

Application No: [W / 18 / 0606](#)

Town/Parish Council: Bishops Tachbrook
Case Officer: Dan Charles

Registration Date: 26/03/18

Expiry Date: 25/06/18

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Land at the Triangle, Lower Heathcote Farm, Warwick

Outline application for up to 150 dwellings (including 40% affordable), and public open space. Access provided from consented Lower Heathcote Farm development, all other matters are reserved for future determination. FOR
Gallagher Estates Ltd

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

RECOMMENDATION

Planning Committee are recommended to GRANT outline planning permission, subject to the conditions listed at the end of this report and a Section 106 Agreement to secure the necessary financial contributions/obligations as set out in the report.

Should a satisfactory Section 106 Agreement not have been completed by 7 January 2019, Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposal makes inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

The proposal is for an outline application for up to 150 dwellings with all matters reserved other than access.

Access to be created as a continuation of the existing spine road forming part of the wider development site.

It is proposed to provide 40% of the dwellings as affordable units.
The remaining matters would be reserved for a separate submission.

THE SITE AND ITS LOCATION

The site forms part of the wider H02 Housing Allocation.

The site is a roughly triangular parcel of land that is flanked to the north by the ongoing housing development. To the east lies the disused sewage treatment works that also forms part of the housing allocation site. To the south and west is the area of open land allocated for use as a country park.

The site is open parcel of grassland. The boundaries of the site to the east, south and west are made up of hedgerows.

PLANNING HISTORY

Lower Heathcote Farm

W/14/0661 - Residential development up to a maximum of 785 dwellings; Provision of three points of access - one from Europa Way and two access points onto Harbury Lane; A mixed use community hub/local centre to include retail development (Class A1 to A5 inclusive) and community buildings (Class D1); Potential provision of a primary school; Comprehensive green infrastructure, continuous open space network and multi-functional open space, including children's play space, potential open space for sport, informal open space and SUDS; Potential provision of allotments; Potential footpaths and cycle ways; Foul and surface water drainage infrastructure, including attenuation ponds; Ancillary infrastructure and ground remodelling. (Outline application including details of access) – **GRANTED 19.09.2014**

W/15/1473 – Submission of all reserved matters as required by Condition 1 (in part, insofar as they relate to Phase 2B only- 435no. dwellings); imposed on planning permission reference W/14/0661 granted on the 19th September 2014 for residential development up to a maximum of 785 dwellings – **GRANTED 23.12.2015**

W/15/1740 – Submission of reserved matters (layout, scale and appearance) as required by Condition 1 (in part, insofar as they relate to infrastructure works - main spine roads, attenuation ponds, drainage and services); imposed on planning permission reference W/14/0661 granted on the 19th September 2014 for residential development up to a maximum of 785 dwellings – **GRANTED 22.01.2016**

W/15/1862 - Submission of all reserved matters as required by condition 1 (in part, insofar as they relate to Phase 1B only- 350no. dwellings); imposed on outline planning permission ref: W/15/1452 granted on the 24th February 2016 for residential development up to a maximum of 785 dwellings – **GRANTED 18.03.2016**

Grove Farm (Oakley Grove)

W/14/0023 – Outline for residential development (approximately 200 dwellings) with new access onto Harbury Lane, land safeguarded for a new primary school, allotments, open space, local shop (A1 use up to 100 sqm gross), car parking and associated infrastructure: **GRANTED 29.05.2014**

W/14/1865 - Reserved matters application for the layout, scale and appearance of 90 dwellinghouses comprising one and two storey housing together with associated garages, parking facilities, infrastructure, landscaping and drainage, forming Phase 1 of the Grove Farm Harbury Lane development granted under outline planning permission W/14/0023: **GRANTED 08.05.2015**

W/15/0851 - Outline planning application for residential development for (approximately) 520 dwellings together with two new accesses onto Harbury Lane, land for Country Park, open space (including areas of formal and informal open space, allotments, structural landscaping and drainage works including surface water attenuation ponds as part of a Sustainable Drainage System),

demolition of existing buildings, car parking and associated infrastructure –
GRANTED 20.08.2015

W/15/1630 - Submission of reserved matter in respect of phase 1 landscaping for 90 dwelling houses comprising one and two storey housing together with associated garages, parking facilities, infrastructure and drainage, forming Phase 1 of the Grove Farm Harbury Lane development granted under outline planning permission W/14/0023 – **GRANTED 22.07.2016**

W/16/2356 - Reserved matters application for the appearance, layout, landscaping and scale of the infrastructure works (principally drainage pond, drainage routes, public open space and roads and footpaths, and hereinafter referred to as Oakley Grove Phase 2A) pursuant to condition 1 of previously approved outline application ref: W/15/0851 – GRANTED 20.06.2017

W/17/0039 – Reserved matters application for the layout, landscaping, scale and appearance of 130 dwelling houses comprising 1.5, 2 and 2.5 storey housing together with associated garages, parking facilities, landscaping, infrastructure and drainage, forming Phase 1B of the Oakley Grove Harbury Lane development granted under outline planning permission W/14/0023 – GRANTED 24.05.2017

