds:

- the officer's report does not provide a balanced analysis of the issues;
- the officer's report does not adequately summarise consultation responses;
- Zone A and Zone B should be assessed separately because there is no requirement for them to be located together;
- the Sequential approach should be applied to the car showrooms and hotel;
- the car showrooms and hotel would not meet the very special circumstance criteria for development within the Green Belt if they were in a separate application;
- contrary to the development plan;
- the adopted Local Plans show that there is no numerical need for the Gateway development;
- the development would conflict with the conditions and Section 106 obligations attached to the Whitley Business Park decision;
- there is no guarantee that any B2 floorspace will be developed, with the proposals allowing for **up to** 30% B2 floor space in Zone A;
- alternative sites would not necessarily require the development of green fields in the Green Belt;
- there is a glut of available sites, but these have been dismissed through a string of ingenious, fanciful and downright bizarre reasons;
- suitable alternative sites include Rugby Gateway, Prologis Ryton, Birch Coppice, DIRFT, Prologis Daventry, Hinckley Logistics Park, Prologis Midpoint, Lyons Park, Tournament Fields and Birmingham Business Park (for Zone A); and Ansty Park, MIRA, Blythe Valley, Tournament Fields and Whitley Business Park (for Zone B);
- the Hearn report concludes that Ansty Park and MIRA will compete with Zone B;
- there is little wrong with existing sites, the real problem is lack of demand;
- the claimed employment numbers are unreliable;
- assessing the likely job numbers must address demand from first principles, not just check the arithmetic in using supply-side ratios;
- there is no convincing evidence that demand would be sufficient to fill the proposed buildings on a reasonable timescale;
- the transactions relating to new floorspace cited by the applicant are either not recent, not within the sub region or are relocations rather than new jobs;
- the December Committee Report fails to note that the presumption in favour of sustainable development does not overrule either Green Belt or biodiversity policies;

- the December Committee Report is incorrect in stating that the proposed bridges would not be inappropriate development within the Green Belt;
- biodiversity offsetting is a pilot scheme and therefore the results are not guaranteed, there are also suitable alternative sites available for the development;
- biodiversity offsetting does not address issues relating to protected species;
- impacts on biodiversity have not been minimised, there is loss of irreplaceable habitats such as veteran trees and there is no evidence that this particular location has clear benefits that outweigh such losses;
- there is no evidence that every opportunity to avoid and mitigate adverse impacts on biodiversity have been exhausted before adopting the 'last resort' of biodiversity offsetting;
- there would be an assured loss of biodiversity when development takes place and only a hypothetical gain many years in the future;
- the close proximity to Coventry Airport limits the potential for ecological mitigation to be provided on or close to the site (e.g. ponds will have to be netted);
- the substantial ground remodelling works will wipe out any existing biodiversity;
- the River Sowe is a long-established habitat for otters but this is ignored by the proposals and is not mentioned in the biodiversity offsetting report;
- studies of alternative sites have not properly considered relative impacts on landscape and ecology, focussing exclusively on economic factors;
- the large scale and industrialised nature of the development would seriously damage the character and appearance of the surrounding area;
- extensive landscaping would in itself fundamentally change the existing open character and far reaching views of the Green Belt;
- countryside parks are not replacements for the landscape, they extend sub-urbanisation into the countryside;
- most alternative sites are not within the Green Belt;
- the location of the site is inherently unsustainable;
- the trip generation assumptions are inadequate;
- the highway works would conflict with the Highways Agency's Toll Bar End scheme;
- the design year for the highway works is 9 years earlier than that for Highways Agency's Toll Bar End scheme;
- the Highways Agency's Toll Bar End scheme should not be treated as committed;
- the Highways Agency's Toll Bar End scheme now includes improvements to the Stivichall Interchange which will conflict with the Gateway proposals;
- removal of the segregated lane onto the A46 southbound from the A45 westbound would cause extra delays;
- the new junction on the A45 appears to be contrary to Department for Transport policy;
- departures from standards are contrary to Department for Transport policy;

- the package of highway improvements are unlikely to be affordable for £30m;
- the bus rapid transit scheme is unlikely to be as effective as the applicants claim;
- there is no guarantee that any dedicated coach services will actually be provided;
- the cycling and walking proposals are unlikely to be sufficient to boost these modes to the extent the applicants claim;
- the role of the Travel Plan Co-ordinator is excessive;
- the impact of construction traffic has been seriously underestimated;
- the proposals would undermine urban regeneration;
- an independent economic assessment did not find that lack of employment land is a major barrier to growth;
- expressions of interest by prospective occupiers are a long way from assured tenancy;
- lack of evidence of need for hybrid B1 space;
- sub-classes of the B1 use class are becoming increasingly blurred in practice;
- Warwick University Science Park have advised that they do not find a significant number of tenants who need larger units of hybrid space;
- the revocation of the RSS means that no weight at all should be given to RSS policies and their criteria and constructs, e.g. Regeneration Zones, Regional Investment Sites and Regional Logistics Sites;
- the boundaries of the Coventry and Nuneaton Regeneration Zone are outdated and are not supported by the emerging local plan for Coventry;
- there is no justification for using RSS criteria and outdated Regeneration Zone boundaries to eliminate valid alternatives;
- the assessment of GL Hearn attaches too much weight to economic considerations, when the NPPF requires these to be balanced against social and environmental considerations;
- alternative sites would be preferable in environmental terms;
- adverse impact on local landscape character;
- openness of the Green Belt must heavily outweigh any environmental improvement of parts of the site; and
- with regard to the estimated revenue from business rates, any gain in revenue for the local planning authorities is not a planning consideration.

**English Heritage:** The proposals to re-orientate some of the buildings and reduce the height of others will reduce the overall impact of the building line on the view from the Lunt Fort and will have the effect of retaining views through to the more distant hills. The additional benefit of these amendments will be that less earth moving and planting will also be required. If these amendments can be made a condition of the approval and English Heritage can be consulted throughout the development of the detail of this part of the scheme then English Heritage shall be glad to remove our objection to this planning application.

**Warwickshire Wildlife Trust:** Advise that they have no further comments to add to their previous response. However, query the reference that the applicant makes to a £25k contribution for enhancing biodiversity; this is

likely to be only a fraction of the funds needed to secure the delivery and long-term maintenance of the necessary mitigation and compensation measures required on site. Also confirm that they are not “supportive” of the Gateway scheme as suggested by the applicant; refer back to their previous comments for their views, which remain unchanged.

**WCC Archaeology:** In assessing any areas of ridge and furrow when considering this planning application it was concluded that it was not a significant issue. Following the query from Planning Committee, Officers have re-assessed the ridge and furrow across Zone B and confirm that the proposed development of Zone B will not have a significant impact upon any ridge and furrow worthy of conservation.

With regard to the impact on the Lunt Fort, the revised comments of English Heritage are noted. Advise that WCC Archaeology were not party to the discussions with English Heritage and therefore cannot confirm whether or not the proposed revisions would address their previous concerns. They are, however, reassured that English Heritage consider that it may be possible to design the scheme to minimise the impact upon views from the Lunt. Recommend that the District Council satisfy themselves that there is sufficient flexibility in the scheme to enable the proposed layouts which satisfied English Heritage to be secured by appropriately worded conditions.

### **ASSESSMENT OF FURTHER INFORMATION / PLANNING COMMITTEE QUERIES**

The further information / Planning Committee queries will be assessed under the following main headings:

- economic growth and employment;
- travel benefits for Warwick District;
- impact on the setting of the Lunt Fort Scheduled Ancient Monument;
- provision to link education providers with future employers;
- further information in relation to the tenants of Rock Farm;
- feedback from landscape consultant;
- ridge and furrow;
- comments of Coventry City Council Environmental Health;
- agricultural land quality;
- Green Belt policy;
- effect on allocation of greenfield land for development elsewhere within the District;
- ecology;
- relevance of Enterprise Zone status being turned down; and
- benefits for Warwick District.

Some of the further objections received largely reiterate comments previously made. Where these issues are addressed in detail in the December Committee Report and Addendum Report there will not be any further assessment here. The following assessment does, however, include

further consideration of any new issues raised in the objections received since the December Committee.

## **Economic Growth & Employment**

Following the concerns that Planning Committee had regarding the scope of the previous work that GL Hearn carried out to critique the applicant's Need and Comparative Site Assessment Report (the Savills Report), Planning Committee members requested a full independent assessment of the claims made by the applicant. Therefore Members and Officers agreed a brief to commission GL Hearn Ltd in January 2013 to examine in further detail economic development and employment matters.

GL Hearn's assessment was published on the 8 May 2013 and examines the need/demand for employment floorspace of the type and scale proposed for the application site. They have also assessed employment land supply matters, in particular the location and extent of alternative sites and the merits or otherwise of the application site compared to these in meeting any identified need/demand. Finally, GL Hearn have also examined the levels of employment overall that would be generated by the logistics park and technology park elements of the scheme (including jobs likely to be displaced from elsewhere within the administrative areas of Coventry City Council and Warwick District Council), the types of employment that would be created and the number of new jobs created that are likely to be filled by residents living within Warwick District Council's area.

### Need/demand for employment floorspace

In assessing the current policy context, GL Hearn consider that national and regional planning and economic development policy support in broad terms the applicant's contention that there is a need/demand for employment floorspace of the type proposed for the Gateway site.

In terms of national policy the Government's Plan for Growth emphasises the need for private sector growth, particularly in exporting sectors, to facilitate economic recovery whilst the National Planning Policy Framework (NPPF) gives significant weight to the need to promote economic growth through the planning system with the measures set out in paragraph 21 of the NPPF to promote such growth being of particular relevance to the Gateway proposals. Further detail in this regard is provided on pages 49-50 of the appended December Committee Report.

With regard to regional policy reference is made to the 5 Year Strategy of the Coventry & Warwickshire Local Enterprise Partnership (CWLEP) as detailed on pages 44 and 45 of the appended December Committee Report to Planning Committee. The CWLEP have recently refocused their strategy on advanced manufacturing and engineering following the success in passing the first stage in the City Deal process. Major automotive manufacturers in the sub-region are investing heavily in both research & development and production and there are further opportunities to grow the supply chain. CWLEP are seeking to facilitate such growth through investment in the development of engineering skills, promotion of



innovation and investment in infrastructure. A supply of suitable land for development is a component of such investment in infrastructure.

Reference is also made to the West Midlands Regional Spatial Strategy (RSS) with its emphasis on promoting investment in the higher value added business sector focused on Major Urban Areas such as Coventry. They also refer to the considerable demand for up to 504 hectares of land up to 2026 envisaged by the 2009 Regional Logistics Study for large scale storage and distribution development on non rail linked sites which formed part of the RSS Phase 2 Revision evidence base. They also recognise the RSS Phase 2 Review which identified a need for a further Regional Investment Site (RIS) in addition to Ansty to serve the needs of the Coventry & Nuneaton Regeneration Zone. Whilst they acknowledge that the RSS will be formally abolished as of the 20 May 2013 they concur with officers that the evidence base underlying the RSS and RSS Phase 2 Revision remains a material consideration in deciding this application as this evidence base is the most recent joint cross-authority work undertaken regarding strategic employment land provision and has been the subject of formal examination in public.

GL Hearn have also examined market demand for the floorspace proposed at the Gateway site.

