

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

Town/Parish Council: Kenilworth
Case Officer: Dan Charles

Registration Date: 28/08/18

Expiry Date: 27/11/18

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

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

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

RECOMMENDATION

Planning Committee is recommended to GRANT 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.

Planning Committee are also recommended to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to finalise the terms of the Section 106 agreement including any variation to, or clarification of, the sums requested where the revised sums meet the relevant statutory test.

Should a satisfactory Section 106 Agreement not have been completed by 6 March 2020, 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 620 dwellings together with a one-form entry primary school. All matters are reserved other than access.

Two accesses are proposed to the site. The primary access would be provided from Glasshouse Lane via a new 4 arm roundabout serving the site, Glasshouse Lane and Stansfield Close. The proposal also includes the provision of a 3-metre wide shared footway/cycleway to link into the footway/cycleway link proposed for the High School application (W/19/0655).

The secondary access would be from Crewe Lane which is proposed to be a re-prioritised junction with traffic from Crewe Lane giving way to traffic exiting the

application site. Crewe Lane is also proposed to be stopped up to prevent through traffic although access will be retained to serve the golf club and dwellings accessed via the existing Crewe Lane.

Both accesses would be connected by the creation of a spine road which also forms part of the wider Kenilworth Strategic Extension as a whole. The final position and layout of the Spine Road would be considered at Reserved Matters stage.

It is proposed to provide 40% of the dwellings as affordable units. As the scheme is outline, the position and layout of the affordable housing is not yet known.

An indicative layout has been provided demonstrating how the 620 units can be accommodated on the site together with the primary school and areas of open space, play areas and allotment provision to meet the needs of the development.

THE SITE AND ITS LOCATION

The site is designated as the H40 Housing Allocation which forms part of the wider Kenilworth Strategic Extension that consists of the H40, H06, E1 and ED2 allocations.

The land itself is largely open fields with a number of buildings associated with agricultural activity. There is a Scheduled Ancient Monument (SAM) to the southern boundary of the site where adjacent to the A46 boundary.

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

PLANNING HISTORY

No relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (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)
- 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)
- PC0 - Prosperous Communities (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)
- H15 - Custom and Self-Build Housing Provision (Warwick Local Plan - 2011-2029)
- SC0 - Sustainable Communities (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)
- BE5 - Broadband Infrastructure (Warwick District Local Plan 2011-2029)
- BE6 - Electronic Communications (Telecommunications and Broadband) (Warwick Local Plan - 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS3 - Local Green Space (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS5 - Directing 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)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW1 - Development in Areas at Risk of Flooding (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)
- NE1 - Green Infrastructure (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)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- DM2 - Assessing Viability (Warwick District Local Plan 2011-2029)
- Guidance Documents
- East of Kenilworth Development Brief
- Custom and Self Build Housing SPD.
- Distance Separation (Supplementary Planning Guidance)

- Affordable Housing (Supplementary Planning Document - January 2008)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Open Space (Supplementary Planning Document - April 2019)
- Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Kenilworth Design Advice (Shops, Warwick Road area)
- Neighbourhood Plan
- Kenilworth Neighbourhood Plan

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Objection;

- Consider the principle is acceptable.
- The proposal does not leave any additional housing in the surplus school site.
- Path and cycle routes need to clearly connect with other development and that is not clear from the current submission.
- Traffic arrangements at the Knowle Hill/Crewe Lane junction have not taken into consideration the potential additional 70 homes or the school traffic on this already busy junction.
- The traffic assessment ought to reflect the need for improvement.
- No apparent direct link with the school is provided.
- Conditions should refer to the Kenilworth Neighbourhood Plan.
- At the detailed stage, care should be taken for noise abatement from A46 traffic which should not be detrimental to setting of the Scheduled Ancient Monument or Ancient Woodland.
- There is concern at the potential effect on the rugby club.
- There is a need to assess the impact of HS2 traffic.
- The proposed layout encourages leaving the site towards Coventry/Leamington rather than Kenilworth.
- Cycleways should be a feature of the development together with safer access to Kenilworth Town Centre.
- Recommend that some affordable housing is designed for the needs of older people.

Following the revision of plans: Comments and objections still stand and the following additional observations are made: -

- Concern is expressed that the new primary school will cause increased traffic.
- Surprise is expressed at the location of the Primary School so close to the secondary school and in a cul-de-sac with no obvious drop-off zone.

Stoneleigh and Ashow Parish Council: Objection - Concerned about all traffic using Crewe Lane onto the B4115.

