

Application No: [W 16 / 0196](#)

Town/Parish Council: Radford Semele
Case Officer: Liam D'Onofrio

Registration Date: 02/02/16
Expiry Date: 03/05/16

01926 456527 liam.donofrio@warwickdc.gov.uk

Land to the South of Offchurch Lane, Radford Semele, CV31 1TN

Outline planning application on land south of Offchurch Lane, Radford Semele with means of vehicular access from Southam Road, Radford Semele and pedestrian/cycle/emergency access from Offchurch Lane for consideration, all other matters (layout, appearance, scale and landscaping) reserved for subsequent approval, for the erection of up to 150 dwellings, of which 40% will be affordable, landscaping including change of use, earthworks to facilitate surface water drainage and all other ancillary infrastructure and enabling works
FOR Sharba Homes Limited and Henry Marriott

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to GRANT outline planning permission, subject to the conditions listed and subject to the completion of a satisfactory Section 106 Agreement to secure the contributions listed. Should a satisfactory Section 106 Agreement not have been completed by 3rd May 2016 Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposals make inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

Outline planning permission is sought for a residential development of up to 150 No. dwellinghouses with all matters reserved except for access. The main vehicular access will be located off the northern side of Southam Road, utilising the approved access point for a development of 60 dwellinghouses granted planning permission under W/15/0297. A secondary pedestrian, cycle and emergency access is located to the southern side of Offchurch Lane.

The application is supported by extensive documentation. This includes a Planning Statement, Design & Access Statement, Landscape & Visual Appraisal, heritage statement, drainage strategy, Tree Survey, agricultural statement, Transport Assessment (TA) and Ecological Survey.

The Design and Access Statement identifies the benefits of the development to include:

- The creation of a new high quality development of up to 150 houses.
- A mix of house types, sizes and tenures including 40% affordable homes with associated parking and landscaping.
- A new piece of townscape continuing from the existing new development to the south and integrating into the Offchurch Lane streetscene whilst also creating a soft edge to the countryside to the east. Provision of a central area of open space acting as a focal point for the development.
- Development frontage along Offchurch Lane will have an appropriate building line set back to respect the existing character of the street. Within the site, the principles established through the consented development to the south will be incorporated into this site.
- An additional area of open space, incorporating a balancing pond will be located in the north eastern corner of the site. This pond will not only attenuate surface water flows in storm conditions, but will also encourage creation of ecological habitats in an attractive landscape feature.

The Design and Access Statement confirms that the average net development density is 28 dwellings per hectare which is considered to reflect the location of the site on the edge of the settlement. The precise housing mix will be determined at the reserved matters stage and will be dependent on the market demand and housing need. However, for the purpose of this application a balanced mix of 2 to 5 bedroom dwellings has been used to construct an illustrative layout.

The supporting Planning statement notes that the test in undertaking the planning balance is to assess whether any adverse impacts significantly and demonstrably outweigh the benefits. In this instance there are benefits ranging from substantial to moderate in scale. Set against these benefits is the singular issue of the low to negligible impact of the change in the landscape. The accompanying Landscape statement is clear that the effect of the proposals will be highly localised to the immediate setting and the effect upon public receptors will be low/negligible. Consequently, the clear planning balance is significantly in favour of the development.

THE SITE AND ITS LOCATION

The application site relates to an arable field of approximately 6.8 hectares located on the northern side of Southam Road (beyond an existing development site) and south of Offchurch Lane. The site sits outside of but adjacent to the village envelope and is located to the eastern edge of the village. The site is within open countryside.

PLANNING HISTORY

No planning history for the application site, however there is relevant history for the adjoining site, which includes the main vehicular access for the proposed development:

W/15/0297 Reserved Matters for the approval of appearance, landscaping, layout and scale for 60 dwellings granted under Outline Application W/14/0322:
Granted 01/06/15

W/14/0322 Construction of up to 60 market and affordable dwellings, new vehicular access, open space and associated infrastructure (outline application including details of access): Granted 06/06/14

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- Warwickshire Landscape Guidelines SPG
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)

SUMMARY OF REPRESENTATIONS

Radford Semele Parish Council: Objection - The junction on the Southam Road for this development is totally inadequate for the 65 houses already granted and this development of 150 houses means that 215 houses will be serviced by this very dangerous junction. Flooding at this point of the Southam Road can not be ignored and this development on a very large slope will mean that there would be a significant chance of flooding in Offchurch Lane and the existing houses, even the development with 65 houses must have a means of taking away surface water. The impact to the views of neighbouring houses will be greatly effected. The density of this development is very low and this therefore identifies the traffic problem at the junction with the Southam Road, if the developer thought that the junction was acceptable for 250 plus then he would have asked for this number rather than the 150 houses. Therefore they maintain that even the developer recognises that there is traffic problems or is there another reason for the low density.