In terms of the logistics park area of the site, it is considered that there is strong evidence of demand for additional land to accommodate storage and distribution uses within the sub-region. There has been a lack of speculative development in this sector across the sub-region over the last 4-5 years and there is now growing concern in the market over supply with a return to speculative development expected to take place this year.

Research undertaken by property consultants CBRE shows that take up of storage and distribution floorspace across the Midlands has averaged 604,000 square metres per annum over the last 5 years. Current available building stock for such uses is now only 641,000 square metres. As such, just over 1 years supply of floorspace currently remains.

GL Hearn also refer to 9 companies who are known at present to be seeking storage and distribution floorspace of up to 360,000 square metres overall in the region. These companies are Costco, Geopost, Clipper, H&M, Amazon, Hermes, Tesco, ND Logistics and Decathlon. All of these occupiers are seeking large units in excess of 25,000 square metres floorspace with certain occupiers seeking much more than this (i.e Amazon 83,613 square metres, H&M and Tesco both seeking up to 46,541 square metres). To accommodate this demand for up to 360,000 square metres of floorspace, GL Hearn consider that 90 hectares of land would be needed.

CPRE in their latest representations refer to known occupiers having a requirement for only 199,741 square metres of floorspace. However, the table from which this figure is taken in the GL Hearn report refers only to known occupier requirements specific to the Coventry area and not the wider region as detailed above. The CPRE representations also imply that GL Hearn consider such known occupier demand to be the only demand

which exists. However, it needs to be borne in mind that the companies referred to are simply those that are known to have requirements and the evidence presented by GL Hearn suggests that total demand is considerably higher, with for example reference being made in their report to average floorspace take up by storage and distribution occupiers alone of 604,000 square metres per annum over the last 5 years across the region.

In terms of general industrial floorspace, GL Hearn report that property consultants Lambert Smith Hampton have highlighted that there is a shortage of larger new build and modern accommodation in the 4645 – 9290 square metres (50,000 – 100,000 square feet) size range. They consider that the lack of speculative development of industrial space is restricting opportunities for occupiers in some locations with Coventry identified as a location with a distinct lack of supply. They cite examples of companies currently seeking industrial floorspace in the region - CovRad (12,077 square metres) and Greggs Bakery (13,935 square metres).

In terms of the technology park area of the site the applicant has advised that floorspace here would be targeted particularly at higher value added businesses seeking hybrid accommodation providing a mix of office, laboratory and workshop space. Whilst there is very little published market research for this relatively specialised type of floorspace, GL Hearn consider that high occupancy levels at existing science and technology parks in the sub-region accompanied by anecdotal evidence from the owners of certain of these parks of demand for larger grow-on hybrid accommodation coupled with a lack of supply do indicate that market demand exists for such floorspace.

CPRE refer in their latest representations to comments from the Director of Warwick University Science Park that they do not have a significant number of tenants who need larger units of B1 hybrid space as evidence of minimal demand for such floorspace. However, GL Hearn do refer to some companies that have expanded from the Warwick University technology park to larger premises on other sites in the locality and Coventry University do consider that demand for such hybrid floorspace exists. GL Hearn conclude that it is unlikely that all of the floorspace within the proposed Gateway technology park would be taken by companies relocating from sites in the local area such as the Coventry and Warwick University Science Parks. However they refer to their being a strong likelihood of other demand arising from further afield, in particular the burgeoning automotive sector. They consider that there is a growing demand for floorspace from the automotive sector and its supply chain companies and that there is a particular opportunity to grow the domestic and local supply chains serving the cluster of automotive manufacturers in the UK and particularly the West Midlands and the Gateway site as a whole could feasibly help to support growth in this sector in the sub-region. Overall they anticipate given the above that the technology park element of the Gateway site would be built out on a phased basis over a period of time.

A related matter in respect of the technology park element of the scheme raised again by CPRE in their latest representations is justification for the

proposed car showroom and hotel floorspace. Such justification is provided on pages 118-119 of the appended December Committee Report.

Overall the conclusions of GL Hearn regarding the need/demand for employment floorspace reflect the analysis presented by officers in the December 2012 report to Planning Committee.

#### Employment land supply

GL Hearn in their report also consider in detail the extent to which there are alternative sites to the Gateway site that could accommodate the need/demand for employment floorspace highlighted above.

As a starting point they have defined competitor site market areas in respect of both the logistics and technology park elements of the Gateway scheme. For the logistics park it is considered that competitor sites would lie within the so-called distribution 'Golden Triangle' which extends as far north as Tamworth and Leicester, across to the M1 in the east, as far south as Daventry and the M40 near Gaydon and across to Birmingham in the west. Within this area a total of 15 competitor sites were assessed. The parts of these sites which have planning permission total almost 200 hectares in area and are capable of accommodating 811,644 square metres of floorspace. Planning consent has been applied for on a further 361 hectares of land with these sites capable of accommodating an additional 882,555 square metres, although 83% of this further land/floorspace relates to the recently submitted planning application for phase 3 of the Daventry International Rail Freight Terminal (DIRFT) to the east of Rugby on the border between Warwickshire & Northamptonshire.

CPRE in their latest representations refer to these large floorspace figures in support of their contention that the supply of alternative sites to the proposed logistics park is plentiful. However, these figures need to be viewed in the context of the demand profile for storage and distribution and general industrial floorspace. In this regard, reference is made earlier in this report to take up of storage and distribution floorspace alone having amounted to 604,000 square metres per annum on average over the last 5 years across the Midlands and to just over 1 years supply of built floorspace being currently available. Reference is also made to evidence that there is a shortage of large scale general industrial floorspace in the Coventry area.

7 out of the 15 competitor sites identified are less than 10 hectares in size and GL Hearn consider that in logistics site terms these would be considered small, with limited critical mass and would be built out by a relatively small number of occupier requirements. They consider the main alternative sites to Gateway to be the remaining 8 larger sites.

However, they conclude that these competitor sites are differentiated from the Gateway site by reason of their location, inflexibility regarding accommodation of both general industrial and storage/distribution uses and/or target occupiers. Furthermore, given current demand and supply issues it is anticipated that the supply on these competitor sites will be reduced through floorspace take-up prior to the Gateway site coming on

stream were it to be approved. Overall GL Hearn conclude that there is a constrained supply of sites for general industrial and storage/distribution use which could be considered competitive with the Gateway logistics park and even where there is competition they are of the opinion that there is sufficient demand to support development of both these and the Gateway logistics site.

Furthermore, officers would advise that only 3 of these 8 larger competitor sites are physically close to the area formerly covered by the Coventry & Nuneaton Regeneration Zone – Prologis Ryton, Hinckley Logistics Park and Lyons Park. GL Hearn consider that the first two of these sites, where development is already underway, are likely to experience strong demand from the market which will result in them being fully developed over the next 3 to 4 years prior to the Gateway proposals coming fully on stream.

CPRE in their latest representations challenge the conclusions of GL Hearn in this regard in terms of the Prologis Ryton site. They state that this site remained vacant for 6 years before the first occupier Network Rail was secured and therefore submit that this site is unlikely to be developed out fully in the next 3-4 years as envisaged by GL Hearn. However, it is submitted that the existing supply of storage and distribution and general industrial floorspace in the region and locality are now constrained to a greater extent than would have been the case over the last 6 years and therefore there is a greater likelihood that the Prologis Ryton and other sites will be built out more rapidly than has previously been the case.

The Lyons Park site is constrained in that it does not have planning permission for storage/distribution use and as advised in the December 2012 report to Planning Committee it is far from certain that such approval would be forthcoming as a previous planning application in 2011 by Peugeot for a large storage/distribution unit on this site was refused by Coventry City Council. Parts of the site also lie in close proximity to a large number of residential properties which reduces its attractiveness to storage/distribution and general industrial occupiers.

Of the remaining 5 sites DIRFT 3 and Birch Coppice are large rail linked sites aimed primarily at national occupiers who are willing to pay the premium prices for sites such as this and GL Hearn therefore consider that competition between these and the Gateway site would not be substantive.

Officers would advise that the other 3 of these 5 sites are Midpoint Park Minworth, Prologis Apex Park Daventry and Rugby Gateway, all of which are a considerable distance away from the area formerly covered by the Coventry & Nuneaton Regeneration Zone.

Only 1 of the 15 competitor sites identified by GL Hearn is not referred to in the December 2012 report to Planning Committee. This is Birmingham Business Park north of the NEC site in Solihull which has in large part already been developed. This site is identified as having 9.71 hectares of land available which could accommodate 39,500 square metres of storage/distribution or general industrial floorspace. Officers again consider that this site is a considerable distance from the area formerly covered by

the Coventry & Nuneaton Regeneration Zone and would therefore not offer the same level of economic benefit to the Warwick, Coventry and Nuneaton & Bedworth areas. There is also some doubt, shared by GL Hearn, as to the attractiveness of this site for storage/distribution and general industrial occupiers as the remainder of the business park already developed is occupied by primarily office users.

Overall GL Hearn consider that there is a clear under-supply of sites relative to identified needs and market demand for large storage/distribution and general industrial units. They conclude that the Gateway logistics park proposals would clearly assist by making a significant contribution towards increasing land supply in these sectors and the Gateway site is well located in strategic terms to meet market demand in these sectors, building on existing and emerging provision at Middlemarch Business Park and Ryton.

Moving onto an assessment of alternative sites to the technology park element of the Gateway scheme, GL Hearn consider that a smaller competitor site market area would exist. This essentially covers the LEP area and encompasses Coventry, Bedworth, Nuneaton, Kenilworth, Leamington Spa, Warwick, rural areas to the immediate east of the above centres of population and the Meriden Gap between Coventry and Birmingham including some areas of Solihull adjacent to the M42 motorway. 11 competitor sites were identified within this market area.

GL Hearn calculate that in total these sites provide 203 hectares of land which could accommodate 541,532 square metres of business floorspace.

3 of the 11 competitor sites in particular are highlighted by GL Hearn as providing some competition to the Gateway scheme – Whitley Business Park, Ansty Park and the MIRA Technology Park in south Leicestershire off the A5 between Nuneaton and Hinckley.

Whitley Business Park is located immediately adjacent to the Gateway site and its current access constraints would be addressed by the Gateway proposals. However, GL Hearn acknowledge that it would provide limited competition to the Gateway site as it is and is likely to continue to be marketed primarily as a location for office as opposed to research and development or light industrial uses.

Ansty Park is being marketed at research and development occupiers but not at occupiers seeking hybrid accommodation as described above. As such, whilst GL Hearn consider there will be an element of competition for non-production research & development activities, the Gateway site would have the additional flexibility to accommodate a wider range of business and industrial uses. Furthermore, Ansty Park is ready for development, with infrastructure in place. By the time that the Gateway site is ready for development, GL Hearn have advised that Ansty Park will more than likely be close to being developed out.

GL Hearn conclude that MIRA is being targeted specifically at the automotive market sector but will offer an element of competition in relation to that sector, although they concur with officers that given its

location in south Leicestershire it is remote from the Coventry and Warwick areas and their two universities compared to the Gateway site.