Councillor Trevor Wright: Expresses significant concerns regarding overall traffic management: -

- Crewe Lane is classified as a minor road and cannot accommodate two lanes safely.
- Crewe Lane remains a commuting run to both the east and the west as a result of A45 works.
- The road is a significant safety risk and incapable of handling the additional traffic from both the development and the proposed school.
- The current plan is untenable even if there is only an exit point from the development with a roundabout planned for both exit & entrance points onto Glasshouse Lane.
- The potential volumes of traffic splaying into Stoneleigh, Ashow and surrounding areas are now both critical and unacceptable.
- The proposed route and plans around the use of Crewe Lane is flawed and lacks understanding with regards to safety, traffic movements and travel to work data.
- Highways England will be making significant changes to the A46 Stoneleigh junction which will include the compound access for HS2 and an HS2 construction village near to the junction.
- Stoneleigh, Ashow and surrounding areas have been badly hit in the past two years with increasing levels of traffic due to the developments I have already indicated.
- This development adds to the very real and current problems already raised and they include, HS2, Coventry Gateway South, Kings Hill and A45 & A46 developments.
- The development plan is both flawed in its structure and consideration taking little or no account of the immediate or surrounding areas.
- It is recognised that there is an important and compelling need to improve the national housing stock and affordable housing however this should not be at the cost of established (and in this case historical) communities.
- The developers in this case have not understood the issues the area is currently being asked to deal with, along with the issues with regards to increased traffic flows within the vicinity.
- I strongly urge the Planning Committee to reject the current plans based on viability, traffic management, highways structures and amenities.
- The developer should consider alternatives to support the access to both the development and the proposed school to minimise the traffic disruption in the area and this should include a revision of the access and entrance points to the development avoiding both Crewe Lane, Glasshouse Lane and Birches Lane, Kenilworth.
- This could include exits & entrance points on to either the A46, A452 or a junction spear off the A46 Kenilworth junction.
- Restrictions must be imposed on HGV traffic using Crewe Lane along with changes to the highway structure.
- Finally, the timing of this development is critical and coordination across all the major developments is vital if we are to avoid sustained and constant disruption making the whole area not a great place to live, work or bring up the next generation.

On the basis laid out above, I strongly object to the application as is currently presented and I encourage the Planning Committee to do the same.

WDC Housing Strategy: Housing Strategy expects the amount of affordable housing on the proposed development to comply with policy H2 and welcomes the applicant's commitment to provide this.

WDC Environmental Health: Following negotiations with the applicant's specialist consultants, no objection subject to conditions regarding noise mitigation, contaminated land, Construction Management Plans and Air Quality improvement works on site together with a contribution of £499,842 towards wider Air Quality Mitigation measures.

WDC Sport and Leisure: Request a contribution of £969,641 towards indoor and outdoor sports improvements to address the increased demand as a result of the proposed development.

WDC Tree Officer: The arboricultural work is thorough and will require detailed submissions at the reserved matters stage for the final landscaping proposals. Recommend a further Arboricultural Method Statement to set out the works at the final design stage together with the imposition of a tree protection measures condition.

WDC Open Space Officer: Based upon the indicative masterplan submitted, it is considered that the development will meet or exceed the required on-site open space typologies. Final details can be secured at the reserved matters stage. Recommend that open space is transferred to the District Council through the Section 106 Agreement together with a contribution towards the provision of a central Multi-Use-Games-Area facility to serve the wider site.

WDC Policy: Recommend contributions towards secondary education land, community facilities, pedestrian wayfinding and a central Multi-Use-Games Area totalling £1,402,529.11 to be secured through the Section 106 Agreement towards central facilities to serve the wider allocation. The final breakdown of this figure is detailed within the report.

WCC Ecology: Following detailed discussions and the submission of updated information, recommend ecological conditions together with a Biodiversity Offsetting Contribution of £821,046 to be secured through the Section 106 Agreement.

WCC Highways: Following negotiations with the applicants Transport Consultants, there is no objection to the scheme subject to conditions and contributions to wider highways improvements of £3,129,636 to mitigate the increased pressure on the public highway as a result of the proposed development.

WCC Flood Risk Management: No objection subject to a detailed drainage condition.

WCC Landscape: The site falls within Arden Parklands landscape type. Due to the nearby Grade II* Registered Park and Garden at Stoneleigh Abbey, it is appropriate to design the landscaping with a parkland theme. The indicative landscaping shown would benefit from this approach. Species selection should

be native and typical of the Arden Landscape setting and should comply with latest acceptable species lists.

