

**Planning Committee:** 03 December 2019

**Item Number:** 4

**Application No:** [W 18 / 0643](#)

**Town/Parish Council:** Stoneleigh  
**Case Officer:** Lucy Hammond

**Registration Date:** 03/04/18  
**Expiry Date:** 31/12/19

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**Land at Kings Hill Lane, Stoneleigh**

Outline application with access: Development of up to 2,500 dwellings (C3);  
4,000 sq.m. of mixed use floorspace (A1, A2, A3, A4, A5, B1, C2, D1 and D2);  
Primary School; Secondary School, Open Space and Associated Infrastructure  
FOR

Lioncourt Strategic Land Limited, Lioncourt Homes (Development No.17) Limited  
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The application is to be determined by planning committee having received requisite objections.

This planning application is linked to FUL/2018/0842 submitted to Coventry City Council (CCC) for;

*Proposed installation of two new highways access junctions on land west of Green Lane and the junction of Saint Martins Road / Green Lane / Howes Lane in relation to the site clearance and mixed-use development of land at Kings Hill for the provision of up to 2,500 dwellings (Use Class C3), 4,000 sq.m. of mixed use floor space (Use Classes A1, A3, A4, C2, D1 and D2) in a district centre, a primary school, a secondary school, formal and informal open space and enabling infrastructure including new roads within the site and improvements to the existing road junction at Stoneleigh Road.*

This proposal provides the detailed access arrangements within Coventry City's administrative boundary. Its approval is intrinsically tied to delivery of development on the northern part of application site accessed from Green Lane and the connection of the two access points proposed. It is understood that this application is to be considered by Coventry City Council (CCC) planning committee on 19/12/19.

Notwithstanding this, a proportionate level of development can be delivered regardless of the outcome of CC's planning consideration regarding the northern access. Therefore, should the CCC access application be refused, then a further condition restricting access from Stoneleigh Road and limiting the quantum of development would be imposed, this has been set out in the recommendations.

*Highways England*

The applicant has submitted modelling information to Highways England to ascertain the impact of development on the A46/A45 Stivichall Interchange. The

information was submitted on 19/11/19. It is understood that this is the only outstanding matter to resolve the holding response from Highways England. An update on this will be provided to members through an addendum.

In the event that Highways England are not satisfied with the submitted information, then the application will be removed from the December Planning Committee agenda.

A full list of recommended conditions will be set out through an addendum.

## **RECOMMENDATION**

That the planning application is GRANTED subject to conditions and a legal agreement pursuant to s106 of the Town & Country Planning Act 1990 (as amended) to secure obligations as summarised below;

### Affordable Housing

- 450 units - Social Rent
- 250 units - Affordable Rent
- 150 units - Shared Ownership
- 150 units - Discount Market Value

### Environment

- £1,128,982 – Air Quality Mitigation (or commensurate on-site provision)
- £3700 – Ecological Monitoring Costs

### Services

- £1,710,755 and 0.501ha –towards an on-site health centre or £1,283,113 – for off-site expansions/improvements
- £360,528 or 50sqm of police accommodation
- £134,090 – Police
- Delegated authority to agree NHS contributions to South Warwickshire and Coventry & Warwickshire NHS Trusts

### Highways

- £9,012,000 - Road Infrastructure Works
- £5,050,000 - Sustainable Transport
- £1,750,000 - Walking/Cycling

### Education

- £18,149,768 – Full range education
- 8.2ha Serviced land for secondary school (valued at 7,313,533)
- 2.65ha Serviced land for primary school
- £54,720 – Library contribution

### Sports & Leisure

- On-Site pitches
- Changing Facilities (approx. 50sqm)
- £3,017,792 – Sports Facilities
  
- £90,000 - Monitoring Fee

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. This may include agreeing minor variations or clarification of the sums tested, but any significant variations will be subject to further consideration by planning committee.

Should a satisfactory Section 106 Agreement not have been completed by 3rd March 2020, Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposal makes inadequate provision in respect of the issues the subject of that agreement.

In the event that Coventry City application FUL/2018/0842 be REFUSED Officers will have delegated authority to impose the following condition if at the time of issuing planning permission, an approved planning permission for the access has not been issued;

*Development Restriction (St. Martins Road/Green Lane)*

*Notwithstanding details contained within the approved documents, no submission of Reserved Matters within the area denoted under 'PHASE 1A (N)' of drawing number L.0384\_39 shall commence until such time that full planning permission has been issued for the access arrangements that would provide a connection from the site to the road network within the Coventry City Council's administrative boundary.*

**REASON:** *In the interests of comprehensive development and highway safety in accordance with Policies DS15 and TR1 respectively of the Warwick District Local Plan 2011-2029.*

**DETAILS OF THE DEVELOPMENT**

This outline application is submitted within the H43 housing allocation, removed from the Green Belt within the Warwick District Local Plan (WDLP). The site is allocated with a guide capacity for up to 4000 dwellings with 1800 to be delivered within the plan period up to 2029. This application includes a large proportion of the overall allocation both in terms of housing and community infrastructure.

The site's allocation and delivery of housing is underpinned by WDLP policy and the Memorandum of Understanding (MoU) between Coventry and Warwickshire authorities to deliver housing within the housing market area. As part of this, Warwick District has apportioned a level of growth beyond the district's need to deliver Coventry City's housing requirement.

The site proposed as part of this application occupies 63% of the total allocation and through the submission has included the undertaking of masterplanning and technical surveys on land owned by Coventry City Council (CCC) to the North-

West of the allocation, which could accommodate a further 1000 dwellings, primary school and local centre. However, CCC land does not form part of this application. The remainder of the allocation has not been subject to technical appraisal but is anticipated to be capable of delivering the balance of 500 dwellings.

The application seeks Outline Planning permission with all matters reserved except for access for;

- Up to 2500 dwellings;
- Up to 4000sqm of mixed use floorspace (A1/A3/A4/C2/D1/D2);
- Primary School;
- Secondary School;
- Associated Landscaping & Infrastructure; and
- Access arrangements at Stoneleigh Road and Green Lane.

The site is subject to the following environmental constraints within the site or in a position where they may be affected;

*Scheduled Ancient Monument (SAM)*

- Deserted Medieval Village located to the east of the site adjacent Kings Hill Lane

*Listed Buildings (Grade II) – Within Kings Hill Allocation*

- Wainbody Wood Farmhouse
- Barn, 16 yards to East of Wainbody Wood Farmhouse (located south of Wainbody Wood)
- Hill Farmhouse (located east of site)

*Conservation Area*

- Kenilworth Road Conservation Area – Located outside of site boundary to the West within Coventry

*Ancient Woodland*

- Wainbody Wood (outside of application boundary but within allocation)

## **THE SITE AND ITS LOCATION**

The application site is located to the north of the District, abutting the administrative boundary between WDC and CCC. The allocation is spatially adjoined to the north-east by existing the built up area within Finham (a parish of Coventry), to east and south east by the A46 and Finham Water Treatment Works, to the south-west by Stoneleigh Road with Green Belt beyond and to the north-west by the railway line and ancient woodland adjacent Kenilworth Road (A429).

The site within the allocation comprises of land to the east with connections to the north and south onto the highway network. The land to the west of the site is agricultural with associated development.

Spatially, whilst formerly Green Belt, the site is located north east of Kenilworth and forms an open area to the south of the built up area of Coventry, currently forming part of a wider area undeveloped of land between Stoneleigh, Kenilworth and Coventry.

Of relevance is the planned presence of High Speed 2 (HS2), a nationally endorsed rail route which would span South-East to North-West between Kenilworth and Coventry. Also of relevance is the proposed upgrade of the A46 Stoneleigh Junction immediately to the south of the site, which would improve the access arrangement onto the strategic road network by way of a grade separated roundabout.

Beyond this are further transport aspirations for a link road to extend from the proposed junction improvement toward Westwood Heath and a potential rail station along the Coventry-Leamington line, neither of which falls within the application site but is of contextual relevance.

Currently, the site is accessible from the east at Kings Hill Lane next to Green Lane, a main thoroughfare within the residential suburb of Finham with a Primary, Secondary Schools and Alvis Sports Club. Kings Hill Lane extends across the site west where it joins Stoneleigh Road, a route that spans between Stoneleigh Village to the east and the University of Warwick to the west with the A46 crossing under as part of the strategic road network with a dedicated slip road serving as an access point.

The land itself is largely open fields with a number of buildings mainly associated with agricultural activity. There is a Scheduled Ancient Monument (SAM) within the eastern part of the site (close to the A46 boundary); and there are a number of listed buildings within the site along Kings Hill Lane. Outside of the application site but within close proximity is Wainbody Wood, an ancient woodland with Finham Brook running to the southern corner.

## **PLANNING HISTORY**

There is no relevant history of planning applications on this site.

During the examination of the WDLP, the inspector noted that the scale of development would enable significant social and community infrastructure to be provided on the site in a comprehensive and integrated manner, continuing that there are no fundamental constraints to the development and that there are very significant benefits which outweigh the adverse impacts.

The rationale behind the allocation was to enable the overall housing requirement of 16,776 dwellings to be met, including accommodating identified housing need of CCC. The application is therefore an important of maintaining the 5-year housing land supply and meeting the requirements for the Housing Delivery Test.

Notwithstanding the above, there are significant challenges in the delivery of the stated benefits and in bringing the site forward in a comprehensive manner. As part of the Local Plan process, a Statement of Common Ground (SCG) was

entered into between WDC, CCC and the promoters of the Kings Hill site, providing a strategic overview of principles for the future development of the site. The site was subject to pre-application discussions which identified the need to consider the allocated site in a comprehensive manner along with scoping the necessary reports that form the accompanying Environmental Statement (ES).

## **RELEVANT POLICIES**

### National Policy

- National Planning Policy Framework
- Planning Practice Guidance
- National Design Guide

### Warwick District Local Plan (2011-2029) (WDLP)

- 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
- DS20 - Accommodating Housing Need Arising from Outside the District
- PC0 - Prosperous Communities
- EC1 - Directing New Employment Development
- CT1 - Directing New Meeting Places, Tourism, Leisure, Cultural and Sports Development
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- H15 - Custom and Self-Build Housing Provision
- 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 - Building Standards and Other Sustainability 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

#### Supplementary Planning Documents (SPD)

- Affordable Housing
- Air Quality & Planning Supplementary Planning Document
- Open Space
- Parking Standards
- Residential Design Guide

#### Supplementary Planning Guidance (SPG)

- Garden Towns, Villages and Suburbs
- The 45 Degree Guideline
- Distance Separation
- Warwickshire Landscape Guidelines SPG

#### Neighbourhood Plan

- Stoneleigh & Ashow Neighbourhood Plan

## **SUMMARY OF REPRESENTATIONS**

### *TOWN AND PARISH COUNCILS*

**Stoneleigh & Ashow Parish Council:** Objection to the application for the following reasons:

- The planned access and exits to and from the site are inadequate
- More work and thought is required than simply an island in the middle of the road
- The planned Green Lane exit roundabout is not fit for purpose and requires a major review
- The provision for amenity transport is inadequate for a site of this size
- The Parish Council would like to see the provision of a relief road to take some of the traffic off local roads
- There will need to be some constraints on the construction progress to reduce the disruption for local residents, namely:
  - A full transport plan
  - A detailed schedule of the planned routes into and away from the site
  - A detailed plan on how the developers intend to monitor transport into and away from the site
  - A restriction on delivery times

- Restrictions to limit the disruption from noise and pollution during school times when working in proximity of the schools
- Wheel wash facilities

**Kenilworth Town Council (adjoining parish):** Objection to the application for the following reasons:

- The road junction onto Stoneleigh Road is unsuitable and inadequate
- Stoneleigh Road is already heavily congested due to University and Business Park traffic with more development proposed plus being a main designated route for HS2 construction traffic
- The A46 junction improvement will not alter that
- This junction is likely to become the main route for access/egress from the development due to the direct links with the A46, University and associated business parks
- No footways or designated cycle paths are currently present on Stoneleigh Road or Dalehouse Lane so the proposed new footways have no local connectivity
- There is great concern over further discharge of surface water into Finham Brook with the cumulative effect of further development
- The loss of Green Belt is regrettable in this narrow corridor between Kenilworth and Coventry but appreciate this is as a result of the Local Plan and is to hold overspill from Coventry although have yet to see any signs that Coventry requires overspill
- Scant regard has been given to Environmental Building Standards, in regard to Policy SC0, the UK government's commitment to net zero carbon emissions by 2050 and WDC's declaration of a Climate Emergency
- There is a lack of concern in respect of schools, i.e. the primary school is very close to the junction, although it is noted this is indicative
- It is proposed the secondary school will take students from Westwood Heath as well – there is no connectivity with this area
- There are no indicated drop off/pick up points for schools
- Kenilworth Schools are effectively full
- School transport is necessary and S.106 contributions should fund this
- There are major concerns about the effect of construction traffic damage to infrastructure and the environment

**Burton Green Parish Council (adjoining parish):** Objection to the application for the following reasons:

- As in the case of Westwood Heath, the development here is for the overspill at Coventry but at this point in time there is no overspill
- It seems there is no rush to build houses to meet Coventry's requirements
- There are significant concerns about highway infrastructure, the existing capacity on the road network and junctions
- Even without development at Kings Hill and even though there will be more student accommodation on site, traffic congestion towards the University is sure to increase due to the University's ambitious expansion programme
- HS2 will also exacerbate existing problems
- It would make sense to build an initial section of A46 link road between Crackley and the A46 Stoneleigh junction to avoid the need for construction traffic to use Kenilworth Road and Stoneleigh Road



- Wherever possible, congestion must be avoided as it is now recognised that the level of air pollution is putting health at risk
- Until proper traffic infrastructure and air quality plans are in place the Parish Council maintain their objection
- The District Council should apply conditions that assist with the control of emissions from traffic including establishing an infrastructure to ensure all homes can provide electrical charging points and all hedges be constructed adjacent to roads to assist with removing traffic pollutants

**Baginton Parish Council (adjoining parish):** Objection to the application for the following reasons:

- Although the site is large enough to accommodate the development there is no room for the road infrastructure required to facilitate it
- The plan is fundamentally flawed from a highways perspective
- New developments such as HS2, Crewe Lane and Westwood Heath continue to encroach on the Kings Hill site further restricting access via any tangible road network and annexing it as an untenable option for housing rather than integrating it as a viable proposal
- The figures quoted from Coventry City Council's review of housing are flawed and follows no recognised national formulae
- Coventry City Council should push to deliver their own housing approved housing projects before promoting supplementary developments in Warwickshire
- The proposed development is not located within the employment areas recognised by Coventry City Council's review. From economic and environmental standpoints, if Green Belt land must be used, then houses should be built where they are needed in order to minimise unnecessary environmental impacts

**Finham Parish Council (adjoining parish within the administrative boundary of Coventry City Council):** Objection to the application for the following reasons:

- The number of houses proposed places an unsustainable burden on Finham and is disproportionate to the existing suburban area of Finham, dwarfing it by a factor of 2:1
- The lowest density and 2 storeys is shown at the Stoneleigh Road end of the site, the houses at the back of the primary school are medium density and 2 to 2.5 storeys and the middle of the site up to 3 storeys. Such high rise buildings will be seen from the south and Green Lane and is inappropriate for the area
- No housing should be built so close to a primary school due to security and safety
- There will be noise and disruption from construction
- The proposed site has insufficient green space between the Coventry boundary and Warwickshire, in fact the proposals remove any green divide between Coventry and Warwickshire
- The local population has expressed concern about traffic and water issues which have not been addressed
- There is insufficient highways infrastructure proposed to support a development of this size
- It is proven that the road network surrounding this site is already unable to cope especially peak times

- The revised outline plans suggest minor changes to existing roads and junctions but remains dependent on the existing road network
- It does not take into account the other major development proposed such as Gateway, HS2 and the JLR; this makes any proposal for 4,000 houses to be built in the area unrealistic
- The proposal does not provide realistic traffic flow assessments from the site; traffic has increased considerably in the area since the original assessments were made and no plans should be permitted until this is addressed by:
  - An accurate and sustained traffic flow measurements taken
  - Alternative access to the site is explored
- The access points suggested for Green Lane are not practical on a road system that is at a standstill at peak times
- Air pollution remains a key factor for objection
- WDC has a new policy in place but it acknowledges the effect of any further developments around Kenilworth however it does not take into account the detrimental impact on health of resident of Finham Parish
- Coventry City Council has not taken any air quality readings in the area to provide a base line for future air quality predictions
- The plan for a bus gate at the side of a school should not be permitted especially if Councils are serious about protecting the health of the population

#### *WARD COUNCILLORS*

**Councillor Redford & Councillor Wright (joint response):** Objection to the application for the following reasons:

- There is no coherent plan in place to efficiently and safely manage the volumes of traffic this development will bring to the area
- This development will be in the construction stage at the time HS2 is being driven through the area causing our local lanes to be used by the very large numbers of HGV's supplying the maintenance depot outside Stoneleigh village, causing even more traffic and air pollution
- The site is prone to flooding already and with green areas built on this will get worse
- There is already a problem with the water discharged into Finham Brook
- There has been a question of lack of sewage capacity which must be addressed by Severn Trent
- The level of housing proposed will only increase this risk
- Insufficient highway infrastructure is proposed to support a development of this size
- The road system around this proposed development is already unable to cope especially at peak times
- It does not take into account other major development proposed in the area i.e. Gateway South, HS2 and the JLR site
- It does not provide realistic traffic flow assessments from and around the site. Traffic has increased significantly since the original assessment and an accurate and sustained traffic flow assessment should be taken
- Standing traffic greatly affects air quality. Around this development traffic is already at a standstill at peak times, it is inevitable with the further increase that there is clearly an air quality issue

- Coventry City Council does not have an Air Quality Policy agreed at this time

#### *STATUTORY CONSULTATION RESPONSES*

**Highways England:** To be provided by update

**Highways Authority (Warwickshire County Council Highways):**

No Objection – Conditions & Obligations Required

Warwickshire Highway Authority has undertaken a full and robust assessment of the planning application. Based on this analysis and assessment as set out in the above text the highway and transport impacts and requirements can be suitably controlled through conditions and obligations through a Section 106 Agreement. All obligations have been assessed against the criteria set out in the Community Infrastructure Levy Regulations 2010.