W/17/0438 - Application for Reserved Matters pursuant to condition 1 of planning permission ref: W/15/0851 for details of appearance, landscaping, layout and scale of 194 dwellings together with associated highway infrastructure, footpaths, parking and open spaces with children's play area, constituting Phase 2b and pursuant to previously approved outline application ref: W/15/0851 – **GRANTED 13.06.2017**

W/17/0690 – Reserved matters application for the appearance, landscaping, layout and scale of 208 dwellings forming Phase 2c of the Oakley Grove Harbury Lane development, pursuant to previously approved outline application ref: W/15/0851 – GRANTED 28.07.2017

W/18/1431 - Application for Reserved Matters pursuant to condition 1 of planning permission ref: W/15/0851 for details of access, appearance, landscaping, layout and scale of 108 dwellings together with associated highway infrastructure, footpaths, parking and open spaces with children's play area, constituting Phase 2d – **PENDING CONSIDERATION**

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS4 - Spatial Strategy (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029)

- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029)
- DS10 - Broad Location of Allocated Sites for Housing (Warwick District Local Plan 2011-2029)
- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029)
- DS15 - Comprehensive Development of Strategic Sites (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029)
- TR3 - Transport Improvements (Warwick District Local Plan 2011-2029)
- TR4 - Parking (Warwick District Local Plan 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE4 - Protecting Historic Parks and Gardens (Warwick District Local Plan 2011-2029)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- W1 - Waste Core Strategy (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Warwickshire Landscape Guidelines SPG
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- LES - Low Emission Strategy Guidance for Developers (April 2014)
- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: Objection. The Parish Council can see no justification for granting this application as it exceeds the remaining housing allocation for H02 by 87.5% and these would be in the wrong place to meet DS4 Spatial Strategy policy, requires a further diminution of the area that is designated Country Park due to the Suds pool that should be within the development site and would increase the current overprovision of dwelling sites to 2,325 more than the 16,776 (14%) assessed housing need, without reassessing the environmental and sustainability implications of the Local Plan. Consequently the application is not in accordance with the Development Plan without any material considerations to indicate otherwise and therefore does not meet Sections 38(1) & (6) of the Planning & Compulsory Purchase Act 2004 and Section 70 (2) of the Town & Country Planning Act 1990.

Royal Leamington Spa Town Council: Have commented that they would expect that improvements to the infrastructure needed to support this development are in place to coincide with occupancy of the housing.

WDC Planning Policy: The application site forms part of the wider strategic allocation H02, for which several applications have been granted for other phases of development. As highlighted in the applicants planning statement, these previous applications coupled with the current application exceed the estimated quantum of housing for H02. However, it should be noted that the quantum of housing indicated at each allocation as part of Policy DS11 is an estimate, and that that the number of dwellings on each site may vary as more detailed technical appraisals are conducted as part of putting together an application, as detailed in para 2.40. Therefore, as long as the additional dwellings and their impacts remain compliant with all other Local Plan policies, this additional volume is entirely acceptable in policy terms.

Warwickshire Fire and Rescue: No objection subject to condition to secure adequate fire hydrants and water supply for fire fighting purposes.

WDC Policy and Projects (Local Labour): Request a local labour requirement to be incorporated into the S106 Agreement.

WDC Environmental Protection: No objection subject to conditions regarding Air Quality Mitigation, Contaminated Land, Noise Mitigation and a Construction Management Plan.

WDC Conservation: Recommend that the development is considered in line with adjacent developments - lower density and amendments to the Design and Access Statement to reflect the design code of adjacent sites.

WDC Housing Strategy: Welcome the commitment to provide 40% affordable homes. The preferred requirements for the mixture of size, tenure and property type can be agreed at the time of submission.

WDC Sports and Leisure Officer: Recommend contributions to indoor and outdoor sports secured through the Section 106 Agreement.

WDC Open Space Officer: Two typologies of open space are provided on site, totalling 1.38ha, that accord with the design guidance for the area. All other types of green space will be provided within the Country Park subject to an

agreed financial contribution of £850,000. On this basis, recommend that this is secured through the Section 106 Agreement.

WCC Highways: Recommend that strategic transport modelling is carried out and the transport statement updated to demonstrate how the access arrangements have been considered and how the site will link into adjacent strategic sites. Following receipt of additional information, no objection is raised subject to conditions and financial contributions towards highways improvements.

WCC Ecology: Generally satisfied with survey work undertaken. Recommend conditions and notes to be added to any permission granted. Also recommend appropriate Biodiversity Offsetting and Skylark mitigation is secured through the Section 106 Agreement.

WCC Landscape: Consider insufficient landscaping information has been submitted with the application to integrate the development with the wider open countryside.

WCC Flood Risk Management: Following the receipt of additional information, no objection is raised to the proposal on drainage grounds subject to the imposition of a detailed surface water drainage scheme.

WCC Fire and Rescue: No objection subject to condition to secure appropriate water supplies and hydrants for firefighting purposes.

WCC Public Health: Have provided guidance for advice and recommendations for how good planning can encourage health, active and sustainable communities.

WCC Infrastructure: Request financial contributions of £11,250 for sustainable travel packs, £3,283 for libraries and £1,677,381 for Education and Learning.