Warwickshire Fire and Rescue: No objection subject to a fire hydrant condition.

Warwickshire Police Major Projects Officer: Recommend a contribution of £130,959 towards increased policing to mitigate for the increased demand as a result of the proposed development.

Warwickshire Police Designing Out Crime Officer: Recommend that the development be built with regard to Secured by Design standards.

South Warwickshire NHS Trust: Recommend a contribution of £736,544.85 towards NHS improvements to mitigate the increased demands as a result of this development.

South Warwickshire Clinical Commissioning Group: Recommend a contribution of £244,055 towards improved doctors surgery provision to mitigate for the increased demand as a result of the proposed development.

Highways England: Recommend improvement works to the Thickthorn A46 junction to improve traffic flows to mitigate the impact of the development. The scheme has been agreed and can be secured through a Section 278 Agreement and/or Section 106 Contributions. Concern over the impact of surface water run-off impacting on the capacity of the existing culvert under the A46.

Historic England: No objection to the application on heritage grounds, providing the agreement over the management of the scheduled monument and the design changes / issues with the acoustic barrier are addressed and secured as part of an outline approval. The impact of the scheme on the setting and significance of the heritage assets will depend on the final design, layout and appearance proposed in the Reserved Matters application(s). It is therefore important that future applications ensure that this is fully assessed (in line with NPPF Paragraph 189), building upon the work which has been done for this outline application. Future applications should also consider where their detailed design could further reduce and minimise the adverse impact of the proposals, and what other opportunities there are to enhance the significance and understanding of the historic environment.

Woodland Trust: The development has potential to impact upon the ancient woodland. If granted, recommend planting buffers and screening during construction works.

Warwickshire Wildlife Trust: Recommend that hedgehog mitigation is incorporated within the Construction and Environmental Management Plan (CEMP).

Severn Trent: No objection subject to a detailed drainage condition.

Public Response: A total of 14 letters of objection, 4 neutral comments and 1 support comment have been received

Objection Comments

- The layout doesn't seem to deal with the local present and future road network safety issues.
- The access to Glasshouse Lane is aimed at being convenient and does not sufficiently take into account the complicated road safety issues.
- The roundabout appears to be too large.
- The roundabout is harmful to the occupants of Stansfield Close.
- It would be preferable to have a new junction at the entrance to the Woodside Conference Centre.
- Multiple accidents have occurred on this road over the years.
- The allotments are in the wrong place.
- There will be too many access points close together.
- The proposal is harmful to wildlife.
- The development will create a harmful new town on the side of Kenilworth which will feel at odds with the existing character of the town.
- Such a large development will ruin the peaceful atmosphere of the town.
- The proposal will ruin the small town community feel of Kenilworth.
- Additional traffic will be horrendous and add to existing congestion.
- Concern over the piecemeal basis of the development.
- Construction traffic for the site and HS2 will put additional pressure on the road network.
- Additional strain on facilities and utilities will result.
- All dwellings should be low carbon, sustainable homes.
- All dwellings should benefit from solar panels.
- There is no mention of custom/self-build properties.
- Noise must be satisfactorily mitigated.
- Has Air Quality been adequately addressed?
- The Transport Assessment is considered inadequate.
- The drainage is inadequate to deal with increased surface run-off.

Neutral Comments

- Concerns expressed about infrastructure for additional traffic.
- The speed limit should be reduced.
- The new school and additional traffic could be detrimental to highway safety.
- There is concern over traffic modelling and mitigation works.
- The mitigation works to the highways must be completed before the new dwellings are built.
- Objection to the re-prioritising of Crewe Lane.
- Note that an acoustic barrier is proposed and the need to be sure that this is acceptable.

Support Comment

- Would love to buy a house on this development and become part of the community.

HISTORY/BACKGROUND

The application site is covered by the East of Kenilworth Development Brief to guide the new development on this allocated strategic extension to the town of Kenilworth.

The document has been prepared by Warwick District Council and followed the adoption of the Council's Local Plan 2011-2029 in 2017. The document will guide future development within strategic allocations to the eastern side of Kenilworth and ensure that development within the sustainable urban extension is delivered in a comprehensive manner.

In preparing the Development Brief, Warwick District Council has undertaken extensive consultation with key stakeholders including Warwickshire County Council, Kenilworth Town Council, landowners, land promoters and infrastructure providers to seek views and inform the content of the document in accordance with the Council's Statement of Community Involvement.

