

PLANNING COMMITTEE: 12 DECEMBER 2018

OBSERVATIONS RECEIVED FOLLOWING PREPARATION OF AGENDA

Item 4: W/18/0522 – Gateway South

Further consultation responses

Trinity Guild Rugby Football Club have withdrawn their objection, provided a condition is imposed to secure suitable relocation proposals.

Highways England have withdrawn their holding objection, subject to conditions.

The Woodland Trust have reiterated their concerns about the loss of the two veteran trees. They consider that this fails the “wholly exceptional” test in the NPPF.

27 further objections have been received from members of the public. These raise issues that have already been summarised in the Committee Report.

Section 106 agreement

A further obligation is proposed to require the developer to provide a sum of £2.5 million in an escrow account to be used for the provision of replacement playing pitches if the developer does not meet their obligations in this regard under conditions 35-37, e.g. in the unlikely event that the developer were to cease trading after the Rugby Club have been moved to their temporary site but before the permanent replacement facility has been provided.

Conditions

There have been various minor changes to the recommended conditions, as set out below:

Condition 4 – reference to parking changed to refer to “interim” parking.

Condition 23 – changed to allow for the Link Road to be provided earlier in the programme, in advance of approval of the internal layout.

Condition 32 – 3rd bullet point changed from “...150mm above *existing* ground levels...” to “...150mm above *surrounding* ground levels...”; and fourth bullet point changed from “...two trains of treatment using the proposed...” to “...two trains of treatment, *where necessary*, using the proposed...”

Condition 35 – requirement for details of “the layout of the site” added, as well as a requirement for the approval to be “in consultation with Sport England”.

Condition 36 – trigger changed to “no development shall commence on the replacement playing field”; and requirement added for the approval to be “in consultation with Sport England”.

Condition 37 – trigger changed to “no development shall commence on the replacement playing field”; requirement added for the approval to be “in consultation with Sport England”; and maintenance period reduced from 5 years to 2 years.

The additional Highways England conditions are as follows:

1. The development hereby approved shall not exceed 343,740 sqm (GFA). No more than 104,000 sq m (GFA) of this shall be for purposes falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987.

2. No development shall take place until a scheme of traffic impact mitigation at the A46/A45/A444 Stivichall interchange, which shall comprise at least the following works, has been submitted to and approved in writing by the local planning authority in consultation with the Highway Authority for the A45/A46 trunk roads. The scheme of mitigation shall be informed following an assessment of traffic impacts at this junction and its associated interaction with the A46/A45(T) and the scope of this assessment shall have been agreed in writing with the local planning authority in consultation with the Highway Authority for the A45/A46 trunk roads.

- Signalisation of the on slip approach from the A444 to A45;*
- Signalisation of the off slip west bound from the A45 and removal of*
- segregated left turn lane;*
- Realignment of traffic lanes on the circulatory carriageway;*
- Realignment of kerbs on the approaches/circulatory carriageway.*

3. Prior to the commencement of development the following details shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A45/A46 trunk roads:

- a) Full details of the proposed new A45 Grade Separated Junction as generally illustrated on the General Arrangement Drawing 17-0836-SK01-Rev B.*
- b) Full details of how the site access provisions generally as illustrated on the General Arrangement Drawing 17-0836-SK01-Rev B will align with the completed Highways England A45 Tollbar End improvement scheme.*
- c) Full details, of the proposed alterations to the A46 / A45 / A444 Stivichall Interchange, as defined under condition 2.*

The details to be submitted under this condition shall include:

- How the development scheme interfaces with the A45 / A46 trunk roads.*
- Highway alignment, including full details as indicated within the design check list contained within HD 19/15 of the Design Manual for Roads and Bridges (DMRB).*
- Confirmation of full compliance with the current Design Manual for Roads and Bridges (DMRB), Interim Advice Notes (IANs), Traffic Sign Manual (TSM), Manual of Contract Documents for Highway Works (MCHW) and associated British Standards and Eurocodes and Department for Transport Policies, Local Transport Notes (LTNs), Traffic Advisory Leaflets (TALs) and Advice Notes and any necessary relaxations / departures from standards approved by the Highways Authority for the Strategic Road Network.*

Note that independent Stage One and Two Road Safety Audits shall be carried out in accordance with the current Design Manual for Roads and Bridges (DMRB) and related Interim Advice Notes (IANs) prior to construction. Design stage Non-Motorised User Audit shall also be carried out in accordance with the current Design Manual for Roads and Bridges (DMRB) standard and related Interim Advice Notes (IANs).

Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A45 / A46 trunk roads. A Stage Three RSA will be required prior to opening.

4. No part of the development hereby permitted shall come into use until a scheme of works at the A46 Stoneleigh junction has been implemented and is open to traffic. The scheme shall provide sufficient improvement in operational capacity to adequately mitigate the traffic impacts of the development hereby permitted.

5. Prior to the commencement of development detailed design of the amendments to the existing cycleway along the western edge of the A45 London Road shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authorities (Coventry City Council and Highways England), in accordance with drawing number 17-0836-103-Rev A.

6. Prior to the commencement of development a detailed Highway Improvement Works Phasing Plan generally in accordance with the Construction Phasing Plan 3924-3-027 P03 including highways and earthworks shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A45 / A46 trunk roads. Thereafter the phasing of the A45 / A46 trunk road access and alterations shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the Local Planning Authority in consultation with the Highway Authority for the A45 / A46 trunk roads.

7. Prior to the commencement of development details of the drainage strategy, for the development site and highway works affecting the Strategic Road Network, shall ensure there is no connection (direct or indirect) to the trunk road drainage system and shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority for the A45 / A46 trunk roads and subsequently implemented as approved.

Item 10: W/18/2099 – Land to the north and south of the A45 and A46 (Whitley South)

Additional consultation responses received:

Baginton Parish Council: No objection; the highway works planned in this area are significant to the success of a number of planned developments in the surrounding area.

Highways England: No objection subject to a condition requiring details of an improvement scheme at the A46 Stoneleigh junction and a programme defining trigger points for its full implementation.

Item 5: W/18/1021 – 52 High Street, Kenilworth

1 Public Response: Objection, the tree officer does not reference the mature Yew tree on the site which has a tree protection order, number unknown to me. This tree and its roots will be significantly affected by the drive of the proposed development.

Tree Officer response to query above: The arboricultural method statement, that has already been asked, for should explain how the major trees (T1, T2 and T35 as examples) are to be retained without being caused avoidable harm. I presume that the TPOd yew tree referred to is to the west of the site, and the note on the tree protection plan (close to T19) says "Existing wall likely to constrain roots into the site". The expectation is that the AMS will deal with control measures when the ground is broken, wherever that may be required, and so I would anticipate that the yew would also be considered under the AMS.

Additional tree protection details provided by the applicant and sent to Tree Officer for consideration. The Tree Officer has confirmed that provided that the arboricultural control measures specified in the revised arboricultural method statement and on the tree protection plan are implemented in a timely fashion and properly maintained throughout the duration of the development, that the development would not have an adverse impact on trees. This could be secured by condition if the application were being approved.

Item 6: W/18/1760 – 19 Pickard Street, Warwick

1 Public Response: Objection, if approved, the developer will convert the loft space to a bedroom, with associated additional traffic, requests that a condition is imposed to restrict this. There are significant parking and highway safety issues already in the local area. Construction Management Plan has not been approved, the construction works will cause noise and dust disturbance. The proposed window is not necessary and causes overlooking. The development is unneighbourly and is out of keeping with the wider area.

Item 8: W/18/1971 – 2 Greatheed Road, Leamington Spa

Comment received from Councillor Ian Davidson

"Thank you for permitting this written comment on behalf of the residents of south Leamington who seek consistent judgements regarding HMO applications. In south Leamington, planning permissions for HMOs have been granted when the 10% rule has been breached and insufficient parking provided. In this current case, local residents have commissioned a parking survey: it would be a pity if local objectors are only successful if they have the financial resources to commission such surveys. Therefore, this application should be granted, unless it is decided that no HMO applications should be granted henceforth without sufficient off-street parking."

Item 9: W/18/1998 - The Bungalow, Honiley Road, Beausale

Further consultation responses

Beausale, Haseley, Honiley and Wroxall Parish Council have raised concerns that the previously approved application at Beech House (W/18/1826) has been granted on the grounds that the extension would not be visible from the road and therefore does not impact on the openness of the Green Belt. However, the committee report for both the previous and the current application clearly state that the extension would be visible however owing to the fact that the property is set back some 20m from the highway and the extension is fully to the rear, the views of the extension will be minimal and will not have negative impact on the street scene nor the openness of the Green Belt.

Enforcement Issues

An enforcement case regarding the existing dormers has been investigated, no enforcement action is to be taken and the case has been subsequently closed.