

Planning Committee: 05 November 2019

Item Number: 6

Application No: [W 19 / 0933](#)

Town/Parish Council: Hatton
Case Officer: Dan Charles

Registration Date: 29/05/19
Expiry Date: 28/08/19

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Land On The North Side Of, Birmingham Road, Hatton

Full Planning Application - 150 Dwellings (Class C3); New Vehicular Access from Birmingham Road; New Temporary Vehicular Access for Sales and Construction from Birmingham Road; & Associated Works FOR Taylor Wimpey UK Ltd

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

RECOMMENDATION

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

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 5th December 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

This is a full application for the erection of 150 dwellings comprising 90 open market and 60 affordable housing units varying between 1 and 5 bedrooms (including a maximum 4 bedroom for the affordable housing element).

The proposal includes the creation of a new vehicular access from Birmingham Road together with a temporary access for sales and construction vehicles along with the provision of all associated drainage, infrastructure, public open space, landscaping and the retention of hedgerows.

Housing Mix

Private Housing

Size	Total Units	Percentage
1 Bedroom	4	5%
2 Bedroom	27	30%
3 Bedroom	34	38%
4 Bedroom	15	17%
5 Bedroom	10	12%

Affordable Housing

1 Bedroom	8	13%
2 Bedroom	32	53%
3 Bedroom	18	30%
4 Bedroom	2	3%

THE SITE AND ITS LOCATION

The application site forms allocated site H28 as set out in Policy DS11 of the Local Plan 2011-2029 and as illustrated on the Policies Map. It is therefore allocated for housing development and associated infrastructure and uses, with an estimated figure for the number of dwellings stated as 150.

The site is currently agricultural fields laid to crops.

The proposal is flanked by the Birmingham Road to the south, the existing residential development to the east with open countryside to the east beyond Ugly Bridge Road. To the north lies an area of woodland known as Smiths Covert that bounds the site. An area of residential development sweeps around the top of Smiths Covert and to the north east of the application site.

Overall the site is approximately 7.5 hectares. The land rises from the public highway to the south towards Smiths Covert to the north. This topography is similar to the existing residential development to the east of the site.

PLANNING HISTORY

W/17/2415 - Full planning application for construction of 150no. dwellings (Class C3); a new vehicular access from Birmingham Road; a new temporary access for sales and construction from Birmingham Road; associated drainage and infrastructure; public open space; landscaping and all other ancillary and enabling works – **WITHDRAWN 24.04.2018**

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)
- DS11 - Allocated Housing 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)
- H10 - Bringing forward Allocated Sites in the Growth Villages (Warwick District 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)
- 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)
- 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)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (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)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (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)

Guidance Documents

- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Open Space (Supplementary Planning Document - April 2019)
- Parking Standards (Supplementary Planning Document)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Warwickshire Landscape Guidelines SPG

SUMMARY OF REPRESENTATIONS

Hatton Parish Council: The only connection to Hatton Park is via foot/cyclepath along Birmingham Road which is unsuitable. A link to Ebrington Drive should be provided. The new access will cause increased congestion, noise and air pollution.

Additional Comments

1. Pedestrian/cycleway along south boundary of site (Birmingham Road)

Widening this to 3m for part of the section between the site entrance and the roundabout at Charingworth Drive is welcomed. The applicant does not however indicate the minimum width of the remaining 71m. Even at 3m throughout, its immediate proximity to a busy A road with considerable HGV usage, and the total distance involved makes it wholly unsuitable as the only non-vehicular link between H28 and the facilities of Hatton Park.

2. Ecological Corridor - In discussion with the Applicant (presentation, Hatton Park Village Hall, 29.03.19), we were assured that this would be increased from the 3m in the previous application to 6m, and that it would be maintained. This does not appear to be confirmed in the actual application. While owners of adjacent properties will no doubt maintain the hedgerows on their sides of the boundary, the corridor itself will become overgrown scrub and in due course, a line of self-set trees.

3. Non-vehicular access to Ebrington Drive - This access, essential for the integration of this development and the rest of Hatton Park (upon which the inclusion of the site in the Local Plan was based) remains unresolved. It is evident that no agreement between the Applicant and owner of the land in question (AC Lloyd) has been reached. AC Lloyd in their letter to the planning officer (10.07.19) state: AC Lloyd '.....confirm their commitment to enter into discussions with the Applicant to see the pedestrian/cycle link secured....' Despite this, it seems no progress has been made.