In undertaking their assessment, Warwickshire Highways Authority has worked closely with Coventry City Council Highways to ensure the highways/transport impacts on the City's network is fully considered.

Warwickshire Highway Authority therefore concludes there are no grounds on which a highway objection can be maintained in accordance with the National Planning Policy Framework and the National Planning Practice Guidance. Warwickshire Highway Authority therefore submits a response of no objection subject to the requested conditions and obligations to be secured through a Section 106 Agreement.

**Environment Agency:** No objection subject to conditions requiring further details in respect of flood risk, biodiversity, pollution prevention and sustainable drainage.

**WCC Lead Local Flood Authority:** No objection subject to conditions requiring the development to be carried out in accordance with the approved FRA, as well as the submission of further details in respect of surface water, sustainable drainage systems and maintenance plans for the ditch network during construction as well as the future maintenance/management of the surface water systems.

**WDC Environmental Health:** No objection subject to conditions in respect of the following: air quality, land contamination, noise affecting proposed dwellings, mixed use space and associated restrictions unless and until further survey work/assessments have been undertaken as necessary, a scheme of mitigation to protect residents from noise arising from Finham Park School, a scheme of mitigation to protect residents from disturbance arising from excess luminance levels from the floodlights at Alvis Sports and Social Club and lastly, a construction method statement.

**Historic England:** No objection in principle; however, there are some concerns about the impact on the setting of the scheduled ancient monument and the level of harm to its significance. Additional details for the future and on-going treatment of the scheduled monument should be secured and implemented at an

early stage. It is recommended that an appropriately worded condition be attached to any forthcoming outline permission requiring a landscape management plan for the scheduled ancient monument prior to any development taking place within the relevant area of concern (i.e. the 'Deserted Medieval Village' located to the east of the site adjacent Kings Hill Lane.

**WDC Building Conservation:** No objection in principle and the scheme overall is supported. There should be a combined masterplan for the site as a whole and concern in particular is raised on the potential impact on the affected SAM sites and three Grade II listed buildings nearby. Whilst there is quite a substantial green buffer to the east bordering the SAM and landscaping proposed, concern remains in relation to connectivity with the surrounding rural and proposed built environment. In order to deal with this, conditions are therefore recommended, requiring a site wide Design Code and Masterplan prior to the submission of any reserved matters applications. Advice is given as to what these condition requirements expect in terms of the level of detail and information to be submitted.

**WDC Housing Strategy:** No objection subject to the minimum 40% affordable housing provision being secured (through the S.106 Agreement) and the appropriate tenure splits/mix being secured as appropriate.

**WDC Green Spaces:** No objection subject to S.106 obligations and conditions. A plan submitted with the application sets out the minimum open space land typologies required to meet the Open Space SPD for a development of 2,500 dwellings and the figures contained therein comply with the SPD. The plan does not however identify where the different landscape typologies are to be located and full details would be required in the future to verify that all types are adequately accommodated on-site. Conditions are therefore recommended that require a scheme in respect of open space facilities; how and when they will be incorporated into the development etc, a detailed landscape and ecological management plan and full tree protection measures. It is acknowledged there is some cross-over between the recommended conditions here and those recommended by the County Ecologist. The future management of SUD's would be subject to appropriate clauses set out in the S.106 Agreement.

**Sport England:** No objection subject to conditions requiring a scheme for the protection of future residents of the development from 1) noise from Finham Park School and 2) the floodlighting from the Alvis Sports and Social Club. Sport England also offered some additional non-statutory comments; should on-site provision of playing pitches be confirmed, there are recommended conditions in respect of their design and layout, thus ensuring the development is fit for purpose.

**WDC Sport and Leisure:** No objection subject to a financial contribution to secure payments towards both indoor (swimming pools and sports hall) and outdoor sports provision.

**Waste Management:** No objection; the maximum distance collection operatives can move a bin for emptying is noted at 10m so the developers are to be made aware of this at this stage. The access road will also need to be constructed to withstand the weight of the collection vehicle and also have a big

enough turning circle for the vehicle. Whilst these matters are noted, they will be for later consideration at RM application stages.

**Warwickshire Fire and Rescue (Water Officer):** No objection subject to condition requiring a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site.

**Crime and Safety Officer:** No objection in principle; some concerns raised over particular details such as the proposed drop-off point for the nearby Finham School and some advising principles offered in respect of the retail site, although this will largely be left to subsequent reserved matters applications for further detailed consideration.

**Police:** No objection subject to S.106 obligations and financial contributions which would be put towards a new premises or the provision of 50sq.m. of serviced accommodation built to a standard in accordance with relevant police standards. In addition, there would be financial contributions towards recruitment/equipping of officers and vehicles as set out in the summary of the S.106 obligations section of this report.

**Network Rail:** No objection in principle; standing advice provided together with advisory notes informing the applicants of their obligations to Network Rail in terms of submitting information.

**South Warwickshire NHS Foundation Trust:** No objection subject to S.106 obligations and financial contributions to be used directly to provide additional services to meet patient demand as set out in a breakdown of costs appended to their consultation response (and set out in the Planning Obligations section of this report).

**Joint WCC Public Health and NHS Primary Care CCG:** No objection subject to S.106 obligations and financial contributions to be used towards the development of a new primary medical care facility (set out in the Planning Obligations section of this report).

**WCC Education:** No objection subject to S.106 contributions which would be put towards Early Years, Primary, Primary SEN, Secondary, Post-16, Secondary/Post-16 SEN, Finham Primary School (final amounts and how these would be allocated to each are set out in the Planning Obligations section of this report).

**WCC Libraries:** No objection subject to a S.106 contribution which would be put toward the improvement/enhancement/extension of facilities or services of a specified library service point where local housing development will mean an expected increase in numbers of people using those facilities.

**WCC Archaeology:** No objection; the proposed development lies within an area of significant archaeological potential and includes within it the scheduled earthwork remains of the Kings Hill Deserted Medieval Settlement. A geophysical survey was undertaken across much of the site, the results of which form part of the submitted Archaeology and Heritage Assessment. There is the potential for the site to contain within it prehistoric, Roman or Anglo Saxon remains, records

of which are presently unknown. Since this is an outline application with no fixed parameters apart from access and there are assurances from the applicant's archaeological consultants that there is enough flexibility within the scheme to move or change elements prior to the submission of any reserved matters application should significant archaeological deposits be identified, it is not considered appropriate to require further evaluative fieldwork prior to the determination of this application. However, a condition is recommended prior to the submission of any RM application, to require further archaeological work to be undertaken.

**WCC Ecology:** No objection subject to S.106 obligations in respect of biodiversity offsetting and recommended conditions in respect of the following: combined ecological and landscaping scheme, tree protection, protection of ancient woodland/LWS, landscape and ecological management plan (LEMP), construction and ecological management plan (CEMP), bats and lighting mitigation plan, further bat survey of trees, great crested newt mitigation, reptile mitigation. Advisory notes also recommended.

**WCC Landscape:** No objection in principle although there is still some concern relating to the landscape and visual impacts and whether or not the current layout and design of the development will deliver a wholly satisfactory design. To that end, if a Design Code is going to be conditioned, a specific requirement related to strategic landscaping should be added into it so that this can be considered prior to the submission of any reserved matters application. This should include site sections, site visuals, site levels, structural landscaping and hedgerow retention.

**Tree Officer:** No objection; a very competent initial survey is accompanied by an arboricultural impact assessment, a tree constraints plan and a tree retention and removal plan and at this stage of the development there is little opportunity for the arboricultural consultant to provide more details. More site-specific details and arboricultural information will be required in due course that will demonstrate how the proposed development will be implemented whilst causing the least amount of avoidable harm to the retained trees.

**Natural England:** No objection; based on the information provided the proposed development is unlikely to have significant adverse impacts on designated sites and has no objection subject to standing advice and advisory notes.

**Warwickshire Wildlife Trust:** No objection now that the veteran oak tree (T89) is no longer to be lost, other comments made in respect of other ecological aspects can be covered either by condition and/or S.106 obligations. Ultimately, much of this will be determined at a later stage when subsequent RM applications are submitted.

**Woodland Trust:** Objection based on the loss of a veteran oak tree and the potential indirect impact on Wainbody Wood. Measures should be considered including a buffer zone of 100m, retention of the oak (T89) with full root protection area in line with Natural England's standing advice and all retained veteran specimens to have no encroachment of root protection areas by residential dwellings or infrastructure.

*Officer note – since these comments were received it has been confirmed that T89 is no longer to be removed which has led to the removal of Warwickshire Wildlife Trust's objection which was based on the same reason. The Woodland Trust has however not sent an updated response. Since this is an outline application no details are yet known of the final layout and proximity of dwellings to the woodland and this would be for later consideration during a subsequent Reserved Matters application.*

## **PUBLIC RESPONSES**

128 letters of objection raising the following points for consideration (separated into sub-headings for ease of reading):

### Traffic and highway infrastructure

- The local infrastructure is not designed to accommodate such an increase in proposed traffic
- No access onto Green Lane should be permitted as it is already congested with existing local traffic
- All access should be from Stoneleigh Road because the development is within the Warwick District Local Plan
- Green Lane must not be used as a route for construction vehicles
- The proposed access point next to the primary school will create traffic hazards and increase air pollution
- There is poor infrastructure and traffic congestion already
- There should be no development at Kings Hill until the A46 link road scheme is complete
- There would be a conflict between vehicle and cycle safety
- Cycle paths should be upgraded/improved to facilitate safer access
- There is no provision for cyclists or pedestrians
- Other major projects in the area including HS2 will exacerbate existing highway network problems
- There are significant concerns about the impacts on residents from construction traffic
- The current bus service is very poor and will not cope with the proposed level of development
- There are no realistic traffic flow assessments provided with the application
- The development does not take account of other major developments such as Gateway South, HS2 and the JLR site
- The proposed location of the bus gate is currently a parking area during school opening/closing times
- Extra bus manoeuvring will add to congestion and hazards to highway safety
- Reducing the size of the roundabout at the junction of St Martin's Road/Green Lane will not assist the problem
- The proposed roundabout would create a 'rat-run' along Green Lane
- A signalled junction would be preferable to a roundabout
- There are unresolved objections/concerns from Highways England

### Flooding/Drainage

- The housing is proposed at density levels which will exacerbate existing drainage problems
- The development will impact on existing foul drainage capacity
- The development will impact on existing surface water drainage capacity
- There will be increased risk to surface water run off without suitable mitigation
- There is significant concern about flooding from Finham Brook as it stands at present so any new development will exacerbate this
- There are particular problems at the bridge where the B4115 meets the B4113 by Severn Trent Water Treatment Works and flood water tends to back up

#### Air pollution

- The Air Pollution Survey is vague and cannot predict the effect of up to 8000 extra vehicles which pose a health hazard for Finham residents
- It is stated that Air Quality will remain within acceptable limits after the development is complete but where is the data from Coventry City Council to substantiate this?
- Air quality will be significantly reduced as a result of the development

#### Landscaping

- There are trees along Green Lane which are covered by TPO's
- There is insufficient green space between the Coventry and Warwickshire boundaries
- The development will further reduce/diminish any remaining 'buffer' between the two settlements
- The development will result in the loss of trees and hedges
- The destruction of Wainbody Wood is not supported by any government body
- Existing greenery and open space will be lost

#### Ecology

- The development will impact on wildlife
- Appropriately timed habitat and species surveys should be conducted especially in relation to nesting birds, bats, badgers, slow worms, great crested newts, owls and other protected species

#### Visual impacts

- The development will impact on the character of the area
- The development will impact on the rural landscape
- High density housing is proposed
- The indicative building heights are too great and do not reflect the character of the area or the street scene

#### Neighbour amenity

- There will be a loss of privacy
- Allotments are proposed too close to existing properties which cause disturbance
- There will be noise and disturbance from the proposal, including construction
- There are concerns about odour impacts
- There will be additional noise pollution



### Other considerations

- The area is Green Belt and should not be built on
- The development will impact on scheduled ancient monuments
- The development will impact on historic landscapes
- The development will impact on archaeology
- The number of houses will place a disproportionate burden on Finham
- The development will put pressure on existing services and facilities e.g. schools and doctor's
- The size of this development will put pressure on public services, e.g. public transport, ambulance, police, hospitals and all other emergency services
- There is concern for the safety of existing school children
- There seems to be no provision for a GP surgery
- Houses should be built closer to Kenilworth thus putting pressure on WDC services not CCC services
- There are other brownfield sites which should be developed
- Coventry and Kenilworth will begin to merge into one continuous built-up mass
- There is no proven need for these dwellings
- Development of housing in Coventry is not required
- Surely Coventry City Council can do more to assist in delivering their own housing rather than having to rely on sites in Warwickshire's administrative boundary
- The affordable houses will not be 'affordable'
- Crime will increase
- An outline application does not seem appropriate; detailed application(s) should have been submitted
- There has been a lack of public/local engagement by the developer

#### 4 letters of support raising the following points:

- It is crucial this number of houses is built and this is a good site to do so
- A masterplan should be encouraged
- This will be a valuable addition to local housing stock
- Maintaining 40% social housing is crucial with an appropriate tenure mix
- An early deadline for completion should be encouraged which would reduce the period of building and the resulting impact on people
- If we need to build 250,000 homes a year nationally there is no choice between greenfield and brownfield sites; both need to be built on
- Less shops would be better to encourage future residents to use existing shops and centres in Coventry and Kenilworth
- This is supported subject to proper evaluation of road traffic/junctions, cycle ways and footpaths with properly maintained green space and leisure facilities
- RSL should be engaged at an early stage to ensure social housing is of good quality and well placed for facilities

#### 5 neutral letters raising the following points:

- The distance between the development and both the University of Warwick and Kenilworth would make cycling to those destinations an attractive prospect for many of the future residents of the development, if the routes were largely free from motor traffic

- To make cycling routes acceptable to residents, paths segregated from motor traffic are needed along Stoneleigh Road to the University's Gibbet Hill Campus (where an off carriageway route exists to the main campus) and to Dalehouse Lane
- A path segregated from motor traffic is needed along Dalehouse Lane into Kenilworth
- It has been suggested that a A46 - Birmingham Airport expressway will be built and if it were built, traffic levels on Stoneleigh Road would reduce enough to make cyclist/motorist sharing of the carriageway acceptable. However, that's only a possibility, low traffic routes are needed when the new estate is opened
- The King's hill area supports a substantial population of swifts, a species in serious decline. I recommend as condition of any building, swift bricks are installed in substantial numbers to ensure nesting sites for these birds
- If there are plans for a nursery provision with the school, I would be interested in running a local nursery
- It would be interesting to know, if approved, what percentage of the dwellings would be 1-beds and what percentage would be self-build dwellings

1 petition with 24 signatures received from the residents of Stoneleigh Road, objecting to the development on the following grounds:

- Highway infrastructure cannot accommodate the proposed development
- The site is Green Belt land
- There is an insufficient buffer between new and existing development
- It will impact on wildlife
- It will impact on heritage assets

## **ASSESSMENT**

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay.

The adopted Development Plan where the site is located comprises of the Warwick District Local Plan (WDLP). The Stoneleigh & Ashow Neighbourhood Plan (SANP) in its early stages of preparation, in accordance with Paragraph 48 of the NPPF, the SANP is not at an advanced stage to attach significant weight in the determination of planning applications.

