

Planning Committee: 28 March 2023

Item Number: 4

Application No: [W 22 / 0400](#)

Town/Parish Council: Warwick
Case Officer: Dan Charles

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Registration Date: 04/03/22

Expiry Date: 03/06/22

Land at, Goggbidge Lane, Hampton Road, Warwick

Development of 69 dwellings with access, parking and associated infrastructure.
FOR Taylor Wimpey UK Limited

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 are agreed by the relevant consultee and meet the relevant statutory test together with necessary alterations to the final list of conditions.

Should a satisfactory Section 106 Agreement not have been completed within 4 months of the date of Committee or in the opinion of Officers, insufficient progress has been made within this period to warrant the agreement of additional time to complete the Agreement, 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 a full planning application for the erection of 69 dwellings on land at Goggbidge Lane in Warwick.

The development proposes 42 open market dwellings ranging from 2 to 4 bedrooms.

The proposed development will provide 27 Affordable Dwellings of between 1 and 4 bedrooms across the 3 tenures of social rent, affordable rent and shared ownership.

The development proposes predominantly 2 storey dwellings with a limited number of 2.5 storey properties.

The site proposes to utilise an existing access serving the site which has been constructed to an appropriate highways standard.

An attenuation pond is proposed to the southern end of the site for the on-site SUDS provision.

THE SITE AND ITS LOCATION

The site forms a parcel of vacant grassland accessed from Goggbridge Lane to the southern edge of Warwick. The site is a linear piece of land that narrows from south to north.

The Northern boundary flanks open grassland that rises to the north. To the east, the whole site is flanked by existing residential development that was constructed around 2007.

To the south, the site partially abuts an existing care home access that is shared with access to an existing electrical substation. Beyond the substation to the south lies the Tournament Fields employment development.

To the west the boundary is flanked by the A46 which runs adjacent to the site on a raised embankment.

The site lies within Flood Zone 1 so is at lowest risk of flooding and is not covered by any Environmental Designations. There are also no Listed Buildings or other Heritage Assets within the vicinity of the site.

The site is allocated within the Local Plan as an existing Major Employment Commitment, forming a residual part of the Tournament Fields Allocation.

PLANNING HISTORY

No previous planning history.

RELEVANT POLICIES

National Planning Policy Framework

Warwick District Local Plan (2011-2029)

- DS1 - Supporting Prosperity
- DS3 - Supporting Sustainable Communities
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS10 - Broad Location of Allocated Sites for Housing
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- PC0 - Prosperous Communities
- EC3 - Protecting Employment Land and Buildings

- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE2 - Developing Strategic Housing Sites
- BE3 - Amenity
- BE5 - Broadband Infrastructure
- BE6 - Electronic Communications (Telecommunications and Broadband)
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- HS1 - Healthy, Safe and Inclusive Communities
- HS3 - Local Green Space
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS5 - Directing Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- CC3 - Buildings Standards Requirements
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- FW4 - Water Supply
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions DM2 - Assessing Viability

Guidance Documents

- Affordable Housing (Supplementary Planning Document - June 2020)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Public Open Space (Supplementary Planning Document - April 2019)
- Parking Standards Supplementary Planning Document (June 2019)
- Residential Design Guide (Supplementary Planning Document- May 2018)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: The application is over-development of the site. Support the comments of the WCC Landscape Team.

WDC Arboricultural Officer: No objection and no conditions recommended.

WDC Housing Strategy: No objection.

WDC Environmental Protection Officer: Concern regarding noise including from the A46 and the use of mechanical ventilation. This should form part of the planning balance of the scheme.

WDC Sport and Leisure Officer: Section 106 Contribution request.

WCC Highways: Following the receipt of additional transport information, no objection subject to conditions and notes.

WCC Flood Risk Management Team: Initially raised an objection to the proposal on the basis of inadequate drainage detail. Revised and updated scheme submitted to address those concerns has been assessed and considered generally acceptable. There is however a need for further hydraulic modelling to demonstrate the acceptability of the scheme.

WCC Rights of Way: No objection.

WCC Landscape: Objection due to the impact of the A46, limited planting on site and loss of green buffer.

WCC Infrastructure: Section 106 Contribution request.

Warks Police Designing Out Crime Officer: No objection. Make various security recommendations.

Warks Fire and Rescue: No objection subject to hydrant condition.

Severn Trent Water: No objection subject to sewerage connection note.

South Warks NHS Trust: Section 106 Contribution request.

Public Response: A total of 13 letters of objection and 2 neutral comments received.