4 of the remaining 8 sites lie within Coventry – Lyons Park, University of Warwick Science Park, the Accordis Acetate site and the Dunlop Whitmore Park site. GL Hearn consider that these sites would not compete with the Gateway Technology Park. The approved masterplan for Lyons Park seeks to accommodate primarily general industrial uses rather than research & development or light industrial users, there is no further development capacity at Warwick University Science Park and the Accordis Acetate site in north Coventry has recently been granted planning permission for mixed residential/commercial redevelopment with an occupier for the commercial element of the scheme having been secured. No planning permission has as yet been sought for the Dunlop Whitmore Park site again in north Coventry, although as with the Accordis site it is anticipated that this site will accommodate a mixed use residential/commercial development and is therefore not considered a suitable location for a technology park.

3 of the remaining 8 sites lie within Warwick District Council's area – Abbey Park Stoneleigh, NAC Stoneleigh Park and Tournament Fields Warwick. GL Hearn consider that the Stoneleigh sites would serve a different market to the Gateway site. They believe that Tournament Fields will continue to appeal primarily to the office market not research & development and light industry as is primarily proposed for the Gateway. GL Hearn also concur with officers that these sites are relatively remote from the area formerly covered by the Coventry & Nuneaton Regeneration Zone and would therefore not be as beneficial in economic development terms as the Gateway site.

The last of the 8 remaining sites is Blythe Valley Park adjacent to the M42 in Solihull. GL Hearn consider that this site offers only a limited degree of competition to the Gateway site as it serves primarily the Birmingham and Solihull office market. Again they concur with the view of officers that the site is remote from the area formerly covered by the Coventry & Nuneaton Regeneration Zone.

CPRE in their latest representations consider that the Friargate site in Coventry City Centre would be a suitable location for companies in certain sectors being targeted by the LEP and Gateway developer such as digital technologies and ICT. However, as advised in the December Committee Report the Friargate site has outline planning permission for up to 275,000 square metres of B1 office floorspace and is targeted at the office market not at B1 research and development occupiers seeking a technology park location.

CPRE in their April 2013 objection concerning abolition of the RSS consider that it is not appropriate for weight to be given to the greater proximity of the Gateway site compared to certain competitor sites to the Coventry & Nuneaton Regeneration Zone (CNRZ). They consider the boundaries of the CNRZ to be seriously outdated and in this regard make reference to the Strategic Regeneration Areas within Coventry City Council's recently withdrawn Proposed Submission Core Strategy lying mainly in north

Coventry and not including any areas in Binley and Willenhall in the south east of the City closest to the Gateway site.

As stated above the recent Coventry & Warwickshire Economic Assessment confirms the continued existence of a north-south economic divide within the sub-region with Coventry as a whole in addition to Nuneaton & Bedworth performing poorly in comparison to the national average and South Warwickshire. As such whilst it is true that the Coventry & Nuneaton Regeneration Zone no longer exists in policy terms as a designation given the abolition of the West Midlands RSS it nevertheless remains the case that the areas formerly covered by the Regeneration Zone in Coventry, Nuneaton & Bedworth remain the poorest performing areas of the sub-region in economic terms.

As such there remains considerable merit and justification, in terms of addressing economic development objectives, in promoting new employment development on sites within or in close proximity to the area formerly covered by the Regeneration Zone in Coventry, Nuneaton & Bedworth in locations which are or could be readily accessible in a reasonable timescale by a choice of means of transport from these relatively deprived areas of the sub-region, as opposed to sites on the edges of the sub-region adjacent to Birmingham and Leicestershire/Northamptonshire or further into South Warwickshire which are significantly further away both geographically and in terms of easy accessibility by a choice of means of transport within a reasonable timescale from those areas of the sub-region in greatest need of economic assistance.

In terms of the reference to Coventry's Strategic Regeneration Areas, it should be borne in mind that these simply reflect the location of key regeneration projects currently being progressed by the City Council which include not only employment development based regeneration but also major housing regeneration schemes. The designation of such areas does not mean that socio-economic problems do not exist outside of these designated areas with for example unemployment and social deprivation remaining an issue within the Willenhall locality in the south east of the City close to the Gateway site.

The December Committee Report stated that a key element of the Gateway proposals to be secured by means of a Section 106 Agreement was the enhancement of public transport links between the Gateway site and Coventry City Centre together with the deprived areas of Wood End/Bell Green and Willenhall to ensure that there was good quality access by a choice of means of transport from the Coventry, Nuneaton & Bedworth areas to job opportunities on the Gateway site.

The previous report to Planning Committee also stressed that there were also economic benefits arising from the location of the Gateway site at the interface between the relatively deprived Coventry, Nuneaton & Bedworth areas and the more prosperous areas of South Warwickshire. In this regard it was considered that this interface location, whilst providing regeneration opportunities for the north of the sub-region, was also a preferred location

for many employers in the higher value added sectors who would be readily able to access the greater number of employees with the skills required by such companies living in the South Warwickshire area and also benefit from clustering linkages with the greater concentration of existing higher value added companies in the south of sub-region. As such in terms of viability and deliverability it was considered that the Gateway site due to the above locational factors was more likely to be developed out in a shorter timescale than alternative sites such as Ansty which had not proven to be as attractive to the market even during the pre-recession years. The proximity of the Gateway site to Coventry and Warwick Universities was also considered a locational advantage.

In terms of the availability of hybrid accommodation generally, GL Hearn conclude that there is currently a relatively limited availability of units for such use in science parks in the local area. There is no such floorspace available at the Coventry University Technology Park near Coventry City Centre. Whilst hybrid space is provided at the Warwick University Science Park there is a distinction of scale between this site and the Gateway technology park site with the largest units on the Warwick University site corresponding to the smallest units proposed on the Gateway site.

Overall, GL Hearn conclude that whilst there are a range of competitor sites within the market area, these are mainly aimed at the office market, which is not the focus of the Gateway technology park which is looking to target occupiers seeking hybrid research/development, production and office floorspace. Ansty and MIRA will compete with the Gateway technology park to a certain extent but there are a number of differentiating factors between these sites and the Gateway in terms of location and target occupiers.

GL Hearn highlight in their report the view of the West Midlands RSS Phase 2 Panel that an additional Regional Investment Site (RIS) should be provided in addition to Ansty to serve the needs of the Coventry & Nuneaton Regeneration Zone. In the December Committee Report to Planning Committee officers referred to a couple of sites in Nuneaton & Bedworth Council's area at Griff/Bermuda Park and on land south east of M6 Junction 3 which had been suggested as possible RIS in a Core Strategy Issues and Options document. Whilst the RSS and RSS Phase 2 revision documents in themselves are no longer a material consideration, the evidence base underlying them remains relevant and is a material consideration. It is for the decision maker to decide what weight to give and it is the opinion of officers that this evidence base should be given some weight. This taken together with the more recent Coventry & Warwickshire Economic Assessment and LEP 5 Year Strategy and the comments of GL Hearn regarding market demand demonstrates in the view of officers that a need remains for larger employment sites in or adjacent to the Coventry, Nuneaton & Bedworth area targeted at regional and national occupiers.

Nuneaton & Bedworth Borough Council have recently published their Preferred Options Core Strategy which is now promoting a site at Griff/Bermuda Park of around 40 hectares for employment development. Like the Gateway, this site is also in the Green Belt. Overall officers



consider that this site is not as preferable and suitable as the Gateway site in terms of market attractiveness, particularly to higher value added employers, given its location away from the South Warwickshire area of the sub-region and its lesser proximity to Coventry and Warwick Universities. Policy ECON2 of the Preferred Options Core Strategy also states that new B8 storage & distribution development would be restricted to a maximum of 20 hectares across the Borough as a whole during the plan period which would significantly limit the capacity of this site to accommodate large scale storage & distribution occupiers. The Griff/Bermuda Park site is also considered to be more constrained than the Gateway site because it lies immediately adjacent to a SSSI, has potential access problems and is also immediately adjacent to a further Green Belt site being promoted in the Core Strategy for around 500 new houses. Notwithstanding the above, only very limited weight can be given to the Nuneaton & Bedworth Preferred Options Core Strategy at this time as it has not been subject as yet to extensive consultation nor examination in public.

GL Hearn in assessing employment land supply have also examined the employment land studies underpinning employment land allocations in draft and adopted Development Plans for Coventry, Solihull and the various Warwickshire Districts. With the exception of Coventry, they consider that all local authorities are likely to have sufficient land within their boundaries to meet their respective local employment land needs related to their housing numbers. However, this does not take account of larger strategic sites aimed at the wider regional and national markets where it is considered that a need remains

GL Hearn consider that the supply of employment land in Coventry is relatively tight in quantitative terms and that it would be appropriate for Coventry to continue to work with adjoining authorities to ensure that an appropriate choice and quality of employment sites can be maintained to serve the Coventry area. They consider that the Gateway site would evidently provide an appropriate location for development in this respect, as would Ryton.

Members have queried whether other existing employment developments could be expanded to accommodate the need that has been identified and provide the same economic benefits. However, there are no planning applications or land allocations for such development (with the exception of the site at Griff/Bermuda Park that has been referred to above). Consequently there is no evidence to demonstrate that there is land adjacent to other existing sites that is available, suitable and preferable to the Gateway proposals.

In summary, further detailed consideration has been given to alternative sites suggested by both the applicant and objectors. In terms of Policy PO8 of Warwick District Council's emerging Core Strategy and its supporting text officers still consider as per the December Committee Report that these other sites are not as preferable and suitable as the Gateway site. Notwithstanding this, it is not considered that redevelopment of the Gateway site would necessarily compromise the redevelopment of those other sites.

### Employment arising from the proposed development

Turning now to the matter of employment likely to be generated by the Gateway proposals. If they were built out in their entirety, GL Hearn conclude that the total number of jobs created directly by the scheme would be 8210 in total broken down into 5915 jobs within the logistics park and 2295 jobs in the technology park. They state that the total number of jobs could be lower if the scheme is not built out in its entirety or if a smaller percentage of the logistics park was developed for general industrial use than is proposed. However, they advise also that the job numbers could be higher if companies employed shift working. The above figures are based on an assessment of not only the HCA Employment Densities Guide but also the requirements of companies known to be looking for floorspace in the area, research by Prologis into storage/distribution job densities and other research related to job densities in the research & development and light industrial sector. The figures also take account of full and part-time working in the area derived from census data.

Bubbenhall Parish Council in their comments on the latest GL Hearn report contend that there is inconsistency between the latest GL Hearn jobs estimate and the previous GL Hearn and Saville's estimates given to Committee in December 2012. However, the latest GL Hearn figure of 6,370 jobs which they quote does not include jobs arising from displacement as did the previous GL Hearn and Saville's estimates. Furthermore, the 14,000 jobs figure attributed to Saville's by Bubbenhall Parish Council includes predicted jobs not only for the Gateway site but also for the Whitley Business Park site in Coventry whereas both the previous and current GL Hearn jobs figures do not include any jobs in respect of Whitley Business Park.

The view of officers is that the latest GL Hearn total jobs estimate for the Gateway site as a whole of 8,210 is consistent with their previous advice in the December Committee Report which predicted 6,500 – 10,500 jobs for the Gateway site and is also broadly consistent with the 6,000-10,000 jobs predicted by the applicant's consultant Saville's for the Gateway site alone, also reported to Committee in December 2012. These figures exclude the 4,000 jobs to be created at Whitley Business Park.

Members have requested examples of the number of employees in existing warehouses. National Packaging at Middlemarch Business Park have an employment density of 1 employee per 58 sq m, while the Co-operative Food warehouse at Crosspoint in Coventry has an employment density of 1 employee per 42 sq m. This demonstrates that B8 uses can have significantly higher employment densities than the average specified in the HCA guidance (1 employee per 80 sq m), as would be expected with an average figure. These local examples demonstrate that the employment densities in the HCA guidance are a reasonable basis for assessing the number of jobs within the development.