Budbrooke Parish Council: Objection - Siting of access seems to have little or no benefit. Requires realignment of existing cycle path. Will result in increased traffic movements due to lack of suitable public transport. Works to Stanks Island could result in heavier traffic on Birmingham Road. Highways Authority desk top analysis lacks credibility.

WDC Housing: Welcome the developer's proposals to deliver 40% affordable housing and to the required bedroom and tenure mix as well as spread throughout the development to encourage "tenure blindness".

WDC Open Space: Following receipt of revised plans and clarification of open space areas, no objection to the scheme subject to an off-site contribution towards allotments.

WDC Sport and Leisure: Recommend a contribution towards Sport and Leisure improvements to mitigate for the development.

WDC Environmental Health: Following submission of updated Air Quality Assessment - No objection.

WDC Tree Officer: Welcome revisions to retain Oak Trees to frontage. Barrier fencing details included showing protection areas for trees. An Arboricultural Method Statement has been included demonstrating how development can proceed without causing harm. Recommend that development is conditioned to be in accordance with this document.

WCC Highways: No objection subject to conditions and Section 106 Contributions.

WCC Ecology: No objection to development as it remains similar to previous scheme. Biodiversity Offsetting Payment of £193,543 is required to mitigate for the development.

WCC Flood Risk Management: No objection subject to condition.

WCC Fire and Rescue: Recommend the imposition of fire hydrant condition.

WCC Landscape: Express concern about the loss of frontage vegetation. Recommend improvements to the landscaping scheme with more appropriate species that blend well with adjacent development.

WCC Archaeology: Having assessed the archaeological works that have been undertaken, no further investigative work is required.

WCC Infrastructure Team: Recommend total contribution of £467,454 towards education, public rights of way, libraries and transport planning.

Natural England: No comments. Refer to standing advice.

Canal and River Trust: No objection.

Severn Trent Water: No objection subject to an informative note regarding drainage.

Conservation Advisory Forum: Pleased with substantial buffer zone to the front and east and the community green space in the centre. Express concern about design of some dwellings with mock-Tudor design. The development should be set further back from southern boundary.

South Warwickshire CCG: Recommend a contribution of £59,045 towards primary medical care improvements to mitigate for the development.

Warwickshire Police: Recommend a contribution of £32,639 towards police infrastructure to mitigate for the development.

Public Reponse;

109 Letters of **Objection** making the following comments;

- Contrary to the NPPF.
- Increased traffic and congestion.
- Increased accident risk.
- Not satisfied with the Highways response.
- Lack of pedestrian links.
- Should have vehicular access from Ebrington Drive.
- Should consider bus access from Ebrington Drive.
- Pedestrian crossing should be proposed on Birmingham Road.
- Increased air pollution.
- Air Quality Mitigation measures are inadequate.
- Increased light pollution.
- Increased noise pollution.
- Harmful impact on local wildlife.
- Hedgerows and wildlife should be protected.
- Object to loss of roadside hedge.
- Additional planting should be proposed and existing hedgerow retained.
- New planting will not be effective for many years.
- Wildlife corridor is inadequate.
- Harm to Smiths Covert.
- Lack of infrastructure to cope with new houses.
- No additional amenities provided.
- No recreational facilities for teenagers.
- Character of the area will be harmed.
- Impact on the Canal Conservation Area.
- Harm to rural landscape.
- Over-development of the site.
- Loss of important green space.
- Loss of light and privacy to neighbouring properties.
- Loss of views.
- Density of housing not in keeping with existing housing.

- Increased crime potential.
- Should be built to Passivhaus standards in response to the Districts climate emergency.
- Birmingham Road is subject to flooding and this proposal will exacerbate this.
- Loss of productive arable land.

1 Letter of **Support** making the following comments;

- Houses are needed in this area.
- Houses are similar to those on Hatton Park.
- Traffic in area is unlikely to be impacted.

1 Letter of **Comment** making the following comments;

- No objection subject to pedestrian and vehicular access from Ebrington Drive.
- Impact on traffic and wildlife should be minimised.