Objection Comments

- Already too much development without improvements to infrastructure.
- Warwick already has poor air quality.
- Will cause traffic and access issues.
- Loss of green space.
- Existing roads should be adopted before further development takes place.
- Lack of amenities to serve more dwellings.
- Noise and disruption from construction.
- Increased risk of flooding.
- Noise Assessment requires 6m barrier not 4.5m as submitted.
- Overbearing impact of noise barrier on future occupants.
- How will the barrier be maintained.
- Need further landscape details.
- No details of cycle parking provision.
- Need more feature plots to break up the monotony of red brick.
- No proposals for sustainable energy sources.

- Has the impact of noise from the substation been assessed.
- Some dwellings have an overbearing impact on each other.
- Would require more street trees.

Neutral Comments

- Would like S106 contributions to benefit the local community for increasing local amenities.
- Planning should be conditional on roads being adopted.
- Ensure affordable housing provision is not reduced.
- Need to manage site levels at Blackbades Boulevard end to protect a footpath.
- Extra trees on Goggbridge Lane may help to mitigate extra traffic and soften site lines.
- Ensure trees and hedgerows on A46 boundary are protected.
- Make the pond area a green space amenity as well as a wildlife habitat.
- Consideration should be given to traffic and parking issues during construction.
- Ensure adequate parking is provided on site

ASSESSMENT

Principle of Development

There are two elements to the principle of development;

- Loss of Employment Land
- Provision of New Housing

Loss of Employment Land

The site forms part of an existing major employment commitment. The land is an off-shoot of land from the Tournament Fields employment site that lies to the south and south east of the application site. As this is identified in the Local Plan as part of an employment commitment, it must be assessed against the employment land policy of the Local Plan.

Policy EC3 of the Local Plan seeks to resist the loss of employment land. The policy lists certain exceptions that can be considered that would allow the loss of the employment land.

In this case, the circumstances put forward relate to both exception b) which states *"it can be demonstrated that the use of the land or buildings for the existing or alternative employment uses would not be viable"* and exception c) which states *"it can be demonstrated that the site is not suitable for employment uses due to unacceptable and unavoidable impacts upon nearby residential uses"*

The site is a residual parcel of land that was part of the whole site development of the Tournament Fields employment land and the wider residential development known as Chase Meadow. This allocation stretches back to the previous Local Plan regime from 1996-2011. During that time, the land has not been the subject of any applications or interest for employment development.

The land has been marketed by a renowned local agent since 2019 through a range of sources including several property websites as well as direct contact from the agent with the use of sales particulars. Despite this marketing, the site has achieved little interest from prospective developers. The supporting information provided by the agent states that the awkward shape of the land coupled with the close proximity of residential uses has dissuaded any potential development of the land.

Having considered this information, Officers note that the employment allocation did allow for a care home that lies adjacent to the site. The care home itself is a residential use and the location of this adjacent to the development site further limits any potential for employment development on the land. The care home also provides a transition between the Tournament Fields employment site and the residential area of Chase Meadow beyond.

Having considered the extended period with which this land has been allocated with little interest together with the close proximity of existing residential uses, Officers are satisfied that the development would meet the exceptions set out within Policy EC3 and the use of land for an alternative form of development is acceptable.

Provision of New Housing

The site lies within the urban boundary of Warwick. Policy H1 of the Local Plan allows for the provision of new dwellings where the site lies within the Urban Boundary as these areas are recognised as highly sustainable areas to direct new housing development.

The proposal is therefore considered acceptable in principle.

Housing Mix

Policy H4 of the Local Plan requires residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district in accordance with the latest SHMA and as summarised in the most recent guidance document 'Provision of a Mix of Housing' (June 2018), based on current and demographic trends, market trends and the needs of different groups in the community. This development provides:

Market Housing

Bedrooms	Total	% Proposed	WDC requirement	Difference
1 bedroom	0	0%	5-10%	-5%
2 bedroom	14	33.3%	25-30%	+3.3%
3 bedroom	17	40.5%	40-45%	Within Range
4+ bedroom	11	26.2%	20-25%	+1.2%

The market housing mix does not fully accord with the Housing Mix as set out within the Housing Mix SPD with the omission of 1 bed houses. Having considered this in the context of the development, the applicants have provided a small excess of 2 bedroom dwellings which would mitigate for the lack of these units.

Officers are therefore satisfied that the housing mix is acceptable. appropriate.

Additionally, careful consideration has been given to the location of all house types and tenures across the whole development, which is otherwise considered to represent a good spread of dwelling sizes across the development site.

In making this assessment, I consider the overall housing mix is generally in conformity with the guidance (2018) and this development is therefore acceptable.