Consideration has also been given by GL Hearn to the types of jobs that would be created on the Gateway site in respect of various proposed uses. They estimate the following breakdown regarding job types:

- Managers and senior officials – 1270 jobs (16%)
- Professional occupations – 820 jobs (10%)
- Associate professional and technical occupations – 860 jobs (10%)
- Administrative clerical and secretarial occupations – 820 jobs (10%)
- Skilled trades occupations – 1330 jobs (16%)
- Personal service occupations – 230 jobs (3%)
- Sales and customer service occupations – 410 jobs (5%)
- Process plant and machine operators – 1640 jobs (20%)
- Elementary occupations – 820 jobs (10%)

GL Hearn have also examined how many of the new jobs are likely to be taken by residents of Warwick District. Overall they conclude that Warwick District residents would occupy around 1230 (15%) of the 8210 jobs.

They estimate that the types of jobs taken by Warwick District residents will be skewed towards the management, professional and skilled employment types. Using census data they predict that the breakdown in terms of job types likely to be taken by Warwick District residents would be as follows:

- Managers and senior officials – 15%
- Professional occupations – 26%
- Associate professional and technical occupations – 14%
- Administrative clerical and secretarial occupations – 10%
- Skilled trades occupations – 6%
- Personal service occupations – 7%
- Sales and customer service occupations – 9%
- Process plant and machine operators – 5%
- Elementary occupations – 8%

Around 60% of the jobs, i.e 4940 would be taken by residents living within the Coventry and Nuneaton Regeneration Zone with the remaining 2040 (25%) taken by those living further afield.

GL Hearn have also examined the matter of displacement, namely how many of the above jobs are likely to be a result of existing companies within the administrative areas of Warwick District and Coventry relocating to the Gateway site. As their latest research has involved a more detailed analysis of property market dynamics and potential occupiers, there conclusions on this matter differ in some limited respects from their conclusions as detailed in the December Committee Report.

They conclude that the majority of jobs within the logistics park would be created by companies locating from outside of Coventry and Warwick District, with only around 1240 or 21% of the 5915 jobs on this part of the site being a result of existing local companies relocating. Such displacement would arise primarily if substantial areas of floorspace within the Logistics Park were occupied by general industrial occupiers. If this did not happen and the vast majority of the Logistics Park was occupied by storage and

distribution companies then GL Hearn consider that displacement would be minimal as per their advice as reported in the December Committee Report.

For the technology park a slightly higher percentage of 26% or 600 of the 2295 jobs are predicted to be as a result of local companies relocating. This accords with their advice as reported in the December Committee Report where they predicted displacement of 20-30% for the technology park element of the scheme.

Combining therefore the figures for the logistics and technology parks, GL Hearn consider that 1,840 (22%) of their predicted 8,210 jobs would be displacement from existing companies in Coventry and Warwick District relocating to the Gateway site. They also predict that around 70% of this displacement would be from companies in Coventry rather than in Warwick District.

Overall, GL Hearn therefore consider that 6,370 of their predicted 8,210 jobs would be new jobs to Coventry and Warwick District which are not the result of displacement.

However, GL Hearn re-iterate the view of officers outlined in the December Committee Report that the relocation of existing companies can be beneficial in terms of assisting companies in expanding and improving their productivity, releasing land formerly occupied by such companies for alternative types of development and retaining such companies within the sub-region.

GL Hearn do state in their report that the various figures which they quote in relation to employment, particularly those related to employment benefits for Warwick District residents, are subject to variation dependent upon a number of factors and Bubbenhall Parish Council consider for this reason that these GL Hearn figures cannot therefore be relied upon. However, officers are of the view that the GL Hearn figures are reasonable estimates based on the available evidence, although it needs to be acknowledged that the figures are estimates. Nevertheless, Members have been provided with a private and confidential document to indicate prospective occupiers and indicative job numbers (this is private and confidential due to commercial sensitivity of the information).

In addition to the permanent jobs created by the development, the applicant, in a recent statement submitted in support of the application, also refers to jobs that would be created during construction works were planning permission to be granted. They estimate that around 900 construction jobs would be created per annum over a period of 3 years. The jobs figures also do not include the permanent jobs that would be created in other companies supporting the businesses on the Gateway site.

Bubbenhall Parish Council in their latest comments re-iterate concerns raised prior to the December 2012 Committee regarding commercial viability, in particular the ability of the applicant to fund the infrastructure costs of the scheme and to attract occupiers.

As stated in the previous report to Committee it must be borne in mind in terms of the first of these concerns that were planning permission to be granted that such permission would run with the land not with the applicant. As such, if the applicant acquired the application site following the grant of planning permission then they could choose to sell it on to another developer in full or part at a later date. Given this it is not considered that concerns around whether or not a particular developer has the financial means to progress the development are a material planning consideration given the lack of control which the local planning authority has in this regard which means it would not be legitimate to refuse planning permission on this ground.

With regard to concerns around the attractiveness of the Gateway site to occupiers, GL Hearn have confirmed that in their view there is substantive demand for the development proposed at the Gateway site and their reasons for coming to this view are detailed earlier in this report.

In terms of the commercial viability of the Gateway scheme as a whole, officers would re-iterate the advice given to Committee in December 2012 that in respect of the NPPF, and another Royal Institution of Chartered Surveyors (RICS) document on viability previously referred to by objectors, that these guidance documents relate to viability primarily in terms of the formulation of planning policy and the negotiation of Section 106 Agreement/Community Infrastructure Levy contributions. It is not a requirement for financial viability assessments to be provided with planning applications and in terms of the Gateway scheme broad heads of terms for the Section 106 Agreement have been agreed with the applicant. As such a financial viability assessment is not considered necessary as there is no dispute between the parties as to the level of planning obligation contributions.

Overall in terms of economic growth and employment matters it is considered that the findings of GL Hearn confirm the analysis presented to Planning Committee in December 2012. As stated at that time it is apparent that the Coventry & Warwickshire sub-region as a whole is under performing compared to the national average but that there is also a north-south divide within the sub-region in terms of economic performance. In this regard the Gateway site sits at the interface between the north and south of the sub-region and as such is considered to be an attractive location for occupiers in the higher value industries being targeted by the LEP whilst also having the potential to contribute significantly to economic development objectives in respect of the area covered by the former Coventry & Nuneaton Regeneration Zone which remains the sub-region's most poorly performing area.

Detailed consideration has been given to alternative sites suggested by both the applicant and objectors. It is submitted that these other sites are not as preferable and suitable as the Gateway site. Notwithstanding this, it is not considered that the Gateway site would necessarily compromise the redevelopment of those other sites. It is also considered that the proposals would assist significantly in unlocking the economic development potential of the Whitley Business Park site.

In terms of the sub-region and in particular it's more deprived areas, there is considered to be a need for the development in order to address economic development concerns. In terms of occupiers substantive demand is considered to exist at present and is predicted to exist for the projected timescales of the project and it is considered that there is a reasonable likelihood of the development generating the predicted levels of employment.

With regard to planning policy, as detailed on Page 48 of the appended December Committee Report, in terms of adopted Warwick District Local Plan Policy RAP6 relating to new employment development in the District's rural areas, the Gateway proposals do not fall into any of the 6 circumstances identified where new employment development would be permitted. However, the proposals are considered to accord with the NPPF, Policy PO8 of the Council's emerging Core Strategy, the objectives of the Coventry & Warwickshire Economic Assessment, the LEP's 5 Year Strategy and the evidence base underlying the former RSS and RSS Phase 2 Revision and it is considered that these documents which are a material consideration should be afforded greater weight than Policy RAP6 of the adopted Local Plan as they are more up-to-date and relate to a greater extent to strategic sub-regional need which the Gateway proposals seek to address as opposed to more localised economic development needs.

The applicant in their recently submitted supporting statement state that a development of the scale proposed for the Gateway site would benefit the local economy to the tune of over £440 million (utilising the measure of Gross Value Added or GVA).

In conclusion, it is considered that the Gateway scheme has the potential to deliver significant economic growth and employment benefits and should be supported in this regard.

### **Travel Benefits for Warwick District**

Following the December 2012 Planning Committee, Members requested further detail on the travel benefits of the Gateway proposals for Warwick District including cycle and bus routes.

In response to this request the applicant has provided a further statement outlining the benefits of the Gateway proposals to Warwick District which includes some commentary on travel matters. Such matters considered in that statement are enhancements to the strategic and local highway network, commuter coach routes for employees, the enhancement of access to the Gateway site for cyclists and pedestrians and the improvement of emergency access to/from Middlemarch Business Park.

Firstly, officers consider, as stated in the December Committee Report, that the proposed development would deliver improvements to the strategic road network adjacent to the site which currently experiences capacity problems which inhibit the competitiveness of businesses in the locality and cause substantial inconvenience to local residents. Examples of

improvements proposed within Warwick District's area are works to enhance the capacity of the A45/A46 Festival Island and A46/Stoneleigh Road Junctions. Only around 5% of traffic from the Gateway development is predicted to use local roads to the south of the site and it is anticipated the proposed improvements to the strategic road network have the potential to reduce traffic levels on these local roads.

Secondly, the December Committee Report referred to provision being made as part of the Green Travel Plan for the development, for commuter coach services to be funded by the developer where demand for these existed. In terms of Warwick District the framework Travel Plan submitted with the application proposes two commuter coach routes which would connect the development with Warwick, Kenilworth and Leamington Spa.

The first route proposed would connect Stratford-on-Avon with the Gateway site via Warwick, Warwick Parkway and Kenilworth with a second route proposed from Leamington Spa to the site via Cubbington, Bubbenhall and Ryton. However, provision of these services would be dependent upon the demand for them and this would be gauged through survey work to be undertaken by a Travel Plan Co-ordinator appointed under the terms of the proposed Section 106 Agreement. Other commuter coach services serving Warwick District residents may be progressed but again this would be dependent on demand.

Thirdly, in terms of access improvements for pedestrians and cyclists, around £4.5m is proposed for investment in new or enhanced cycleways and footpaths, half of which would be in Warwick District.

Finally, emergency access to/from Middlemarch Business Park would be enhanced as a consequence of the Gateway development. Emergency access is currently provided for across the proposed logistics park site to Bubbenhall Road and this would be safeguarded under the Gateway scheme. However, the development proposals if approved would mean that north-bound traffic using the emergency access would no longer have to travel through Baginton Village as they do now in order to access the A45 because they would be able to utilise the link road between the proposed logistics and technology parks to access the new A45 junction between the Festival and Toll Bar Islands proposed as part of the Gateway scheme.

### **Impact on the setting of the Lunt Fort Scheduled Ancient Monument**

English Heritage have withdrawn their objection. Therefore this issue has been resolved. Criterion (vi) of Condition 8 deals with the matters that English Heritage have requested to be conditioned.

### **Provision to link education providers with future employers**

The applicant has advised that a clause will be included within the Section 106 agreement to link education providers with future employers. That would resolve this issue.

### **Further information in relation to the tenants of Rock Farm**

The tenants of Rock Farm have reached agreement with their landlord and the developer and have withdrawn their objection. Therefore this issue has been resolved.