APPLICANTS COMMENTS

- This application site is an allocated site for up to 150 dwellings in the adopted Local Plan. The principle of the site for residential use has already therefore been tested through the examination of the Local Plan and found to be acceptable.
- The Inspector examining the local plan considered that the site was well contained by physical features on all sides with existing development to the west and existing vegetation on other boundaries – the majority of which will be retained. He also concluded that the site could be suitably accessed and the layout of the development could accommodate significant additional landscaping and provide adequate buffers to Smiths Covert and Ugly Bridge Road.
- The site is in a sustainable location being located within walking distances of existing facilities in Hatton Park.
- The proposals which form this application have been the subject of extensive consultation with the Parish Council; the local resident groups and local residents. In addition, the proposals have been discussed in detail with Officers and all statutory consultees with the resultant position now being that there are no objections from any statutory consultees to the planning application.
- Amendments have been made to the scheme to accommodate comments received including retention of additional trees along the site frontage and re-designing parts of the site.
- The site will also deliver 40% affordable housing in accordance with Council policies.
- The housing mix is in accordance with the Council's requirements for this area.
- The site contains a significant amount of open space totalling 2.24 hectares and includes a centrally located play area – for the benefit of existing and future residents.

- The site provides the opportunity for bio-diversity enhancements both on and off-site and includes a 3m wildlife corridor.
- In summary – the site has been through an extensive consultation process and has resulted in a high quality, well designed scheme with extensive green space which is in keeping with the existing character of the area.

ASSESSMENT

History/Background

An earlier planning application was submitted for the development of the site for 150 dwellings. Due to a land ownership issue with the application and issues surrounding the delivery of the pedestrian/cycle access, the application was subsequently withdrawn prior to being heard at planning committee.

These issues have now been resolved and the application is therefore now being presented to Committee for consideration.

Principle of Development

NPPF

Paragraph 49 of the NPPF states that housing applications should be considered with a presumption in favour of sustainable development.

The site is identified within Policy H1 of the Local Plan as an allocation for new residential development of up to 150 dwellings under allocation H28. This allocation is identified as having a maximum capacity of 150 dwellings so this development accords with the Local Plan Policy H1. The allocation of the site for housing has therefore determined that the development is sustainable.

When assessing what is sustainable development in the context of the NPPF, there are three strands of assessment for sustainable development; An Economic Role, a Social Role and an Environmental Role.

The development would deliver economic benefits through the generation of employment during the construction phase, and from the increased population which would contribute towards increased expenditure in the local area and dependence on local facilities.

Social benefits would include the provision of a mix of types and sizes of market and affordable housing to meet identified local needs. The proposal would provide 40% affordable housing on the site which can be secured through a Section 106 agreement.

Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, provision of open spaces, sustainable drainage measures and new footpath links. The site is sustainably located adjacent to the built up area of Hatton. It is therefore

concluded that the development represents sustainable development by satisfying the three dimensions.

The application site was also subject to a sustainability appraisal as part of the evidence base for the Local Plan. This appraisal took into consideration the three strands of sustainable development in its assessment and Officers are therefore satisfied that the site is sustainable location for new residential development.

Warwick District Local Plan

The application site is identified within the Warwick District Local Plan 2011-2029 as a site suitable for new housing development within the growth village envelope of Hatton Park. The land is defined as the H28 allocation which is formed of two different land parcels separated by a hedgerow running from east to west across the site.

The allocation identified a scheme of up to 150 dwellings on the site and the scheme brought forward details a scheme of 150 dwellings. Officers are therefore satisfied that this is in accordance with the Local Plan.

The adopted Local Plan is 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.

Officers are satisfied that the proposed development is in accordance with the Warwick District Local Plan 2011-2029.

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.

Since this is a full planning application, comprehensive details are known at this stage in respect of the layout and visual appearance of the proposed dwellings.

The site is currently a pair of agricultural fields laid to crops. The fields are separated by an existing mature hedgerow. The boundaries of the site are a mixture of mature hedgerows along the road side elevation and the boundary with Ugly Bridge Road. Adjacent to the housing development of Hatton Park, the boundaries are currently formed by a combination of hedgerows and fencing constructed as part of the development of the adjacent land.

The layout has been configured with the single access point off the Birmingham Road following an assessment of the options available. The use of a singular access provides appropriate access into the development and does not create a through route and potentially a 'rat run' through the scheme into the adjacent residential development.

Pedestrian links are indicated to the north east of the application site to connect the site to the residential development in this area. A pedestrian link to Ebrington Drive is also shown on the revised plans.

The applicants have considered the options for the connection to the existing residential development and have agreed to the imposition of a Grampian Condition to secure the requirement to deliver an appropriate footpath/cyclepath link into the adjacent residential development through negotiation with the land owner. This condition will require a link to be established and delivered to the satisfaction of the Local Planning Authority.

The securing of the link would ensure that there is acceptable permeability between the new dwellings and the existing Hatton Park development leading to improved social cohesion.

Predominantly the dwellings would be 2 storey's in height to reflect the local context. Bungalows are also proposed within the site to provide a balanced mix of housing options within the site. Active frontages are proposed onto all public areas to create visual interest and increase passive surveillance. This also provides a softer edge to the development.