NHS Clinical Commissioning Group: Recommend contribution of £59,045 towards doctor's surgery etc provision.

Warwickshire Police (Community Safety): Recommend that development proceeds in accordance with the Secured by Design (New Homes 2016) standards.

Warwickshire Police (Infrastructure): Recommend contribution of £32,639 towards additional policing demands as a result of the development.

ASSESSMENT

Principle of Development

Five Year Housing Land Supply

The most up to date Five Year Housing Land Supply (5YHLS) figures state that as of 1 April 2018, the District Planning Authority is able to demonstrate a 6.49 year Housing Land Supply.

Local Plan

The application site is identified within the Local Plan as a site for new housing development as part of the wider strategic urban extension to the south of Warwick and Leamington. The land forms part of the H02 allocation.

The current Local Plan has the most up to date evidence base for the allocation of new housing land and this site forms part of the strategic expansion of Warwick and Leamington as defined within Policy H1.

Policy DS11 sets out the allocations of housing development and gives an overall figure for each of the allocated sites. The overall allocation for new dwellings on the H02 Allocation within the Local Plan identified up to 1605 dwellings.

The land has been split into two areas known as Lower Heathcote Farm and Grove Farm (known as Oakley Grove). There have been a number of outline permissions granted for developments on the site for approximately 1505 dwellings.

Reserved Matters submissions across both sites result in a total 1515 dwellings. Therefore, taken into consideration with the overall allocation, a remaining balance of 90 dwellings remains when assessed against the allocation (excluding the sewage works site that has a separate allocation of up to 215 dwellings). This proposal for up to 150 dwellings would result in a total of 1665 dwellings on the site. This would result in an overprovision of dwellings across the strategic allocation of 60 dwellings. When considered as a percentage, this equates to an over-provision of approximately **3.8%**.

Consideration of the over-provision of housing numbers

The explanatory text to DS11 states that the sites were assessed against a number of criteria and an estimated figure for the number of dwellings for each site is shown. It also states that it is recognised that this figure may vary dependent on detailed planning at the application stage.

When considering the additional numbers above the allocation, Officers note that Strategic Policies DS2 and DS3 of the Warwick District Local Plan seek to support the provision of homes that are required within the District as identified within the Objectively Assessed Housing Need. These policies also require development schemes to provide an appropriate level of affordable housing and a mix of new homes of all tenures.

The above policies are based upon the Government objective of significantly boosting housing supply. Furthermore, Policy DS6 identifies a minimum of 16,776 new dwellings during the local plan period of 2011 to 2029. Current rates of new development require the provision of 1,098 dwellings per year for the remaining Local Plan period until 2029.

Policy DS7 sets out the methodology for the provision of new housing over the plan period. The figures set out that the plan period has a significant number of site completions, extant permissions, existing commitments and new dwellings proposed through the sites that are allocated within the plan.

In addition to the identified sites, an additional 1010 dwellings have been earmarked within the Local Plan housing figures that would potentially come forward through windfall sites.

In essence, the additional 60 dwellings proposed on this site could be considered as a windfall insofar as they would be additional dwellings not identified within the allocation but capable of being satisfactorily assimilated onto the site which is located within a sustainable area.

The potential impact of seeking additional windfall sites for 60 dwellings within the District would be limited and would result in small, sporadic development. In such cases, where these developments came forward on sites of 10 or less units, there would be no requirement for the provision of 40% of the units to be affordable housing. This proposal therefore provides for an additional 24 affordable units, which might not otherwise come forward.

The scheme identified on the indicative Masterplan submitted for the site demonstrates that the site can accommodate the additional dwellings above the allocation onto the land without representing an overdevelopment of the site. The site as indicated shows areas of open space around the dwellings which provide a buffer zone between the built form and the site boundaries.

In addition, the proposed development provides for the provision of a strategic link through the site to link the Lower Heathcote Farm site to the Sewage Works site (a separate allocation for housing of up to 215 dwellings) which in turn will link into the Oakley Grove site to provide an improved spine road connectivity throughout the housing development allocated under H02.

Paragraph 140 of the Inspectors Final Report on the Local Plan stated that the former sewage treatment works and residual land adjacent to it form an important element linking the two main areas of development already committed and provide the opportunity to develop the overall site comprehensively, including facilitating a spine road, thus making an important contribution to housing land supply.

The location of this application site allows the creation of this strategic link. In order to ensure that the appropriate link is delivered to the Sewage Works site, the outline planning permission would be subject to a condition/obligation to deliver the spine road up to the very boundary of the site with the sewage works to prevent the creation of a ransom strip. This would then allow for connection to the adjacent land parcel without any undue complication.

The additional dwellings located on this site would not place undue pressure on local infrastructure. No objections have been raised from statutory consultees that the additional pressure would not be able to be mitigated for. Appropriate contributions have been sought to mitigate the additional households in terms of education and provision of healthcare etc.

The proposal has been submitted with an Air Quality Statement that demonstrates that the level of dwellings proposed would not result in harm to Air Quality and the impact remains as negligible and can be appropriately mitigated for.