### **Feedback from landscape consultant**

A further review of the landscape impact and proposed landscape mitigation measures has been carried out by the landscape consultant that carried out an earlier assessment in relation to the new Local Plan (Richard Morrish Associates). This concludes as follows:

- the Gateway scheme will have some adverse landscape impacts, particularly in the short term, however it offers opportunities to remediate some significant areas of despoiled land and to create a substantial new public landscape resource;
- the applicant's visual impact assessment appears to be fair and balanced;
- much of the proposed development land is a degraded landscape and the proposed scheme offers the opportunity to reclaim and re-use this land;
- the existing buildings of Middlemarch Business Park are poorly integrated with the local landscape and widely visible;
- the proposed country park will in time provide landscape mitigation for both the new development and existing development;
- existing and proposed visual detractors should be screened or mitigated;
- in time there will be potential for a range of beneficial landscape outcomes;
- the road corridor at the southern end of the runway is too narrow for planting – it would be preferable if more landscape mitigation works could be included in this section of the boundary, which may need to be off-site; this matter might be explored in detailed design;
- careful consideration should be given to whether car showrooms should be permitted on the prominent A45 road frontage of Zone B because these may not be as attractive as B1 uses;
- the proposed country park works have the potential to create a definitive buffer between the development and Baginton which may in the long term create an enhanced setting for Baginton and the Lunt Fort;
- the proposed green infrastructure works are of sufficient scale and width to be very likely to fulfil the stated screening objectives; and
- make detailed recommendations regarding the design, timing and management of the Green Infrastructure works.

The further comments from the landscape consultant also refer to matters relating to walking and cycling routes and ecological impact. These matters have been covered in detail by other consultees in the December Committee Report (i.e. the Highway Authority and the County Ecologist).

The conclusions of the landscape consultant are in accordance with the conclusions in the Landscape Issues section of the December Committee



Report. Most of the recommendations made relate to the detailed design of the landscape proposals and these are covered by the recommended conditions, or would be taken into account in the assessment of any reserved matters submissions. An additional condition is recommended in accordance with these comments (Condition 82).

The comments about the desirability of having car showrooms on the A45 frontage of Zone B are noted. However, as this is an outline application, the exact position of the different uses within Zone B would be determined at reserved matters stage, although the illustrative masterplan indicates that the car showrooms may be in this location. Nevertheless, subject to a suitable design and layout and the provision of appropriate landscaping, it is not considered that a blanket prohibition of any form of car showroom on the A45 frontage would be justified on landscape grounds. The Council would have control over the design, layout and landscaping of any such development.

With regard to the narrowness of the road corridor at the southern end of the runway, this is constrained by land ownership. The adjacent land where additional landscaping is suggested is outside the control of the applicant and therefore it is not possible to secure any additional landscaping in this location as part of this planning application. Nevertheless, in terms of the impact on the wider rural landscape, this is one of the least sensitive views of the development.

### **Ridge and furrow**

Further advice has been sought from the County Archaeologist regarding the presence of ridge and furrow within Zone B. They advise that the proposed development of Zone B will not have a significant impact upon any ridge and furrow worthy of conservation.

### **Agricultural land quality**

Of the existing agricultural land within the site that would be built upon, 20.6ha is Grade 2, 31.0ha is Grade 3a, 8.2ha is Grade 3b and 13.4ha is Grade 4 (a total of 74.9ha). The NPPF defines the best and most versatile agricultural land as that within Grades 1, 2 and 3a (51.6ha of the application site). Consequently the amount of high quality agricultural land to be built upon only amounts to a relatively small proportion of the overall site (the total site area is 308ha). Therefore it is considered that the significant economic, environmental and recreational benefits of the proposals would outweigh the loss of these relatively small areas of the best and most versatile agricultural land.

### **Green Belt policy**

Attention has been drawn to the fact that in the past major development in the Green Belt has been held to be contrary to Green Belt policy. Following on from this is a query about what has changed now to make this development acceptable. The answer is that there has been no change in Green Belt policy. Green Belt policy has always allowed the exceptional

grant of planning permission for what is otherwise inappropriate development where there are “very special circumstances” that outweigh the harm to the Green Belt. What has changed recently to affect the assessment of this application is the significant worsening of economic conditions as well as changes in Government policy which place much greater emphasis on the need for the planning system to do all it can to support economic growth. Furthermore there is now a shortage of suitable and preferable sites for this type of development. In light of these existing circumstances, the significant economic benefits of the proposals, together with all other considerations that favour the grant of planning permission (as referred to in the December Committee Report), are now considered to amount to very special circumstances sufficient to outweigh the harm to the Green Belt.

### **Effect on greenfield land allocation elsewhere in the District**

It has been queried whether granting permission for the Gateway scheme would enable existing employment land within Warwick District to be reallocated. This would be a matter to be considered in the preparation of the new Local Plan. However, what can be stated with a degree of certainty is that a planning permission for the Gateway development is likely to make some land available for redevelopment within the existing urban areas and thereby provide some scope for a reduction in the amount of greenfield that needs to be allocated for development elsewhere within the District.

### **Ecology**

Further clarification on the off-site habitat enhancements and any identified sites has been requested. The proposal is that the location of the off-site biodiversity offsetting works is left flexible at this stage to enable the most suitable site to be agreed with the Council nearer the time. However, a number of potential sites have been identified where the landowner is willing for the biodiversity offsetting proposals to be provided. The potential sites are as follows: (a) Hunningham – an area of improved grassland and arable land adjacent to the River Avon; (b) Long Meadows Barn Farm – an area of improved grassland; (c) Fields at Radford Road – semi-improved grassland adjacent to the River Leam; (d) Clifford Bridge Road – a large area of amenity grassland adjacent to the River Sowe; (e) Warwick University – the university own large tracts of land within the District and are keen to enhance this for biodiversity, the exact areas of land have not yet been identified.

The biodiversity offsetting approach that has been followed uses a standardised formula to calculate the number of biodiversity units to be lost as a result of the development, with the formula taking account of the different ecological value, condition and extent of the affected habitats. The developer has then put together proposals for the creation of new habitats and the enhancement of existing habitats to exceed the number of biodiversity units lost (i.e. a net gain in biodiversity). This will mostly be provided on site, but a small proportion would need to be provided off-site. This is proposed to be secured by clauses in the Section 106 agreement.

Overall, the County Ecologist has concluded that the proposed development would provide a net gain in biodiversity.

Objectors have raised concerns about the presence of otters within the site. The County Ecologist has confirmed that the provisions of the recommended conditions and Section 106 agreement are sufficient to ensure that these receive adequate protection.

### **Relevance of Enterprise Zone status being turned down**

Objectors have suggested that the Government's decision to turn down an application for Enterprise Zone status indicates that planning permission should be refused. However, the selection process for Enterprise Zones is very different from the assessment of a planning application. In the first instance, this was a competitive process that tested the bids against one another. The fact that the bid did not succeed in this narrow competitive process has little relevance to whether or not the proposals are acceptable in planning terms. Furthermore, the Enterprise Zone bid covered a different site area, including additional land within the airport (including the airport terminal building), but excluding land where most of the significant mitigation measures are now proposed (i.e. the area of the country park and bund). Moreover, the Enterprise Zone bid was not required to include as much information as is required for a planning application. Consequently it did not include the significant mitigation measures that are proposed as part of the current planning application.

### **Other queries raised**

The 12 mile radius specified in the Heads of Terms for the Section 106 agreement in relation to linking local people to jobs has been checked. It is confirmed that this would cover the whole of Warwick District.

Reference has been made to the comments of the Coventry City Council Climate Change Officer. It is considered that it would be appropriate to leave the full details of the sustainability measures to be decided at the reserved matters stage. As this is an outline application, there is no way of knowing the type and form of energy demand across the different buildings at this stage. Furthermore, the detailed design and layout of the buildings is unknown and the different plots are likely to be developed over different timescales.

Reference has been made to the comments of Coventry City Council Environmental Health. However, these relate to part of the development and affected properties that are within Coventry (the Toll Bar Island) and have been approved in principle by Coventry City Council. The major changes to the Toll Bar Island also form part of the separate Highways Agency scheme that is independent of the current proposals.

Reference has been made to the need for a Design Code for the entire site. This is addressed by recommended Condition 8.

The status of City Deal has been queried. The current situation is that

the Government has made a decision to approve the expression of interest and negotiate a City Deal for Coventry and Warwickshire for 2013.

Objectors have referred to historical information regarding sewage works within the application site. Environmental Health have confirmed that they are aware of these features and that this has been accounted for in the contamination assessment.

Objectors have raised concerns about the role of the LEP and City Deal and potential conflicts of interest. The legal position on this was addressed in the December Committee Report.

In response to the concerns of Warwickshire Wildlife Trust regarding the £25,000 ecological contribution that has been referred to by the applicant, it is confirmed that full details of the biodiversity offsetting proposals will be secured by the Section 106 agreement. The developer will be required to fund the full cost of the biodiversity offsetting scheme, whatever this turns out to be.

### **Benefits for Warwick District**

In summary, the proposals would provide the following key benefits for Warwick District:

- increased economic growth within the District;
- provision of employment opportunities for Warwick District residents;
- the provision of sites within the District to retain local businesses that wish to expand / relocate;
- under the government's business rate retention scheme, the development would generate revenue of £2.2m at a 20% retention rate;
- there will be a net "major beneficial" effect on the strategic road network between the M40 and M6 / M69 motorways, benefiting residents and businesses in the District;
- dedicated commuter bus services will link the Gateway site with Warwick, Leamington and Kenilworth;
- around £4.5m is proposed for investment in new or enhanced cycleways and footpaths;
- the sustainable decontamination of substantial areas of contaminated land within the District;
- the provision of an extensive countryside park (105.5 hectares) would provide a significant new recreational resource for District residents;
- a net biodiversity gain within the District; and
- improved emergency access to Middlemarch Business Park, benefiting businesses within the District and also benefiting District residents by ensuring that such traffic does not have to travel through Baginton village.

### **Changes to recommended conditions**

The following changes have been made to the recommended conditions:

- Condition 46 changed to include the provision of emergency access *from* Zone A as well as from Middlemarch Business Park; and
- Condition 82 added in accordance with the recommendations of the Council's landscape consultant.

## **CONCLUSIONS/SUMMARY OF DECISION**

It is considered that the further information that has been received since the application was considered by Planning Committee in December 2012 confirms that the proposals are acceptable in planning terms. This further information has addressed all of the matters raised by Planning Committee.

Overall it is considered that the proposed development would generate significant economic and employment benefits for Warwick District and the sub-region. The proposed development would also provide a range of other benefits for Warwick District as referenced above.

Therefore it remains the view of Officers that there are very special circumstances that outweigh the harm to the Green Belt. Overall it is considered that the proposals accord with Development Plan policies, Government Guidance in the NPPF and other planning policy which is a material consideration.

Planning Committee are recommended to resolve that:

- i) they are minded to approve those elements of the application within the administrative area of Warwick District Council subject to the conditions listed and a Section 106 agreement being entered into by the applicant in respect of those matters highlighted in this and the December Report and subject to the Secretary of State not wishing to intervene regarding determination of the application; this decision will relate directly to those matters under the District Council's jurisdiction; and
- ii) they are supportive of the application proposals as a whole for the reasons highlighted in this report and the attached report.