With regard to visual appearance the proposals aim to reflect the traditional 'Warwickshire' architectural style and take inspiration from other buildings in and around the local area. Facades would be predominantly high quality brickwork to add aesthetic value and signify key locations together with the use of render to provide a mixture of finishes.

A mix of hard landscaping is proposed through the development, with changes in surfacing mixed with soft landscaping around the perimeter of the site as well as internally across the site.

All of these features are considered in keeping with the established pattern of development in the area and accordingly, it has been concluded that the proposals would have an acceptable impact on the character and appearance of the area and as such would comply with Policy BE1 of the Local Plan.

The proposed development has been amended following the concerns raised by the District Council's Open Space Officer and Warwickshire County Council's Landscape Officer. The key elements related to the open space provision and layout together with the loss of an excessive amount of hedgerow for the access road to connect the two parcels of land, inappropriate tree species, lack of tree planting in landscape buffers together with comments regarding the wider landscaping proposals across the site.

The revised plans have sought to address the objections of the Landscape Officer with additional planting proposed and revisions made to the areas of landscaping.

Officers note that there will be some hedgerow removal to facilitate the main site access and the provision of visibility splays. A replacement hedgerow is to be

planted within the site to mitigate for this loss. It is noted that concern has been raised regarding the time it would take for this hedge to reach maturity. This is clearly noted and any loss of hedgerow and trees is unfortunate. In this case, the replacement hedgerow would allow for the provision of an improved footpath/cycleway along the site frontage to allow improved sustainable transport options for both existing residents in the area and future occupiers.

The remaining hedgerows around the site boundaries and in the centre of the site are to be retained with only a small section omitted to allow for the access through to the northern area of the site. This loss is balanced with replacement planting within the site to ensure that the harm is satisfactorily mitigated. The retained hedgerows will be subject to protective fencing throughout the construction period to ensure that they are not harmed by the development.

The proposal does not include the provision of allotments on site. This has been agreed with the Open Space Officer and to ensure that adequate provision is available, an off-site contribution towards the provision of alternative provision of allotments within the local area. The final figure will be reported in the update sheet and the contribution will be secured in the Section 106 Agreement.

The overall development provides a proposal with close links to the Hatton Park development to the East whilst providing a green buffer to the north, east and part of the south boundaries to provide a transition from built form to open countryside beyond.

Tree works are required on the site boundary to the road to facilitate the access works and this will result in the removal of some roadside trees. However, these are to be replaced with new species within the site to mitigate the loss.

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.

Amenity of Existing Properties

The site lies adjacent to an existing development. The properties immediately adjacent to the site that share a common boundary are the properties at 1-17 and 23 Tidmington Close and 2-18 Combroke Grove.

No.s 7-17 Tidmington Close would have a rear to rear relationship with the proposed development properties. In terms of separation, the wall to wall distances along this row would be a minimum of 36 metres which greatly exceeds the required standard of 22 metres.

No. 1 Tidmington Close would have a side to rear relationship with a separation of 17 metres where the minimum requirement is 12 metres.

No. 3 Tidmington Close has an offset relationship with Plot 22 with a separation distance of 15 metres. There would be no direct facing walls/windows. In this respect, Officers consider that the proposal would not have a detrimental impact on the amenity of the occupiers of this property. The proposed dwelling would be within the 45 degree line drawn from the neighbouring property but as this distance exceeds 8 metres, it is considered acceptable.

No.s 2-12 Combroke Grove would have back to back relationship with the new development. The minimum distance between these properties would be 27 metres. The single storey garages would be approximately 23 metres from the rear of the existing properties. All of these distances exceed the required standards.

No. 16 Combroke Grove would have a side to rear relationship with a separation distance of 19 metres which exceeds the required standard of 12 metres.

No. 18 Combroke Grove would share an offset side to side relationship with Plot 130. Whilst there is no specific minimum distance requirement for side to side relationships, Officers have assessed the proposed relationship and are satisfied that due to the separation distance of approximately 8 metres and the intervening mature hedgerow, the proposal would not have a harmful impact on the amenity of the occupiers of the existing property.

The boundary of the site is subject to a ransom strip owned by the adjacent developer which is approximately 3 metres wide. There is also a biodiversity landscape corridor of 3 metres proposed as part of this development meaning that there will be no direct facing boundaries between the new properties and the existing Hatton Park development area.