Overall, Officers consider that the site is located in a sustainable area and the additional 60 dwellings would not result in an overprovision that would be

detrimental to the overall strategy of the plan. The additional units would also provide additional affordable homes for the District when compared against smaller, individual development of sites which is considered to be of significant benefit for the scheme. Appropriate infrastructure can be delivered through contributions contained within the Section 106 Agreement to satisfactorily incorporate the additional requirements of the extra 60 dwellings proposed across this development site.

Assessment of the proposed housing provision

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing, based on current and demographic trends, market trends and the needs of different groups in the community. It goes on to state that local planning authorities should identify the size, type, tenure and range of housing that is required in different locations.

In accordance with these requirements, all development must accord with the Strategic Housing Market Assessment for Warwick District that requires a mix of housing sizes of 1, 2, 3 and 4+ bedroomed dwellings based upon the market assessment for the area.

The applicant has confirmed that a comprehensive mix of unit types will be proposed ranging from one bedroomed to four+ bedroomed houses, which can be controlled by a suitably worded condition to ensure that this is followed at reserved matters stage. An affordable housing allocation of 40% will be incorporated into the design and these dwellings will be integrated across the site.

The affordable housing would be secured by a Section 106 agreement to accord with Policy SC11.

Design

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

As part of the wider Lower Heathcote Farm development, a Design Code was approved that set certain standards for the new developments to ensure that the development comes forward with a coherent design ethos.

The current application has been submitted with a Design Code, submitted within the Design and Access Statement that follows the previous requirements as set out across the wider Lower Heathcote Farm site.

The submitted Design Code follows all of the parameters set out in the Design Code approved under the original outline application (W/14/0661). The overall density of development is proposed to mirror that already set on the wider site at between 35-45 dwellings per hectare. The indicative density as set out in the applicants Design and Access Statement would be approximately 41 dwellings per hectare. Officers are therefore satisfied that the development would satisfactorily correlate to the wider Lower Heathcote Farm site.

The final design of the scheme would be considered at Reserved Matters stage and it is at this stage, the proposal would be assessed against the requirement of the Design Code to ensure that the finished form of the development would be in keeping with the wider Lower Heathcote Farm development to provide a comprehensive development across the whole allocation.

Impact on visual amenity and the character of surrounding area

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

Views from outside the site are mitigated by existing mature boundary planting along the public highway known as Europa Way. In addition the site boundary is proposed to be retained and supplemented with additional planting where necessary to the south of the site, where it is adjacent to the proposed Country Park.

It is noted by Officers that the site will be read against the backdrop of further residential development on the parcel of land to the immediate north of the application site and this is an important consideration when considering the visual impact of this development. Moving forwards, the site would also be flanked by the residential development of the adjacent sewage works site that flanks the entire eastern boundary of the application site which would further aid the amalgamation of the site into the urban extension.

When viewed from within the site, the development would be seen as a natural continuation of the existing urban extension and would not be out of character or unacceptable development within the context of the site.

The scheme as identified on the indicative masterplan identifies areas of open space that form an integral element of the overall proposal. The result on the increased green spaces is a development that seeks to bolster the amount of tree planting within the site compared to the sparse level of planting currently within the site boundaries. The retention of appropriate areas of open green space within the development gives an overall feeling of a development site that is sensitive to the edge of the settlement with the country park and creates a more green and 'leafy' form of development that is appropriate for this location.

At this stage, it is acknowledged that the masterplan drawing is indicative only and the overall landscaping strategy for the site would be provided at reserved

matters stage. However, the indicative masterplan clearly demonstrates that the provision of a scheme for 150 dwellings would provide for appropriate areas of additional planting and green space within the site. Any proposed landscaping scheme would be subject to negotiation with the Landscape Officer to agree a suitable solution for the treatment of the site and this will be submitted as part of the reserved matters application.

The proposal also incorporates the provision of a Sustainable Drainage Pond to be located within the land allocated within the country park area. This would result in a reduced area of grassland associated with the country park due to the proposed pond. When considering this aspect, Officers note that the scheme involves the provision of an additional contribution of £850,000 to mitigate for the impact of the SUDS pond.

The contribution will be used to provide a range of enhancements to the Country Park to improve the quality of the parkland area. The contribution is also proposed to provide additional facilities such as youth recreation areas within the park to provide an area with greater potential to draw in future users without being detrimental to the overall design ethos of the park.

In addition, , the pond is proposed to be incorporated into the design of the overall country park and subject to the detailed design, has the potential to enhance the character and appearance of parkland area by providing a greater range of features within the park area for future users to appreciate

Overall, Officers are satisfied that subject to an appropriate scheme being brought forwards at Reserved Matters stage, the scheme would have an acceptable impact on the character of the area and wider

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The perimeter of the site predominantly abuts the area of land to be used as a country park where there would be no near neighbours that would be directly affected by the residential development of the site.

To the north of the site are the current dwellings being built as part of the wider strategic housing allocation. These dwellings are in the process of being constructed. As this development is outline only, there is no specific layout other than the indicative masterplan. Whilst this does not form the final layout of the scheme, it does satisfactorily demonstrate that appropriate separation distances can be provided between the development sites to provide an appropriate level of amenity for the occupiers of the dwellings on both sites.