Cllr Doody: Objection. There would be an unacceptable number of cars coming out onto the Southam Road from 215 Houses (65 on site W/14/0322 & 150 on the site W/16/0196). Cars coming from this amount of houses is unreasonable on an already dangerous road. This site has a very significant slope and could cause flooding in Offchurch Lane. The Emergency access point is very close to the brow of the hill in Offchurch Lane and therefore unacceptable

Canal and River Trust: No objection.

Inland Waterways: No objection.

Historic England: No comment.

Natural England: No comments.

Fire Service: No objection, subject to hydrants condition.

WCC Highways: No objection, subject to conditions and financial contributions.

WCC Ecology: No objection subject to conditions and securing financial contributions for bio-diversity off-setting.

WCC Landscape: No objection.

WCC Flood Risk: No objection, subject to conditions.

WCC Education: No objection, subject to financial contribution.

WCC Archaeology: No objection, subject to condition.

WDC Housing Strategy: No objection, subject to securing 40% affordable housing, (60 affordable dwellings based on the current proposal).

WDC Green Space Manager: No objection.

WDC Environmental Health: No objection, subject to conditions.

Warwickshire Fire Service: No objection, subject to condition.

Warwickshire Police: No objections, subject to conditions.

Severn Trent Water: No objections, subject to condition

South Warwickshire Foundation Trust: Contributions requested.

South Warwickshire Clinical Commissioning Group: Contributions requested.

Public response:

95 objections to the proposed development, raising the following concerns:

- Flooding/drainage.
- Services can't cope - Schools, Medical Services, emergency services.
- Traffic safety on busy road junction, poor visibility.
- No safe pedestrian access.
- Radford Semele has already taken significant housing and can't take further growth.

- Loss of good quality agricultural land.
- Impact upon countryside, landscape, visual amenity on elevated site.
- Impact upon wildlife.
- The site is outside of the village envelope; Character of village will be destroyed.
- WDC now fully meet housing need, paragraph 14 of the NPPF no longer applies.
- Brownfield sites should be used first.
- Impact upon the amenities of existing residents.
- Air pollution concerns.
- Negative impact of additional traffic upon listed buildings.
- Density is too high for the site, not in keeping with existing housing.
- No cycle segregation into Leamington Spa.
- Archaeological impact.
- Impact upon hedgerows/landscaping.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Principle of the development;
- The Impact on Local Services and Infrastructure;
- The Impact on character of the area, Landscape and Heritage Assets;
- Provision of public open space;
- The impact on the living conditions of nearby dwellings;
- Car parking and highway safety;
- Air Quality;
- Drainage and Flood Risk;
- Renewable Energy;
- Health and Wellbeing;
- Ecological Impact;
- Loss of Agricultural Land.

The Principle of the Development

Five Year Housing Supply

The site is within open countryside adjoining the edge of the village, where the relevant Local Plan Policy in relation to residential development is RAP1 - 'Directing New Housing'. The proposals would be contrary to Policy RAP1. However, the National Planning Policy Framework (NPPF) 2012 states (para. 49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement.

Whilst significant steps have been made towards meeting a five year housing land supply an analysis of all current information indicates that the District Council are not able to demonstrate a five year supply of deliverable housing sites. As from 31/03/16 the number of years supply has been calculated at 4.69 years.

Accordingly Policy RAP1 is to be considered out-of-date and in these circumstances the NPPF paragraph 14 requires applications to be considered in the context of the presumption in favour of sustainable development. That means granting planning permission unless either:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- specific policies in the NPPF indicate development should be restricted.

The scheme will contribute towards helping the Council meet its five year requirement and granting outline permission for this site would increase the supply of land for housing. This carries significant weight in the assessment of this application. While the Council has no control over whether a site will be delivered, it is nevertheless reasonable to assume that a site with planning permission would be deliverable with a realistic prospect that development on this site would be achievable within a five year period.