Issues of construction noise and construction traffic can be mitigated through a condition to require the submission of a Construction Management Plan. This would ensure that adequate controls are put in place to address these issues.

Taking the above into consideration, Officers are satisfied that the development would accord with Policy BE3 of the Local Plan.

Amenity of Future Occupiers

The scheme has been designed with a predominant character of side to side relationships where no minimum separation is required. Notwithstanding this, the plots have been designed to provide good distance between dwellings to create an acceptable form of development for future occupiers.

Where properties share a side to side or side to rear relationship, all required separation distances are met or exceeded to ensure an acceptable form of development.

All plots have adequate amenity space that exceeds the standards set out within the Draft Residential Design Guide for amenity space standards.

Overall, Officers are satisfied that the proposed scheme can be satisfactorily accommodated on the site without resulting in any demonstrable harm to the amenity of neighbouring properties. The scheme will also provide acceptable living standards for the future occupants of the site.

Taking the above into consideration, Officers are satisfied that the development would accord 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 proposal has been assessed by the County Highways Officer and additional information sought during the consultation process.

The developer has submitted a significant amount of documentation in support of the application. The first consideration is the existing traffic situation on the A4133 and the current levels of concern over congestion and the ability of the road network to cater for the development generated traffic movements.

The Highway Authority is currently undertaking a scheme of improvement at the A4133/A46 Stanks junction and these works have commenced. Whilst the developers Transport Assessment does not include an assessment of their impact upon the Stanks junction, the scheme proposed includes for traffic from the allocated sites in the vicinity which are considered to impact upon the junction, and will therefore provide adequate capacity to enable the development to proceed without any adverse effect on the Highway Network.

Whilst no assessment has been included within the submitted documents, it has been identified during consideration of the improvement works at the Stanks junction that traffic from this development will result in some impact at this location, this is also confirmed by the trip distribution information contained in the Transport Assessment. Therefore, a contribution to these works will be required which will need to be negotiated with the developer should Planning Permission be granted as part of the Section 106 Agreement for the development.

In assessing the location of the access, an alternative option of access from Ebrington Drive was considered. Firstly, an access from Ebrington Drive would exceed the Highway Authority's limit of 200 units from a single access point which would require a second access point to meet the Highway Authority's limit. This would potentially lead to capacity issues at the existing roundabout junction of Charingworth Drive and Birmingham Road.

The technical note further concludes that a direct access from the A4177 which complies fully with the relevant design standards can be achieved and the

Highway Authority is satisfied that this sufficiently demonstrates that the proposed access to the site is the most suitable.

The Transport Assessment includes an analysis of the proposed access which demonstrates that with the mitigation scheme at the Stanks junction, the site access will operate within capacity and will not be detrimental to the operation of the Highway Network.

Further analysis of the proposed junction has been undertaken through a Stage 1 Road Safety Audit of the access proposal, reference 20586/01-18/5649. The Audit has identified some minor issues that can be dealt with during the detailed design process under Section 278 of the Highways Act and therefore it will not be necessary to consider them further at this stage.

The site layout has been assessed, the proposal providing the required number of parking spaces for each dwelling in accordance with the parking standards. The proposed road system has been the subject of a swept path analysis for the largest refuse vehicle and complies with the requirements of the Highway Authority for adoption, subject to entering into the relevant adoption agreement under Section 38 of the Highways Act.

Finally, objectors have raised concerns over the dates of Traffic Surveys, the suitability of other information contained in the Transport Assessment and accident statistics for the nearby network.

The majority of the survey data used in the preparation of the report was undertaken by Warwickshire County Council as part of our Strategic Network Assessment and local count data taken in connection with the proposed improvement works at the Stanks junction.

A further speed survey was carried out by the developers consultants on 5th - 11th July in order to determine the required visibility splay at the site access. These results are not dependant on traffic flows and are therefore acceptable.

The 2011 Census data used to determine trip distribution is the most current data available and is therefore acceptable for use in such cases. The Highway Authority has no reason to doubt this information and it is used nationally to determine vehicle movements.

The Accident information included within the Transport Assessment is current and demonstrates that there are no underlying issues with the highway at this location and that the development will not significantly affect Highway Safety. The Road Safety Audit further confirms that a safe access can be achieved.

The proposal also involves the creation of a temporary sales and construction access. This will necessitate the removal of a small section of hedgerow. This access provides acceptable visibility for the speed of the road and provides a location where the proposed road is in close proximity to the front boundary so requiring limited additional hardstanding. This has been assessed by the County Highways Officer who has raised no objection to this proposal.