The ample landscaping and public open space shown on indicative plans will assist in ensuring the new development provides a high quality residential environment. Such details will be considered in greater detail at the reserved matters stage.

As the application is outline only, no assessment is made of the potential future living conditions for occupants of the proposed dwellings and this will be considered at reserved matters stage.

Provision of an appropriate living environment for future occupants of the proposed development

The development provides a high quality environment which achieves the Council's design guidelines.

In terms of noise, the application has been submitted with a Noise Assessment that carried out a range of monitoring of noise sources that could affect future occupants in both the construction phase and occupation phase.

Following the assessment of the monitoring results, the report concludes that the impact during construction phase would be negligible subject to some site specific mitigation works.

The assessment also concludes that once the dwellings are occupied, the potential noise impact from noise sources (primarily the local highway network) would also be negligible subject to some mitigation incorporated into the design of the dwellings. This can be secured through planning conditions.

The amount of open space and landscaping proposed across the development would create an overall sense of spaciousness which would enhance the sense of place and overall amenity value for future residents. Officers are satisfied that the development accords with Policy BE3 of the Local Plan.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposed development is to be served by a single access point that extends from the existing, approved housing development. This route will create a spine road through the development that will connect to the adjacent parcel of land at the former sewage works and beyond that the land at Oakley Grove.

The original response of the Highways Authority was one of objection on the grounds of a lack of strategic transport modelling and linkages with adjacent sites together with some site specific concerns about the internal layout. On this basis, the applicants reviewed the response and have submitted an updated Transport Assessment.

The Highways Authority has considered the updated transport assessment which provides an assessment of the site and the wider impact on the highways network for the proposed 150 dwellings. The report concludes that there would be no material impact as a result of the additional dwellings on the local highway network that cannot be satisfactorily mitigated for. On this basis, the Highways Officer has raised no objection to the proposals subject to conditions to secure the detail of the access into the site and contributions towards local

infrastructure improvement to mitigate the potential traffic increase as a result of the development together with improvements to pedestrian and cycle links on the Harbury Lane corridor.

Subject to the imposition of appropriate conditions and associated contributions, no objection is raised on highway safety grounds and the proposal is considered to comply with Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The County Ecologist has assessed the submitted ecological survey work and has undertaken a Biodiversity Impact Assessment (BIA). The biodiversity impact score has been calculated by the County Ecologist as resulting in a net biodiversity loss, which is contrary to NPPF.

The County Ecologist considers that some of the loss of Bio-diversity can potentially be offset through the design of the scheme at Reserved Matters stage subject to assurances that this will be implemented. Any residual loss of Bio-diversity as a result of this application can be appropriately mitigated through a Bio-diversity offsetting contribution. This can be secured and agreed through the Section 106 agreement.

In addition, the County Ecologist has also recommended that an area of land within the Country Park area is set aside for Skylark mitigation to offset the impact as a result of the development of this site. The most appropriate mechanism to secure this requirement is through a financial contribution secured within the Section 106 Agreement.

The Ecologist has also suggested a number of conditions to safeguard protected species and secure a suitable Construction and Environmental Management Plan; a Landscaping and Ecological Management Plan; tree protection measures; and a lighting scheme, together with explanatory notes regarding protected species.

Subject to the required obligations in the Section 106 and the imposition of the requested conditions, Officers are satisfied that the development is acceptable having regard to Policy NE3 of the Local Plan.

Other Matters

Drainage

Policies FW1 and FW2 seek to ensure that all new development reduces potential flood risk within the site and new major developments provide appropriate Sustainable Urban Drainage Systems to deal with surface water drainage associated with the development to prevent increased flood risk elsewhere.

In terms of surface water drainage, the site is within Flood Zone 1, and it is proposed to install a balancing pond located within the adjacent country park area to ensure run-off does not exceed existing green field rates plus allowance for

climate change. The Lead Local Flood Authority has raised no objection to the scheme, subject to detailed design to be secured by condition.

In terms of foul sewage, it is indicated that the dwellings are proposed to connect to the mains sewers in the local area. This would be subject to separate approvals with Severn Trent. It is appropriate to attach a condition seeking the details of the drainage to be submitted and approved.

Subject to the imposition of the requested conditions, no objection is raised in regard to drainage.

Trees and Hedgerows

The site is currently an open field with limited vegetation located within the site area other than on the boundaries.

A significant part of the proposal is to enhance the tree planting on the site as part of the development to create a softening effect to provide an appropriate environment for the new housing that will also mitigate the potential impact on the open countryside. This has the added benefit of significantly increasing the level of tree planting within the site and this is to be welcomed from both an aesthetic view point as well as a biodiversity view point.

The specific types of tree and final landscaping design will be subject to a further submission through the reserved matters but at this stage, the indicative masterplan submitted shows significant additional tree planting which is appropriate for this land.

Air Pollution

The application was submitted with an Air Quality Assessment together with a Sustainability Statement.

The Air Quality Assessment carried out a series of monitoring of existing conditions and then these were modelled with the future impacts of the development based upon accepted standards. The report concludes that there would be no material impact on Air Quality as a result of the development and the air quality standards would be well below the air quality objectives target.

