

Planning Committee: 16 July 2024

Item Number: 4

Application No: [W 24 / 0367](#)

Town/Parish Council: Burton Green
Case Officer: Lucy Hammond

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Registration Date: 15/03/24

Expiry Date: 14/06/24

Land South of, Westwood Heath Road, Coventry

Variation of condition 2 (landscaping details) of planning permission W/21/1280 (reserved matters for details of appearance, landscaping, layout and scale of 296 dwellings [phases 2-4 of the site], together with public open space, landscaping and associated works) to amend the wording in relation to the delivery of the allotments. FOR Crest Nicholson Midlands

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

RECOMMENDATION

That Planning Committee grant planning permission subject to the recommended conditions set out at the end of this report.

DETAILS OF THE DEVELOPMENT

This application proposes the variation of condition 2 (landscape details for the allotments) of planning permission W/21/1280 which gave reserved matters approval for 296 dwellings in the remaining phases 2 - 4 of the wider allocated site. This reserved matters approval also included public open space, landscaping and associated works.

Varying the condition would amend the timescale in which the hard and soft landscaping works for the allotments have to be carried out, from three months of first occupation to prior to any occupation of a specified phase (construction phase 5) thus seeking to align the timing and delivery with the construction phasing plan already approved by the Local Planning Authority through the requisite discharge of conditions process.

No other changes are proposed to any other conditions which would remain as per the most recent decision notice (W/21/1280) which sets out the condition requirements of the reserved matters planning permission.

THE SITE AND ITS LOCATION

The site is irregular in shape and comprises approximately 24 hectares of agricultural land. The site edged red which forms the subject of this application for the residential phases 2-4 comprises a little under 17 hectares and excludes the north east corner of the site on which the detailed phase 1 has already been approved. The whole site lies immediately south of Westwood Heath Road and is

bounded by Bockendon Road to the east. The rear gardens of properties in Cromwell Lane define the western edge of the site. The southern edge is defined by the edge of Black Waste Wood and the existing mature hedgerows. There is a change in levels across the site from east to west of some 30 metres, while the change in levels from north to south is less significant. An oil pipeline runs across the north east corner of the site which requires a 6m easement.

The site makes up site allocation H42 in the Warwick District Local Plan 2011-2029. Policy DS11 identifies this as one of the edge of Coventry allocations; anticipated for development of 425 dwellings including a health centre, community facilities and retail facilities (a convenience store of no more than 500 sq.m. gross floor space). The site was taken out of the Green Belt as part of the Local Plan allocation.

During the course of the original hybrid application, a site known as "the Moat", located some 50 metres south of the application site, was designated as a scheduled ancient monument. There are no other relevant designations.

The detailed phase 1 approved as part of the hybrid permission is substantially complete and is already occupied. Work on phases 2-4 as approved under the 2021 reserved matters approval has not yet begun.

PLANNING HISTORY

For the purposes of this S.73 application only one application is directly relevant and that is the reserved matters application for residential phases 2-4 (noted below):-

W/21/1280 - Reserved Matters application pursuant to condition 2 of planning permission W/17/2357 for details of appearance, landscaping, layout and scale of 296 dwellings for the remaining phases 2, 3 and 4 of the site, together with public open space, landscaping and associated works - Granted April 2023

While not directly relevant to this S.73 submission, the following are also relevant insofar as they relate to the Westwood Heath allocation:-

W/17/2357 - Hybrid planning application for the erection of up to 425 dwellings (detailed first phase of 129 dwellings with the remainder of the site being outline including details of access), convenience store of up to 400 sqm gross together with the erection of formal and informal open space including allotments, infrastructure provision and associated work together with means of access onto Westwood Heath Road and agricultural access onto Bockendon Lane – Granted

W/21/0427 - Variation of conditions 4 (approved plans) and 26 (approved plans in relation to highway works) of planning permission W/17/2357 (*Hybrid planning application for the erection of up to 425 dwellings [including detailed first phase of 129 dwellings with remainder of the site being outline including details of access], convenience store, open space, infrastructure provision and means of access onto Westwood Heath Road / agricultural access onto Bockendon Lane*) to allow changes to the house types and the layout of the secondary roads within the detailed phase (129 dwellings) of the site - Granted

W/22/0055 - Variation of condition 4 (approved plans) and 24 (approved Design Code) of planning permission W/21/0427 (*Variation of conditions 4 and 26 (approved plans) of original hybrid planning permission W/17/2357 to allow changes to the house types / layout of the secondary roads within the detailed phase of 129 dwellings*) to allow the substitution of some house types together with other minor design and layout alterations to the Phase 1 layout. An amendment to the Design Code is also sought to include a reference to a small number of 2.5 storey dwellings across the development - Granted

There have also been some non-material amendments approved for minor changes which are not summarised here.