Concern has been raised by local residents regarding this access and have queried whether the access could not be provided from the old Hospital Access road. This access road is designated as a pedestrian/cycle path only and is gated to prevent vehicular access. The use of this access for construction traffic and sales would require the designation of the road to be changed and appropriate access provided for large construction vehicles which would diminish pedestrian and cycle safety. It would also give rise to potential vehicle incursions.

Taking the above into consideration, Officers are satisfied that the development would accord with Policy TR1 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 proposed development has been submitted with an Ecological Impact Assessment. This has been assessed by the County Ecology Team who have raised no objection to the proposal subject to the completion of a Biodiversity Impact Assessment and any associated offsetting to be secured through a Section 106 Agreement. In addition, conditions have been requested for tree protection to be submitted together with the submission of a Construction and Environmental Management Plan (CEMP) and a Landscape and Ecological Management Plan (LEMP).

Overall, Officers are satisfied that the Ecological Impacts of the development have been satisfactorily mitigated by conditions and Section 106 contributions.

Taking the above into consideration, Officers are satisfied that the development would accord with Policy NE3 of the Local Plan.

Air Quality

The application has been submitted with an Air Quality Mitigation Statement. This was assessed by the Environmental Health Officer (EHO) who raised some queries with the document. Following discussions between the EHO and the applicant's consultant, an updated Air Quality Mitigation Assessment was submitted to demonstrate that the proposed development would not have a detrimental impact on Air Quality. Notwithstanding this, the report goes on to recommend additional mitigation measures to ensure that sustainable transport methods are promoted by the development including improvements to the local bus service, contributions to wider highway improvements, bus stop improvements and the provision of sustainable travel packs. Also proposed are electric vehicle charging points to be provided for the dwellings.

The financial contributions would be secured through the Section 106 Agreement and the electric vehicle charging points would be secured through the Low Emissions Strategy Condition.

Other Matters

Drainage and flood risk

Although the site is in Flood Zone 1, a Flood Risk Assessment has been submitted with the application as the site exceeds 1 hectare in site area. The Lead Local Flood Authority has confirmed there is no objection to the development subject to conditions requiring the development to be in accordance with the submitted drainage strategy to deal with surface water as well. Subject to these conditions there is no objection from a drainage and flood risk point of view and the development is therefore considered to be acceptable in this regard.

Trees/Hedgerows

The proposed access is to the Birmingham Road frontage and necessitates the removal of a section of the road side hedge to create the new main access together with associated visibility splays. It is proposed to replant a new hedge within the site to replace the hedgerow lost as a result of the access works. Interspersed with the new hedge will be a number of tree species to supplement the boundary treatment.

The site is formed by two parcels of land that are defined by a hedgerow that separates the land parcels. The proposal requires the removal of a central section of this hedge to facilitate the vehicular access to the rear element of the site together with an area to the eastern side as a result of the proposed layout. The area of hedgerow to be removed is the minimum required to facilitate access through to the rear element of the site and the eastern element is where the hedge is in poor condition. In order to mitigate the loss of the hedgerow, additional tree planting is proposed to the area to offset the loss. This can be secured by condition.

The proposal also includes the creation of a temporary access for construction and sales. During the course of the application, this access has been reviewed and a number of the trees originally identified as to be removed are now to be retained and the only removal in this section is a limited section of the roadside hedge to create the access. As this is temporary, it is appropriate to attach a condition requiring the land to be restored to its former condition and the hedgerow replanted with appropriate species.

Within the remaining site, the hedgerows are to be retained and supplemented where required. Tree planting is also proposed across the site to ensure that there is a net gain of tree species as a result of the development and to provide a well landscaped scheme.

The site has been submitted with an Arboricultural Survey and Impact Assessment that includes a range of proposed methodologies for works near trees. These details can be secured by condition. Additionally a tree protection condition is sought to ensure trees and hedgerows to be retained are not harmed by the development.

Officers are satisfied that the proposed development would not have a harmful impact on trees and hedgerows across the site.

Archaeology

The application was submitted with a desk-based archaeological survey supplemented with a geo-physical survey and an archaeological evaluation report following a scheme of trial trenching works being carried out on the site. The County Archaeologist has considered the submitted information and is satisfied that the works carried out are sufficiently detailed to demonstrate that there is a low potential for any archaeological survey work to be carried out.

Health and Well-being

The proposals would provide housing to meet the housing needs of the district, including the full requirement of 40% affordable housing units for people in housing need. This is a benefit that contributes to health and well-being.