The Current Policy Position

The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. This forms the Development Plan, which decisions should be made in accordance with, unless material considerations indicate otherwise. The NPPF is a material consideration, as are other policies under preparation such as the emerging Local Plan. Emerging Local Plan Policy H1 - 'Directing New Housing' indicates Radford Semele as a growth village. Although the site falls outside of the village envelope, identified on Local Plan Policies Map No.15 it is clearly within a sustainable location and would represent sustainable development. There are no specific policies in the NPPF to indicate that development on this site should be restricted.

Prematurity

The scale of the development does not raise issues of prematurity in relation to the progress of the publication of the Draft Local Plan, due to its size. The development of the application site would not prevent any other development sites identified in the Draft Local Plan from coming forward and it is not dependant on, nor incompatible with, any other development sites which have been or are being considered. On this basis the development of the application site would not prejudice the outcomes of the preparation of the Local Plan and it could not therefore be demonstrated that permission should be refused on the grounds of prematurity.

Assessment of the Proposed Housing Provision

In terms of the type of housing being provided, 40% would be affordable, secured via a Section 106 Legal Agreement, and the affordable mix would be required to accord with the affordable housing needs of the District. The size and type of the affordable dwellings would be subject to further consideration under a

reserved matters application, which would have to meet current requirements at that time.

In terms of the market housing being provided, this would also be subject to consideration under a reserved matters application, and would be required to accord with the Development Management Guidance on Achieving a Mix of Market Housing, which can be secured by condition.

The Impact on Local Services and Infrastructure

The development would trigger the need for the following contributions to be secured under a Section 106 Legal Agreement. The heads of terms are as follows:

- Affordable Housing at 40%, which will relate to 60 affordable dwellings.
- NHS South Warwickshire Clinical Commissioning Group request a contribution of £32,961 to be allocated as part of this application for the improvement and/or extension and/or replacement of Croft Medical Centre, Calder Walk, Leamington Spa.
- South Warwickshire NHS Foundation Trust have requested a contribution of £155,994.78 to provide additional facilities to meet patient demand.
- 1.46ha of open space is being provided within the site and there should be no requirement for contributions, however any deficiencies in any open space type can be met by an off-site contribution, should this be necessary.
- WCC Ecology have confirmed that a biodiversity off-setting scheme can be agreed through a S106 with a financial cap of £141,824.
- WCC Highways have requested the provision of £6,000.00 per marketable dwelling equating to a total sum of £540,000.00 to enable highway improvement works on the A425 Southam Road Corridor in Radford Semele between the A425 Southam Road / Sydenham Drive Junction and A425 Southam Road / B4455 Fosse Way Junction and also the provision of Sustainable Travel Pack at the sum of £75.00 per household equating to a total sum of £11,250.00.
- WCC Education is requesting a total contribution of £1,007,496**, which breaks down to:
 - Primary and pre-school
Pre-school £58,435
Primary School places £444,106 TBC**
Primary Special Educational Needs £13,079
***accommodation and/or school transport costs (to be determined)*
 - Secondary and Post 16
Secondary places (11 – 16 years) £394,443
Post 16 places £78,970
Secondary age Special Needs £18,436

The Impact on character of the area, Landscape and Heritage Assets

The scale, design and use of materials will be secured at reserved matters stage to ensure the development assimilates appropriately within the landscape. Given the context of the site it is considered reasonable to restrict development to two-storey only, which can be secured by condition.

The County Landscape Officer has commented that 'Warwick District Council's Landscape Sensitivity and Ecological & Geological Study' (2014) identified the application site as being of medium sensitivity to housing development, noting that "the zone could accommodate a small amount of development along Offchurch Lane or adjacent to the existing settlement edge, providing it didn't encroach beyond the first field in order avoid ribbon development along the A425. The County Landscape Officer considers that this application complies with that guidance and raises no objection to the scheme.

The County Landscape Officer notes that the Landscape & Visual Impact Assessment Report (January 2016) concludes that "The application site is visually contained within views from the north, north east, east, south and west, due to the intervening vegetation structure, topography and built form associated with the wider village setting to the north and west, which substantially limits the visibility of the site to views from the immediate locality of Offchurch Lane and Southam Road". The County Landscape Officer considers that this is not accurate: viewpoint 2, taken from Offchurch Lane indicates that during the winter months the degree of visual containment is diminished by the lack of leaf cover. Moreover, the rising topography will accentuate sense of visual intrusion for residents living opposite the development site along Offchurch Lane. Additional planting is proposed for this boundary which will help to screen the development. The County Landscaping Officer considers that this should be established and protected from the inception of the scheme. This can be secured through landscaping detailing at reserved matters stage.