The adopted Development Brief is a Supplementary Planning Document (SPD) and as such, is a material consideration in the determination of planning applications within the area covered by the document. This document provides detailed development principles that expand upon and help interpret existing policies as they relate to the site.

The document is applicable to all development proposals relating to the site and development within the area identified for the sustainable urban extension will need to accord with the Local Plan, guidance within this SPD, other relevant Development Plan Documents including the Kenilworth Neighbourhood Plan, other relevant Supplementary Planning Guidance/Documents and any other material considerations, including the National Planning Policy Framework (NPPF).

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 2019, the District Planning Authority is able to demonstrate a 6.37-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 East of Kenilworth. The land forms the H40 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 Kenilworth 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 H40 Allocation within the Local Plan identified up to 640 dwellings.

Policy DS15 seeks the comprehensive development of strategic sites including H06 and H40. Whilst this development forms part of the allocation (H40), the proposal is in general accordance with the adopted Development Brief and has been designed to tie seamlessly into the wider H06 allocation. In addition, contributions are proposed to the central facilities to serve the whole site. On this basis, Officers are satisfied that the development represents an undertaking to provide a comprehensive form of development.

As part of the East of Kenilworth Strategic extension, the overarching site identifies the need for a new secondary school, primary school(s) and community facilities.

This application seeks the provision of up to 620 dwellings together with a one-form entry primary school. It is intended that an additional one-form entry primary school will be proposed within the H06 allocation to the west of the site to meet the requirements of DS11. Members will be aware that the new secondary school has been previously considered under application reference W/19/0655.

It is noted that the figure of 640 dwellings was identified by the Inspector in the final report into the Local Plan that the figure of 640 could include a number of dwellings from the residual employment land.

The additional community facilities are anticipated to be provided centrally within the overall allocation and are to be funded by all parties developing the site.

Kenilworth Neighbourhood Plan

Kenilworth Neighbourhood Plan Policy KP4 identifies the land as appropriate for the provision of the new dwellings where it is in accordance with an adopted Development Brief and Policy DS15 of the Local Plan. The policy sets out a framework of requirements from any future development in terms of design and layout. This matter would be assessed at Reserved Matters stage.

Self-Build Housing

The Development Brief and Kenilworth Neighbourhood Plan seek a proportion of units to be provided on a self/custom build basis. The applicants have agreed to provide these units on the site on a pro-rata basis of the overall identified need for these types of dwellings. This will be secured by condition.

Conclusion on Matters of Principle

In summary, the proposal is for 620 dwellings on a site allocation for residential development within the Local Plan. The site also delivers the one-form entry primary school and will contribute the wider infrastructure requirements identified as necessary within the East of Kenilworth allocation. The development accords with the identified housing numbers and the submitted

indicative masterplan identifies that the site can be delivered with high standards of public open space and landscaping together with an appropriate level of on-site facilities such as the provision of allotments.

The proposal is therefore considered to be acceptable in principle having regard to Policies H1, DS11 and DS15 of the Local Plan together with guidance contained within the East of Kenilworth Development Brief.

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.

Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF insofar 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.

The Warwick District 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.

In addition, a range of principles for new development are set out with Policy KP13 of the Kenilworth Neighbourhood Plan that set out a framework for setting a bench mark for good design that maintains the special characteristics of Kenilworth whilst not stifling innovation in new design.

The application is currently in outline form so the detail of the proposal is limited. However, as part of the submission, an indicative Masterplan has been submitted to demonstrate that a high quality scheme can be provided on the site to meet the aspirations of the Design Guide as well as National Guidance within the NPPF.

The Indicative Masterplan sets out the scheme that incorporates the 620 dwellings, the primary school as well as all required open space requirements to the level required for a scheme of this scale.

A key aspect of the scheme is the retention of existing hedgerows that run through the site to retain wildlife corridors through the site as well as providing a mature green buffer between properties to aid with the landscaping of the scheme.

The indicative Masterplan demonstrates that the scheme is in compliance with the Garden Suburbs guidance document through the provision of a primary Spine Road through the site from which a hierarchy of roads naturally link from this primary access route to serve the properties. The main Spine Road is indicated with a highway to the required specification of the County Highways Team that is flanked by wide grass verges with tree planting together with associated footway and cycleway provision.

The application has been submitted with a Design and Access Statement that sets out a range of design principles for the new development. These design features form a solid basis for the design rationale across the site in order to deliver a high quality development and Officers consider that this detail can be expanded upon through the imposition of a condition requiring the submission of a detailed Design Code to inform the developments coming forward under the reserved matters submissions.