RELEVANT POLICIES

- National Planning Policy Framework
- Burton Green Neighbourhood Development Plan 2019-2029
- BG2 - Trees and Hedges (NE)
- BG3 - Wildlife and Biodiversity (NE)
- BG4 - Public Rights of Way (NE)
- BG6 - Valued Vistas and Skylines (NE)
- BG7 - Responding to Local Character (BE)
- BG8 - Community Aspects of Design (BE)
- BG12 - Electric Charging Points (BE)
- BG13 - Parking Provision (BE)
- BG14 - Use of Renewable Energy (BE)
- BG15 - Flooding (BE)
- NZCSPD – Net Zero Carbon Supplementary Planning Document (SPD)
- Warwick District Local Plan 2011-2029
- DS5 - Presumption in Favour of Sustainable Development
- DS11 - Allocated Housing Sites
- DS15 - Comprehensive Development of Strategic Sites
- DS20 - Accommodating Housing Need Arising from Outside the District
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix of Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE2 - Developing Strategic Housing Sites
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HS1 - Healthy, Safe and Inclusive Communities
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- HE1 - Protection of Statutory Heritage Assets

- HE4 - Archaeology
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Open Space (Supplementary Planning Document - April 2019)
- Parking Standards (Supplementary Planning Document- June 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council: Objection due to the fact that the wider development at Westwood Park is already in occupation and there is no sense to further delay providing the public amenity areas of the development. The condition should be either left as originally worded or, at the very least, a longstop date of end of 2025 should be included.

[Officer note - Following an exchange between the Parish Council and the case officer in which the primary purpose of this S73 application and what it seeks to do was clarified, the Parish Council confirmed their wish to maintain the original objection.]

WCC Landscape: No comments to make

WCC Ecology: No comments to make

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The timescale and delivery of the hard and soft landscaping works and whether or not such works can be aligned with the details of the construction phasing plan (pursuant to the hybrid permission) already approved by the Local Planning Authority

Background and relevant context for the proposed change now being sought

By way of a background, the Reserved Matters application for the residential phases referred to as 2-4 sought approval for appearance, landscaping, layout and scale. Full details of all landscaping were provided as part of that application, covering all areas of public open space (POS), LEAPs, NEAPs, amenity areas, ecological and biodiversity offsetting areas and on-plot landscaping. The only detail missing from the application was the specific landscaping for the allotments which, at the time, was based on the unknown details of who may take the allotments forward with regard to their management. At the time the reserved matters application was determined, a condition was recommended that required

additional landscaping details, specifically in relation to the allotments, prior to the commencement of any development taking place on phases 2-4. Thereafter, standard condition wording required the landscaping to be carried out within three months of first occupation of the development.

Incidentally, details have since been submitted to discharge this condition and the application is currently pending, so has not yet been formally discharged.

Running alongside the above is a condition imposed on the hybrid permission, requiring a construction phasing plan to be submitted for written approval which indicates the proposed phasing of the outline part of the hybrid permission (i.e. phases 2-4). Details were submitted in pursuance of this condition and subsequently discharged in May 2024. The approved drawing illustrates the proposed phasing of the development site (excluding the part of the site approved in detail under the hybrid) which comprises construction phases 1 – 9 together with phasing of the internal road layout from the primary spine road through to residential streets, each of which are to be constructed prior to the occupation of stipulated construction phases.

While split between the two relevant component parts that make up the development site as a whole (the hybrid including phase 1 in detail and the remaining reserved matters approval for phases 2-4) all of the above information sets an important context as to what has now prompted the submission of a S.73 application to vary the condition on the reserved matters approval which relates to the landscaping for the allotments. This is considered in more detail below.