The main considerations in the assessment of this outline application are;

- Principle of Development
  - Sustainability
  - Land Uses
  - Housing Mix
- Comprehensive Development
  - Masterplanning
  - Site Delivery

- District Centre
- Community Centre
- Planning Obligations
  - Affordable Housing
  - Air Quality
  - Ecology
  - Education
  - Highways
  - Libraries
  - NHS
  - Police
  - Primary Healthcare
  - Sports & Leisure
  - Finham Primary Drop-Off
- Design
  - Landscape
  - Streetscene
  - Sustainable Design
  - Open Space & Recreation
  - Safety
- Historic Environment
  - Archaeology
  - Scheduled Ancient Monument
  - Listed Buildings & Conservation Areas
  - Harm & Public Benefit
- Amenity
  - Neighbour Issues
  - Noise & Odour
  - Air Quality
- Environment
  - Contaminated Land
  - Ecology
  - Trees
- Transport
  - Traffic
  - Strategic Network
  - Highway Safety
  - Sustainable Transport
  - Rail
- Water Management
  - Flood Risk
  - Foul Drainage
  - Surface Water
- Other Matters
  - Time Limit
  - Conditions
  - Responses to Representations

### Principle of Development

The proposal is for residential development and supporting community infrastructure on an allocated site within the WDLP.

*The NPPF seeks to promote sustainable development with paragraph 8 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element which are interdependent and need to be pursued in mutually supportive ways.*

*DS5 of the WDLP reinforces the presumption in favour of sustainable development as set out within the NPPF.*

### *Sustainability*

*DS11 of the WDLP allocates sites for housing development and associated infrastructure/uses.*

*H1 of the WDLP sets out where housing is permitted within the district, (b) includes allocated housing sites at Kings Hill and Westwood Heath.*

The site is within the allocation for Kings Hill under H43 stated for 1800 dwellings to be delivered within the plan period (2029) with the remainder up to 4000 dwellings as a guide capacity, to come forward beyond the plan period. DS11 identifies infrastructure requirements and other uses within Kings Hill to include potential for some employment land, land for a secondary school and a primary school, local centre, community facilities and health centre.

The application as proposed would include policy compliant land uses and residential units of a quantum that would comply with the strategic aspirations of DS11 relative to the proportionate extent of the site.

The site is in a location, of a scale and would provide services that in itself would provide a service accessible development. It is considered that there are no in-principle policy objections to the proposal.

### *Land Uses*

Over the course of the application process the application was amended to supplement the range of uses in the interests of comprehensive development and to ensure that future uses that come forward within the allocation's totality is not impeded through non-compliance with the outline permission.

*SC0 of the WDLP requires development to provide good access to community facilities including meeting places, local shops, transport services, health facilities and open space.*

The applicant has not put forward employment or hotel uses as part of the proposal. It is considered that these uses are not necessary within the District Centre mix proposed, however they could be provided elsewhere within the wider allocation.

This application proposes the following land uses;

- A1 – Shops
- A2 – Financial and professional services
- A3 – Restaurants and cafes
- A4 – Drinking establishments
- A5 – Hot food takeaways
- B1 – Business
- C2 – Residential institutes
- C3 – Dwellinghouses
- D1 – Non-residential institutions
- D2 – Assembly and leisure

It is appreciated that there are land uses proposed that would fall outside of the specific uses identified in Policy DS15. However, it is considered that these uses are compatible with Policy DS15 and are therefore acceptable in policy terms on the basis that they're incidental to the resident communities within the site.

It is considered necessary to ensure that future development within Kings Hill maintains a balance of land uses both within the District Centre and beyond. Given the proximity to the University of Warwick, there is potential for uses such as HMOs to be established in high numbers that could affect the balance of future communities. This possibility would be better managed through the planning process although it is appreciated that an element of purpose built student accommodation could be accepted (subject to future application).

Therefore, in the interests of maintaining the sustainability of the site in a managed way, permitted changes as set out within the General Permitted Development Order have been removed.

### *Housing Mix*

*H4 of the WDLP requires residential development to include a mix of market housing that contributes toward a balance of house types and sizes across the district in accordance with the latest Strategic Housing Market Assessment.*

The application has been submitted with an intention for the exact housing mix to be established at the detailed planning stage in alignment with the Coventry and Warwickshire Joint Strategic Housing Market Assessment (SHMA) 2013 or an updated study of equivalent status. This is considered to be an appropriate approach given the timescale the site would likely be delivered over and potential for evolving housing need within the Coventry-Warwickshire sub-region as evidenced in future assessments.

Matters relating to affordable housing tenure and mix are set out in the affordable housing section.

### *Summary*

There are no in-principle policy objections to the proposal, the principle of development is therefore considered acceptable in accordance with DS4, DS10, DS11, DS15 and H1 of the WDLP.

### Comprehensive Development

As the scheme forms part of a larger allocation, consideration of how the remainder of the allocation will be delivered in terms of physical and social infrastructure is critical. To meet the requirements of Policy DS15, the application has been submitted with a Comprehensive Development Document (CDD) which was revised over the course of the application reflective of the design process.

*DS15 of the WDLP sets out that proposals for strategic sites which includes Kings Hill will be approved where they represent a comprehensive development scheme for the site, requiring submission of either a Development Brief or a Layout and Design Statement as appropriate. Within the Policy, land at Kings Hill includes the following key infrastructure and services;*

- *Secondary school and primary schools*
- *A community meeting place*
- *Retail facilities; a convenience store of no more than 500sqm gross floorspace. A number of smaller stores may also be provided.*

The application was originally submitted with a comprehensive development note which was updated to reflect the full extent to which the developer has approached the site holistically (the CDD).

### *Masterplanning*

Whilst the allocation comprises of twelve land owners; this application includes land holdings constituting 66% of the entire site. The other major land owner CCC, has allowed technical surveys to be undertaken of their land which has been considered in the assessment of this application with a guide quantum of 1000 dwellings, primary school and local centre. A further land holding to the south of the site is also not included as part of this application but is anticipated to accommodate circa 500 dwellings.

Due to the scale of the proposal, key elements of the overall development such as the access points, spine road, primary/secondary schools, local centre and community facilities would be able to come forward in the absence of other land parcels in a viable manner. This is considered crucial for the long-term delivery of the allocation. The infrastructure has been specified to a requirement such that it would fulfil the allocation in full. The land extent for the secondary school, spine road specification and junction capacities are examples of this.

No objections or matters pertaining to land ownership have been raised by CCC or Border Holdings and Youell as adjacent land owners. I. The site as proposed would provide the necessary infrastructure to support the entire allocation subject to the conditions and obligations set out in the recommendation. The applicants have therefore satisfactorily demonstrated that the proposal meets the requirements of Policy DS15 for comprehensive development.

High level appraisal of how access to remaining land parcels would be achieved has been provided. This shows that the CCC land would be entirely reliant upon the road infrastructure within the application site, whilst the Border Holding/Youell land would be capable of access through an upgraded access point from the WCC Stoneleigh Junction Scheme (SJS).

It is likely that when applications are submitted for the parts of the allocation that fall outside the current application, financial clawback through section 106 will be necessary to provide for the "excess" infrastructure provision through this application. For instance, where serviced land has been requested to provide on-site provision such as for the secondary school, community centre, primary medical facility and police offices, there would need to be proportionate financial contributions levied on future applications on remaining land parcels subject to the relevant inputs for calculating contributions at the time of application.

Within the CDD is a vision statement, summary of pre-application discussions, approach, and detailed matters. Of note is the land ownership with the site split across twelve different owners with the applicant representing five of those. CCC as a major land owner within the allocation have allowed their land to be surveyed and included within technical reports. Although this land is not part of the application, there is a significant proportion of the site to accommodate up to 3500 dwellings that has been appraised as part of this application.

Matters relating to financial contributions and on-site infrastructure has been addressed in planning obligations and site delivery. From the work undertaken it is considered that the site has been suitably masterplanned to support the comprehensive development of the wider allocation.

### *Site Delivery*

In consideration of the site delivery holistically there are large scale infrastructure requirements to enable the development to come forward. The CDD details the future applications that will come forward on the site, beginning with the submission of Reserved Matters. Approval of this application would provide an outline approval for the site with all matters reserved with the access points at Stoneleigh Road and Green Lane (the latter of which is subject to a CCC full planning application).

Beyond this and in light of the site benefiting from a comprehensive approach to masterplanning is the need to identify at an early stage the land requirements for site infrastructure such as the spine road and major landscaping. In addition, matters relating to the character areas within the development requires further elaboration as to detailed design. Such matters have been agreed with the applicant for a timeline of future proposals as follows;

- 1) Reserved Matters application for spine road to include structural landscaping and drainage. Delivery of the spine road would be in three phases;
  - a. St Martins Access
  - b. Stoneleigh Road Access

- c. Central element to link the above access points (occupation of 701<sup>st</sup> dwelling)
- 2) Reserved Matters applications for Phase 1A (residential parcels around the access points). This would span over multiple applications.  
Provision of land for three form entry primary school after 100<sup>th</sup> occupation, Reserved Matters application for the primary school expected from WCC.
- 3) Reserved Matters applications to be submitted within Phases 1B and 1C (within site) for residential development.
- 4) Land for secondary school made available after 800<sup>th</sup> occupation.  
Reserved Matters application for the secondary school expected from WCC.
- 5) Strategic open spaces and formal pitches to be provided once Phase 1C provides a suitable means of access (approx. 1000<sup>th</sup> occupation)
- 6) District Centre to be marketed following 1000<sup>th</sup> occupation, Reserved Matters to follow for uses within the District Centre (including community centre) subject to market environment.
- 7) Reserved Matters applications to be submitted within Phases 1D and 1E (within site) for residential development.

This is considered necessary in order to ensure that future housing benefits from the requisite infrastructure upon occupation to ensure that site is developed sustainability and that the social environment of Kings Hill is managed in a positive way.

There has also been regard to the financial burden of infrastructure requirements and the quantum of development that can be accommodated to allow for the site to progress. Key to this is the formation of site accesses at Stoneleigh Road and off St. Martins Road/Green Lane through a new roundabout to service up to 400 and 300 dwellings respectively before the spine road spanning between the access points would need to be operational. The key delivery terms of the development have been set out below, dwelling numbers relating to schools are preliminary and may be subject to change dependant on the number of occupations;

- Up to 700 dwellings (split across two accesses) prior to completion Spine Road connection
- Up to 100 dwellings prior to site available for primary school
- Up to 300-400 dwellings prior to Primary school open
- Up to 800 dwellings prior to Land available for secondary school
- Up to 1000 dwellings prior to Marketing District Centre; Community Centre and Delivery of community recreation area.

As set out within the Transport section of the report, there is a reliance upon the A46 Stoneleigh Junction Scheme to be operational to provide necessary highway capacity for development which can be controlled by condition. There are also potential disruptions to development that could occur through the HS2 works in the area however this is outside the remit of the development proposal to address directly and would be a matter for traffic management over the construction phase.



## *District Centre*

The WDLP specifies the requirement for development within Kings Hill to make provision for a local centre within detailed text of DS15 setting out a requirement for a community meeting place, retail facilities providing a convenience store of no more than 500sqm (gross).

In response the applicant has provided an appraisal of the local centre element of the proposal concluding that the development scale of Kings Hill and its location relative to nearby amenities is such that it could support centre uses of a reasonable scale relative to the 4000 dwelling guide capacity of the site.

The applicant has put forward indicatively that the District Centre would be divided as follows;

- A1 – 2000sqm - Convenience Store
- A1 – 500sqm – Smaller Stores
- A2 – 100sqm – Financial and Professional Services
- A3 – 300sqm - Restaurants and Cafes
- A4 – 400sqm - Drinking Establishment
- B1(a) – 300sqm - Offices
- D1 – 500sqm - Non-Residential Institutions
- D2 – 500sqm – Assembly and Leisure
- C2 – 2000sqm – Care Home
- Sui Generis – 50sqm - Police Room
- Sui Generis – 50sqm – Dry Cleaners

It should be noted that this is indicative only and would be clarified at the time of the District Centre being marketed.

*CT1 of the WDLP permits new meeting places, tourism, cultural and sports development within town centres. Where out-of-centre sites are considered, evidence of the impact on the town centre will be required where the proposal is above 500sqm gross floorspace.*

*TC2 of the WDLP expresses a preference for new retail development to be located primarily within retail areas defined on the policies map. Evidence of the impact on the retail area will be required where the proposal is above 500sqm gross floorspace.*

It is appreciated that there may be benefits in providing facilities within close proximity to new residents and that a relaxation in the land use allocation in relation to the size of the retail store could allow for an anchor retailer to provide the basis for other businesses to open within Kings Hill.

However, any future provision in excess of the 500sqm thresholds set out within the WDLP for the policy constrained uses would require testing as per TC2 and CT1. Should this requirement arise, full details would be expected alongside the application to discharge the proposed condition relating to District Centre land uses.

## *Community Centre*

The proposal makes provision for a Community Centre that would form part of the District Centre, the applicant has indicated that the Community Centre would be developer-led proposing to market the site prior to the occupation of the 1000<sup>th</sup> dwelling and to be delivered upon occupation of the 1500<sup>th</sup> at the latest. This would ensure that there would be a high resident population and management arrangements in place for the sustainable function of it.

Whilst the end user has not been defined, the applicant has set out an indicative schedule of accommodation as follows;

- Hall – approx. 150sqm
- Office – approx. 10sqm
- Toilet – approx. 10sqm
- Seating – approx. 15sqm
- Kitchen – approx. 15sqm
- Office space for police – circa 50sqm

This would need to be verified through a discharge of condition process with further details of the future management arrangement within the legal agreement.

## *Summary*

It is considered that matters relating to how development would come forward within Kings Hill has been suitably addressed and that infrastructure and housing can be brought forward in a comprehensive manner in line with Policy DS15

## Planning Obligations

The development is of a scale that would require planning obligations to mitigate for its impacts. Planning obligations are secured through a legal agreement pursuant to s106 of the Town Country Planning Act.

*S122 of the Community Infrastructure Levy Regulations 2010 sets out that a planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –*

- a) Necessary to make the development acceptable in planning terms;*
- b) Directly related to the development; and*
- c) Fairly and reasonably related in scale and kind to the development*

*Paragraph 54 of the NPPF requires Local planning authorities to consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations with obligations used where it is not possible to address unacceptable impacts through a planning condition.*

*DM1 of the WDLP expects development to provide to contribute toward measures to directly mitigate its impact to make it acceptable in planning terms*

*and physical, social and green infrastructure to support the needs associated with the development.*

Due to the location of development at the administrative boundary between Warwick District, Warwickshire County and Coventry City Council, the calculation of planning obligations has been done in a coordinated manner between the Local Authorities and relevant stakeholders.

### *Affordable Housing*

It is recognised that development at Kings Hill is to help meet the housing need of both Warwick and Coventry as documented in the MoU. As a starting point, affordable housing is expected to be provided on-site. The application has been subject to consultation with WDC Housing Strategy.

*H2 of the WDLP seeks permissible development to provide 40% affordable housing on sites of 11 or more dwellings or where the combined gross floor space is more than 1000sqm.*

*The WDC Affordable Housing SPD details the requirements for affordable housing provision including tenure mix across Warwick District based on the most up to date Strategic Housing Market Assessment (SHMA).*

*H6 of the CLP sets out the requirements for affordable housing within Coventry, the CCC Affordable Housing SPD provides similar guidance for development within Coventry.*

The general requirement for affordable housing within WDC is based on the following percentages as 40% of all dwellings;

- 24% social rent;
- 10% affordable rent; and
- 6% shared ownership

Within Coventry as per H6 of the CLP there is a zoned approach to the proportion of affordable housing required in new residential development. To the South of the City, new development is required to provide 25% of affordable housing of which, areas adjacent to Kings Hill are required to provide;

- 15% Social/affordable rent;
- 10% Intermediate provision

There are differences in the tenure requirements of both authorities, both in proportions of tenure and CCC accepting discount market value units as an intermediate provision which is recognised within the NPPF to provide at least 20% below local market value with provisions to ensure that housing remains at a discount for future households. As the application lies within Warwick District, the site will be expected to comply with the District Council's requirement for 40% affordable housing. However, within this, it is appropriate to take a blended approach on the mix of affordable housing in recognition that some of the nomination rights to these houses will fall to the City Council and their affordable housing tenure requirements are different to the District's. Therefore,

in blending the requirements, WDC Housing have agreed that the future affordable housing provision of the total requirement (1000 dwellings) would be as follows;

- 45% Social Rent (450 units)
- 25% Affordable Rent (250 units)
- 15% Shared Ownership (150 units)
- 15% Discount Market Value (150 units)

At this stage of the application process and given the long term timeframe that development at Kings Hill would be delivered over, the mix with regards to house sizes will be dealt with at the Reserved Matters stage, although it will be expected that each individual phase should to maintain 40% affordable housing according to the tenures specified above.

### *Air Quality*

The application has been submitted with air quality monitoring information which has been supplemented by an addendum providing a damage calculation response. The information has been subject to consultation with WDC's Environmental Health Officer (EHO).