Subject to the imposition of conditions, Officers are satisfied that the scheme will result in a development of very high design standards.

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.

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

Views from outside the site are mitigated by existing mature boundary planting along the public highway along Glasshouse Lane and the A46. There are currently views of the site from Crewe Lane as this boundary is partially defined

by simple post and rail/wire fencing adjacent to the existing farm access. As part of the proposal, the site boundaries would be improved with additional planting to provide a more appropriate rural edge to the site. Existing hedgerows are proposed to be retained and supplemented with additional planting where necessary.

It is noted by Officers that the site forms part of the urban extension to Kenilworth so will obviously result in a change of character from open farmland to residential development. The location of the overall site represents a logical area for the development and will be edged by existing highways which form a definitive boundary to the settlement.

When viewed from the surrounding area, the development would be seen as a natural continuation of the existing urban form of Kenilworth and would not be out of character or unacceptable development within the context of the wider built form.

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 significantly bolster the amount of tree planting within the site and the retention of appropriate areas of open green space within the development that give an overall feeling of a development site that is sensitive to the edge of the town and creates a 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 620 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 is therefore considered acceptable having regard to BE3 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood Plan.

Impact on heritage assets and features of Archaeological Importance

Heritage Assets

Paragraph 129 of the NPPF requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Regard should also be had to the Ancient Monuments and Archaeological Areas Act 1979, which makes provisions for the investigation, preservation and

recording of matters of archaeological or historical interest and (in connection therewith) for the regulation of operations or activities affecting such matters.

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

Policy KP13 of the Kenilworth Neighbourhood Plan sets out a range of design principles and states that in terms of Heritage Assets, their settings in the locality must be in accordance with their significance.

In this case there are no listed buildings or conservation areas either within or in close proximity of the application site. There is however one designated heritage asset to which consideration must be given which is identified as Roman Settlement at Glasshouse Wood which lies to the south of the application site. This is designated as a Scheduled Ancient Monument (SAM). The SAM is within the site ownership boundary.

The SAM is clearly acknowledged within the submitted Design and Access Statement and Heritage Statement and the location of the SAM has informed the illustrative masterplan for the site, which has been designed to acknowledge the importance of the SAM.

Although indicative, the area of the application site to the south, i.e. in closest proximity to the SAM has been designed to have an offset of at least 15 metres from the nearest element of the works, in this case, a perimeter footpath.

It is proposed that there will be no lighting, hard surfaces or play equipment within the area of the SAM to help maintain the character. Currently, there are a number of earthworks that have taken place which would be removed. The proposal would be to incorporate simple paths through the SAM to aid in increasing awareness of the SAM whilst also providing significantly improved natural surveillance. The level of tree planting on the northern boundary of the SAM is limited to provide views through into the SAM and also views through to the proposed housing from the SAM.

A management plan to be secured by an appropriate planning condition is considered as a necessary mechanism through which to ensure the long term management and maintenance of this part of the site and it is therefore intended to require the submission of such a management plan by condition, imposed on any forthcoming planning permission at this outline stage. It is envisaged that the content of any such management plan will relate to the way in which the land is to be laid out and used now and in the future, as well as setting out the relevant measures that will be taken regarding its long term maintenance.

Historic England have been consulted accordingly on the proposals. During pre-application discussions, Historic England expressed some concerns about the proximity of the development to the SAM area to the south of the site. In response to this, the indicative Masterplan was updated to provide an offset from the SAM of at least 25-30 metres from the nearest proposed dwellings. In

addition, an open area of allotments is proposed to provide an open buffer on the western side of the SAM.

Historic England acknowledge that the impact of the scheme on the setting and significance of the heritage assets will depend on the final design, layout and appearance proposed in the Reserved Matters application(s). It is therefore important that future applications ensure that the impact is fully assessed and addressed in accordance with guidance set out in Paragraph 189 of the NPPF.

The future reserved matters application(s) should also consider where their detailed designs could further reduce and minimise the adverse impact of the proposals, and what other opportunities there are to enhance the significance and understanding of the historic environment. This can be incorporated into the proposed management plan.

In conclusion, regard has been had to all the positive steps the applicant has sought to take and the measures intended to be implemented to safeguard the long term management and maintenance of the area of the site in closest proximity to the SAM and the area of the SAM itself. In recognising that the scale of the development will inevitably have some impact on the setting of the heritage asset which in Historic England's opinion will result in some harm, their advice is to ensure that the Local Planning Authority is satisfied that there is a clear management framework and management plan to mitigate the harm and that this is weighed accordingly against the public benefits of the scheme as per the relevant tests set out in the NPPF.