Principle of development

As set out earlier within this report, this is an application to vary a condition attached to the reserved matters approval for 296 dwellings including landscaping and open space. Condition 2, which requires details of landscaping specifically for the allotments and which also requires such approved landscaping works to be carried out within three months of first occupation is to be varied to bring the timing for the landscaping works to be carried out more in line with the already approved construction phasing plan pursuant to the hybrid permission, as summarised above.

In deciding such an application the Local Planning Authority must only consider the specific amendments being sought, i.e. the impact of the hard and soft landscaping works being completed in full at a later date than the original stipulation of three months following first occupation. The principle of development cannot be re-considered as this remains acceptable as per the original approved permission.

The previously approved permission is extant and since there is no requirement to re-assess the principle of development it is therefore intended to address the primary key issue as set out above as well as any other relevant matters in this report.

The original condition 2 as set out on reserved matters approval W/21/1280 stated:

Notwithstanding the landscaping details submitted, no part of the development hereby permitted shall commence unless and until further landscaping details (both hard and soft) for the allotments illustrated on Drg. No. 03 Rev.F and approved under this application have been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of any proposed boundary walls, railings or gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation.

The suggested wording for the condition, as varied, is (key changes underlined):

Notwithstanding the landscaping details submitted, no part of the development hereby permitted shall commence unless and until further landscaping details (both hard and soft) for the allotments illustrated on Drg. No. 03 Rev.F and approved under this application have been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of any proposed boundary walls, railings or gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard and soft landscaping works shall be completed in full accordance with the approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number 14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055).

It is critical to note at this point that the purpose of the variation of condition is not to unnecessarily delay or abandon altogether the delivery of the allotments but rather to ensure that the requirement for completing all landscape works is achievable and realistic given the projected timescale to build out the whole site. Therefore, trying to align the timing stipulated in condition 2 of the reserved matters with the approved construction phasing plan under condition 10 of the hybrid seems, in Officers' opinion, a practical and realistic approach to ensure that the various landscape works across the site are carried out at the most appropriate time pursuant to each phase.

The impacts of landscaping works being delivered at a later date

The size of this site should be acknowledged; with permission in place for the construction of 425 dwellings together with a convenience store (which has yet to be approved in detail) the construction has to be phased. Phase 1 was approved in detail as part of the original hybrid permission and this included its own landscaping and SUDs. Work on this part of the site are substantially complete and the site is now occupied.

Pursuant to the remaining residential phases for which reserved matters approval was given in 2023 the approved construction phasing shows that construction will take place in a methodical fashion; beginning in the two outer corners of the site (north west and south east) and working clockwise around the spine road which creates a circular route through the development. This places the area in which the allotments are placed approximately mid-way through the construction phasing plan (being phase 5 of 9).

The allotments themselves sit on the far western edge of the development and make up one part of a much larger area of POS which also includes a MUGA and a NEAP. Given their proximity to the nearest houses which have yet to be built and also bearing in mind how they will be accessed by residents of the development, it is Officers' opinion that even if the allotments were capable of being delivered now they would not be accessible by anyone already living on site and the only means of access would be across a live construction site, thus posing serious safety concerns to all residents.

With the construction phasing in the approved order placing the allotments approximately halfway through the whole development it is also worth noting that the internal roads and residential streets are to be constructed in their entirety prior to the occupation of construction phase 4 meaning that all roads serving the development would be complete and in use before the area of POS including MUGA, NEAP and allotments are brought into use. By the time this next phase is delivered therefore, safe access both through and around the development would ensure that users of this western POS can safely access all amenities without risk to their well-being.

Officers therefore consider that the proposed variation to the condition as set out above is reasonable and proportionate in view of the proposed phasing of this whole site. Moreover, it is also worth reiterating that the intention of this application is not to cause unnecessary delay to any aspect of the POS but simply to ensure that each component can be delivered at an appropriate time whereupon it can be accessed and used safely.

Parish Council comments

Burton Green Parish Council initially raised objection to this application on the basis that since the wider development at Westwood Park was already in occupation it made no sense to further delay the public amenity areas of the development. They requested that the condition either be left as originally worded or that a longstop date of end of 2025 be included.