Additionally, the proposed open space and play facilities within the development are positive benefits that would add to the effective layout of the scheme and provide an enhanced environment in which to live for future occupiers.

The applicant has also agreed to enter into a section 106 agreement to secure the following:

Obligations

- Provision of 60no. units of affordable housing (40% of the total units proposed);
- Maintenance of on-site drainage areas.

Financial Contributions

- a contribution of £540,000 towards strategic highway infrastructure and measures to improve walking and cycling;
- a contribution of £303,715 towards Education and Learning.
- A contribution of £86,219.94 towards NHS Hospitals.
- a contribution of £3,283 towards Library and Information Services.
- a contribution of £11,250 towards sustainability packs;
- a contribution of £10,683 towards outdoor sports facilities;
- a contribution of £133,530 towards indoor sports facilities;
- a contribution of £193,543 towards Biodiversity Offsetting.
- a contribution of £150,000 towards improved bus services.
- a contribution of £57,810 towards off-site allotment provision.

- a contribution of £10,456 towards improvements to public rights of way within a 1.5 mile radius of the development site.
- a contribution towards improvements to the Stanks Island improvement works. (final figure to be confirmed and reported via the update sheet to committee)
- Monitoring Fee of £30,000 or 1% of contributions whichever the greater

The proposed financial contributions are in accordance with the requests from the various consultees in relation to the relevant services. It is considered that these contributions will appropriately mitigate the impact of the development on these services.

In addition, the proposed development will also be subject to the District Councils Community Infrastructure Levy (CIL) to secure additional contributions towards local infrastructure projects. A proportion of the CIL funds will also be provided to the local Parish Council for local projects. This funding is based upon;

- £100 per Council Tax dwelling subject to a capped maximum of 15% of the total CIL income per annum if there is no adopted neighbourhood plan.
- 25% of the total CIL income per annum where an adopted neighbourhood plan is in place.

Conclusion

The development of this allocated site (H28) for the construction of 150 dwellings together with the necessary infrastructure and associated works, including the provision of open spaces and highway improvements is considered to be acceptable in principle in accordance with Local Plan Policy DS11.

Following the withdrawal of the earlier application due to the issue with providing an appropriate pedestrian cycle link, the applicants have assessed the available options. The applicants have now confirmed that they are accepting of a Grampian Condition to secure the provision of the link and this is within the list of conditions accordingly.

The proposals would ensure appropriate levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants. The proposals would have a positive impact on the character and appearance of the area. Additionally, the proposals are considered to be acceptable in terms of car parking and highway safety.

Furthermore, the proposals are considered to be acceptable in ecological terms and there are a number of necessary and relevant conditions recommended in the event permission is forthcoming which would ensure that any possible impacts of the development are adequately mitigated.

Overall, the development is considered to accord with all relevant provisions of the Development Plan and for these reasons, it is therefore recommended that planning permission be granted.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 0102/1000 Rev C, 0102/2000 Rev B, 0102-116A, 0102-118, 0102-119, 10-05-01-P9, 10-05-02-P9, 10-05-03-P6, 10-06-P8, 10-07-P8, 20142-DG-PL, 20142-DSG-PL, 20142-SG-PL, AA11, AA24, AA32, AA42, BU2, The Devonford – Plan, The Devonford – Elevations, The Devonford – Elevations (Plots 64&65 only), The Keydale – KE, The Keydale – KE (Plot 57 only), The Keydale – KE (SP), The Keydale – KE (SP) (Plot 131 only), The Beauford – NA21, The Byford – NA32, The Ransford – NA46 – Plans, The Ransford – NA46 – Elevations, The Ransford – NA46 – Elevations (Plot 52&63 only), The Stanford – NA47 – Plans, The Stanford – NA47 – Elevations, The Ruston – NB52 – Elevations, The Rushton – NB52 – Plans, The Canford – PA25, The Gosford – PA34, The Lavenham – PD51 – Elevations, The Lavenham – PD51 – Plans, The Teasdale – PT45 – Elevations and The Teasdale – PT45 – Plans, and specification contained therein, submitted on 29 May 2019, approved drawing(s) 20142/PL/01E, c-1562-07 Rev B and c-1562-08, and specification contained therein, submitted on 27 August 2019, approved drawing(s) 890193-10-07-P8, 1562-01J, 1562-02J, 1562-03J, 1562-04L, 1562-06K and 20142-EP-01 Rev D, and specification contained therein, submitted on 18 October 2019 and approved drawing number 1562-05J, and specification contained therein, submitted on 24 October 2019.

REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 3 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless and until the tree and hedgerow protection measures have been put into place in full accordance with the details set out in the document titled Stage 1 & 2 Arboricultural Impact Assessment and Method Statement Report (Rev.9) dated August 19. Thereafter, the protective fencing shall remain in place for the full duration of any construction work . In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root

structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

REASON: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

4 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for:

- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
- Dust management and suppression measures - level of mitigation determined using IAQM guidance
- a scheme for recycling / disposing of waste resulting from demolition and construction works.
- 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
- 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:

1. 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.
2. Delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon - Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays.

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.

- 5 The development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally 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.
- 6 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **Reason:** In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.
- 7 No development and subsequent use of the development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to

and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- Undertaken infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- Where flooding occurs onsite to store the 1 in 100 year climate change event details should be provided of the storage capacity required outside of the proposed formal drainage system. Details of the depths and locations of flooding should also be provided to the LLFA where the depths may be unsafe Hazard mapping may be required to ensure the development remains safe to users of the site
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity in accordance with Policies FW1, FW2 and NE3 of the Warwick District Local Plan 2011-2029.

8 No development shall take place until: -

1.(a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the 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 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 planning authority. The method statement shall include details of how the remediation works will be validated upon completion.

This should be approved in writing by the 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 planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with and shall be submitted to and approved in writing by planning authority. The site shall not be occupied until the approved addendum has been complied with.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the 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 BE3 and NE5 of the Warwick District Local Plan 2011-2029.

- 9 No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- a. Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753 The SuDS Manual.
- b. Evidence that the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm has been limited to the QBAR runoff rates for all return periods.
- c. Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the drainage system for a range of return periods and storms durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- d. Demonstrate the proposed allowance for exceedance flow and associated overland flow routing.
- e. Provide a Maintenance Plan to the LPA giving details on how the entire surface water system shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details, for the maintenance of all features within the communal areas onsite (outside of individual plot boundaries) shall be provided to the LPA.

Reason: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029

- 10 The development hereby permitted shall not be occupied unless and until a pedestrian/cycle link has been provided to connect the development with Ebrington Drive. The pedestrian/cycle link shall be constructed to the satisfaction of the Local Planning Authority in consultation with Warwickshire County Highways in accordance with a scheme which will have first been submitted to and approved in writing by the Local Planning Authority. **REASON:** To ensure that the development has acceptable permeability with the existing residential development in accordance with Policies SC0 and TR1 of the Local Plan 2011-2029.
- 11 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 12 The development hereby permitted shall be carried out strictly in accordance with the Landscape and Ecological Management Plan reference CSA/2684/05 (updated April 2019) received on 29 May 2019. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 2011-2029.
- 13 The development hereby permitted shall be carried out strictly in accordance with the Construction and Environmental Management Plan (CEMP) reference CSA/2684/06 (updated April 2019) received on 29 May 2019. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 2011-2029.
- 14 The development shall not be occupied until the public highway A4133 has been improved so as to provide for the site access in accordance with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority, as shown on plan 890193 10-09 P3. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 15 The layout of the estate roads serving the development [including footways, verges and footpaths] shall not be designed other than in accordance with the principles and guidance as set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001'. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 16 No dwelling shall be occupied until the estate roads [including footways] serving it have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 17 The temporary construction/sales access shall be constructed strictly in accordance with the details as shown on plan reference 0102/2000 Rev B. The access shall be used for a maximum period of three years from the commencement of the development or the substantial completion of the primary access (whichever is the sooner) and thereafter, the land shall be restored to its former condition. Any new planting shall be carried out within the first planting season following the cessation of the use of the access. **REASON:** The access is only proposed for a temporary period and is not proposed to be a permanent vehicular access to serve the site.

- 18 The Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Prior to the commencement of the development, the details of these measures (including type, method of operation and control of use) shall be submitted in writing to the Local Planning Authority for their approval in consultation with the Highway Authority. **Reason:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 19 The lighting scheme shall be carried out in accordance with the details submitted on plan reference 10-06 P8 received by the Local Planning Authority on 29 May 2019. In considering the lighting scheme, 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 energy LED lighting should be used in preference to high pressure sodium or mercury lamps;
 - b. the brightness of lights should be as low as legally possible; and
 - c. lighting should be timed to provide some dark periods.
- REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 2011-2029.
- 20 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 21 The development hereby permitted shall be carried out strictly in accordance with the methodology set out in the Stage 1 & 2 Arboricultural Impact Assessment and Method Statement Report (Rev.9) dated August 19 and received by the Local Planning Authority on 27 August 2019. **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.