The proposal is therefore considered acceptable having regard to Policy HE1 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood Plan

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 results of the survey work and trial trenching were submitted in a report with the supporting information as part of the current application. The County Archaeologist has considered the proposal and noted that the site has high archaeological potential and recommended that further investigative and evaluative archaeological fieldwork should be secured by an appropriately worded condition.

Subject to the proposed condition, Officers are satisfied that the proposal is in accordance with Policy HE4 of the Local Plan.

Impact on residential amenity

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 and provides an acceptable level of amenity for future occupiers of the development.

Policy KP13 of the Kenilworth Neighbourhood Plan requires an assessment to be made on the impact on existing and future residents as a result of development proposals and potential impacts from noise, light or air pollution must be assessed and addressed.

Impact on existing properties

The western perimeter of the site predominantly abuts the area of land to be used for the secondary school where the dwellings would be adjacent to the periphery of the playing fields only. The majority of the remaining site would abut open countryside where there would be no near neighbours that would be directly affected by the residential development of the site.

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 the site and no impact as a result of the development would occur that would result in demonstrable harm to existing properties.

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.

Officers are satisfied that the development is acceptable having regard to Policy BE3 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood Plan.

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.

The indicative masterplan demonstrates that the site can deliver the number of dwellings together with a large amount of open space and the inclusion of high quality landscaping across the development. Officers are satisfied that the indicative plan demonstrates that the scheme can create an overall sense of spaciousness which would enhance the sense of place and overall amenity value for future residents.

The site lies adjacent to the A46 which is identified as being a significant noise source that would have an impact on the future occupiers of the development site. In response to this, the applicants have carried out significant noise monitoring across the site. This monitoring has identified that the site would be subject to increased road traffic noise as a result of the proximity to the A46.

In assessing the proposal, the Consultant has provided a mitigation strategy to provide appropriate screening to the development to overcome the current increased noise environment. The indicative proposal that has been modelled is

the provision of acoustic fencing along the site boundary. Due to the differing levels, there are two distinct elements proposed.

Firstly, an acoustic fence totalling 6 metres in height is proposed to be located within the existing tree belt to the southern area of the site. Whilst significant in height, the mass of the structure would be located within the mature tree belt and would be adequately screened by existing trees and vegetation with further work being carried out to the appearance of the fence to mitigate for its visual appearance.

The second area is to be located on the edge of the tree belt within the site. This would be a 4-metre-high acoustic fence on a 2-metre-high raised bund. Whilst significant in height, this would be set against the backdrop of trees and there is sufficient space in front of the fenced area to allow for substantial planting to offset the visual appearance of the fence itself.

The proposal has been assessed by the Environmental Health Officer who is satisfied with the technical information submitted to demonstrate that an appropriate solution can be provided to mitigate the noise of the A46 for future occupiers. As the details at this stage are indicative, a condition is proposed for the final scheme to be submitted with appropriate supporting methodology and survey work to ensure that the scheme is acceptable in both practical terms and visual amenity terms.

Officers are satisfied that the development accords with Policy BE3 of the Local Plan and Policy KP13 of the Kenilworth Neighbourhood 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.

Policy KP5 of the Kenilworth Neighbourhood Plan states that in considering proposal for new developments that result in additional traffic, priority should be given to pedestrians and cyclists, improve safety and assist traffic flow whilst also accommodating the needs of public transport.

The proposed development is to be served by two access points that connect onto Glasshouse Lane on the western side of the development which is proposed to extend through the site via a central spine road and connect to the second access onto on the eastern side of the development. Both of the access points have been assessed by the County Highways Officer who has raised no objection to the access points subject to conditions ensuring they are constructed to the relevant standards.

The application has been submitted with a Transport Assessment that included strategic transport modelling of the wider area to assess the transport implications on the surrounding area. The Transport Assessment has identified that works are required to the Thickthorn Island that serves the A46 to the south

of Kenilworth and works have been identified to increase the capacity of the slip roads to mitigate for the additional traffic associated with the development.

Significant work has been undertaken by the applicants Transport Consultant in conjunction with Highways England and Warwickshire County Highways to identify measures to mitigate the impact on the A46 that runs adjacent to the site. The works have been agreed in principle with Highways England and County Highways and will be delivered under a Section 278 Agreement to deliver the works to ensure that the improvements are in place to mitigate for the additional traffic associated with the development. The final sign-off of these works is awaited from Highways England although all technical matters have been agreed.