## **CONDITIONS**

**In respect of the replacement airport buildings and their associated parking/servicing/landscaping as detailed on drawing nos. 3924.024-P13, 3924-A001-P5, 3924-B001-P4, 3924-C001-P4, 3924-D001-P5, 3924-E001-P3, 3924-F001-P3 & 3924-H001-P2 planning permission is granted subject to the following conditions:**

1. The development hereby permitted shall begin not later than three years from the date of this permission.

REASON:

To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the details shown on the approved drawing(s) 3924.024-P13, 3924-A001-P5, 3924-B001-P4, 3924-C001-P4, 3924-D001-P5, 3924-E001-P3, 3924-F001-P3 & 3924-H001-P2, and specification contained therein, submitted on 12 September 2012.

REASON :

For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

**In respect of the remainder of the development planning permission is granted subject to the following conditions:**

3. Details of the following reserved matters for each phase of the development shall be submitted to and approved in writing by the local planning authority before any part of that phase of the development (other than demolition or ground works) is commenced:-
  - i) the layout of the phase and its relationship with existing adjoining development;
  - ii) the scale of the buildings;
  - iii) the appearance of the buildings; and
  - iv) the landscaping of the site.

REASON:

To comply with Article 4(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2010

4. Application for approval of the matters referred to in Condition 3 above must be made within 5 years of the date of this permission.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 (as amended)

5. The development to which this permission relates shall begin within 5 years of the date of permission or within 2 years of the final approval of the reserved matters, whichever is the later.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 (as amended)

6. Prior to the commencement of development, details regarding the phasing of the development, in accordance with Conditions 25, 26 and 61, shall be submitted to and approved in writing by the local planning authority and such details shall include:

- i) a plan(s) showing the boundaries of each phase, the extent and use of building development in each phase, the phasing of

- works within the proposed Countryside Park and arrangements in respect of the phasing of all transportation infrastructure;
- ii) temporary access arrangements for vehicles and pedestrians in respect of each phase;
  - iii) car parking arrangements in respect of each phase;
  - iv) any interim surface, boundary treatment, external lighting or landscaping measures;
  - v) a report to demonstrate that the phasing proposals do not affect the conclusions of the noise and air quality assessments included in the Environmental Statement (including supplementary noise and air quality assessments and details of further mitigation measures, if necessary); and
  - vi) a temporary drainage strategy in respect of each phase.
- Once approved the development of each phase shall be carried out in full accordance with such approved details or any subsequent amendments so approved.

**REASON:**

To ensure that in the event of the development being carried out on a phased basis, satisfactory access and interim environmental treatment is incorporated within each phase, in the interests of public safety and visual amenity in accordance with Policies DP1, DP7 and DP8 of the Warwick District Local Plan 1996-2011.

- 7. In respect of the Reserved Matters to be submitted in accordance with Condition 3 for each development zone, as shown on approved pHp Architects Parameters Plan drawing no.3924 029 RevP20 the building ridge heights and footprints and the overall Gross Internal Area of all building floorspace within each zone shall be within the minimum and maximum limits set down in that Parameters Plan.

**REASON:**

To define the permission in the interests of urban design and highway safety and capacity in accordance with Policies DP1 and DP7 of the Warwick District Local Plan 1996-2011.

- 8. Prior to the submission of any Reserved Matters in respect of the development hereby permitted a Master Plan and Design Code shall be submitted to and approved in writing by the local planning authority. These shall:
  - i) Accord with the pHp Architects Parameters Plan Drawing No.3924 029 RevP20 and the principles set down in the Design & Access Statement forming part of the approved application documentation;
  - ii) Define principles regarding building design, materials, elevational detailing and public realm hard/soft landscaping in respect of Zones A, B and C as identified on the above-mentioned Parameters Plan;
  - iii) Identify those trees to be retained or removed as part of the development and the number and location of new trees to be provided as compensation;

- iv) Identify locations for public art features;
- v) Show the location of each pond;
- vi) Include design principles in respect of layout, scale, appearance and landscaping for the Technology Park aimed at minimising its visual impact on the Lunt Roman Fort;
- vii) Contain details on how permeability will be achieved in respect of the network of estate roads within the Technology and Logistics Parks;
- viii) Detail principles on how legibility will be achieved within the Technology and Logistics Parks including design principles in respect of the new A45 bridge and land to the immediate south of it comprising the gateway into the development.
- ix) Include landscape design principles in respect of Zones A, B and C as identified on the above-mentioned Parameters Plan, aimed at ensuring that soft landscaping within these areas is satisfactorily integrated with the Countryside Park and neighbouring land.
- x) Contain principles in respect of disabled access throughout the development and to/from buildings.
- xi) Detail principles on how crime prevention matters will be addressed in respect of the development.

Any subsequent Reserved Matters applications shall accord with the approved Master Plan and Design Code.

**REASON:**

In the interests of urban design in accordance with Policies DP1, DP14, DP15 and SC15 of the Warwick District Local Plan 1996-2011.

9. The reserved matters to be submitted in accordance with Condition 3 for each phase shall include details of all earthworks, mounding and the finished floor levels of all buildings and structures, together with details of existing and proposed site levels in that phase and the relationship with adjacent land and buildings and such details shall accord with pHp Architects Parameters Plan drawing no.3924 029 RevP19 forming part of the approved application documentation.

**REASON:**

In the interests of urban design in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

10. The reserved matters to be submitted in accordance with Condition 3 for each phase shall include sample details of facing, roofing and hard surfacing materials for that phase, such details to include information on the recycled/reclaimed content of such materials. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the local planning authority.

**REASON:**

In the interests of urban design in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.



11. Any soft landscaping referred to in condition 3 in respect of each phase shall be completed in all respects within 6 months of the substantial completion of development in that phase. Any such landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with landscaping of a similar size and species to that which they replace. Any replacement hedging, trees or shrubs shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

REASON:

To ensure a satisfactory standard of appearance of the development in the interests of visual amenity in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

12. No demolition or construction works shall commence in any phase (including any ground remodelling works), until a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment in respect of those trees earmarked for retention under Condition 8 above have been submitted to and approved in writing by the local planning authority. Thereafter, all demolition and construction works (including any ground remodelling works) in that phase shall be undertaken in strict accordance with the approved Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment.

REASON:

To safeguard those trees to be retained in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

13. Floorspace falling with Class B1(a) of the Town & Country Planning (Use Classes) Order 1987 as amended in units where such floorspace constitutes the primary use shall not exceed the threshold set down in condition 17 and such B1 office units shall be sited only within Zone B as defined on pHp Architects Illustrative Masterplan Drawing Number 020 Rev.P23.

REASON:

To ensure that the Technology Park is developed in a manner which maximises regeneration benefit to the Coventry & Nuneaton Regeneration Zone in accordance with Policies PA1 and PA2 of the West Midlands RSS 2008.

14. The gross floorspace of any unit the primary use of which falls within Class B1(a) of the Town & Country Planning (Use Classes) Order 1987 as amended erected under this permission shall not exceed 4999 square metres.

REASON:

To ensure that the development does not prejudice the provision of large scale office accommodation in Strategic Centres in accordance with Policy PA13B of the West Midlands RSS Phase 2 Revision.

15. No unit the primary use of which falls within Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be located within the Technology Park unless otherwise approved in writing by the local planning authority.

REASON:

To ensure that the Technology Park is developed in a manner which maximises regeneration benefit to the Coventry & Nuneaton Regeneration Zone in accordance with Policies PA1 and PA2 of the West Midlands RSS 2008.

16. The development shall be implemented in accordance with the Transport Assessment forming part of the submitted Environmental Statement (as amended by the revised Zone A access arrangements shown on drawing no.237 Rev.B submitted on 22 November 2012), including the quantum, general layout of development, the proposed means of access and associated highway infrastructure. Such development shall not exceed the following thresholds in respect of the specified uses as defined in the Town & Country Planning (Use Classes) Order 1987 as amended:
  - i) 65,032 square metres (GFA) of B1 floorspace in Zone B
  - ii) 343,740 square metres (GFA) of B2/B8 floorspace in Zone A
  - iii) 11,617 square metres (GFA) of hotel floorspace in Zone B

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

17. No more than 10% of the total B1 floorspace within buildings in Zone B as defined on pHp Architects Illustrative Masterplan Drawing Number 020 Rev.P23 shall be occupied for purposes falling within Class B1a of the Town & Country Planning (Use Classes) Order 1987 as amended.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

18. No more than 30% of the total floorspace within Zone A as defined on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be occupied for purposes falling within Use Class B2 of the Town & Country Planning (Use Classes) Order 1987 as amended.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

19. Prior to the commencement of any works on the site full details of how the site access provisions, generally as illustrated on TH:DA Drawings 11-0540 200A and 201A General Arrangement Whole Scheme – Sheets 1 of 2 and 2 of 2 (August 2012), will align with the Highways Agency’s Tollbar End Improvement scheme as illustrated on those drawings shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. The full details to be submitted and approved shall include:
- i) How the development scheme interfaces with the A45/A46 Strategic Road Network highway alignment, including details of highway surface water drainage, the carriageway markings and lane destinations.
  - ii) Full direction and traffic signing, lining, lane markings and lighting details.
  - iii) Provision for Non-Motorised Users (NMUs).
  - iv) Confirmation of full compliance with the current Design Manual for Roads and Bridges (DRMB) and Departmental Policies and Advice Notes, and the necessary relaxations/departures from those standards approved by the Highways Agency.
  - v) Independent Stages One and Two Road Safety Audits carried out in accordance with the current Design Manual for Roads and Bridges (DRMB) and related Advice Notes.

Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

20. Where the proposals in Condition 19 above affect the design and/or access to the proposed surface water run-off balancing ponds, under the provisions generally as illustrated on TH:DA Drawings 11-0540 200A and 201A General Arrangement Whole Scheme – Sheets 1 of 2 and 2 of 2 (August 2012), details of the proposed modifications to the balancing ponds shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency prior to the commencement of works on the site. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

21. Full details, as defined in condition 19, of the proposed alterations to the A46/ Stoneleigh Road/ Dalehouse Lane junction generally as illustrated on TH:DA General Arrangement Drawing Number 212 (Revision A) (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and Warwickshire County Council, prior to the commencement of construction at this junction under the Phase 2 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

22. Full details, as defined in condition 19, of the proposed alterations to the A46/ Binley Roundabout generally as illustrated on TH:DA General Arrangement Drawing Number 213 (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities, prior to the commencement of construction at this junction under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

23. Full details, as defined in condition 19, of the proposed alterations to the A46/ A45/ A444 Stivichall Interchange (also known as Festival Island) as generally illustrated on TH:DA General Arrangement Drawing Number 208 Rev A (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities, prior to the commencement of construction at this interchange under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or

any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

24. Full details, as defined in condition 19, of the proposed alterations to the A46 Walsgrave junction as generally illustrated on TH:DA General Arrangement Drawing Number 238 (October 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities prior to the commencement of construction at this junction under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authorities in consultation with the Highways Agency.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

25. No construction shall commence on site until a detailed Highway Improvement Works Phasing Plan generally in accordance with Lawrence Walker Ltd Site Access Proposed Improvements Phasing; Figure 2 Rev P22 (July 2012) and pHp Architects Construction Highways Sequence Plan Drawing Number 041 Rev P7 (August 2012) has been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. Thereafter the phasing of development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

26. The phasing of development hereby approved shall be generally in accordance with pHp Architects Construction Highways Sequence Plan Drawing Number 041 Rev P7 (August 2012).