*TR2 of the WDLP sets out that any development that results in significant negative impact on air quality and the health and wellbeing of people in the area requires a mitigation plan to demonstrate practical and effective measures to be taken to avoid the adverse impacts.*

*WDC has an adopted Air Quality SPD which sets out guidance on the use of Section 106 obligations to improve air quality based on damage costs associated with development as a calculated figure. The SPD sets out that the value of the mitigation should be equivalent to the damage cost calculation and where mitigation on-site mitigation is not possible, that WDC seeks compensation for the identified air quality impacts.*

Notwithstanding the Type 1 and Type 2 mitigation set out within the application, the developer has calculated a damage cost of £1,128,982. This has been agreed by the EHO. As a planning obligation, the delivery of mitigation would either be required to be made through payment of money or through on-site mitigation to an equivalent financial value (subject to indexation). This is considered practical given the timeframe for the development and potential for changes in lifestyle/technology.

### *Ecology*

The application has been submitted with supporting ecological appraisal documents along with a Biodiversity Impact Assessment (BIA) which has been subject to consultation with WCC Ecology.

*NE3 of the WDLP requires developments to protect, enhance and/or restore habitat biodiversity setting out that if mitigation measures are not possible on site, then compensatory measures involving biodiversity offsetting will be required.*

WCC Ecology have set out that the proposal can provide commensurate mitigation measures on site. However, to ensure that this is delivered, a fee of £3,700 is required to allow for monitoring of detailed schemes.

### *Education*

*Paragraph 94 of the NPPF sets out that it is importance that a sufficient choice of school places is available to meet the needs of existing and new communities and that Local planning authorities should take a proactive, positive and collaborative approach too meeting this requirement, and to development that will widen choice in education. Great weight is given to the need to create, expand or alter schools through the preparation of plans and decisions on applications.*

The proposal has made provision for a primary and secondary school within the site in line with the allocation requirements. The indicative masterplan has set out their indicative locations. Matters relating to education need arising from new development is subject to consultation with WCC Education. In addition, CCC Education have provided data regarding existing education capacity in the area. This has ensured the approach to education provision has been coordinated across the two education authorities.

WCC education have requested funds and serviced land for this application setting out that, due to the cumulative development in the area, that there is insufficient capacity or substantive expansion plans to existing schools that can accommodate the new pupils generated by this development on a permanent basis. The education authorities have agreed that a joint approach to provide interim expansion measures can be put in place to ensure sufficient places can be provided ahead of the new schools being developed.

This development would provide the total land requirement for the new secondary school which is planned based on the 4000 dwellings allocation. The total number of pupils projected from this development, would not in its own right trigger the need for all of the school land in its entirety however it is considered prudent to secure it all within the same site. The principle of calculating the surplus land is based on a percentage of the total land requirement for the secondary school relative to the quantum of development within the remainder of the allocation;

$$8.2\text{Ha} \times (1500/4000) = 3.075\text{ha}$$

To compensate for this in lieu of the land to be provided, WDC has instructed an independent land valuation based on land being classified as cleared, levelled, serviced residential land (in line with WCC's requirements for a future school). The output has provided a valuation of £935,000-£990,000 per acre to which the median has been taken for offsetting financial elements of the contribution deriving a value of £2,378,385 per ha.

The financial element for secondary/post-16 education only has therefore been reduced by this amount with a view to remaining development within the allocation, compensating for land value in future applications.

The request from WCC Education has therefore been adjusted to be;

- £2,085,285 – Early years
- £10,425,425 – Primary
- £445,395 – Primary SEN
- £3,589,789 – Secondary
- £1,008,524 – Post-16 Education
- £595,350 – Secondary/Post-16 SEN
- 8.2ha Serviced land for secondary school (valued at £7,313,533)
- 2.65ha Serviced land for primary school

The figures quoted are based on all the dwellings being eligible for generating education demand. Tenures such as assisted living units would be discounted in future in order to be CIL compliant.

### *Highways*

The application proposes significant strategic development that would have a significant impact on the local and strategic highway network. Obligation requests associated with highways have been coordinated by WCC Highways with input from CCC Highways and Highways England.

The developer has confirmed agreement to a transport package to provide commuted sums to WCC and CCC towards road infrastructure/capacity, sustainable transport (with interim bus services to both early development phases of the site) and walking/cycling infrastructure. The development would provide contributions as follows;

#### Road Infrastructure Works

- £8,500,000 A46 Link Road Scheme
- TBC A46/A45 Festival Island
- £500,000 Dalehouse Lane/Knowle Hill
- £12,000 Extension of 40mph on Stoneleigh Road

#### Sustainable Transport

- £50,000 South of Coventry rail feasibility study
- £500,000 Interim bus service (St Martins Parcel)
- £500,000 Interim bus service (Stoneleigh Road Parcel)
- £4,000,000 Full bus service
- £129,000 Road safety initiatives
- £96.284 Public Rights of Way Improvements
- £50,000 South of Coventry rail feasibility study
- £2,500 Sustainable travel info

#### Walking/Cycling

- £450,000 Cycle access to Kenilworth
- £500,000 Cycle access to Leamington Spa
- £750,000 Cycle access to Coventry
- £50,000 Coventry bike share scheme (located at District Centre and schools)

### *Libraries*

WCC Libraries has calculated a contribution from the development of £54,720 which given the proposed pattern of development at the early phases with dwellings toward Green Lane and Stoneleigh Road is to be split equally between Warwickshire libraries and Finham library.

### *NHS*

As well as implications to primary healthcare, there are also considered to be impacts on hospital provision to administer secondary care. The application has been subject to consultation with South Warwickshire and University Hospitals Coventry and Warwickshire Trusts.

Over the course of the application both Trusts made representations requesting obligations based on 2500 dwellings, resulting in requests of £2,599,913.04 for South Warwickshire and £1,280,134 for Coventry and Warwickshire. Whilst the direction of future residents for hospital care is unknown, it is reasonable to assume that there would likely be increase impacts on both Trust areas and so, further work by both trusts is underway to ascertain what the final contribution amount would be.

The developer has confirmed agreement in principle to provide contributions to both Trusts however the final figures have not been confirmed. Therefore, the recommendation makes allowances for delegated authority to agree the final obligation value as part of the s106 in coordination with both NHS Trusts.

### *Police*

Through the population increase resulting from the development, there are considered to be implications on the Police Authorities operating in the area. A joint response has been received on behalf of Warwickshire Police and West Mercia Police.

The Police response sets out the requirement for a financial contribution toward training, vehicular and policing costs in the area as well as a space provision on-site. In terms of police premises, this has generated two scenarios where the obligation is either money or through a space provision and financial contribution as follows;

- £83,790 – Recruitment/Equipment
- £50,300 – Vehicles
- £360,528 – Accommodation; or
- Police space provision

The developer has agreed to the financial contribution of £134,090 (covering recruitment, equipment and vehicle contributions) and a space provision within the community centre of 50sqm at a peppercorn or zero cost rate with a design standard specified to police standards.

### *Primary Health*

The proposal would lead to a significant increase in population in the area and so would impact upon the current primary healthcare infrastructure (GP services) administered by Clinical Commissioning Groups (CCG). The application has been subject to consultation with South Warwickshire CCG and the neighbouring Coventry and Rugby CCG.

Paragraph 8 of the NPPF sets out, the social role of sustainable development is to support strong, vibrant and healthy communities with accessible local services that reflect the community's needs and supports its health, social and cultural well-being.

South Warwickshire CCG has set out that mitigation can be provided either through land and financial contributions towards delivering an on-site solution or to provide a financial contribution to provide expansion/improvements to existing practices which has been coordinated with Coventry and Rugby CCG in ascertaining existing capacity and potential for expansion.

The CCG has put forward two scenarios to contribute towards an on-site facility which would lead to a total cost of £2,737,208 or provide an off-site contribution which would total £2,052,981 based on the 4000 dwelling total allocation. This has been calculated as percentages relative to this development as follows;

- £1,710,755 and 0.501ha of land towards an on-site solution
- £1,283,113 towards and off-site expansions/improvement

The developer has agreed to the two scenarios set out within the response which at the time of delivery would allow flexibility to contribute towards an on-site facility or an off-site payment in consultation with the CCG.

However, there is concern over the disparity in financial terms between the two scenarios so ongoing work is being done with the CCG.

### *Sports & Leisure*

The introduction of significant new development would in itself generate a demand for sports and leisure facilities as community infrastructure. The application has been subject to consultation with WDC Sports & Leisure (S&L) and Sport England. Sport England provide the basis for the contribution, with WDC S&L articulating the outputs with regard to current sport strategies for the District.

The contribution request is based on a population projection from the development to provide financial and, in this case, on-site facilities to address projected demand. The on-site element of the proposal was put to the developer who has provided a sports pitch provision plan which details where and how pitches outside of those that are to be integrated within the future secondary school would be accommodated. This includes utilising a community recreation area indicatively shown to the south of the site. The plans show how the pitch area to the south can accommodate this maintaining the requirements for space, orientation and topography.

### On-site provision



## Community Recreation Area

- Changing Facilities (approx. 50sqm)
- 1 x Adult Football Pitch
- 1 x Youth Football Pitch
- 2 x Mini Soccer Pitch
- 1 x Rugby Union Pitch

Sports facilities at the south of the site would be subject to a management agreement. The developer has set out that management would be engagement with a future secondary school operator, a sports club such as Alvis or management company.

## Secondary School

- Cricket Pitch
- 3G Pitch
- Sports Hall

## Financial Contributions

- £1,078,295 Abbey Fields swimming pool
- £1,005,047 Sports hall
- £161,140 Outdoor artificial sports
- £773,310 Outdoor pitch

It may be the case that in future the sporting demands of the site change and so on-site provisions change both in terms of physical or financial requirement. In this case, the developer has demonstrated that the current pitch requirements can be delivered on site. Future community use of sports facilities at the secondary school would be secured through the legal agreement making it incumbent upon WCC as the education authority to provide community sports facilities.

## *Finham Primary Drop-Off*

The applicant has indicated a wish to provide land adjacent the existing Finham Primary School to serve as a drop-off area. Such an obligation is not considered necessary to make the development acceptable and so would be secured by unilateral undertaking which would be executed outside of the planning process.

## *Summary*

The applicant has agreed to enter into a legal agreement pursuant to s106 of the Town and Country Planning Act to provide planning obligations commensurate to the development impact of the proposal as set out above. Where serviced land parcels are provided through this application that are in excess of the aggregated requirement, the balance of development within the Kings Hill allocation would financially (in lieu of land) compensate.

Notwithstanding confirmation of the finalised NHS contribution, it is considered that the planning obligations are commensurate to the scale of development and secured through an appropriate legal mechanism.

## Design

Design deals with the aesthetics of the development, its general arrangement and environment. Within the Environmental Statement has included reports on Landscape and Visual Impact.

*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.*

*BE1 of the WDLP reinforces the importance of good design stipulated by the NPPF subject to detailed criteria to ensure that new development is permitted where it will positively contribute to the character and quality of its environment through good layout and design.*

*The National Design Guide provides planning practice guidance to promote good design based on ten characteristics to appraise the design quality of proposals.*

## *Landscape*

The site is located in a rural area between Coventry and Kenilworth having previously been part of the Green Belt serving a strategic function in the separation of the two settlements. The appraisal of landscape considers the physical mass and character impact of a development proposal. As an allocated site within the WDLP, there are not considered to be substantive character impacts arising from the proposal, although this will be subject to the way in which the development would be arranged and landscaped at reserved matters stage. The application has been submitted with a Landscape Visual Impact Assessment (LVIA) The appraisal of landscape has been done in consultation with WCC Landscapes.

WCC Landscapes accept the principle of development but have raised concern over the potential for buildings on higher parts of the site to adversely impact upon the character of the wider area. Whilst this is acknowledged, the site should be viewed in the context of the wider allocation which in itself would be developed. In addition, the strategic landscaping around the site makes provision for large areas of open space particularly around the A46 with parkland and community recreation area indicated.

Given that the proposal is at outline stage, WCC Landscapes have agreed to provide a condition securing strategic landscaping to provide further information based on sections, visuals structural landscaping and hedgerow retention which would be required prior to reserved matters.

## *Streetscene*

*The WDC Garden Towns, Villages and Suburbs – A Prospectus for Warwick District, serves as an SPG for new development on allocated sites to be well*

*designed, distinctive neighbourhoods based on principles of Sustainable Garden Towns, Villages and Suburbs.*

The submitted Design & Access Statement sets out that the development would be set out into character areas relative to their location within the site as follows;

- Heritage Neighbourhood – South western portion of the site adjacent Stoneleigh Road
- Water Meadow Neighbourhood – Set along the water meadow corridor
- Urban Spine Neighbourhood – Spanning along the northern portion of the Kings Hill Spine Road
- Garden Neighbourhood – Within the core of the development area to cover the majority of the allocation
- Gateway Hub – Located at site access points
- Community Hub – Mixed use elements and secondary school

Building Conservation have proposed a condition to secure a detailed design code prior to the submission of Reserved Matters on the site which is considered necessary in order to ensure that the character areas proposed are holistically coherent and compliant with the wider development context.

The submitted massing plan, although indicative, sets out that the development would largely concentrate taller units within the main corridor of built up development around the spine road and District Centre with the periphery at a lower level, which in general terms is considered logical.

A detailed assessment of streetscene would be possible following the approval of the design code and future applications being in accordance with the agreed principles. It is considered that the approach and level of detail at this stage is sufficient to conclude that the development could be designed in an appropriate manner.

### *Sustainable Design*

Whilst the proposal is outline, consideration needs to be given as to how development at Kings Hill will respond to environmental challenges both at a local and national level as embedded within local and national policy. WDC has declared a climate change emergency which has limited weight in the determination of planning applications but is reflective of national objectives.

*Within the National Design Guide is 'Resources' as a characteristic which identifies the attributes for well-designed places through conservation of natural resources, design to respond to climate change, are adaptable over time and use materials/technologies to minimise their environmental impact.*

*CC1 of the WDLP requires development to be designed to be resilient and adapt to the future impacts of climate change, setting out the measures to address this. Applicants will be required to set out how the requirements of the policy have been complied with including justification for why the measures have not been incorporated.*

*CC3 of the WDLP requires all non-residential development over 1000sqm to achieve as a minimum BREEAM standard 'very good'. The Council will expect applicants to consider the potential to incorporate large scale decentralised heating networks such as Combined Heat and Power on strategic sites.*

*FW3 requires new residential development of one dwelling or more to meet a water efficiency standard of 110 litres/person/day. This includes five litres/person/day for external water usage.*

In the absence of detailed design, elements of environmental design cannot be robustly assessed at this stage. The policies of the WDLP alongside the National Design Guidance has informed conditions set out in the recommendation to address environmental design. These include;

- Measures to ensure that the District Centre achieves a minimum of BREEAM very good (or equivalent)
- That a minimum water efficiency is achieved (based on 110 litres/person/day)
- Establishing an energy hierarchy encouraging district/community heating/cooling

#### *Open Space & Recreation*

The application proposes a range of open space typologies within the site as per the indicative masterplan. This has been supplemented with on-site pitch arrangements for the community recreation area. Open space and recreation has been assessed in consultation with WDC Open Spaces and WDC Sports & Leisure.

The green space within the indicative masterplan versus the WDC policy requirement is as follows;  
(WDC Requirement / Proposed)

- Amenity Green Space – 6.64ha / 13.32ha
- Parks and Gardens – 13.28ha / 14.74ha
- Natural Areas – 13.28ha / 18.79ha
- Children/Youth Areas – 1.99ha / 2.05ha
- Allotments – 2.79ha / 2.79ha

*HS1 of the WDLP provides support to proposals for healthy, safe and inclusive communities including contribution to a high-quality, attractive and safe public realm, encouraging healthy lifestyles by providing opportunities for formal and informal physical activity and improving the quality and quantity of green infrastructure networks.*

*HS5 of the WDLP supports development proposals for new and improved open space, sport and recreation facilities.*

WDC Open Space has raised no objection to the proposal noting the over-provision of green space in general versus the policy requirements (37.98ha vs 51.69ha proposed). However, they have raised concerns over the overall

connectivity of green space to create an off-road circular route for future residents as a design issue.

The future details of strategic landscaping (the landscaping around development parcels) is of primary importance to be secured early in the commissioning phase and so would be required to form part of the Reserved Matters for the spine road which is the first application to be submitted following determination of this outline application.

WDC Sports & Leisure are agreeable to the provision of the on-site pitches as set out in the submitted indicative drawings being of a commensurate amount to the population generated by the development and design orientation. It is noted that the current sporting demand that underpins the proposals is correct at the time of writing, but that this may change in future. Therefore, an appropriate amount and type of sport pitches would be secured at such a time that the management details are known; this arrangement could involve management by the future secondary school or sports club like Alvis as an example but would be determined at a later stage of the development through condition at the 1000<sup>th</sup> occupation.