Affordable Housing

The proposed affordable housing mix for this phase of development is as follows:

Bedrooms	Total	% Proposed	WDC Requirement	Difference
1-bedroom	4	14.8%	30-35%	-15.1%
2-bedroom	14	51.9%	25-30%	+21.9%
3-bedroom	8	29.6%	30-35%	-0.4%
4-bedroom	1	3.7%	5-10%	-1.3%

This proposal would provide 40% affordable housing comprising the mix of dwelling sizes set out in the above table.

Whilst the figures set out in the table above show differences to the Housing Mix as set out within the SPD, the application has been assessed by the Housing Team and no objection is raised to the mix. The plans submitted reflect the proposed tenure mix and provision based upon the demands within the local area. The addition of more smaller, two bedroom units allows for greater flexibility with the ability for occupiers to expand within their existing property.

The layout plan illustrates how the affordable housing would be distributed across the site and for this development, the even distribution of affordable housing is welcomed. Where located in clusters, care has been taken to ensure that the tenures are mixed to prevent social exclusion. It is also noted that the applicants propose tenure blind dwellings that are the same as the market range of dwellings so that they are not visually different.

Design and impact on visual amenity and the character of surrounding area

Section 12 of 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.

Policy BE1 of the Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

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 existing land is set to rough grassland contained within security fencing. The appearance of the land is at odds with the surrounding development and the closed off nature of the land affords little visual amenity to the local area. As the land is private, it is of little benefit to existing residents for purposes of open space.

The proposed development seeks to provide a total of 69 residential properties together with all ancillary works. The dwellings fronting onto Goggbridge Lane will share a front to front relationship with the existing dwellings fronting onto the road and this will retain the character of the existing residential development within the local area.

The remainder of the site will be accessed via the existing entry point from Goggbridge Lane and the dwellings will front onto a primary internal access road that runs through the site. Dwellings will be served by a combination of side tandem parking and frontage parking in limited numbers.

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.

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.

Impact on existing properties

The key area of the site is the eastern boundary where the site flanks the edge of the existing residential development. The scheme matches the properties on the existing development that also front onto the highway giving a front to front relationship. The separation distance is acceptable having regard to the required standards.

The remaining site would abut vacant land to the north and the A46 to the West where there would be no near neighbours that would be directly affected by the residential development of the site.

To the south lies land associated with the adjacent care home. The area immediately adjacent to the boundary is the access through

Officers are satisfied that the new development provides a high-quality residential environment that respects the existing properties.

Amenity of Future Occupiers

The proposed layout and design of this development would provide a high level of residential amenity to the future occupiers of the development within an attractive setting. The proposed development would infill the currently vacant land with a development of similar appearance to the existing properties that front onto Goggsbridge Lane and form a wider cohesive development with those properties.

The western perimeter of the site abuts the A46 that runs adjacent to the site. This has been identified as an area where higher noise levels would be experienced by future occupiers. In light of this, noise reports have been carried out together with a mitigation strategy incorporating increased levels of glazing standards to the façade facing the A46 and the use of an Acoustic Barrier to further mitigate the noise impact. satisfactorily mitigated.

The EHO (Environmental Health Officer) has identified that along this boundary, the noise levels are higher and would exceed the internal noise guidelines recommended by BS8233: 2014 and the World Health Organization (WHO) guidelines for community noise (1999) during both the day and night time periods if residents decide to open their windows for ventilation or cooling.

Where closed windows are required, the noise planning practice guidance (NPPG) (2019) suggests that adverse noise impacts can be partially off-set if residents have access to a quieter façade where windows can be open, have access to a quiet private outdoor amenity space, or have access to a quiet shared outdoor amenity space. The NPPG also suggests that access to a nearby public open space can partially off-set adverse noise impacts.

As part of the assessment, the Officer has raised concerns over the noise mitigation strategy insofar as the noise source from the A46 require the use of closed windows to adequately mitigate the identified noise sources.

In order to provide acceptable living conditions, a mechanical ventilation system is proposed to provide fresh air to the future occupants. The EHO has raised some concern about this methodology as it does result in a reliance of windows being closed which has the potential to reduce the amenity of future occupiers.

In this case, as the properties are dwellings, the occupiers would have access to the front of the property that would be considered a quieter façade.

It is not proposed for the development to have a sealed window approach and all rooms will be provided with openable windows to allow the occupants a choice. Where windows are openable, it is acknowledged that the occupant will be subject to increase noise levels above the relevant guidelines.