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance

with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

27. No more than 9,290 square metres (GFA) of development falling within Use Classes B1a, B1b or B1c of the Town & Country Planning (Use Classes) Order 1987 as amended within the proposed Technology Park forming development Zone B as illustrated on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be brought into use and occupied until the Phase 2 site access highway works as illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P22 (July 2012) have been constructed to the written satisfaction of the local planning authority in consultation with the Highways Agency and local highway authorities and opened to traffic.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

28. No part of the development hereby approved within Zone A as identified on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 falling within Use Classes B2 and/or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be brought into use and occupied until:

- (i) Phases 1 to 4 inclusive of the site access highway works illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P22 have been constructed to the written satisfaction of the local planning authority, in consultation with the Highways Agency and opened to traffic unless;
- (ii) an alternative highway works phasing scheme has been submitted to and agreed in writing by the local planning authority to secure the construction and completion of the entirety of these highway works including alternative phasing arrangements within which such works will be constructed and completed in relation to the occupation of floorspace within the development and completion and opening to traffic of these highway works in general accordance with the above-mentioned detailed drawings to the written satisfaction of the local planning authority, in consultation with the highways agency and local highway authorities and the works shall be undertaken in accordance with any agreed phasing arrangements.

**REASON:**

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

29. No construction shall commence on site until a detailed Construction Management Plan incorporating permitted construction traffic arrival and departure times and a Construction Vehicle Routing Plan have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the local planning authority, in consultation with the Highways Agency.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

30. Access to and departure from the development site by construction workers and construction delivery vehicles shall not be permitted between 8:00 and 9:00 AM and between 5:00 and 6:00 PM until either the Highways Agency's A45 Tollbar End Improvement scheme is complete and open to traffic, or the Phase 2 access highways works, as defined in condition 25 are complete and open to traffic whichever is the sooner.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

31. No part of the development shall be occupied or brought into use until a detailed Travel Plan in accordance with the outline Travel Plan and outline Travel Monitoring Strategy forming part of the Environmental Statement, both dated August 2012, has been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highways authorities. This Framework Travel Plan shall include the following:

- i) Modal share targets
- ii) The methods to be employed to meet the agreed targets
- iii) The mechanisms for monitoring, review and updates
- iv) The measures to be applied in the event that the agreed targets are not met; and
- v) Timescales of implementation and operation thereafter.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

32. The number of car parking spaces to be provided within the application site in respect of the development hereby permitted shall not exceed 5,250, of which a maximum of 750 shall be allocated for visitors and no more than 2,700 for the employees of the developments falling within either Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended in Zone A.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

33. Prior to any part of the development being brought into use and occupied a detailed Car Parking Management Strategy for the control, management and enforcement of on-site (development plot) parking and of off-site (access and distributor road) parking shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities. Thereafter car parking associated with the development shall be managed in full accordance with this approved Strategy unless otherwise agreed in writing by the local planning authority in consultation with the Highways Agency and local highway authorities.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

34. The development shall not commence until the Highways Agency's Tollbar End Improvement scheme has been approved by the Secretary of State for Transport and those improvement works have commenced.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

35. No more than 9,290 square metres (GFA) of development falling within Use Classes B1a, B1b or B1c of the Town & Country Planning (Use Classes) Order 1987 as amended within the proposed Technology Park forming development Zone B as illustrated on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be brought into use and occupied until the Phase 2 site access highway works as illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P22 (July 2012) have been constructed in accordance with the detailed highways drawings in respect of such phase 2 works forming part of the approved application documentation to the written satisfaction of the local



planning authority in consultation with the Highways Agency and Local Highway Authorities and opened to traffic.

**REASON:**

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

36. No part of the development hereby approved within Zone A as identified on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 falling within Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be brought into use and occupied until:
- i) Phases 1 to 4 inclusive of the site access highway works illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P22 (with the exception of the St. Martin's roundabout) have been constructed in accordance with the detailed drawings in respect of these phases forming part of the approved application documentation to the written satisfaction of the Local Planning Authority, in consultation with the Highways Agency and opened to traffic unless
  - ii) In respect of Condition 25 above an alternative highway works phasing scheme has been submitted to and agreed in writing by the Local planning authority in consultation with the Highways Agency and local Highway Authorities to secure the construction, and completion of the entirety of these highway works including alternative phasing arrangements within which such works will be constructed and completed in relation to the occupation of floorspace within the development, in which case the phasing requirements of condition 28 above shall not apply and completion and opening to traffic of these highway works in general accordance with the above-mentioned detailed drawings to the written satisfaction of the Local Planning Authority, in consultation with the Highways Agency and Local Highway Authorities shall be undertaken in accordance with the revised phasing arrangements agreed under Condition 25.

**REASON:**

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

37. The Construction Management Plan to be submitted under Condition 29 above shall also include detail in respect of those matters set out in Sections 4, 5 & 6 of the Construction Sequence and Programme report forming part of the approved application documentation and shall include details of measures to control dust and noise from construction activities.

**REASON:**

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

38. Car parking shall not exceed the following maximum ratios on individual development plots in respect of the uses specified, as defined in the Town & Country Planning (Use Classes) Order 1987 as amended, unless otherwise agreed in writing by the Local Planning Authority, in consultation with the Highways Agency and the Local Highway Authorities:

- i) B1 – 1 space per 35 square metres GFA
- ii) B2 – 1 space per 125 square metres GFA
- iii) B8 – 1 space per 125 square metres GFA
- iv) A1/A3/A4/A5 – 1 space per 23 square metres GFA
- v) C1 – 1 space per 0.8 bedrooms
- vi) Car showroom(s) – 1 space per 21 square metres GFA

REASON:

In the interests of highway safety and the promotion of sustainable transport choices in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011.

39. No more than 18,581 square metres (GFA) of the development hereby approved within Zone B as identified on pHp Architects Drawing No.3924 029 RevP20 (Parameters Plan) shall be brought into use prior to completion of the:

- i) Phase 3 and 4 site access highway works illustrated on Lawrence Walker Ltd Drawing No. Figure 2 Rev P22 (Site Access Proposed Improvements Phasing) with the exception of the St. Martin's roundabout and in accordance with the detailed drawings in respect of these phases forming part of the approved application documentation; and
- ii) the highway works at the junction of the A45 with Baginton Road as illustrated on TH:DA Drawing No.11-0540 200A (General Arrangement Whole Scheme – Sheet 1 of 2) in general accordance with that drawing and;
- iii) the highway works at the junction of the A46 with the B4082 as illustrated on TH:DA Drawing No.11-0540 238 (General Arrangement Walsgrave Roundabout) in general accordance with that drawing;

unless in respect of Condition 25 above an alternative highway phasing scheme has been submitted to and agreed in writing by the local planning authority in consultation with the Local Highway Authorities to secure the construction and completion of the entirety of these highway works including alternative phasing arrangements within which such works will be constructed and completed in relation to the occupation of floorspace within the development, in which case completion of these highway works in general accordance with the drawings referred to in i), ii) and iii) above shall be undertaken in accordance with those alternative phasing arrangements agreed under Condition 25.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

40. The construction of any highway structure as identified on TH:DA Drawing No. 11-0540 202 Rev.A (Structures Location Plan) shall be undertaken only in full accordance with details, which shall include an approval in principle report, which have previously been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant Highway Authority.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

41. No more than 18,581 square metres (GFA) of building floorspace within the development shall be occupied unless and until the footway and cycleway improvements shown in Red and Purple on the Coventry and Warwickshire Gateway Cycling and Walking Access Infrastructure Requirements Plan, in Appendix G of the Travel Plan (August 2012) forming part of the approved application documentation have been constructed in full accordance with details submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authorities.

REASON:

In the interests of pedestrian and cyclist safety and to promote sustainable transport choices in accordance Policies DP6 and SC4 of the Warwick District Local Plan 1996-2011.

42. No highway works approved as part of the development shall be undertaken unless and until
- i) A Stage 1 and 2 Safety Audit ( incorporating associated designers responses); and
  - ii) The details of any relaxations or departures from the highway standards utilised by the relevant Highway Authority at that time;

in respect of those highway works, have been submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authority

REASON:

In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

43. No development shall commence within Zone A as illustrated on pHp Architects Drawing No.3924 029 RevP20 (Parameters Plan) unless and until a link road has been constructed between Rowley Road and Zone A in accordance with TH:DA drawing nos. 11-0540 203 Rev.A and/or 11-0540-210 and 11-0540 237 Rev.B forming part of the approved application documentation.

REASON: In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

44. Unless otherwise approved in writing by the Local Planning Authority, street lighting shall be provided in respect of each phase of the development hereby permitted which involves the construction of highways, footpaths or cycleways in full accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authority.

REASON: In the interests of highway, pedestrian and cyclist safety in accordance with Policies DP6 and SC4 of the Warwick District Local Plan 1996-2011.

45. At all times following the completion and opening to traffic of the phase 3 highway works in respect of the new A45 junction between the Festival and Toll Bar Islands, as illustrated on Lawrence Walker Ltd Drawing No. Figure 2 Rev P22 (Site Access Proposed Improvements Phasing) signage, traffic signal or other traffic management arrangements shall be in place on Rowley Road in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authorities, to discourage vehicles exiting the development from utilising the roundabout element of the completed Highways Agency Tollbar End Improvement Scheme in order to access the strategic highway network.

REASON: In the interests of promoting the free flow of traffic in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

46. No development shall commence in respect of Zone A as identified on pHp Architects Drawing No.3924 029 Rev P20 (Parameters Plan) unless and until a scheme for the provision of emergency access from Middlemarch Business Park to Bubbenhall Road **and from Zone A to Siskin Parkway West** both during the construction and operational phases of development with respect to that zone has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. At all times following the commencement of development in respect of Zone A such emergency access shall be provided in full accordance with the approved scheme.

REASON: In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

47. No building within the development hereby permitted shall be occupied unless and until the following transportation infrastructure has been provided in respect of that building in accordance with Reserved Matters details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:

- i) Motor vehicle, pedestrian and cyclist access to that building from the boundary of the application site;
- ii) All the Car parking approved for that building which shall include disabled car parking comprising at least 2% of the total number of car parking spaces provided for that building plus 6 further spaces;
- iii) Covered cycle and motorcycle parking; and
- iv) Servicing arrangements in respect of that building.

Thereafter such transportation infrastructure shall remain in place and available for such use at all times.

**REASON:**

In the interests of highway, pedestrian and cyclist safety and to promote sustainable transport choices in accordance Policies DP6, DP8 and SC4 of the Warwick District Local Plan 1996-2011.

48. The reserved matters to be submitted in accordance with condition 3 in respect of any single unit exceeding 1000 square metres (GFA) shall be accompanied by details of showering and changing facilities for employees working in or visiting that unit. Thereafter such approved facilities shall be provided in the construction of that unit and at all times following the first occupation of that unit those facilities shall remain in place and be available for use by persons employed in that unit.

**REASON:**

To promote sustainable transport choices in accordance with Policy SC4 of the Warwick District Local Plan 1996-2011.

49. At the Reserved Matters stage, before each phase of development commences, a scheme to show the location of each pond with the associated discharge rate and storage volume for the 1 in 100 year plus 20% for climate change flood event shall be submitted to, and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

**REASON:**

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

50. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 plus 20% critical storm will not exceed the run-off from the

undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- i) Full drainage calculations for a range of events (Microdrainage windes or similar)
- ii) Construction details for the ponds/swales
- iii) Details of how the scheme will be maintained and managed after completion.