Local Plan Policy DAP4 states that development will not be permitted that will adversely affect the setting of a listed building. There are no listed buildings adjoining the site and the proposed development is not considered to result in any adverse impact upon the setting of listed buildings within the wider village.

Following the submission of a geophysical survey of the site the County Archaeologist has raised no objection to the scheme, subject to the standard condition to secure a programme of archaeological works.

Provision of public open space

The Green Space manager notes that the Design and Access Statement indicates that additional detail will be provided at the reserved matters stage and will seek details on the make up of the 1.46Ha of open space being provided at this stage. If there are any deficiencies in area by type then an off-site contribution will be sought, which will be secured via the S106 Legal Agreement. These off-site contributions, if necessary, will be used to enhance any current deficiencies in green space owned and managed by the Parish Council or Leam Valley Nature Reserve which is within a 10 minute walk from the proposed site, or for destination parks within the district that will see extra use from new residents of this development.

The Green Space Manager notes that the proposed development abuts the previously granted application and advises that consideration should be given to

how the two developments interact with each other, and with the wider network of countryside and green spaces. This will be considered in greater detail at the reserved matters stage.

The impact on the living conditions of nearby dwellings

The plans are indicative only, however, it is considered that the proposed site can accommodate up to 150 houses while meeting necessary separation distances within the site and to surrounding properties. The residential use will be compatible with the adjoining residential uses, and associated noise related to the comings and goings from the site are unlikely to warrant refusal of the application.

A reserved matters application would provide details of the final layout of proposed dwellings, under which it would be possible to ensure an appropriate level of privacy, light and outlook is maintained to these neighbouring properties. A condition is recommended to require the submission of a Construction Management Plan, to protect the amenities of residents during construction.

In terms of noise the Environmental Health Officer (EHO) has no objection but has requested that a noise survey be submitted at reserved matters stage when exact layout is known, to avoid adverse traffic noise to future occupiers. This will be secured by condition.

The applicant has undertaken a preliminary risk assessment of the site and has identified some potential pollutant linkages which require further investigation. As a result the EHO recommends the standard land contamination condition.

Car Parking and Highway Safety

The Highway Authority have raised no objection to the scheme, which will utilise the access previously approved under W/14/0322, subject to conditions.

The Highway Authority have assessed the submitted Transport Assessment in support of the development proposals and consider it to be well structured, providing a clear methodology in accordance with the National Planning Policy Framework and National Planning Practice Guidance.

The Highway Authority has reviewed the document and considered the trip generation for the proposed development. Based on their assessment the Highway Authority have no objection to the methodology used to calculate these or the identified trip rates. The access arrangement modelling demonstrates that the junction will operate a good level of reserve capacity, minimal delay and queuing. The Highway Authority accepts the modelling submitted and recommendation that the access arrangement is acceptable.

In terms of other impacts on the highway network, these have not been considered by the transport consultant. Most notably is the impact on the A425 Southam Road / Offchurch Road Junction. Whilst this junction operates in a satisfactory manner at present, it is likely in future years and with additional

development its operation efficiency will diminish. Therefore in line with other developments in Warwick District the Highway Authority will request the sum of £6,000 per marketable dwelling which will be used to provide highway infrastructure improvements in Radford Semele and on the A425 Southam Road between Sydenham Drive and the B4455 Fosse Way. This will enable the mitigation of the impact that the development will have upon the operation of the highway network within the vicinity of the development site.

Air Quality

The Environmental Health Officer (EHO) raises no issues in terms of air pollution. The EHO notes that the Council's Low Emission Strategy guidance establishes the principle of Warwick District as an 'Emission Reduction Area' and requires developers to use 'reasonable endeavours' to minimise emissions and, where necessary, offset the impact of development on the environment. The EHO notes that under the guidance the above development is classified as a Medium scheme because it meets Department of Transport Threshold Criteria for a Transport Assessment, and as such the developer is required to provide electric vehicle (EV) recharging provision for each house with dedicated parking is expected and/or other innovative ideas. This information will be secured by condition.