Additional works to the local road network have also been identified. In particular, St Johns Gyratory is proposed to be improved to mitigate the additional traffic associated with the development. These works will be delivered by the County Highways Authority and contributions are proposed to be secured through the Section 106 Agreement to allow the works to mitigate for the increased traffic as a result of the proposed development.

A key aspect of the site is the delivery of the central spine road connecting Glasshouse Lane and Crewe Lane which is integral to ensuring that the increased traffic associated with the site is mitigated for adequately. In addition to the spine road, it is also necessary to connect the proposed school land to the spine road to allow for the early delivery of the primary school to respond to the increase demand for school places as a result of the development. The County Highways Officer has considered that the appropriate trigger for the delivery of the spine road link is prior the occupation of the 200th dwelling. This delivery can be controlled by an appropriately worded planning condition.

Within the site, provision has been made for bus stops and a turning area to allow the extension of the local bus service into the site to serve the needs of the future occupants. A Section 106 contribution is proposed to secure an extended/improved bus route to service the site as well as the provision of Town Centre 'Hopper' service to link the sites with the town centre and Kenilworth Railway Station.

The submitted indicative Masterplan indicates a range of routes through the site together with the connection of the combined cycle/footway on Glasshouse Lane into the proposed cycle/footways proposed as part of the Kenilworth School submission. Wider improvements to the provision of cycleways forms an integral part of the proposed highways works. The cycling improvements will build upon the existing improvement works secured in the High School proposal and further works to support the proposed Kenilworth to Leamington Cycle Link. A key aspect of the sustainable nature of this development is the strong provision of cycling opportunities to support the aims of the Development Brief, the Neighbourhood Plan and the NPPF in promoting and enhancing sustainable transport methods.

The site has been the subject of a comprehensive assessment of the level of traffic/impacts from this site whilst taking into consideration the proposed school

further along Glasshouse Lane and the other development coming forward as part of the East of Kenilworth Urban Expansion.

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 and Policies KP5 and KP9 of the Kenilworth Neighbourhood 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 of £821,046. This can be secured and agreed through 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 Agreement 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

In terms of surface water drainage, the site is within Flood Zone 1, and it is proposed to install balancing ponds within the limits of the site 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.

The proposed surface water run-off will be mitigated through the Sustainable Urban Drainage Systems which will ensure that surface run off is minimised. The site naturally drains into a culvert underneath the A46 Road. Highways England raised concern regarding the potential impact of this on the strategic

road network. As the SUDS includes all drainage within the site, it has been agreed that the maintenance of the SUDS would involve ensuring that the culvert is not affected by the development. The SUDS Maintenance is a clause set out within the Section 106 Agreement and the final wording is currently being agreed with Highways England.

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.

Trees and Hedgerows

The site is currently a range of fields delineated by mature hedging. Other than the field boundaries, there is limited vegetation located within the site area.

Officers note that the existing hedgerows have been retained within the indicative masterplan which demonstrates how these are incorporated into the scheme. These hedgerows provide a good level of mature planting within the site to soften the development from the initial stages whilst also retaining existing wildlife corridors which are ecologically beneficial across the site.

In addition to the retained hedgerows, 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 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 this, a request for Air Quality Mitigation to fund local projects is required totalling £499,842.

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.

Health and wellbeing

The site contains large areas of open space for use by future occupants. The area of land set out for open space meets the requirements for all types of open space provision. The final detail and form of the open space areas will be provided within the Reserved Matters submission for later consideration.

The site contains significant potential for walking and cycling within the site together with the provision of appropriate footpath/cycleway links to the surrounding area to promote sustainable transport methods and reduce the reliance on the private car.

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.

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 620 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 620 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 is a particular issue given the cumulative impact that is expected from the substantial level of housing growth proposed across this area of Kenilworth as

well as across the District as a whole. 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 - £6,200.
Libraries - £13,571.
Education and Learning - £6,316,822.
Public Rights of Way Improvements - £11090.42
Off-site Highway Improvements including cycling - (£3,129,636)
Safer Routes to School Funding - £15,000
Road Safety Contribution - £33,000
Public Transport (Bus Service) Improvement - £500,000.
NHS Hospitals - £713,527.82.
NHS Clinical Commissioning Group - £244,045.
Warwickshire Police - £130,959.
Indoor Sports Facilities - £722,014.
Outdoor Sports Facilities - £253,720.
Biodiversity Offsetting - £821,046.
Air Quality Mitigation - £499,842.