REASON:

To prevent the increased risk of flooding both on and off site, to ensure the features are constructed to the necessary standard and to ensure long term maintenance of the sustainable drainage scheme in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

51. The development hereby permitted shall not be commenced until such time as a scheme to provide details of the proposed bridges and bridge extensions has been submitted to, and approved in writing by, the local planning authority. The scheme shall include construction details, details of bridge openings and details of any floodplain compensatory works. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements in the scheme, or any alternative arrangements as may subsequently be agreed, in writing, by the local planning authority.

REASON:

To ensure the bridges and bridge extensions are constructed to a satisfactory standard and will not increase flood risk elsewhere in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

52. The development approved by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Environmental Statement Chapter 8 Water Resources and Drainage' and the associated appendices in Chapter 8.1.

REASON: habitt

To ensure runoff from the site is not increased, satisfactory storage is provided and water quality benefits are included in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

53. No development shall take place until a scheme for the provision and management of compensatory habitat creation, to compensate for the impact of the proposed development on the River Sowe and River Avon, has been submitted to and agreed in writing by the local planning authority. This should include an investigation into the feasibility of river bank and floodplain restoration. Thereafter the development shall be implemented in accordance with the approved scheme.

REASON:

To ensure that harm resulting from the development can be adequately mitigated in accordance with Paragraph 118 of the NPPF.

54. The development hereby permitted shall not be commenced until such time as a Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. This shall include mitigation measures to prevent pollution of the watercourse in the construction phase. The scheme shall be implemented as approved.

REASON:

To protect and enhance the water quality of the River Sowe and River Avon in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

55. The reserved matters submitted under Condition 3 above in respect of any phase of the development shall include details for the disposal of foul sewage associated with any development in that phase. Thereafter infrastructure for the disposal of foul sewage in respect of that phase of the development shall be provided in accordance with the approved details before the development in that phase is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of foul sewage drainage in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

56. No development shall commence in respect of the land within the application site occupied by the Coventry Model Car Club unless and until the club have been relocated to the site shown on approved pHp Architects drawing no.3924 049 RevP1 and that site has been laid out with replacement facilities of at least equal quality for the club in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

57. No development shall commence in respect of land within the application site occupied by the Electric Railway Museum, including development in respect of that part of the proposed link road between the Technology and Logistics Parks which lies within that land, unless and until that museum has been relocated to the site shown on approved pHp Architects drawing no.3924 049 RevP1 and that site has been laid out with replacement facilities for the museum in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

58. For the duration of highway construction works on Rowley Road and thereafter at all times following the completion of those highway works access for the Midland Air Museum to and from Rowley Road shall be maintained in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

59. The existing trees, shrubs and hedges indicated under condition 8 to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any trees, shrubs or hedges removed without such consent or dying, or being severely damaged or diseased or becoming, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s), hedge(s) or shrub(s) of such size and species as have been approved in writing by the local planning authority. All tree(s), hedge(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces).

REASON:

To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

60. The mounds alongside Zones A and B shall be constructed in accordance with details regarding their ground levels and gradients previously submitted to and approved in writing by the local planning authority.

REASON:

To ensure the mounds are in keeping with surrounding landscape and to ensure that the proposals do not harm the living conditions of nearby dwellings, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

61. The construction of buildings within Zones A and B shall be phased in strict accordance with the earthworks and sequence plan (drawing no. 3924/048 P2). None of the buildings within Zone A shall be occupied until all of the proposed mounds have been completed in strict accordance with the approved plans.

REASON:



To ensure that the mounds provide screening for the development at the earliest opportunity, in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

62. No development shall take place on any phase of the development hereby permitted until arrangements have been made to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The development shall be carried out in accordance with the programme so approved or any amended programme subsequently approved in writing by the local planning authority.

REASON: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.

63. No part of the development hereby permitted shall be occupied until:
- i) details of measures to prevent illegal road racing or other anti-social or dangerous use of the roads within the development have been submitted to and approved in writing by the local planning authority; and
  - ii) the measures approved under i) have been implemented in strict accordance with the approved details in relation to that part.

REASON:

To minimise the potential for crime and anti-social behaviour and improve community safety, in accordance with Policy DP14 of the Warwick District Local Plan.

64. No part of the development hereby permitted shall be occupied until ANPR cameras have been provided in accordance with a scheme submitted to and approved in writing by the local planning authority. The ANPR equipment shall comply with the ACPO ANPR standards and with the information security requirements of Warwickshire Police. Warwickshire Police shall be provided with access to the live feeds from the ANPR cameras at all times thereafter.

REASON :To minimise the potential for crime and anti-social behaviour and improve community safety, in accordance with Policy DP14 of the Warwick District Local Plan 1996-2011.

65. No development shall commence until:
- (i) a scheme to consider options for the retention of the oak tree marked as T38 on the tree survey has been submitted to and approved in writing by the local planning authority;
  - (ii) if the scheme approved under (i) demonstrates to the satisfaction of the local planning authority that it is not

feasible or practical to retain the tree, details of compensatory measures shall be submitted to an approved in writing by the local planning authority.

If retention of the tree is approved under (i), the tree shall be retained in accordance with the approved scheme. If removal of the tree is approved under (i), the compensatory measures approved under (ii) shall be implemented in strict accordance with the approved details.

REASON:

To ensure that all options to retain this tree which is of significant amenity and ecological value to the area are assessed, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

66. The development hereby permitted shall not be commenced on the site occupied by Trinity Guild RFC unless and until:
- i) the Trinity Guild RFC have moved to a new site and playing pitch, clubhouse and car parking facilities together with vehicle and pedestrian access to those facilities have been provided for the club on that site which are at least equivalent in terms of quantity and quality to those which the club currently have on their existing site in accordance with details submitted to and approved in writing by the local planning authority in consultation with Sport England and;
  - ii) those playing pitch, clubhouse and car parking facilities together with vehicle and pedestrian access to those facilities on that new site are available for use by the club.

REASON:

To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures a continuity of use and to accord with the NPPF.

67. No building approved under this permission used primarily for purposes falling within Class A1 of the Town & Country Planning (Use Classes) Order 1987 as amended (or in any Order revoking and re-enacting that Order) shall exceed 250 square metres gross internal floor area.

REASON:

To safeguard the shopping strategies of the local planning authorities and to accord with Government Guidance in the NPPF which seeks to direct large scale retailing to Town Centre locations.

68. Fume extraction and odour control equipment (including external ducting flues) associated with any catering operation shall be properly installed in its entirety in accordance with details first submitted to and approved in writing by the local planning authority and such installation shall have been inspected by the local planning authority before that catering operation commences. Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be

colour coated to match within one month of its installation. The equipment shall be permanently operated and maintained in accordance with the manufacturer's specifications.

REASON:

In the interests of amenity in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

69. Prior to the commencement of development, including demolition works, a Site Waste Management Plan covering both the construction and operational phases of the development shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be constructed and operated in full accordance with the approved Site Waste Management Plan or any amendments to it subsequently approved in writing by the local planning authority.

REASON:

In the interests of amenity in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

70. Construction work shall not begin on any phase of the development hereby permitted until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. No part of any phase of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the District Planning Authority for that phase of the development.

REASON:

In the interests of fire safety in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

71. Noise arising from any plant or equipment within the application site, when measured one metre from the façade of any residential property, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

REASON:

To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

72. None of the buildings within Zones A or B shall be first occupied until:
- (i) a report detailing noise mitigation measures for the development within that Zone (including noise calculations) has

- been submitted to and approved in writing by the District Planning Authority; and
- (ii) the noise mitigation measures for that Zone approved under (i) have been implemented in strict accordance with the approved details.

The approved noise mitigation measures shall be maintained in a manner that achieves the noise attenuation specified in the report approved under (i) at all times thereafter. For the purposes of this condition, Zone A shall include the new access road from the A45 that runs to the east of Baginton village.

**REASON:**

To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 73. No development shall commence on any phase of the development hereby permitted until a lighting scheme for that phase of the development, excluding street lighting, has been submitted to and approved in writing by the local planning authority. No lighting shall be installed other than in strict accordance with the approved lighting schemes.

**REASON:**

To protect the amenities of the occupiers of nearby properties in the locality and the rural character of the area, in accordance with Policies DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 74. No development shall take place on any phase of the development until:
  - i) a preliminary risk assessment has been carried out (to include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information) and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced;
  - ii) a site investigation has been undertaken in accordance with details approved by the local planning authority using the information obtained from the preliminary risk assessment;
  - iii) a method statement detailing the remediation requirements (including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation) has been submitted to and approved in writing by the local planning authority.

No remediation should be undertaken before the method statement has been so approved. The approved remediation requirements shall thereafter be implemented in full and all development of the site shall accord with the approved method statement.

REASON :

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

75. If, during development, contamination not previously identified is found to be present at the site then no further development shall take place until an addendum to the remediation method statement has been submitted to and approved in writing by the local planning authority. The addendum to the method statement shall detail how this unsuspected contamination will be dealt with. The remediation requirements in the approved addendum to the method statement shall thereafter be implemented.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

76. No phase of the development shall be first occupied until a verification report demonstrating completion of the works set out in the approved remediation method statement and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a plan (a "long-term monitoring and maintenance plan") for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented in strict accordance with the approved details.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

77. No recycled aggregate shall be imported to any part of the application site to be used in the construction of the development hereby permitted until:
- i) a scheme of validation sampling has been submitted to and approved in writing by the local planning authority; and
  - ii) the recycled aggregate has been sampled in accordance with the scheme approved under i) and the results of the sampling have been submitted to and approved in writing by the local planning authority.

REASON :

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

78. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the local planning authority has been submitted to and approved in writing by the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the local planning authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the local planning authority.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

79. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the local planning authority. This consent will only be granted for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON:

To protect controlled waters and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

80. No work shall commence on any of the buildings permitted under this outline planning permission and any subsequent reserved matters approval unless and until a scheme showing how 10% of the predicted energy requirement of the building will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the local planning authority. The building shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON:

To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

81. No car showroom floorspace or floorspace falling within Classes A1, A3, A4, A5 or C1 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be occupied unless and until at least 9,290 square metres (GFA) of floorspace falling within Use Class B1 of the said Order has been occupied within Zone B as identified on pHp Architects Drawing No.3924 029 Rev P20 (Parameters Plan) forming part of the approved application documentation.

**REASON:**

To ensure that the car showroom and other floorspace falling within Use Classes A1, A3, A4, A5 and C1 is only provided when it is needed to serve the employment uses which primarily comprise the development approved under this permission in accordance with Policy UAP3 of the Warwick District Local Plan 1996-2011.

- 82. Prior to commencement of site works including demolition, a detailed soil management plan, conforming to the *Defra Code of Practice for the Sustainable Use of Soils on Construction Sites (2009)*, will be submitted for approval by the local planning authority. The plan will detail proposals for soil stripping, movement, storage, and spreading and will also identify soil remediation works where required. All earthworks shall be carried out in strict accordance with the approved details.**

**REASON:**

**To ensure the sustainable management of the site's soil resource and to ensure that earthworks will provide the best opportunities for successful establishment and sustenance of landscape infrastructure and ecological services throughout the scheme, in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.**