Drainage and Flood Risk

WCC Flood Risk Management have raised no objection to the proposed development, subject to conditions to secure sustainable urban drainage with the aim to provide suitable disposal of surface water runoff for the site without causing flooding nuisance within and downstream of site.

Severn Trent Water have raised no objection to the scheme, subject to a condition to agree drainage details.

Renewable Energy

The scheme will require the provision of either renewable technology to meet 10% of the predicted energy requirements for the dwellinghouse or a fabric first construction to reduce the energy demand of the property. This can be secured through condition.

Ecological Impact

The County Ecologist has raised no objection to the scheme subject to the imposition of conditions, including a Construction and Environmental Management Plan (CEMP), Landscape and Environmental Management Plan (LEMP), lighting scheme and a condition for protective fencing to protect trees and hedges during construction.

The County Ecologist notes that the Biodiversity Impact Assessment calculation results to a loss of biodiversity (-4.45 biodiversity units) which is contrary to National Planning Policy Framework (NPPF). If a biodiversity loss is predicted on

site then this should be compensated appropriately. The County Ecologist has confirmed that this loss could be compensated for off-site and can be secured via the S106 Legal Agreement.

Health and Wellbeing

There are no health and well-being issues considered to be raised by this development.

Warwickshire Police have no objections to this proposed development, however they have requested that a secured by design condition be applied to assist in ensuring that the future occupants do not become victims of crime or anti social behaviour.

Loss of Agricultural Land

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Paragraph 112 goes on to state that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality.

The applicant has provided an agricultural land assessment, which identifies the land as falling within Grade 4 and 3b classifications, indicating a low agricultural value. The assessment concludes that the c. 6.80 hectares is poor quality, unproductive land and when considering all the relevant factors relating to the land it is concluded the land's agricultural use is constrained and in the applicant's opinion the loss of the area of field would constitute negligible harm to the agricultural land bank.

Officers consider that the need to provide new homes in a sustainable location overrides any concerns regarding the loss of agricultural land, particularly of lower agricultural value and no issues are raised in this regard.

SUMMARY/CONCLUSION

Due to the Council's lack of a five year supply of housing land, Local Plan Policy RAP1 is out of date. Therefore the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. This states, at paragraph 14, that where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

There are three dimensions to sustainable development: economic, social and environmental. The development would deliver economic benefits through the generation of employment during the construction phase, and from the increased population which would contribute towards increased expenditure in the local area and dependence on local facilities. Social benefits would include the

provision of a mix of types and sizes of market and affordable housing to meet identified local needs, the provision of open space and footpaths, and improvements to shared infrastructure. Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, and enhancement to existing open spaces. The site is in a sustainable location adjacent to the village where residents can access a range of services. It is therefore concluded that the development represents sustainable development by satisfying the three dimensions identified in the NPPF.

It has been concluded that any issues of concern that have been raised can be satisfactorily addressed through the assessment of reserved matters applications, the provision of new facilities, and the provision of new infrastructure by way of financial contributions. The development would have some impact on the surrounding landscape in terms of the loss of openness and rural character, however, these impacts need to be balanced against the wider benefits of the development listed above.

In the particular circumstances of this application, it is not considered that the impacts on the landscape or the rural area significantly and demonstrably outweigh the benefits of the development. The development is considered to comply with all current Local Plan policies aside from RAP1, which the NPPF advises cannot carry any weight. Furthermore the development is considered to comply with the policies of the NPPF, taken as a whole. The presumption in favour of sustainable development carries substantial weight, as does the contribution the development would make to the provision of housing to meet the needs of the District.

It is therefore concluded that planning permission should be granted.

CONDITIONS

- 1 Details of the means of access to the building(s) and site, appearance of the building(s), landscaping of the site, layout of the site and its relationship with adjoining development, and the scale of building(s) (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved. **REASON:** To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning

Act 1990 (as amended).

- 4 The access hereby permitted shall be constructed strictly in accordance with the details shown on the site location plan and approved drawing(s) 5824/LP 001 and specification contained therein, submitted on 02/02/16. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2 and DP6 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved 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. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 6 The development hereby permitted shall not be commenced 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 Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety.
- 7 The development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
- 8 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and shall be retained at all times thereafter. **REASON:** To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan.