The glazing and ventilation measures proposed by the applicant would mitigate the adverse noise impacts experienced by future residential site users if they had their windows closed. For cooling and ventilation purposes, a mechanical ventilation system would achieve a technical solution to the noise impacts in accordance with applicable guidance (i.e. it will achieve the necessary internal decibel levels to provide an acceptable internal noise environment).

Noise guidance, however, does not provide information on the wider planning considerations such as standards of amenity, general living environment, and the suitable use of land.

A common definition of a statutory nuisance is whether a specific activity is unreasonably and substantially interfering with the use or enjoyment of a home or other premises. However, there is currently an absence of case law on whether statutory nuisances should be assessed whilst windows are closed if that is how the building was designed.

In conclusion, the EHO has stated that whilst a technical solution has been provided, there is a question whether the reliance on closed windows and alternative ventilation for large parts of the day and night time provides a high standard of amenity and acceptable living standards for future residential occupiers in line with the principles of the National Planning Policy Framework (NPPF) (2021).

Officers have considered this approach and clearly acknowledge this concern. It is a subjective approach and in assessing this, Officers note that the technical solution does achieve the required mitigation. The use of openable windows does also allow future occupants the choice of ventilation should it be required. This does allow freedom for occupiers.

The separation distances to surrounding properties are considered to be acceptable, and in many cases are in excess of the minimum separation distance guidance. The proposed development would provide appropriate relationships between neighbouring properties without significant impact upon the amenities of the occupiers.

All garden areas across the site meet or exceed the required garden standards commensurate with the size of property.

Whilst the District Council has not formally adopted the National Space Standards as part of the Local Plan and therefore cannot impose these standards, Officers have considered the development against these standards for the purposes of assessing the amenity of future occupants. Officers are satisfied that the dwellings meet or exceed these standards and would therefore provide acceptable living conditions for future occupiers.

The proposed layout and design of this development would provide a high level of residential amenity to the future occupiers of the development within an attractive setting, however the position in respect of potential noise disturbance as discussed above is acknowledged .

Officers are satisfied that the development is acceptable having regard to 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 site benefits from an existing access into the site onto Goggbidge Lane. This access already meets the design requirements in terms of width and provision of appropriate visibility in both directions.

As part of the proposal, the County Highways Officer has assessed the anticipated vehicle movements associated with the development and is satisfied that there would be no detrimental impact on the local or wider highway network as a result of the development.

All of the dwellings are provided with the appropriate level of parking within the plot and the parking arrangements are a combination of side, tandem parking and frontage parking. This is split through the site to ensure that parking is not the dominant feature of the development.

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.

I therefore consider that the proposal is acceptable having regard to Policy NE3.

Drainage

Policy FW1 requires all new development to be resilient to surface water flood risk by providing an acceptable drainage strategy to demonstrate that surface water can be adequately mitigated on site.

Policy FW2 of the Warwick District Local Plan states that all new major developments must incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan. There will be a presumption against underground storage of water, and it should support the delivery of green infrastructure. In addition, SuDS schemes must be located outside the floodplain; ideally this should be within the development site or close to the site as part of a master planned drainage scheme. Priority should be given to SuDS that incorporate green infrastructure, including green roofs, walls and rain gardens.

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 (LLFA) has confirmed there is no objection in principle to the submitted drainage strategy to deal with normal surface water.

As part of the assessment the Lead Local Flood Authority (LLFA) also sought additional information relating to additional run-off onto the site from external sources, particularly the A46 Trunk Road to demonstrate that the development would not be subject to increased risk of flooding either on-site or elsewhere due to displacement of water as a result of the development.

Further discussions with the LLFA have determined that the scheme would require hydraulic modelling to demonstrate that the site will be able to mitigate the run-off without displacement into areas beyond the site boundary. The LLFA has stated verbally that they are satisfied that this can be adequately secured by condition. Their further formal comments are currently awaited.

Subject to the imposition of the relevant conditions, Officers are satisfied that the scheme is acceptable having regard to Policies FW1 and FW2

Adapting to Climate Change

Policy CC1 seeks all new development to be resilient to, and adapt to the future impacts of climate change through the inclusion of measures to mitigate against rising temperatures and increased flood risk through sustainable construction measures and the incorporation of sustainable drainage methods.

The application has been submitted with a Sustainability Statement that sets out a range of elements that will improve the efficiency of the site and minimise the impact on climate change. The sustainability statement sets out these measures from the construction phase of the development through to the final completion and occupation of the dwellings.

Using a fabric first approach, the sustainability statement states that the dwellings will achieve between 8.17% and 11.98% betterment over the Part L Building Regulations requirements.