### *Safety*

Safety considers the design measures to create a safe environment in consultation with Warwickshire Police and the Fire and Rescue Service.

Warwickshire Police have set out the principles of designing out crime raising no objection at this stage. The Fire and Rescue Service have raised no objection subject to condition to secure details of water supplies and fire hydrants to ensure that adequate supply is available to combat fires.

Such matters will be better assessed at the Reserved Matters stage.

### *Summary*

The applicant has satisfactorily demonstrated that the development could accommodate measures to ensure that landscape impacts, streetscene appearance, sustainability and open space/recreation can be delivered in a policy compliant manner subject to the conditions and planning obligations.

It is therefore considered that the Design of the proposal is acceptable in accordance with BE1, CC1, CC3, FW3, HS1 and HS5 of the WDLP, PPG and the NPPF.

### Historic Environment

There are designated heritage assets located within the application site and close to the site in locations where their setting could be affected. The Environmental Statement includes reports relating to archaeology and built heritage, non-designated heritage assets and designated heritage assets and is supported by a heritage assessment.

*HE1 of the WDLP sets out that where harm to the significance of designated heritage assets arises from development proposals, this harm will be weighed against the public benefits of the proposal.*

*Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generation.*

#### *Archaeology*

The site is considered to be in a location where there is potential for significant unrecorded archaeology and has been subject to a desk-based assessment and geophysical survey. The application has been subject to consultation with WCC Archaeology.

*HE4 of the WDLP sets out that the council will require that any remains of archaeological value are properly evaluated prior to the determination of the planning application, requiring a programme of archaeological investigation where there is an adverse effect on archaeological remains.*

*Paragraph 189 sets out that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance.*

The findings of the geophysical survey have set out that geophysical anomalies indicative of medieval ridge and furrow cultivation and also post-medieval and modern activity were found. However, there were no anomalies suggesting archaeological features. Notwithstanding the findings, WCC Archaeology have set out in their response that this is not conclusive and that there is potential for the site to contain prehistoric, Roman or Anglo Saxon remains and therefore further work is required before development can commence relative to each phase.

Given the scale of the site and that development would come forward in parcels, fieldwork and trenching would be required prior to Reserved Matters applications being determined which would allow sufficient flexibility to the applicant given the area of land that would require fieldwork to be undertaken.

#### *Scheduled Ancient Monument*

The site encompasses the 'Deserted Medieval Village located to the east of the site adjacent Kings Hill Lane'. Within the indicative masterplan, this area is proposed as parkland and community recreation. The application has been subject to consultation with Historic England.

*HE4 of the WDLP sets out that development will not be permitted that results in substantial harm to Scheduled Monuments or other archaeological remains of*

*national importance, and their settings unless in wholly exceptional circumstances.*

Historic England have set out that the SAM is under pasture and that the site is in good condition with some localised areas of disturbance and erosion going on to state that the existing landscape reflects the surroundings of the original medieval settlement, retaining an important sense of openness and a rural and agricultural character.

The proposal would introduce a management plan along with new public access, pathways, interpretation and information. Historic England note that the development would not cause adverse physical impacts upon the monument's setting but could significantly impact upon the monument's setting resulting in a high degree of harm to the significance of the scheduled monument. This view is echoed by the Conservation officer and is considered in NPPF terms as less than substantial harm.

With regard to the above, there are limitations in the ability to fully assess the impact upon the SAM at this stage as the masterplan is indicative only. A more detailed assessment will therefore be required at the Reserved Matters stage. Historic England have not objected in principle to the development, however there are substantial concerns over the future implications on the SAM some of which can be addressed through assessment of the finalised design and a comprehensive landscape and management plan which is subject to condition which is set out in the recommendation.

#### *Listed Buildings & Conservation Areas*

There are Grade II Listed Buildings within the site; Wainbody Wood Farmhouse, Barn 16 Yards to East of Wainbody Wood Farmhouse (located south of Wainbody Wood) and Hill Farmhouse. The application has been subject to consultation with Building Conservation. Historic England are not a statutory consultee given the Grade of Listed Buildings on site but they have provided feedback on the potential impact on the Grade II\* Listed Stoneleigh Abbey Beyond the application site to the west is the Kenilworth Road Conservation Area within Coventry.

*Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which advise that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving any listed building and its setting or any features of special architectural or historic interest which it possesses. Sections 71 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires the local planning authority to have special regard to the need to 'preserve or enhance' the character, appearance and setting of conservation areas.*

The Conservation Officer has raised no objection to the proposal in terms of the impact of the development upon the setting of Listed Buildings. However, this is subject to a future detailed assessment at the Reserved Matters stage. Historic England have also raised no substantive concerns around potential setting issues for Stoneleigh Abbey.

Matters relating to the impact of the proposed development on heritage assets on the site and in the vicinity have not raised substantive objections that cannot be addressed at reserved matters stage. It is acknowledged that there are changes in character of the area through the delivery of the allocation that would alter the wider landscape. The layout and design at reserved matters stage will therefore need to give careful consideration to the impact on heritage assets.

### *Harm & Public Benefit*

It is considered that the development would result in harm to the SAM, albeit that harm is considered to be less than substantial. In this context, the harm must be balanced against the public benefit of the proposal.

*Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

*HE4 of the WDLP sets out that there will be a presumption in favour of the preservation of locally and regionally important sites, except where the applicant can demonstrate that the benefits of the development will outweigh the harm to archaeological remains.*

The harm to the SAM can be mitigated through landscaping within the finalised design. This would alleviate some harm. The proposal serves to deliver 2500 new homes within an allocated site within the WDLP which strategically was designated to help meet the housing need of Coventry and Warwickshire.

The development would also provide 1000 affordable houses, education, health facilities, as well as community infrastructure. It would therefore bring significant public benefits that would serve communities in the wider area and address sub-regional need. Whilst ordinarily the short term economic benefit of job creation through construction is usually modest, the scale of the site is such that there would be stronger employment benefits that can be associated with housebuilding. It is therefore concluded that the public benefits will outweigh the less than substantial harm to the SAM that may result from the proposal, particularly if carefully mitigation is included within the reserved matters.

### *Summary*

Matters relating to archaeology have been suitably de-risked at this stage of the planning process to allow for an outline consent to be issued. Further investigative work would be required prior to the determination of future Reserved Matters applications.

It is considered that the level of public benefit outweighs the less than substantial harm afforded by the development. The impact on designated heritage assets is therefore considered acceptable, in accordance with HE1 and HE4 of the WDLP and the NPPF.



## Amenity

The site is located in close proximity to existing residential areas within Coventry to the north and east. Other parts of the site are spatially bound by the A46 to the east/south, and otherwise largely open countryside. The application proposes development that would introduce sensitive receptors to the site.

*Paragraph 127 of the NPPF states that planning decisions should in (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

*BE3 of the WDLP sets out that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development*

## *Neighbour Issues*

The assessment of neighbour issues seeks to appraise whether a development would have an adverse impact on properties nearby in terms of appearing overbearing, impacting privacy or issues arising from a proposed use and that the development meets acceptable of amenity within the proposed site. Due to the scale of the proposal and undeveloped nature, the development would result in an intensified level of use of the site.

*The Residential Design Guide (RDG) serves as a Supplementary Planning Document providing criteria to address residential amenity.*

The EHO has recommended a condition to ensure that the impacts of flood lighting to the Green Lane end of the site would not have an adverse impact upon new development along with noise and odour controls set out below.

A detailed assessment of the impact upon residential amenity would only be possible at the Reserved Matters stage. It is accepted that comparatively there would be a substantial change through the introduction of strategic development to the area, however this inevitable as an allocated housing allocation on greenfield land. Based on the illustrative masterplan, it is considered that the development proposal could be accommodated without having a significant adverse impact on amenity in terms of privacy, mass and land use.

## *Noise & Odour*

There are issues arising from introducing new strategic development to the area in terms of noise that the site would be subject to and emanate from. Such matters are considered in consultation with the WDC Environmental Health Officer (EHO). The Environmental Statement includes a report on noise and vibration.

*Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.*

*Paragraph 180 of the NPPF requires new development to be appropriate for its location taking into account the likely effects on health. Paragraph 108 a) of the NPPF requires new developments to mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.*

The EHO has reviewed submitted information raising no objections subject to an overarching condition to secure acceptable internal noise levels for new dwellings to ensure an acceptable quality of internal accommodation is realised in new development. In addition, a further condition is sought to protect development from further traffic associated noise impacts.

With regards to the District Centre, further conditions would ensure that noise emitting uses which includes A1, A3, A4, D1, and D2 uses would require validation/verification to ensure that their design, equipment and operation would not have an adverse impact upon neighbouring land uses including new residents.

As part of the consultation response from the EHO, a construction method statement has been requested that secures details of on-site operations during the construction period of each phase of development. This in turn would ensure good practise having regard to amenity issues for nearby occupants prior to completion of the relevant development phases. This is included as a condition.

### *Air Quality*

The submitted Air Quality Assessment identifies issues arising during construction and impacts post-occupation with mitigation measures to address impacts at both stages of development. The site is not located within a designated Air Quality Management Area but is bordered by areas of high traffic intensity particularly from congested roads around the development. The submitted Air Quality element of the Environmental Statement was supplemented with a low emission strategy, subject to consultation with the EHO.

*TR2 of the WDLP requires development proposals to provide air quality assessments and mitigation plans to demonstrate practical and effective measures to be taken to avoid adverse impacts.*

*The WDC Air Quality SPD provides supporting policy on the mitigation of air quality impacts within the District.*

Notwithstanding the air quality damage calculation cost to be secured by planning obligation, the application proposes the submitted low emission strategy acknowledges the need to provide Type 1, 2 and 3 mitigations as set out within the Air Quality SPD along with construction phase mitigation.

The Type 3 Mitigation could include measures such as electric vehicle plans, low and ultra-low emission public transport, air quality monitoring, on-street charge points and contributions to renewable fuel and energy generation projects.

Full details of the full low emission strategy for relevant development would be expected to be demonstrated at the time of submission and so a condition for its submission has been included as part of the recommendation.

### *Summary*

It is considered that the amenity impacts of the proposal have been addressed through the submitted supporting documents and officer assessment. Future applications within the allocation will allow for a more detailed assessment along with requisite conditions to manage the amenity of future residents at Kings Hill.

The amenity impacts are therefore considered acceptable in accordance with BE3 and TR2 of the WDLP and the NPPF.

### Environment

#### *Contaminated Land*

The ES includes a ground conditions survey encompassing the application boundary with a 250m buffer which has been reviewed by WDC Environmental Health Officer (EHO).

*Paragraph 178 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.*

*Paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.*

The EHO has noted that the desk-based assessments have identified potential contamination which would require further assessment and has recommended a condition to undertake further assessment to inform future proposals on the site. This is considered that given the scale of the site relative to the outline nature of the application, this can be effectively dealt with through a condition and in detail at the reserved matters stage.

Contaminated land is therefore considered to have been sufficiently considered at this stage of the application process in accordance with the NPPF.

#### *Ecology*

The Environmental Statement includes Ecological Assessments along with a Landscape & Ecology Plan. The application has been subject to consultation with WCC Ecology and Natural England. In addition, the Environment Agency have provided input where matters relating to biodiversity arise.

*Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity.*

*NE3 of the WDLP 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.*

WCC Ecology had originally objected to the proposal. However, following amendments to retain a veteran tree originally proposed for removal, the biodiversity impact assessment calculation has demonstrated that there would be a net gain overall and subject to Reserved Matters applications would address the ecological impact of the proposal.

Natural England have raised no objection, citing no significant adverse impacts to designated sites of ecological importance within the area as a result of the development. A series of principles for the woodland management plan with particular emphasis on Wainbody Wood has been set out and included within a condition.

The Environment Agency has also requested conditions to ensure biodiversity and green infrastructure is appropriately managed to ensure a net gain in biodiversity and in the interests of protection to ecologically rich parts of the site.

### *Trees*

The ES included an arboricultural assessment which was supplemented by an addendum. This document grades existing vegetation on site and measures to be taken through the development proposals. The application has been subject to consultation with the WDC Tree Officer and Woodland Trust.

*NE4 of the WDLP sets out that new development will be permitted that positively contributes to landscape character including addressing the importance of woodland and hedges and their contribution to landscape character.*

Concern was raised in response to the removal of a veteran tree amongst others which is now proposed to be retained as part of the revised scheme as well as twelve further specimens of high and moderate quality. It should be noted that no trees are permitted to be removed by virtue of granting this application.

The Tree Officer has raised no objection to the proposal with detailed assessment to be carried out at the Reserved Matters Stage which would be expected to compensate for loss of any trees. Due to the site boundaries there are no impacts arising on the Ancient Woodland, Wainbody Wood.

The Woodland Trust have objected, however following the retention of the veteran tree which was a principal concern in their objection, no further response has been received.

### *Summary*

It is considered that the submitted reports set out the principles and technical details relating to environmental issues for the development proposal.

The environmental considerations are acceptable in accordance with NE3 and NE4 of the WDLP and the NPPF.

### Transport

Transport matters are considered in consultation with WCC Highways who have worked with CCC Highways to assess the impacts within Warwickshire and Coventry from a local network perspective. Highways England have also been consulted due to the scale of development and proximity to the Strategic Road Network (SRN). Objections raised concerning transport have been addressed in this section of the report.

*Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

*TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety.*

*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 ES was submitted with a Transport Assessment (TA) with addendums provided to supplement the submission to address issues raised by the highway authorities. WCC commissioned independent modelling to test transport scenarios in the absence of the A46 Stoneleigh Junction Scheme.

### *Traffic*

The application proposes access points that would emerge to the north at Green Lane onto the CCC road network and to the south at Stoneleigh Road onto WCC network.

Of note is that WCC has a planned scheme of improvement at the A46/Stoneleigh Junction to upgrade it to a grade separated roundabout known as the Stoneleigh Junction Scheme (SJS). This is a key piece of transport infrastructure that would increase highway capacity and improve traffic management.

There have been delays to the SJS which was planned to commence on site in Spring 2019 and is now scheduled to start in 2020 with an 18-month build schedule. The SJS has planning approval with funding sources identified and is currently undergoing technical approval with Highways England. In the absence of the SJS, a scheme of signalisation of the A46 Stoneleigh Junction would be implemented.

Whilst it is acknowledged that there is a strong basis for the SJS to proceed, scenarios around further delays or non-delivery need to be assessed to ascertain the acceptability of early development at Kings Hill.

WCC Highways through assessment of the TA have identified impacts on the highway network in the following locations with mitigation identified to address them which has been summarised below;

- A45 Kempas Highway / A429 Kenilworth Road Signalised Junction – Providing a financial contribution toward the A46 Link Road.
- A45 Kempas Highway / St Martins Road Roundabout Junction – Providing a financial contribution toward the A46 Link Road.
- A46 / Stoneleigh Road Junction – Limiting the number of dwellings that can be delivered in the absence of SJS to 700.
- A429 Kenilworth Road / Stoneleigh Road / Gibbet Hill Road Roundabout Junction – Providing a financial contribution toward the A46 Link Road.
- B4115 / Stoneleigh Road / Birmingham Road Offset Priority Crossroads Junction – Mitigation scheme to be implemented prior to first occupation.
- B4115 / B4113 Stoneleigh Road Priority Junction - Mitigation scheme to be implemented prior to first occupation.

From the mitigation measures proposed it should be noted that the requirement for the A46 Link Road has been demonstrated due to the lack of substantive improvement options that can be undertaken at the relevant locations to address highway capacity or traffic management. The A46 Link Road is an identified scheme on the Council's infrastructure delivery plan with no other schemes developed that can address traffic in the area. All other measures where a scheme has been proposed and agreed would require implementation prior to first occupation.

The independent modelling work showed that there is some capacity within the network to accommodate a limited amount of development if the SJS or a scheme of signalisation (interim scheme) is in place. The work showed that a scheme (either interim or SJS) is essential from 850 occupations onwards.

Upon testing at 850 dwellings with the signalisation, it was also concluded that, development above this number (850 dwellings) could be delivered. However, it is anticipated that the SJS would be operational before housing reached this stage. Development will therefore be restricted by condition until such time that the SJS is operational.

### *Strategic Road Network*

The site is located within close proximity to the A46 (Stoneleigh Junction) which links onto Stoneleigh Road. The site would benefit from access to and from the A46 using this junction. Given the scale of the proposal and the most direct route for access to the strategic network being to exit the southern access, there will be impacts arising on the Strategic Road Network (SRN).

Notwithstanding independent modelling work undertaken by WCC which is agreed by CCC, establishing the acceptable levels of traffic impact on the local

network, Highways England had raised concerns over queuing on the A46 slip road, the impact that the connection between the early phases of development would have due to through-traffic access to the SRN and the traffic management implications of an interim scheme of signalisation at the junction.