In line with the East of Kenilworth Development Brief, the following additional contribution requests are being sought to provide the centralised facilities across the site that are being requested on a pro-rata basis apportioned to each site across the East of Kenilworth Strategic Extension;

Secondary Education Land Contribution - £221,428.57
Community Centre Construction Contribution - £885,713.40
Community Centre Running Costs Contribution - £74,887.32
Community Centre Staffing Costs Contribution - £146,142.68
Pedestrian Wayfinding Contribution - £8,857.14
Central Multi-Use Games Arena (MUGA) Contribution - £65,500.

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

- 40% Affordable Housing
- Transfer of land to the County Council for the primary school
- Appropriate mechanism for securing Biodiversity Offsetting Payments.
- Adoption of Open Space Areas.
- SUDS Maintenance.
- Local Labour Agreement.
- Monitoring Fee.

Conclusion

The application site is allocated within the Local Plan for residential development as part of allocation H40 which identifies approximately 640 dwellings for this area of the site, and forms part of the wider East of Kenilworth Strategic Urban Expansion that seeks to provide approximately 1400 dwellings together with a range of associated community facilities.

The development is only in outline form at this stage but the indicative site plan demonstrates that the site is capable of accommodating a very high quality scheme of up to 620 dwellings 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.

Technical Matters relating to highway safety and the mitigation of increased demand on the highway network have been satisfactorily addressed and these works are to be secured through contributions within the Section 106 Agreement. The site specific matters can be controlled by planning condition.

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 The access to the development hereby permitted shall be carried out in accordance with the details of the proposed accesses to the highway in accordance with plan references 17377-07-03 Rev A received on 24 August 2018 and 17377-12-03 Rev B received on 3 October 2019 unless otherwise agreed in writing by the Local Planning Authority in

consultation with the County Highways Department. Thereafter, the approved accesses 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 having regard to Policies TR1 and BE3 of the Warwick District Local Plan 2011-2029.

- 5 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.
- 6 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.
- 7 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.
- 8 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.

- 9 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 in perpetuity. **REASON:** To protect residents of the development from the adverse effects of traffic noise

from outside the development in accordance with Policies BE3 & NE5 of the Warwick District Local Plan 2011-2029.

- 10 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 contractor's 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.

- 11 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.
- 12 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.
- 13 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.
- 14 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

- 15 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.

- 17 Prior to the occupation of 200 dwellings, a spine road linking Glasshouse Lane and Crewe Lane [including a formal crossing facility at the Glasshouse Lane junction and works shown on drawings 17377-12b-03 and 17377-07a-03] shall be constructed to the standard specification of the Local Highway Authority and be open to all traffic.

REASON: To ensure adequate access is provided in a timely manner in the interests of the safety of road users and cyclists/pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 18 Prior to first occupation of the first dwelling in the adjacent phase of development, the site access and footway/ cycleway works as shown on drawing 17377-12b-03 shall be delivered. **REASON:** To ensure adequate access is provided in a timely manner in the interests of the safety of road users and cyclists/pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 19 Prior to first occupation of the first dwelling in the adjacent phase of development, the site access as shown on drawing 17377-07a-03 shall be delivered. **REASON:** To ensure adequate access is provided in a timely manner in the interests of the safety of road users and cyclists/pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 20 Prior to the opening of the spine road linking Glasshouse Lane and Crewe Lane, as required by condition 1, the developer is required to provide a minimum of 1 eastbound and 1 westbound bus stop at a position to be agreed with the Local Highway Authority. **REASON:** To ensure adequate access is provided in a timely manner in the interests of the safety of road users and cyclists/pedestrians in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 21 Any reserved matters application for any residential phase of the development shall be submitted in accordance with the details of the Design Code for the approved development as set out in the document titled "Design and Access Statement incorporating Site Wide Masterplan & Design Code March 2018" unless otherwise agreed in writing through the submission and approval of a revised Site Wide Masterplan. **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.
- 22 Any reserved matters application for any residential phase of the development shall be submitted in accordance with the details of the Design Code for the approved development as set out in the document titled "Design and Access Statement incorporating Site Wide Masterplan & Design Code March 2018" unless otherwise agreed in writing through the submission and approval of a revised 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.
- 23 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 interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 24 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.

- 25 The existing tree(s) and shrub(s) indicated on the submitted 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.
- 26 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 Strategic Housing Market Assessment at the point of submission unless an alternative strategy is agreed in writing by the Local Planning Authority. **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.
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