The Sustainability Statement identifies a range of low-carbon and sustainable energy sources that can be incorporated within the final design subject to an assessment of the overall site conditions. These elements will also promote reductions in emissions from the site further aiding the reduction in emissions that could affect air quality in the area.

The Environmental Sustainability Officer has made an assessment of the proposal and raised no objection subject to conditions seeking the submission of a Low Emission Strategy identifying appropriate air quality improvement measures including under the District Councils Air Quality Action Plan and Low Emission Strategy Guidance as necessary. This 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.

Appropriate mitigation measures such as electric vehicle (EV) recharging provision and other locally specific measures to be used to minimise and/or offset any emissions from new development can be secured by condition.

In addition to the above requirement, it is noted that contributions towards local infrastructure and public transport improvements have been requested by the Highways Authority in respect of this proposal. These contributions seek to assist in the provision of alternative forms of sustainable transport opportunities from the site to further seek to reduce the impact on air quality as a result of the scheme may also be considered an appropriate part of that approach.

Officers are satisfied that these are technical matters and the specific details can be secured by the requested condition so as to make the proposed development acceptable. The highways contributions would be secured through the Section 106 Agreement.

Archaeology

Policy HE4 of the Local Plan requires an appropriate evaluation of potential archaeological remains. Where a development has the potential to have an adverse effect on archaeological remains, mitigation would be required through an appropriate form of archaeological investigation.

The County Archaeologist has considered the proposal and noted that the earlier outline application assessed the archaeological potential of the site including this site. A range of evaluative archaeological fieldwork that included trial trenching was carried out across the site.

The results of the survey work and trial trenching were submitted in a report with the supporting information to the earlier application. In light of the results of the earlier trial trenching, the County Archaeologist has advised that no further archaeological investigation would be required with the proposed development.

Officers are therefore satisfied that the proposal is in accordance with Policy HE4 of the Local Plan.

Health and wellbeing

The site contains appropriate areas of open space for use by future occupants. The area of land set out for open space has been considered by the Open Space Officer who is satisfied with the open space provision within the site.

The original purpose of the site was identified at outline stage as informal open space. The area was not required to provide open space facilities to accommodate any shortfall of open space provision within the existing housing areas. The land was in essence, additional land above the requirements of the housing areas and not an essential element of green infrastructure. Certain elements were proposed on the land such as a Multi-Use Games Area, a play area and allotment space.

Additional open space areas are to be provided within the Country Park area as stated earlier in the report to improve the destination quality of the Parkland area. The proposal aims to mitigate for the offsetting of elements of open space

provision as set out above that were previously proposed for the land. This is in the form of an off-site contribution of £850,000 has been negotiated and secured by the Open Space team to improve the facilities within the adjacent country park.

In providing justification for these changes, the submitted Planning Statement sets out the background to the contribution and its purpose. This states;

"The outstanding obligations in respect of allotments and other forms of public open space that were originally planned to be delivered on the application site, will be covered through a financial contribution. The financial contribution is designed to be utilised to fund the provision of a range of recreational facilities within the Tachbrook Country Park, proposed to the south, to be specified within the S106 Agreement. These facilities are proposed to include allotments, a Multi-Use Games Area (MUGA), a destination children's play area, a kick about area for mini football, as well as linking footpaths and a car park. In addition, Gallagher Estates are also in agreement to paying the full contribution prior to the first occupation of any dwelling granted permission on this site, rather than at stages through the developments' progress. This will greatly assist the Local Authority in the comprehensive and timely delivery of these facilities."

The key element of change is the relocation of the proposed MUGA. This has the added benefit to future residents of being sited further away from residential properties which would reduce the potential for noise disturbance as a result of its use.

The final detail and form of the open space areas will be provided within the Reserved Matters submission for later consideration.

Warwickshire Police have raised no objection to the outline scheme subject to a financial contribution towards additional policing requirements for the area as a result of the additional dwellings.

The proposal has also been considered by the County Education Authority who are satisfied that the additional numbers of units will not result in undue pressure or strain on local schools, subject to an appropriate contribution to mitigate the additional demand placed on education as a result of the development.

In general terms it is proposed to ensure that the development follows Secured by Design principles through the imposition of an appropriate condition. This will assist in minimising the potential for crime and improve community safety for future residents.

Impact on local services

The proposed development of up to 150 dwellings would create significant additional demand for local services and to mitigate this, contributions towards community facilities would be required.

Negotiations into the levels of contributions are still ongoing and must be resolved to the satisfaction of the Local Planning Authority before a decision can be issued.

Having considered the available evidence, the contributions are considered to be in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. A development of 150 dwellings on this site would have a material impact on or need for affordable housing, education, open space, health care, sports facilities, drainage, monitoring costs, and rights of way, employment/training for locals and highway matters.

This a particular issue given the cumulative impact that is expected from the substantial level of housing growth proposed across the District. It is reasonable to expect a development of this size to contribute towards the additional costs associated with meeting these increased demands. The relevant consultees are currently seeking to identify specific projects and locations where this money would be spent. Therefore it is considered that appropriate contributions are necessary to make the development acceptable in planning terms and subject to being directly related to the development, are fairly and reasonably related in scale and kind to the development (as required by Regulation 122).