For planning purposes, Highways England do not consider the SJS to be 'committed' and so have required modelling work, specifically sensitivity testing based on the interim scheme of signalising the junction to assess the performance of the A46/Stoneleigh Road junction. This testing has been based on 700 dwellings (400 at Stoneleigh Road /300 at Green Lane) which is the quantum agreed by WCC and CCC to be delivered at the Phase 1 parcels prior to the requirement of the spine road.

The study outlines that no development will have taken place before July 2020 which is the point that the signalised scheme will have been delivered if the SJS proposal does not progress which is considered a reasonable assumption. In overall terms, the capacity for new development with the signalised scheme is between 1250 and 1500 dwellings with the area of concern being at the A46 south arm in the PM period.

The modelling concludes that with delivery of the signalised scheme at the A46/Stoneleigh Road junction, 1400 dwellings can be delivered without impacting the junction to such an extent that queuing would extend on to the A46 mainline and that with the delivery of the SJS, that 2500 dwellings can be accommodated.

It should be noted that the modelling tests a scenario for the Stoneleigh Junction that may not occur in reality. The SJS is publicly stated to commence in Spring of 2020 on an 18-month build program. Based on the modelling work, this would improve traffic management to prevent significant adverse impacts upon the SRN for the entire development. It is considered that the work undertaken is commensurate to allow a restricted quantum of housing to be delivered in the absence of the SJS and allow outline permission to be approved.

Highways England have received the requested information relating to the impact of development on the Stivichall Interchange and are in the process of review. An update on this will be provided at Committee.

### *Highway Safety*

WCC Highways have reviewed the Transport Assessment (TA) included within the which looks at the level of traffic generated by the development. The access specifications to both ends of the development have been designed based on the allocation in its entirety (4000 dwellings).

*Paragraph 109 of the NPPF sets out that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

There are two access points at Stoneleigh Road which would be entirely within the Warwickshire administrative area and at St. Martins Road/Green Lane, a

proportion of which is located within Warwickshire but where traffic would emerge onto Coventry's network.

At Stoneleigh Road a signalised access is proposed with Kings Hill Lane widened at this location to 7.3m. The implementation of this would be phased with 200 dwellings accommodated initially through a priority junction (as an interim access arrangement). Following this, the road widening, provision of an emergency access and primary school access to the plot would be required which would then service up to 400 dwellings, which would be the total allowed at this access in isolation.

At St Martins Road/Green Lane, CCC Highways have identified a maximum of 300 dwellings can be served from this access with an emergency vehicular access from Green Lane. The full access scheme as proposed is required to accommodate this and has been amended to reduce the overall size of the roundabout to mitigate against overuse.

Following development at both access points in isolation (from 701<sup>st</sup> occupation), the spine road through the site and signalisation at Stoneleigh Road is required.

### *Sustainable Transport*

Sustainable transport looks at issues around pedestrian, cyclist and public transport connectivity within the site along with infrastructure. As a new development of a strategic scale, connectivity both within and beyond the site for sustainable travel options is required for future residents.

Due to the scope of sustainable transport infrastructure for walking and cycling being outside the site boundaries, WCC/CCC Highways have sought financial contributions toward the following;

- Cycle access to Kenilworth
- Kenilworth to Leamington cycle route
- Improvements to cycle route on Green Lane to city centre
- Contribution toward bike share hubs

Bus provision would be provided through changes to existing services to serve early phases of the development, re-routing them to service new development at both the Stoneleigh Road access and St. Martins Road/Green Lane access points. A permanent scheme could then be implemented once the spine road connecting the two ends of the development is in place with further measures such as safeguarded land being made available for a future bus rapid transit (BRT) route. Contributions have been secured to both WCC and CCC in order to ensure that services can be subsidised in a timely manner for new residents.

The applicant has also indicated for Bus Rapid Transit or Very Light Rail, to integrate with public transport schemes being progressed by CCC. These schemes can be integrated into the site at a later date with a through-route once the wider proposals across Coventry have been further developed.

### *Rail*



The site is located within a proximity to assets owned or managed by Network Rail who have been subject to consultation on this application.

Network Rail have raised no objection but have set out principles for designing within a buffer area of their assets (within 10m) as well as boundary treatments, construction management, drainage and earthworks which would all be secured through conditions.

There is also contribution sought toward feasibility work for a new rail station along the Leamington, Kenilworth and Coventry Line which is set out WCC Draft Rail Strategy and through its delivery, would offer significant modal shift potential for commuting to the centres of the settlements.

### *Summary*

The highway authorities have established that a level of development can be delivered at Kings Hill without adverse impact on the local network in the absence of the SJS through independent modelling to a methodology agreed by WCC and CCC Highway Authorities. The applicant has demonstrated through further modelling work the level of development that can be delivered before significant queuing arises that would have an adverse impact on the SRN.

The full quantum of development at Kings Hill would not be permitted to be delivered in the absence of the SJS. Development to both the Stoneleigh Road access and the St. Martins Road/Green Lane access would be limited to 400 and 300 dwellings respectively with dwellings at Stoneleigh Road capacity released in an incremental manner.

Subject to verification from Highways England, the impact on highway safety is considered acceptable in accordance with TR1/TR3 of the WDLP and the NPPF.

### Water Management

The application is for major development located in Flood Zone 1 with small sections within Flood Zones 2 and 3 around Finham Brook. The application has been subject to consultation with the WCC Lead Local Flood Authority (LLFA) and Environment Agency (EA). Severn Trent has also been consulted as a mains connection is proposed. The Environmental Statement includes a Flood Risk Assessment (FRA) which sets out details of drainage and flood risk.

### *Flood Risk*

Finham Brook the site where there are Flood Zones 2 and 3. The indicative masterplan sets out that development would be solely within areas designated as Flood Zone 1 in line with the sequential test within the NPPF.

The EA have responded to consultation raising no objection to the proposal subject to conditions to manage works around Finham Brook and its tributary alongside advice around securing an Environmental Permit.

### *Foul Drainage*

Severn Trent have recommended a condition to secure detailed drainage plans for the disposal of surface water and foul drainage prior to commencement. There is commentary that a scheme to upgrade the capacity is planned which would provide sufficient capacity to accommodate the development.

A further informative has been recommended as a public sewer is located within the site as a precautionary measure.

### *Surface Water*

*FW1 of the WDLP requires new development to be resilient to surface water, fluvial and pluvial flooding.*

*FW2 of the WDLP requires new developments to incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan.*

*Paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*

The LLFA originally required further ground monitoring to be undertaken which was submitted by addendum. Subsequently, the LLFA have raised no objection subject to conditions to maintain discharge rates, site-wide drainage strategy and SuDS drainage scheme and management strategy have been submitted. Future Reserved Matters applications would be expected to incorporate sustainable drainage solutions in their design.

### *Summary*

It is considered that matters relating to water management have been suitably addressed at this stage of the development process.

The application is therefore in accordance with FW1 and FW2 of the WDLP and the NPPF.

### Other Matters

#### *Time Limit*

The time limit to commence development has been extended to fifteen years for the outline application in recognition of the WDLP requirement of Kings Hill to deliver housing of circa 1800 units within the plan period (up to 2029) and further development beyond. This will ensure that the site can be delivered in accordance with the outline permission and provide a master permission for future Reserved Matters applications to be based upon.

#### *Conditions*

*Paragraph 55 of the NPPF sets out the governing principles for planning conditions emphasising that conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.*

Prior to preparation of this report, the applicant has confirmed agreement of the conditions set out in the recommendation. Pre-commencement conditions have been imposed as part of this permission although planning permission is reliant upon an approved Reserved Matters application.

### *Responses to Representations*

In response to points raised in representations that are material planning considerations and that have not been addressed in the main body of the report;

#### *Highways*

- *The local infrastructure is not designed to accommodate such an increase in proposed traffic*  
The development proposal would provide mitigation in the form of junction improvements as well as contributions towards significant schemes of intervention such as the A46 link road. The development would be restricted to ensure that a scheme of intervention at the A46 Stoneleigh junction is operational and that the number of dwellings is limited until such time that the access points to the developments are joined (700 dwellings).
- *No access onto Green Lane should be permitted as it is already congested with existing local traffic*  
There is no access point for private cars to access Green Lane, only a bus gate with cycle/footway provision.
- *All access should be from Stoneleigh Road because the development is within the Warwick District Local Plan*  
This is not considered sufficient to service the allocation as a whole nor is it considered policy compliant to restrict development relative to the administrative boundary.
- *Green Lane must not be used as a route for construction vehicles*  
This matter would be dealt with through the condition for a construction management plan however the roundabout at St. Martins Road/Green Lane could accommodate for this.
- *The proposed access point next to the primary school will create traffic hazards and increase air pollution*  
This would be a bus gate and cycle/footway which may bring some issues however they are not considered to be of a significant scale.
- *There is poor infrastructure and traffic congestion already*  
This would be addressed through mitigation as part of the development.
- *There should be no development at Kings Hill until the A46 link road scheme is complete*  
The modelling work undertaken has demonstrated that a level of development can be accommodated in the absence of a completed A46 link road which has been agreed by the local highway authorities.

- *There would be a conflict between vehicle and cycle safety*  
This matter would be addressed through the Road Safety Audit process.
- *Cycle paths should be upgraded/improved to facilitate safer access*  
There are planning obligations/conditions to ensure that cycle provision would be improved beyond the site.
- *There is no provision for cyclists or pedestrians*  
This matter would be dealt with in detail at Reserved Matters
- *Other major projects in the area including HS2 will exacerbate existing highway network problems*  
There are considered to be risks associated with HS2, however the timetable of development is currently unknown and so would be dealt with as part of construction management.
- *There are significant concerns about the impacts on residents from construction traffic*  
This matter would be dealt with through the construction management plan
- *The current bus service is very poor and will not cope with the proposed level of development*  
There are planning obligations to re-route existing services within the development as well as providing a through route on the site.
- *There are no realistic traffic flow assessments provided with the application*  
The level of information provided alongside WCC's commissioned study is considered commensurate to determine the application.
- *The development does not take account of other major developments such as Gateway South, HS2 and the JLR site*  
Such sites were factored in as part of the modelling work to assess junction capacity with the presence of development.
- *The proposed location of the bus gate is currently a parking area during school opening/closing times*  
This is a civil matter relating to land ownership.
- *Extra bus manoeuvring will add to congestion and hazards to highway safety*  
The additional movements are not considered to amount to significant impacts and would be part of the re-routing of existing services.
- *Reducing the size of the roundabout at the junction of St Martin's Road/Green Lane will not assist the problem*  
The aim would be to slow drivers and make the roundabout into a less desirable through-route for traffic.

- *The proposed roundabout would create a 'rat-run' along Green Lane*  
The design changes are to decrease the possibility for this.
- *A signalled junction would be preferable to a roundabout*  
The roundabout solution is considered necessary to safeguard the entire allocation for future development (4000 dwellings)
- *There are unresolved objections/concerns from Highways England*  
Such matters would be clarified at committee, the application will only be heard if Highways England have removed their holding response.

#### *Flooding/Drainage*

- *The housing is proposed at density levels which will exacerbate existing drainage problems*  
No development would be able to commence until such time that an approved drainage strategy has been agreed with occupation of dwellings dependant on the strategy's implementation.
- *The development will impact on existing foul drainage capacity*  
Severn Trent have identified that there are planned upgrades required to accommodate the development proposed with new development subject to a foul drainage strategy agreed by Severn Trent.
- *The development will impact on existing surface water drainage capacity*  
The development requires a drainage strategy to include measures for sustainable drainage which would need to be done in a phased way.
- *There will be increased risk to surface water run off without suitable mitigation*  
Mitigation is required and would need to be implemented at an agreed stage with the Lead Local Flood Authority.
- *There is significant concern about flooding from Finham Brook as it stands at present so any new development will exacerbate this*  
It is noted that the area around Finham Brook is within Flood Zones 2 and 3, the Environment Agency requires detailed strategies and mitigation to be in place for development in that area to proceed. Surface water strategies would need to ensure that overland run-off would not adversely impact the current situation.
- There are particular problems at the bridge where the B4115 meets the B4113 by Severn Trent Water Treatment Works and flood water tends to back up  
The development would need to assess existing issues and the impact that it may have with mitigation to be implemented if necessary.

#### *Air pollution*

- *The Air Pollution Survey is vague and cannot predict the effect of up to 8000 extra vehicles which pose a health hazard for Finham residents*

The application has provided commensurate information to assess air quality impacts providing a scheme of mitigation that would be executed through the low emission strategy.

- *It is stated that Air Quality will remain within acceptable limits after the development is complete but where is the data from Coventry City Council to substantiate this?*

The site has been allocated through the Warwick Local Plan and its impacts (including air quality) were taken in to account through the Coventry Local Plan examination and adoption. The principle of development is therefore established. The specific impacts on air quality (including within Coventry) will be taking in to account at Reserved stage through the conditions requiring low emissions strategies.

- *Air quality will be significantly reduced as a result of the development*  
The development will be required to provide mitigation for air quality impacts. Notwithstanding this, development will inevitably have an impact on air quality.

#### *Landscaping*

- *There are trees along Green Lane which are covered by TPO's*  
Any works to, or removal of protected trees would be assessed in their own right. However, no works to trees are approved through this application and would be subject to future detailed applications.
- *There is insufficient green space between the Coventry and Warwickshire boundaries / The development will further reduce/diminish any remaining 'buffer' between the two settlements*

The Kings Hill allocation is land that has been removed from the Green Belt through the local plan process, the allocation acknowledges that the character of the area would change through the development of the site.

- *The development will result in the loss of trees and hedges*  
Future Reserved Matters applications would be required to provide mitigation for loss of trees and hedgerows to ensure that there is a net gain in biodiversity.
- *The destruction of Wainbody Wood is not supported by any government body*  
No works to Wainbody Wood are consented through approval of this application.
- *Existing greenery and open space will be lost*  
This is part of the planning process in planning for new development through housing allocations.

#### *Ecology*

- *The development will impact on wildlife*  
Future landscape strategies will be required to ensure there is a net gain in biodiversity in accordance with the NPPF.

- *Appropriately timed habitat and species surveys should be conducted especially in relation to nesting birds, bats, badgers, slow worms, great crested newts, owls and other protected species*  
This has been reflected in the submission with detailed studies required for future Reserved Matters applications.

#### *Visual impacts*

- *The development will impact on the character of the area / The development will impact on the rural landscape*  
It is acknowledged that there are significant changes to the landscape through the introduction of new development however strategic landscaping would be secured from the outset to manage the impact of the site when viewed at long range.
- *High density housing is proposed*  
The density proposed is similar to that of other developments within the District and is policy compliant.
- *The indicative building heights are too great and do not reflect the character of the area or the street scene*  
Given the scale of the allocation overall it should be recognised that there will be opportunities for taller buildings within built up areas of the development.

#### *Neighbour amenity*

- *There will be a loss of privacy*  
Minimum separation distances would be adhered to through future reserved matters applications in accordance with the residential design guide.
- *Allotments are proposed too close to existing properties which cause disturbance*  
The masterplan submitted is indicative and this matter would be subject to detailed assessment at the Reserved Matters stage.
- *There will be noise and disturbance from the proposal, including construction*  
This is acknowledged and would be managed in part through construction management conditions.
- *There are concerns about odour impacts / There will be additional noise pollution*  
The Environmental Health Officer has raised no objection to the proposal on the basis of odour/noise related impacts associated with the development.

#### *Other considerations*

- *The area is Green Belt and should not be built on*

The land has been removed from the Green Belt and is allocated for residential development

- *The development will impact on scheduled ancient monuments*  
There would be impacts associated with the park area proposed at the scheduled ancient monument with a condition to secure further details as requested and agreed by Building Conservation and Historic England
- *The development will impact on historic landscapes*  
A condition to secure details of strategic landscaping has been included although the site's allocation would have considered the impact upon landscape and character.
- *The development will impact on archaeology*  
Each phase of development would require a scheme of evaluation relative to the potential for archaeological presence which would be assessed by the County Archaeologist at the time of Reserved Matters.
- *The number of houses will place a disproportionate burden on Finham*  
There would be infrastructure impacts in the early stages of development that would affect areas around Kings Hill, however this would only be until such time that the schools and District Centre were operational at which time there would be potential to enhance the service provision to residents within and in close to Kings Hill
- *The development will put pressure on existing services and facilities e.g. schools and doctor's*  
This is noted, there would be a new primary and secondary school as well as a new primary healthcare facility (to be decided by the CCG)
- *The size of this development will put pressure on public services, e.g. public transport, ambulance, police, hospitals and all other emergency services*  
The development is required to provide mitigation for public services; bus travel options would be integrated into the development and the remainder would be mitigated through financial contributions as requested by the relevant infrastructure providers. The Warwickshire Policy have requested an on-site facility as part of the community centre.
- *There is concern for the safety of existing school children*  
Safer routes to school would need to be incorporated into the proposal with further conditions to ensure that construction traffic/routes do not affect commuting children.
- *There seems to be no provision for a GP surgery*  
There would be space provision and financial contribution made to an on-site facility to be determined by the CCG.
- *Houses should be built closer to Kenilworth thus putting pressure on WDC services not CCC services*



The site allocation process has been completed with housing to be built across the whole of it, there will be impacts on both services within WDC and CCC which has required coordination in infrastructure requests.