- 9 Prior to the submission of any Reserved Matters applications for any phase of development:
- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA.
 - b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI shall be undertaken. A report detailing the results of this fieldwork shall be submitted to the planning authority.
 - c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) shall be submitted to and approved in writing by the LPA. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.
- The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document. **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 where applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 10 The development hereby permitted shall not commence until a Construction and Environmental Management Plan (in accordance with the British Standard on Biodiversity BS 42020:2013) has been submitted to and approved in writing by the District Planning Authority. The Construction and Environmental Management Plan should include details concerning pre-commencement checks for protected and notable species with subsequent mitigation and monitoring, as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 11 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as water bodies, native species planting, wildflower grasslands; woodland creation/enhancement, provision of habitat for protected species. Such approved measures shall thereafter

be implemented in full. **Reason:** To ensure a net biodiversity gain in accordance with NPPF.

- 12 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 13 No development shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority. The scheme shall provide for the lighting to be restricted around the boundary edges, along hedgerows, around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:
- a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;
 - b. the brightness of lights should be as low as legally possible;
 - c. lighting should be timed to provide some dark periods;
 - d. connections to areas important for foraging should contain unlit stretches.
- The agreed scheme to be fully implemented before/during development of the site as appropriate. **Reason:** To ensure appropriate measures are taken in relation to protected species in accordance with Policy DAP3 of the Warwick district local Plan 1996-2011 and the aims and objectives of the NPPF.
- 14 No development shall take place until a detailed 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 in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:
- 1) Infiltration testing undertaken in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy

is a viable means of managing the surface water runoff from the site.

2) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C697, C687 and the National SuDS Standards.

3) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 30% (allowance for climate change) critical rain storm to ideally the Greenfield runoff rates for the site. As a minimum, the developed site must not exceed the run-off from the undeveloped site and must not increase the risk of flooding off-site.

4) Demonstrate the provisions of surface water run-off attenuation storage in accordance with the requirements specified in *Science Report SC030219 Rainfall Management for Developments*.

5) Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements.

Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.

6) Confirm how the on-site surface water drainage systems will be adopted and maintained in perpetuity to ensure long term operation at the designed parameters.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with Policies DP3 & DP11 of the Warwick District Local Plan 1996-2011.

- 15 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: a construction phasing plan; the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; a HGV routing plan; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 16 No dwelling shall be occupied until the detailed drawings for the layout of the emergency access has been submitted and approved in writing by the Local Planning Authority. Not more than 100 dwellings are to be occupied until the emergency access has been implemented in strict

accordance with the approved details. Thereafter no motorised vehicle access for the development will be obtained from Offchurch Lane, apart from emergency vehicles accessing the development when required to deal with an incident. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

- 17 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive road traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road traffic noise shall be submitted to and approved in writing by the local planning authority. The location, internal layout, and orientation of residential dwellings should be designed to situate habitable rooms away from road traffic noise and building structures should be used to provide quiet garden areas where possible. If acceptable noise levels still cannot be achieved by optimising the design of the development then the use of acoustic glazing and acoustic ventilation will be considered as a viable alternative. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To ensure that future occupiers do not experience any unacceptable disturbance from road traffic noise in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 18 The development hereby permitted shall not commence until: -
- (1) (a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
- a risk assessment to be undertaken relating to human health;
 - a risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected;
 - an appropriate gas risk assessment to be undertaken;
 - refinement of the conceptual model; and
 - the development of a method statement detailing the remediation requirements.
- (b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
- (c) 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 the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion and shall be approved in writing by the local planning authority prior to the remediation being carried out on the site.
- (2) All development of the site shall accord with the approved method statement.

(3) If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

(4) Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 19 No development shall take place unless and until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.
- 20 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, 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.
- 21 The building heights of dwellinghouse submitted under the reserved matters stage shall not exceed two-storey. **REASON :** To secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 22 Any landscaping (other than the planting of trees and shrubs) approved under condition 1, including boundary treatment, paving and footpaths, shall be completed in all respects for that phase of development, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings within that phase and the tree(s) and shrub(s) shall be planted within six months of that first use.

Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(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. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 23 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, 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) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(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 landscape features 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 Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 24 The mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites". **REASON:** To ensure that the housing meets the needs of the District as required by Local Plan Policy SC1 and the NPPF.
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