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the current time, the following financial contribution requests have been received;

Sustainable Travel Packs - £11,250.
Libraries - £3,283.
Education and Learning - £1,677,381.
Sustainable Transport Infrastructure - £140,000
Identified Junction Improvements - £400,000
NHS Clinical Commissioning Group - £59,045.
Warwickshire Police - £32,639.
Indoor Sports Facilities - £124,822.
Outdoor Sports Facilities - £10,683.
Contribution towards Country Park - £850,000

At the time of writing, further requests are currently outstanding regarding Hospital Provision and improvements to public rights of way. Where possible, these will be provided within the update sheet.

Additionally, the Section 106 Agreement will also secure the following;

40% Affordable Housing
Appropriate mechanism for securing Biodiversity Offsetting Payments (as required)
Appropriate mechanism for securing Skylark Mitigation.
Adoption of Open Space Areas.
SUDS Maintenance.
Local Labour Agreement.
Monitoring Fee of 1% or £30,000 whichever is the lesser.

Conclusion

The site is allocated within the Local Plan for residential development as part of allocation H02. When taken into consideration with the extant planning permissions for 1515 dwellings across the site, the proposed number of dwellings would exceed the overall allocation of 1605 dwellings by 60 units which equates to approximately 3.8% above the overall allocation. The applicant

has demonstrated that the site is capable of accommodating a very high quality scheme at that level which is acceptable in overall terms including in respect of the integration of built development within the surrounding landscape and the site provides additional benefits in securing an appropriate highway linkage to the adjacent site to provide a comprehensive development across the overall allocation.

For the above reasons, Officers recommend that outline planning permission be granted subject to the conditions listed and the signing of a Section 106 Agreement.

CONDITIONS

- 1 Details of the appearance, landscaping, layout and scale of the development (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 strict 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 No part of the development hereby permitted shall be commenced until a detailed access plan including details of the proposed alterations to the highway has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Highways Department. Thereafter, the approved access shall be carried out in general accordance with the approved details prior to the first occupation of any dwellings constructed on the site. **REASON:** In the interest of highway safety and to ensure appropriate access is available for the future occupiers of the dwellings.
- 5 The Reserved Matters submission shall include details of the spine road extending up to and including the application site boundary to the east of the development where it meets the former sewage works land. The road shall be detailed as providing a carriageway in accordance with adoptable highway standards. **REASON:** To secure an appropriate linkage to the adjacent residential allocation to provide a comprehensive transport strategy for the development in accordance with Policy DS15 of the Warwick District Local Plan.
- 6 No development shall take place under any reserved matters consent until a construction phasing plan of the development has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in strict accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development.

- 7 No reserved matters application for any residential phase of the development shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a Site Wide Masterplan for the approved development in accordance with the principles set out within the Council's approved document 'Garden Towns, Villages and Suburb: A Prospectus for Warwick District Council, May 2012' (and any subsequent revision and/or approved plans/strategy available at the time), and which shall also accord with the principles set out in the approved Site Wide Design Code. The Site Wide Master Plan shall include the following:
- Illustrative details of how the proposed layout of development has been designed with due regard to the surrounding urban and rural context
 - Land form topography as existing and proposed
 - Land use plan and character areas (including densities and building heights)
 - Movement corridors within the site (including principal roads, public transport corridors, footpaths, cycleways and green corridors) and demonstrating how these relate to existing movement networks in the wider area
 - Location of any areas for off-street car parking areas and courts
 - Key infrastructure (including SUDs, significant utility provision, schools, district/local centres)
 - Landscape corridors and open space network
 - Public open space
 - Housing mix including tenure and size of dwelling
 - Location of affordable housing
 - Street tree planting and other structural planting landscape areas
 - Hard and soft landscaping treatments
 - Street lighting arrangements and any other lighting to public space
 - A phasing plan including triggers for delivery of key elements of supporting infrastructure
 - A statement establishing how the development proposals accord with the principles set out in the Site Wide Design Code.

REASON: In the interests of good urban design and a comprehensively planned development in accordance with NPPF and Policies DS7, DS15, BE2 of the Warwick District Local Plan 2011-2029.

- 8 No reserved matters application for any residential phase of the development shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a final Site Wide Design Code for the approved development. This Design Code shall be in accordance with the principles and parameters as set out within the DAS, the plans and documents listed in condition 4 above and "Garden Towns, Villages and Suburbs: A

Prospectus for Warwick District Council, May 2012" (and any subsequent revision and/or approved plans/strategy available at the time). The Design Code shall include the following matters:

- hierarchy of streets/routes/sections (including the extent of adoptable highways and associated areas)
- Development blocks including built form and massing and relationship with adjoining development areas/blocks including areas of transition between development parcels (including the relationship between built form and adjoining open space);
- Building types
- Building heights
- The means to accommodate the parking of vehicles and cycles
- Sustainable Urban Drainage features
- Key spaces, open spaces and green features
- Architectural language and detailing
- Design principles for street tree planting and other structural planting landscaping areas
- Design principles on hard and soft landscaping treatments (including surfacing materials for all public realm) and proposals for their long term management
- Design principles on waste disposal and recycling
- Design principles on the colour and texture of external materials and facing finishes for roofing and walls of buildings and structures
- Design principles for street lighting and any other lighting to public space (including parking areas)
- The principles shall include a regulating plan on an ordnance survey base at a scale no greater than 1:1250
- A mechanism for periodic review and refinement if necessary of the approved Design Code

The Design Code shall then be used to inform the subsequent reserved matters applications.