- *There are other brownfield sites which should be developed*  
Whilst this is recognised within the NPPF, allocated housing sites are also accepted as a way to achieve plan-led housing development.
- *Coventry and Kenilworth will begin to merge into one continuous built-up mass*  
There would be encroachment toward the green belt however this was considered at the local plan stage which was signed off by the Planning Inspectorate.
- *There is no proven need for these dwellings*  
The housing numbers required for Coventry and Warwickshire is determined through a standardised method of assessment which is reflected throughout the country, the housing need is verified through the local plan process.
- *Development of housing in Coventry is not required*  
The level of housing required for Coventry has been formulated, assessed and agreed by the Planning Inspectorate through a public examination process.
- *Surely Coventry City Council can do more to assist in delivering their own housing rather than having to rely on sites in Warwickshire's administrative boundary*  
This forms part of the MoU with neighbouring authorities agreeing to accept some of Coventry's housing growth due to constraints and in consideration of Coventry/Warwickshire as a single market area.
- *The affordable houses will not be 'affordable'*  
The affordable housing secured through this development would be of various tenures which are accepted through the NPPF definition of 'affordable housing'.
- *Crime will increase*  
This is considered possible on the basis of an increase in population however the layout of the land parcels would be encouraged to design out crime.
- *An outline application does not seem appropriate; detailed application(s) should have been submitted*  
An outline application for this scale is considered appropriate to set out the principles for future development at Kings Hill and is an accepted route.
- *There has been a lack of public/local engagement by the developer*  
The developer has provided some public consultation sessions along with a website. Further consultation would be required through the Reserved Matters process.



## SUMMARY/CONCLUSION

The location of development, quantum and land use would comply with National and WDLP policies. More detailed matters will be addressed at the reserved matters stage.

It is considered that matters relating to the balance of how development would come forward within Kings Hill has been suitably addressed at this stage to ensure that future development is not impeded, that the District Centre will be able to serve the eventual allocation and that there would be commensurate social infrastructure to service the site and wider area.

The main planning considerations in determining this application have been set out and considered above and demonstrate accordance with Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and it is considered and the proposals also comply with the NPPF.

Matters relating to Highways England will be clarified through addendum along with their recommended conditions.

A legal agreement pursuant s106 of the Town and Country Planning Act has been agreed to the following planning obligations;

### Affordable Housing

- 45% Social Rent (450 units)
- 25% Affordable Rent (250 units)
- 15% Shared Ownership (150 units)
- 15% Discount Market Value (150 units)

### Air Quality

- £1,128,982 – Air Quality Mitigation (or commensurate on-site provision)

### Ecology

- £3700 – Ecological Monitoring Costs

### Health

- Delegated authority to agree NHS contributions to South Warwickshire and Coventry & Warwickshire NHS Trusts
- £1,710,755 and 0.501ha – CCG of land towards an on-site solution or £1,283,113 - towards and off-site expansions/improvement

### Road Infrastructure Works

- £8,500,000 A46 Link Road Scheme
- Delegated authority to balance road funds to A46/A45 Festival Island
- £500,000 Dalehouse Lane/Knowle Hill
- £12,000 Extension of 40mph on Stoneleigh Road

### Sustainable Transport

- £500,000 Interim bus service (St Martins Parcel)
- £500,000 Interim bus service (Stoneleigh Road Parcel)
- £4,000,000 Full bus service

- £129,000 Road safety initiatives
- £50,000 South of Coventry rail feasibility study
- £2,500 Sustainable travel info
- Delegated authority to balance sustainable transport funds for CCC/WCC

#### Walking/Cycling

- £450,000 Cycle access to Kenilworth
- £500,000 Cycle access to Leamington Spa
- £750,000 Cycle access to Coventry
- £50,000 Coventry bike share scheme (located at District Centre and schools)
- £96.284 Public Rights of Way Improvements
- Delegated authority to balance walking/cycling funds for CCC/WCC

#### Library

- £54,720 – Library contribution

#### Police

- £134,090 – Police (recruitment/equipment and vehicles)
- £360,528 or 50sqm of police accommodation to home Office standards

#### Education

- £2,085,285 – Early years
- £10,425,425 – Primary
- £445,395 – Primary SEN
- £3,589,789 – Secondary
- £1,008,524 – Post-16 Education
- £595,350 – Secondary/Post-16 SEN
- 8.2ha Serviced land for secondary school (valued at 7,313,533)
- 2.65ha Serviced land for primary school

#### Sports & Leisure

##### On-Site

- Changing Facilities (approx. 50sqm)
- 1 x Adult Football Pitch
- 1 x Youth Football Pitch
- 2 x Mini Soccer Pitch
- 1 x Rugby Union Pitch
- £1,078,295 Abbey Fields swimming pool
- £1,005,047 Sports hall at Kings Hill
- £161,140 Outdoor artificial sports at Kings Hill
- £773,310 Outdoor pitches at Kings Hill

The application has addressed the main considerations and would accord with relevant policy. It is therefore recommended that outline planning permission be granted subject to the conditions set out below.

## **CONDITIONS**

### 1. Reserved Matters to be Submitted

Details of the;

- a) Appearance of the building(s);
- b) Landscaping of the site;
- c) Layout of the site and its relationship with adjoining development;  
and
- d) The scale of building(s)

(hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved.

**REASON:** To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

### 2. Approved Plans

The development hereby permitted shall be carried out in accordance shown on the site location plan and the approved access drawings and specification contained therein;

1. Figure 2.9 – 01 – Stoneleigh Road/Kings Hill Lane Signalised Site Access Junction
2. Figure 2.11 – 02 – Proposed Bus Gate (No General Site Access)
3. SK048A – 01 – Proposed Site Access – St. Martin’s Rd/Green Lane

**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. Time Limit for Reserved Matters

Application for approval of the reserved matters shall be made to the local planning authority not later than fifteen years from the date of this permission.

**REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

### 4. Time to Commence Development

The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.

**REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

## **IN THE EVENT THAT CCC APPLICATION IS NOT APPROVED**

Development Restriction (St. Martins Road/Green Lane) (Compliance)

Notwithstanding details contained within the approved documents, no submission of Reserved Matters within the area denoted under 'PHASE 1A (N)' of drawing number L.0384\_39 shall commence until such time that full planning permission has been issued for the access arrangements that would provide a connection from the site to the road network within the Coventry City Council's administrative boundary.

**REASON:** In the interests of comprehensive development and highway safety in accordance with Policies DS15 and TR1 respectively of the Warwick District Local Plan 2011-2029.

## **COMPREHENSIVE MASTERPLANNING**

### 5. Site-Wide Framework Plan (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to submission of the first reserved matters application a site-wide framework plan to include;

- a) An overall plan of development parcels;
- b) Site-wide phasing plan; and
- c) Infrastructure delivery strategy

Shall be submitted to and approved in writing by the Local Planning Authority. The subsequent timing and content of applications shall accord with the Framework Plan unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** In the interests of comprehensive development in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029)

## 6. Future Order of Applications (Compliance)

Notwithstanding details contained within the approved documents, the sequence of planning applications following determination of this outline proposal shall be as follows;

- 1) Reserved Matters application for spine road, structural landscaping and drainage
- 2) Reserved Matters for Phase 1A (North and South)
- 3) Reserved Matters for Phased 1B/1C

The phases shall be read in accordance with drawing L.0384\_30 Rev D – Figure 2.7 Indicative EIA Phasing Plan

**REASON:** To ensure that the site is developed in a comprehensive manner in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029)

## 7. Remove Permitted Changes of Use (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no permitted changes contained therein shall be enacted within the development hereby permitted.

For the avoidance of doubt this shall include changes from C3 dwellinghouse to C4 Houses in Multiple Occupation.

**REASON:** To manage the balance of sustainable communities in accordance with Policy SC0 of the Warwick District Local Plan (2011-2029).

## 8. Schedule of District Centre Floorspace to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of the 1000<sup>th</sup> dwelling or marketing of the site for the District Centre (whichever is sooner), details to include;

- a) A schedule of the proposed land uses;
- b) Details of management/ownership; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved schedule shall be implemented unless otherwise agreed in writing by the Local Planning Authority.

Where single units that include retail, meeting places, tourism, cultural and sports development in excess of 500sqm of gross floorspace, an impact test shall be submitted.

**REASON:** To manage the impact of District Centre uses on the wider area in accordance with Policies CT1 and TC2 of the Warwick District Local Plan (2011-2029).

9. Schedule of Community Centre Accommodation & Management to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of the 1000<sup>th</sup> dwelling or marketing of the site for the Community Centre (whichever is sooner), details to include;

- a) A schedule of accommodation;
- b) Details of management/ownership; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved schedule shall be implemented unless otherwise agreed in writing by the Local Planning Authority and transferred to the relevant ownership/management body.

**REASON:** In the interests of comprehensive development in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029).

10. Details of Community Recreation Area to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of the 1000<sup>th</sup> dwelling or opening of the Secondary School (whichever is sooner), details of the Community Recreation Area to include;

- a) Details of the on-site pitches;
- b) Changing room space;
- c) Parking provision
- d) How proposals will de-carbonise major development;
- e) Community use information;
- f) Future management arrangements; and
- g) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The Community Recreation Area shall be implemented in accordance with the approved details and retained thereafter.



**REASON:** To ensure that recreation facilities are delivered in a comprehensive manner in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029).

## **DESIGN**

### **11. Site Wide Masterplan to be Submitted (Pre-Commencement)**

Notwithstanding details contained within the approved documents, prior to the submission of reserved matters application for any phase of the development hereby approved, a Site Wide Masterplan to include;

- a) Illustrative details of how the proposed layout of development has been designed with due regard to the surrounding urban and rural context;
- b) Land form topography as existing and proposed;
- c) Land use plan and character areas (including densities and building heights);
- d) Movement corridors within the site (including principal roads, public transport corridors, footpaths, cycleways and green corridors) and demonstrating how these relate to existing movement networks in the wider area;
- e) Key infrastructure (including SUDs, significant utility provision, schools, district/local centres);
- f) Landscape corridors and open space network;
- g) Public open space;
- h) Structural planting landscape areas;
- i) Street lighting arrangements and any other lighting to public space;
- j) A phasing plan including triggers for delivery of key elements of supporting infrastructure; and
- k) A statement establishing how the development proposals accord with the principles set out in the Site Wide Design Code.

Shall be submitted to and approved in writing by the Local Planning Authority. The Site Wide Masterplan shall be used in the assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

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

### **12. Site Wide Design Code to be Submitted (Pre-Commencement)**

Notwithstanding details contained within the approved documents, prior to the submission of reserved matters application for each phase

of the development hereby approved, a Site Wide Design Code to include;

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

Shall be submitted to and approved in writing by the Local Planning Authority. The Site Wide Design Code shall be used in the assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

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

### 13. Landscaping Standards (Compliance)

Notwithstanding details contained within the approved documents, the landscaping scheme(s) approved under any subsequent reserved matters application(s) shall be;

- a) Carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation;
- b) 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;
- c) 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 and to protect and enhance the amenities of the area, in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

#### 14. Details of BREEAM Rating (or equivalent) to be Submitted

Notwithstanding details contained within the approved documents, prior to construction on the site for the District Centre, details of a pre-assessment and design stage assessment by an accredited BREEAM assessor demonstrating;

- a) How the development will be designed and constructed to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent)
- b) That the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent)

Shall be submitted to and approved in writing by the Local Planning Authority to discharge (a).

The development shall not be occupied unless and until a completion stage assessment by an accredited BREEAM assessor demonstrating that the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority to discharge (b).

Should the BREEAM standard not be used as the performance measure, then the applicant shall appoint a suitably qualified professional for the assessment.

**REASON:** To deliver reductions in carbon dioxide emissions, building running costs, energy consumption and water use in accordance with the provisions of Policy CC3 in the Warwick District Local Plan (2011-2029).

#### 15. Details of Water Consumption to be Submitted

Notwithstanding details contained within the approved documents, prior to construction of the development within its relevant phase. A scheme showing;

- a) How a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved.

Shall be submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit 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 to satisfy the requirements of Policy FW3 of the Warwick District Local Plan (2011-2029)

#### 16. Details of Energy Hierarchy to be Submitted

Notwithstanding details contained within the approved documents, prior to commencement of development within its relevant phase. A scheme based on the following energy hierarchy;

- 1) Reducing the need for energy;
- 2) Energy efficiency;
- 3) Maximising the potential for energy from decentralised, low carbon and renewable energy sources, including community-led initiatives; and
- 4) Efficiently using fossil fuels from clean technologies

To include;

- a) Proposed methods of heating/cooling;
- b) Details of the infrastructure to incorporate the measures;
- c) Details of management/ownership; and
- d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit 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.

No further development phases shall be inhibited from shared heating/cooling systems unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of the National Design Guide (2019)

#### 17. Sustainability Statement to be Submitted

Notwithstanding details contained within the approved documents, prior to construction of each phase of development. A Sustainability Statement to include;

- a) How the development will reduce carbon emissions and utilise renewable energy;
- b) Address overheating issues;
- 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) Address air quality issues; and
- g) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall subsequently be implemented in accordance with the approved details and retained thereafter.

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

#### 18. Scheme of Open Space to be Submitted

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of open space for that reserved matters consent to include details of;

- a) How mixed open space facilities will be incorporated into the development
- b) Informal open space;
- c) Appropriate children's play facilities;
- d) Outdoor sport facilities
- e) Allotment gardens;
- f) Management arrangements; and
- g) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** To ensure appropriate open space and recreational facilities are provided to serve the development in accordance with Policy HS4 of the Warwick District Local Plan 2011-2029.

## **HISTORIC ENVIRONMENT**

### 19. Details of Archaeological Evaluation to be Submitted

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted:

- a) a programme of archaeological evaluation shall be undertaken in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority. A report detailing the results of this fieldwork is to be submitted to the Local Planning Authority prior to, or concurrently with, the Reserved Matters submission;
- b) An Archaeological Mitigation Strategy document shall be submitted to the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological deposits of national importance.

Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place in any development phase until the Archaeological Mitigation Strategy document for that development phase has been approved in writing by the Local Planning Authority and any fieldwork detailed in the approved Archaeological Mitigation Strategy document has been completed to the satisfaction of the Local Planning Authority. The post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved Mitigation Strategy document.

**REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

### 20. Details of the SAM Landscape Management to be Submitted

Notwithstanding the details contained within the approved documents, prior to the commencement of any development within land at the 'Deserted Medieval Village located to the east of the site adjacent Kings Hill Lane' SAM, a Landscape Management Plan to include;

- a) Proposed path surfaces and routes;
- b) Details of street furniture;
- c) Information/interpretation panels;
- d) Planting; and
- e) Management of the SAM

shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape management plan shall be implemented in full thereafter. Any subsequent transfer of ownership/management shall maintain the approved scheme of landscape management unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To manage the future harm and public benefit of the Scheduled Ancient Monument in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

## **AMENITY**

### 21. Details of Noise Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted, a noise mitigation scheme to include;

- a) Detailed arrangements to protect residents of the development from noise arising from the activities at Finham Park School and the Alvis Sports and Social Club entering habitable rooms together with the provision of quiet garden areas shielded from noise; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

**REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

### 22. Details of Flood Light Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of each Reserved Matters applications for any phase of the

development hereby permitted within a 100m radius of Alvis Sports Club or other sports provision, a lighting assessment for;

- a) Flood lights at Alvis Sports and Social Club;
- b) A scheme of mitigation for the layout and orientation of residential dwellings; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

**REASON:** To ensure appropriate levels of amenity for residents of the development and to protect them from potential adverse effects of luminance levels from outside the development in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

### 23. Low Emission Strategy to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted, a Low Emission Strategy for that phase to include;

- a) Proposed mitigation measures; and
- b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy shall thereafter be in accordance with the approved details.

**REASON:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy NE5 of the Warwick District Local Plan 2011-2029 and the aims and objectives of national guidance within the NPPF.

## **NATURAL ENVIRONMENT**

### 24. Ground Investigations and Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the commencement of development under each Reserved Matters Consent, ground investigations to include;

- 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; and
- d) Program of delivery (if applicable)

Shall be submitted to and approved in writing by the Local Planning Authority. Any remediation shall thereafter be carried out in accordance with the approved details.