Officers consider that through the use of sustainable energy measures, this could be further improved and therefore the standard sustainability condition is proposed to be added.

I therefore consider that the proposal accords with Policy CC1.

Air Quality

The application has been submitted with an Air Quality Mitigation Statement to demonstrate that the proposed development would not have a detrimental impact on Air Quality. The statement recommends 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

Open Space

Due to the restricted shape of the site, on site open spaces areas are limited to the land around the SUDs pond at the south of the site. Officers have agreed that the provision of open space can be provided through an off-site contribution to improve the existing areas of open space within the vicinity of the site. Within the Chase Meadow development, there are already a significant number of open space areas within a short walking distance from the site. The off-site contribution will allow further improvements to these areas of open space to mitigate the increased use through the provision of additional dwellings.

The final figure will be reported within the update sheet for Members.

Trees/Hedgerows

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.

No trees or hedgerows are to be removed as a result of the development and Officers are satisfied that the proposed development would not have a harmful impact on trees and hedgerows across the site.

Waste Storage

All dwellings will have adequate space for the storage of waste bins and Officers are satisfied that the bins can be satisfactorily presented to the roadside for collection.

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:

Contributions

- provision of 27no. units of affordable housing.
- a contribution of £348,401 towards Education and Learning.
- a contribution of £4,958 towards outdoor sports facilities;
- a contribution of £57,896 towards indoor sports facilities;
- a contribution of £77,785 towards provision and improvement of grass pitches
- a contribution of £67,371.40 towards NHS Hospitals.
- a contribution of £3,450 towards road safety initiatives.
- a contribution of £1,302 towards Library and Information Services.
- a contribution of £690 towards sustainability packs;
- Maintenance of on-site drainage areas.
- County Monitoring Fee
- District Monitoring Fee

At the time of writing, the following requests are still outstanding and where received will be reported within the update sheet;

- Biodiversity Offsetting Contribution.
- NHS Doctors Surgeries Contribution.
- Off-site Open Space Contribution.

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.

Conclusion

Officers are satisfied that the loss of employment land is justified in this case and the development of this site for the construction of 69 dwellings together with the necessary infrastructure and associated works, is considered to be acceptable in principle in accordance with Local Plan Policy DS11.

The proposals would ensure appropriate levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants. The situation concerning potential noise levels from the A46 and their impact on some of the proposed dwellings is recognised however when balanced against the other aspects of the scheme are not considered, to be sufficient for an objection to be raised to the proposal.

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) *****, and specification contained therein, submitted on *****. **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 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision

of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.

REASON: To ensure a net biodiversity gain in accordance with NPPF.

- 4 The development hereby permitted, including site clearance work, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition, the LPA expect to see details concerning pre-commencement checks for protected species (*detail as appropriate, e.g. badgers, bats, breeding birds and otter*) and appropriate working practices and safeguards for wildlife 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 the National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029.
- 5 The development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; site working hours and delivery times; 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; measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **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 and NE5 of the Warwick District Local Plan 2011-2029.
- 6 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.

- Z 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 to include hydrological modelling in accordance with the requirements of the Lead Local Flood Authority (LLFA), 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 be carried out above slab level until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these approved details.

Reason: To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

9 Notwithstanding details contained within the approved documents, prior to commencement of development (within its relevant phase), a Sustainability Statement including an energy hierarchy scheme for that phase and a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;

- a) How the development will reduce carbon emissions and utilise renewable energy;
- b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;
- c) How proposals will de-carbonise major development;
- d) Details of the building envelope (including U/R values and air tightness);
- e) How the proposed materials respond in terms of embodied carbon;
- f) Consideration of how the potential for energy from decentralised, low carbon and renewable energy sources, including community-led initiatives can be maximised;
- g) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

For the avoidance of doubt, the scheme must accord with any relevant Development Plan Document and Supplementary Planning Document relating to sustainability which has been adopted by the Council at the time the scheme is submitted.

No dwelling/ building shall be first occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019).

10 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.

- 11 Before the development has commenced, the further written approval of the Local Planning Authority shall be obtained for the design of the estate road layout serving the development [including footways, verges and private drives]. These details shall include large scale plans and sections showing the layout, vertical alignment and surface water drainage details including the outfall.

Reason: In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 12 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.

- 13 The layout of the estate roads serving the development [including footways, verges and footpaths] shall not be designed other than in accordance with the standard specification of the Highways Authority.

Reason: In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 14 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.

- 15 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.
- 16 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures (including details of hours of operation) shall have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 17 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.
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