REASON: In the interests of good urban design and a comprehensively planned development in accordance with NPPF and Policies DS7, DS15, BE2 of the Warwick District Local Plan 2011-2029.

- 9 The development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. The CEMP needs to be compliant with the British Standard on Biodiversity BS 42020:2013 published in August 2013. In discharging this condition the LPA expect to see details concerning pre-commencement checks and monitoring for protected and notable species, and habitats 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 Saved Policy NE2 of the Warwick District Local Plan 2011-2029.

- 10 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 Local 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 the pond, wildflower grasslands; provision of habitat for protected species. The plan should also include details on soil management to make best use of the high quality soils on site -detailed guidance to inform this matter is available in Defra '*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*'. Such approved measures shall thereafter be implemented in full. **REASON:** To enhance biodiversity in accordance with NPPF.
- 11 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 must 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;
 - 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 deal 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 NE4 and NE5 of the Warwick District Local Plan 2011-2029.

12 The development hereby permitted shall not commence until a scheme of mitigation including detailed arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

13 No part of the development (including any works of demolition) hereby permitted shall commence until a construction method statement has been submitted to and approved in writing by the local planning authority in consultation with the County Highways Authority. Thereafter, the approved statement shall be strictly adhered to throughout the construction period. The submitted statement shall provide for:

- A construction phasing plan.
- An HGV routing plan.
- Any temporary measures required to manage traffic during construction
- Plans and details of haul roads within the site and for the turning and unloading and loading of vehicles within the site during construction
- Dust management and suppression measures – level of mitigation determined using IAQM guidance
- Wheel washing
- Noise assessment and mitigation method statements for the construction activities; in accordance with provisions of BS 5228:2009 Code of practice for noise and vibration control on construction and open sites – Part 1 and 2
- Concrete crusher if required or alternative procedure
- Delivery times and site working hours
- Site lighting
- Access and protection arrangements around the site for pedestrians, cyclists and other road users
- Restrictions on burning and details of all temporary contractors buildings

- Plant and storage of materials associated with the development process
- External safety and information signing notices
- Complaints procedures, including complaints response procedures and dedicated points of contact
- Best practicable means shall be employed at all times to control noise and dust on the site including:
 - Work which is likely to give rise to noise nuisance be restricted to the following hours: Mon-Fri 7.30 am - 5 pm, Sat 7.30 am - 1pm. No working Sundays or Bank Holidays.
 - Delivery vehicles should not be allowed to arrive on site between 7:30am and 9:15am and 4.30pm and 6:00pm Mon – Fri.

The measures indicated within the Construction Management Plan shall be implemented prior to the commencement of the development and maintained for the duration of the 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 BE3, TR1, TR4 and NE5 of the Warwick District Local Plan 2011-2029.

- 14 No residential phase of the 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 NE5 of the Warwick District Local Plan 2011-2029 and the aims and objectives of national guidance within the NPPF 2018.
- 15 No residential phase of the 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 mixed open space facilities will be incorporated into the development. The scheme shall be implemented in strict accordance with the approved details and shall be retained thereafter. **REASON:** To ensure appropriate open space and recreational facilities are provided to serve the development in accordance with Policy HS4 of the Warwick District Local Plan 2011-2029.
- 16 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 demonstrating that surface water runoff does not exceed runoff from the undeveloped site and does not increase the risk of flooding off-site. Post development runoff volumes and peak flow rates will be limited to the Greenfield discharge rate for all rainfall return periods up to and including the 100 year plus 30% (for climate change) as outlined within the Flood Risk Assessment. On-Site surface water attenuation will be provided to the

1:100 Climate change (30%) standard using Sustainable Urban Drainage Systems. The site drainage strategy will demonstrate the appropriate assessment and adoption of SUDS techniques. The approved systems shall thereafter be retained and shall be managed and maintained in strict accordance with the approved details. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding, which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies FW1, FW2 and NE4 of the Warwick District Local Plan 2011-2029.

- 17 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 FW2 of the Warwick District Local Plan 2011-2029.
- 18 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: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds 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 NE4 of the Warwick District Local Plan 2011-2029
- 19 No development shall take place under any relevant phase of development until a detailed lighting scheme for that phase has been submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, 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.

Such works, and use of that lighting and/or illumination, shall be carried out and operated only in strict accordance with those approved details.

REASON: To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties and that appropriate measures are taken in relation to protected species in accordance with Policies BE3, NE2, NE4 and NE5 of the Warwick District Local Plan 2011-2029.

- 20 The development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details. **REASON:** In the interests of fire safety.
- 21 Any landscaping (other than the planting of trees and shrubs) including boundary treatment, paving and footpaths referred to in condition one shall be completed in all respects, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of 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 BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 22 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 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 Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

- 23 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 H4 of the Warwick District Local Plan 2011-2029 and the NPPF.
-