**REASON:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

#### 25. Contamination not Previously Discovered (Compliance)

Notwithstanding details contained within the approved documents, if during development, contamination not previously identified, is found to be present at the site;

- a) No further development shall take place within that area of Reserved Matters Consent (unless otherwise agreed in writing with the planning authority for an addendum to the method statement);
- b) This addendum to the method statement must detail how this contamination shall be dealt with; and
- c) Program of delivery (if applicable)

Shall be submitted to and approved in writing by the Local Planning Authority. Any remediation shall thereafter be carried out in accordance with the approved details.

**REASON:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

## 26.Verification of Remediation to be Submitted

Notwithstanding details contained within the approved documents, in the event that any phase of future development requires land remediation agreed through an approved method statement;

- a) Upon completion of the remediation 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; and
- b) A post remediation sampling and monitoring which 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.

Shall be submitted to and approved in writing by the Local Planning Authority. Any mitigating/monitoring works shall be carried out in accordance with the approved details.

**REASON:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

## 27.Construction Method Statement to be Submitted (pre-construction)

Notwithstanding details contained within the approved documents, prior to commencement of development under any Reserved Matters Consent, a Construction Method Statement to include;

- a) Any temporary measures required to manage traffic during construction;
- b) Plans and details of haul roads within the site and for the turning and unloading and loading of vehicles within the site during construction;
- c) Dust management and suppression measures – level of mitigation determined using IAQM guidance;
- d) Wheel washing;
- e) 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;
- f) Concrete crusher if required or alternative procedure;
- g) Delivery times and site working hours;
- h) Site lighting;
- i) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
- j) Restrictions on burning and details of all temporary contractors' buildings;
- k) Plant and storage of materials associated with the development process;
- l) External safety and information signing notices;

- m) Complaints procedures, including complaints response procedures and dedicated points of contact; and
- n) Best practicable means shall be employed at all times to control noise and dust on the site including:
  - o 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.
  - o 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.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period.

**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, TR3 and NE5 of the Warwick District Local Plan 2011-2029.

## **LANDSCAPING & OPEN SPACE**

### **28. Scheme of Tree & Hedgerow Protection to be Submitted (Pre-Commencement)**

Notwithstanding details contained within the approved documents, prior to commencement of development under any Reserved Matters Consent that includes the operation of heavy equipment, machinery or materials being brought onto the site for any phase of development hereby approved, a scheme of tree and hedgerow protection to include details of;

- a) The protection of all existing trees and hedges to be retained on site
- b) The erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction

Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

**REASON:** To protect trees and other features on site during construction in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

29. Strategic Landscaping Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to submission of any Reserved Matters application for each phase of development, a scheme of strategic landscaping to include;

- a) Site sections;
- b) Site visuals;
- c) Site levels;
- d) Structural landscaping; and
- e) Hedgerow retention

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be adhered to through the future submission of Reserved Matters application.

**REASON:** To manage the landscape character impacts of the proposal in accordance with Policy NE4 of the Warwick District Local Plan 2011-2019.

## **ECOLOGY**

30. Ecological and Landscaping Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent a combined ecological and landscaping scheme to include details of;

- a) Accordance with the principle Biodiversity Impact Assessment;
- b) Landscaping including a river corridor strategy (if applicable);
- c) Any lake/pond creation;
- d) Retention of the Veteran Trees and species rich hedgerows; and
- e) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** In accordance with NPPF, ODPM Circular 2005/06 and Policy NE2 of the Warwick District Local Plan 2011-2029.

31. Landscape and Ecological Management Plan to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a Landscape and Ecological Management Plan for that reserved matters consent to include details of;

- a) Accordance with the principle Biodiversity Impact Assessment;
- b) Planting and maintenance of all new planting;
- c) Species used and sourcing of plants;
- d) Invasive plant species eradication and biosecurity for invasive plant species;
- e) Habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement;
- f) Provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles, hedgehog shelters and passes); and
- g) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** To ensure a net biodiversity gain in accordance with Policy NE3 of the Warwick District Local Plan 2011-2029 and the NPPF.

32. Scheme of Protection for the Ancient Woodland/Local Wildlife Site to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent which has an uninterrupted site boundary that adjoins an Ancient Woodland, a scheme of protection for any ancient woodland or local wildlife site within the vicinity of the development to include details of;

- a) A barrier, such as a wire fence, which should be erected before works start. This fenced area should include a buffer zone of at least 50 metres between the development and the boundary of the local wildlife site. It is important NOT to allow access, or storage of materials within this buffer zone, otherwise soil compaction is likely to occur, with subsequent damage to the ground flora;
- b) Mitigation measures in the event of damage; and
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** To ensure the protection of important habitats during development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

### 33. Bats & Lighting Mitigation Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, a Bats and Lighting Mitigation Scheme to include;

- a) Land parcel mitigation plan;
- b) Site-wide integration measures; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

The Local Planning Authority expects lighting to be restricted along Finham Brook corridor and all around the development especially to the north west where it will be located at least 50 metres from Wainbody Ancient Woodland, and to be kept to a minimum at night across the whole site and include dark areas where appropriate and around the Ancient Woodland and Finham Brook in order to minimise impact on emerging and foraging bats. This can include measures such as;

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths
- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches

**REASON:** In accordance with the NPPF and Policies BE1 and NE2 of the Warwick District Local Plan 2011-2029.

### 34. Bat Survey to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each Reserved Matters consent, a further bat survey to include;

- a) Survey of the medium and low potential trees, to include appropriate activity surveys in accordance with BCT Bat Surveys – Good Practice Guidelines;
- b) A detailed mitigation plan including a schedule of works and timings;
- c) Where applications are within 100m T143 a full detailed survey shall be conducted; and
- d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

35. Construction & Ecological Management Plan to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each Reserved Matters consent, a Construction and Ecological Management Plan (CEMP) to include;

- a) Details concerning pre-commencement checks for badger, bats, breeding birds, great crested newts, reptiles and otters;
- b) Great crested newt mitigation plan;
- c) A reptile mitigation plan;
- d) Bat mitigation plan including a method statement if required for tree felling;
- e) Otter mitigation;
- f) Badger mitigation plan;
- g) Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site; and
- h) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

**REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

36. Scheme of Protection for Finham Brook to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, a scheme for the provision and management requiring a scheme to be agreed to protect a 5-metre-wide buffer zone within the application site's side of the Finham Brook Tributary and an 8-metre-wide buffer zone on the application side where the Finham Brook forms the southern boundary. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- a) Plans showing the extent and layout of the buffer zone;

- b) Details of any proposed planting scheme (for example, native species);
- c) Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
- d) Details of any proposed footpaths, fencing, lighting; and
- e) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON:** Development that encroaches on watercourses has a potentially severe impact on their ecological value, e.g. artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in accordance with Policies NE1 and NE2 of the Warwick District Local Plan 2011-2029.

37. Scheme of Great Crested-Newt Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of schedule of great crested-newt mitigation measures to include;

- a) A method statement;
- b) Timing of works;
- c) Protection measures;
- d) Enhancement details;
- e) Monitoring;
- f) Further survey if deemed necessary); and
- g) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

**REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

38. Scheme of Reptile Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of schedule of great crested-newt mitigation measures to include;

- a) A method statement for translocation;



- b) Timing of works;
- c) Protection measures;
- d) Enhancement details;
- e) Monitoring;
- f) Further survey if deemed necessary); and
- g) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

**REASON:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

## **HIGHWAYS**

### 39. Construction Management Plan to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the commencement of development under each Reserved Matters applications hereby permitted, a Construction Management Plan to include;

- a) Construction Phasing Plan;
- b) Details and measures to prevent mud, debris and obstacles on the highway network;
- c) HGV Routing Plan, with no construction traffic heading west along Stoneleigh Road past Woodfield Primary school, nor travel north west past Finham Primary School in the interests of highway safety;
- d) Identify the location of the site compound, deliveries and serving area, HGV holding area, and car parking provision for contractors within the development site; and
- e) A Communication Strategy with the Local Community with a point of contact for residents to raise matters with.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

**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.

### 40. Highway Restrictions During Construction (Compliance)

Notwithstanding details contained within the approved documents, the following restrictions relating to the road network shall be observed through the construction phase of the development;

- a) No HGV movements during the construction phase will take place Monday to Friday during the time periods 07:30 – 09:15 and 16:30 – 18:00, to ensure that HGV movements are limited during the peak travel periods.
- b) No construction traffic will wait on the adopted Highway managed or maintained by Warwickshire County Council or Coventry City Council in the interests of highway safety.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

**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.

#### 41. Details of Protected Walking & Cycling Routes to be Submitted

Notwithstanding details contained within the approved documents, prior to the commencement of development of each Reserved Matters applications hereby permitted, scheme of protected routes to include;

- a) Identified walking and cycling routes between the northern and southern development parcels during the construction phase,
- b) Relevant development required to implement protected routes;
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

**REASON:** in order to provide and maintain access to the new primary school within the development site. In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029.

#### 42. Details of Access to Phase 1A (S) to be Submitted (Stage 1)

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (S)'

(Stoneleigh Road Access) of drawing number L.0384\_39 site access details to include;

- a) Detailed access proposal; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

#### 43. Details of Access to Phase 1A (S) to be Submitted (Stage 2)

Notwithstanding details contained within the approved documents, dwellings within the area denoted under 'PHASE 1A (S)' (Stoneleigh Road Access) of drawing number L.0384\_39, no more than 100 dwellings shall be occupied until site access details to include;

- a) The second phase (signalisation) site access arrangements from the Stoneleigh Road; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details. No more than 300 dwellings shall be occupied on any part of 'PHASE 1A (S)' until the approved highway access works have been completed as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

#### 44. Details of Access to Phase 1A (N) to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384\_39 site access details to include;

- c) Detailed access proposal; and
- d) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

#### 45. Details of Bus Gate/Emergency Access to Phase 1A (N) to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384\_39 access details to include;

- a) Detailed bus gate and emergency access onto Green Lane; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

#### 46. Details of Spine Road to be Submitted

Notwithstanding details contained within the approved documents, no more than 400 of the dwellings hereby permitted shall be occupied across the development site until the detailed design and technical drawings for the Link Road between St Martins Road and Stoneleigh Road (the Spine Road) to be designed to;

- a) Carriageway width of 7.3 metres;
- b) With 2metre verges;
- c) 3 metre footway / cycleways either side of the carriageway

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details.

**REASON:** In order to provide and maintain access to the new primary school within the development site. In order to prevent additional vehicular traffic and promote sustainable modes of transport in

accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029.

47. Development Restriction for Spine Road Completion (Compliance)

Notwithstanding details contained within the approved documents, no more than 700 of the dwellings hereby permitted shall be occupied across the development site until the Spine Road detailed within the condition titled 'Details of Spine Road to be Submitted' has been implemented in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029.

48. Development Restriction for Any Dwelling Occupation (Compliance)

Notwithstanding details contained within the approved documents, no dwelling shall be occupied until such time that a scheme of improvement comprising of either;

- a) Signalisation of the A46/Stoneleigh Junction; or
- b) A46 Stoneleigh Junction Scheme; or
- c) An equivalent scheme of highway improvement

Has become operational unless otherwise agreed in writing by the Local Planning Authority. In the event that a scheme of highway mitigation is implemented at the A46 Stoneleigh junction, this condition will not be considered relevant.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

49. Development Restriction for Operation of Stoneleigh Junction  
(Compliance)

Notwithstanding details contained within the approved documents, no more than 700 dwellings shall be occupied until such time that;

- a) Warwickshire County Council's A46 Stoneleigh Junction Scheme; or
- b) An equivalent scheme of highway improvement

Has become operational unless otherwise agreed in writing by the Local Planning Authority. In the event that an agreed scheme of highway mitigation is implemented at the A46 Stoneleigh junction, this condition will not be considered relevant.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

50. Mitigation at the B4115/Birmingham Road/Stoneleigh Road to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (S)' (Stoneleigh Road Access) of drawing number L.0384\_39 details of the mitigation to include;

- a) A scheme at the B4115 / Birmingham Road / Stoneleigh Road offset crossroads junction;
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

51. Mitigation at the B4113 St Martins Road / B4115 Priority Junction to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384\_39 details of the mitigation to include;

- a) A scheme at the B4113 St Martins Road / B4115 priority junction;
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

**REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

#### 52. Details of Bus Infrastructure to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of bus infrastructure to include;

- a) Detailed plans for the location of bus infrastructure;
- b) The design of any bus shelters;
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

**REASON:** In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029.

#### 53. Travel Plan to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of the District Centre, any Employment Uses or Educational Facilities under any reserved matters consent, a detailed Travel Plan to include;

- a) Measures to reduce single occupancy car trips to/from the site;
- b) Encourage modal shift; and
- c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented

**REASON:** In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029.

### **RAILWAY**

#### 54. Risk Assessment & Method Statement to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of any phase of development hereby approved that would

involve development within 10m of the operational railway. A Risk Assessment and Method Statement to include;

- a) Details of a suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land. The fence including foundations must be wholly constructed and maintained within the applicant's land ownership footprint;
- b) Measures to ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land;
- c) Drainage management to ensure that drainage does not increase Network Rail's liability, or cause flooding pollution or soil slippage, vegetation or boundary issues on railway land;
- d) Details of all excavation and earthworks within 10m of the railway boundary to determine if the works impact upon the support zone of Network Rail land and infrastructure as well as determining relative levels in relation to the railway;
- e) Details of proximity of future development to the railway boundary. Less than 2m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land;
- f) Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future.

Shall be submitted to and approved in writing by the Local Planning Authority. The Risk and Method Statement shall be adhered to in accordance with the approved details.

**REASON:** To protect railway assets in accordance with the National Planning Policy Framework.

## **WATER MANAGEMENT**

### 55. Surface Water Drainage Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, a Surface Water Drainage Scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development to include;

- a) Site-wide surface water drainage strategy/accordance with approved site-wide strategy;



- b) Provide provision of surface water attenuation storage in accordance with 'Science Report SC030219 Rainfall Management for Developments';
- c) Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753;
- d) 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 and 1 in 100 year plus climate change return periods;
- e) Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network;
- f) 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;
- g) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details.

**REASON:** To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029.

#### 56. Foul Drainage Scheme (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, a Foul Drainage scheme to include;

- a) A drainage strategy for the disposal of foul sewage; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

**REASON:** To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies BE1, FW2 and NE5 of the Warwick District Local Plan 2011-2029.

#### 57. Details of Sustainable Drainage Design to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of sustainable drainage design in line with the SuDs manual CIRIA C753 and ES Addendum Appendix 1.3 Groundwater monitoring to include;

- a) Site-wide sustainable drainage design principles;
- b) Measures to ensure the required storage capacity remains available during times of high groundwater;
- c) Assess the impact of fluvial flooding on groundwater levels adjacent to the Finham Brook tributary corridor; and
- d) Measures to mitigate the risk of groundwater mounding adjacent to Sustainable Drainage Systems.

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

**REASON:** To prevent groundwater ingress into the development drainage system, and prevent the increased risk of flooding in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029.

#### 58. Details of Ditch Network Management to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of ditch management to include;

- a) A management and maintenance strategy for construction materials from entering or silting up the ditch network
- b) Details to ensure that no silt or chemicals can leave the phase being constructed shall be provided and any detrimental impact to the ditch network shall be repaired; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

**REASON:** To ensure the development does not have impacts off site to flood risk and that the ditch network downstream can function as intended in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029.

#### 59. Details of Finished Floor Levels to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of finished floor levels to include;

- a) Finished floor levels being set at 600mm above the 1% flood event plus relevant climate change allowance; and
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The floor levels shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

**REASON:** To reduce the risk of flooding to the proposed development and future users in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029.

#### 60. Treatment of Surface Water during Construction to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of surface water treatment to include;

- a) A scheme to treat and remove suspended solids from surface water run-off during construction works;
- b) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance the with approved details.

**REASON:** To ensure there is no deterioration in water quality from sediment run-off during construction in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029.

#### 61. Surface Water Maintenance Strategy to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of each phase of development hereby approved, details of surface water drainage measures will be maintained to include;

- a) How surface water systems shall be maintained and managed for the life time of the development;
- b) The name of the party responsible, including contact name and details; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details.

**REASON:** To ensure the future maintenance of the sustainable drainage structures in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029.

#### 62. Details of Water Supplies and Fire Hydrants to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of each phase of development hereby approved, details of firefighting provisions to include;

- a) Details of adequate water supplies;
- b) Details of fire hydrants; and
- c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented in accordance with the approved details.

**REASON:** In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.

#### 63. Works in Accordance with Flood Risk Assessment (Compliance)

Notwithstanding details contained within the approved documents, the development shall be carried out in accordance with a Flood Risk Assessment (FRA) specifically adhering to;

- a) Limits to the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to 411l/s for the entire site. Individual parcel discharge rates should be derived accordingly;
- b) Finished floor levels are set no lower than 150mm above existing ground level; and
- c) Surface water is to be provided via a minimum of two trains of treatment using the proposed above ground drainage features within the drainage design

**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, FW2 and NE2 of the Warwick District Local Plan 2011-2029.