Having discussed the request for a longstop date with the developers it quickly became apparent that this would not be possible due to the fact that building in this area would not yet have started and if the allotments were to be completed, they would not be able to be opened to the public as they would be accessed through a construction site. It was however clarified by the developers that the other areas of open space would still be provided as the plots are developed, resulting in open spaces becoming available for public use as the development progresses.

Having clarified with the Parish Council that the variation to the condition would mean only the landscaping works associated with the allotments would need to be completed at a later date and consequently all other landscaping works and areas of public open space and amenities would continue to be delivered in line with the terms of the hybrid permission and the S.106 Agreement, the Parish Council have maintained their objection. Their reason for doing so is based on their concern about the likelihood of the allotments ever being created and furthermore, the possibility that Crest Nicholson could apply for another amendment in the future or even walk away from the site completely before phase 5 is completed which would leave either incomplete or no allotments.

Officers have considered the Parish Council's further comments but have reached the conclusion that there is no material reason to withhold approval of the proposed variation for the aforementioned reasons regarding the practicalities and moreover, safety of residents in light of the approved construction phasing plan.

In the interests of clarity, while the Parish Council's concerns are fully acknowledged, Officers are satisfied that there is no risk of the allotments not being delivered at the appropriate time simply because the S.106 obligations require them, along with all other areas of POS, to be delivered. To not do so would be in breach of the S.106 Agreement.

With regard to the possibility of either Crest Nicholson applying for further amendments in the future and/or walking away from the site, the same concern could be held for any development site. There is no way to guarantee a developer will not seek further amendments but that would be a separate matter, considered under its own application, and the possibility of future amendments cannot influence the assessment of the proposals before Members at this time. In the event Crest Nicholson were to walk away from the site then whichever future developer takes on the site with a view to completing the development will be bound by the same terms of the S.106 Agreement. Ultimately, while the Parish Council's concerns are understood, they cannot, in Officers' opinion, constitute a reason to recommend refusal of the proposed variation.

Outstanding discharge of conditions and condition wording (for clarification)

For the avoidance of doubt the details submitted to discharge condition 2 which are currently pending determination might (and indeed should) be determined before the determination of this application. In that event the new condition wording would be amended as follows:-

The development hereby permitted, specifically including the allotments illustrated on Drg. No. 03 Rev.F, shall be carried out strictly in accordance with the landscaping details (both hard and soft) approved by the Local Planning Authority on <insert date approved> in pursuance of condition 2 of W/21/1280 unless otherwise agreed in writing with the Local Planning Authority. The hard and soft landscaping works shall be completed in full accordance with the approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number 14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055).

The above would reflect the fact that the landscaping details themselves have already been approved in writing by the Local Planning Authority as required by the condition thus negating the need for any further formal submission of details.

Other matters

Other planning matters such as impact on heritage assets, neighbouring amenity and highway safety have not been considered in this report because the proposed variation to the condition as set out would have no material impacts on these matters.

There are no other material changes in policy since the original decision that would lead Officers to reach a different conclusion on any of the key issues in the report attached to W/21/1280.

Regard has also been had to the Burton Green Neighbourhood Development Plan, however, given the specific nature of the proposed variation in this instance there are no policies within the NDP of direct and specific relevance to the proposal being considered.

Issuing any permission under Section 73 of the Act is tantamount to issuing a new permission for the entire development. As a consequence, any decision notice must replicate all previous conditions which are still relevant. There are no outstanding pre-commencement conditions still awaiting formal discharge (aside from the condition the subject of this application, the details for which have already been submitted but not yet approved) and it is appropriate to carry forward all other conditions from the previous decision where appropriate.

It is not considered there are any other new material considerations since the original permission which are relevant to this decision.

SUMMARY/CONCLUSION

The original planning permission was granted under a hybrid application reference W/17/2357 and subsequently varied under W/22/0055 and the reserved matters pursuant to that hybrid were subsequently approved under application reference W/21/1280. The policies and material considerations that are relevant to that reserved matters decision are set out in its associated officer report.

The variation of condition 2 to allow the landscaping works in association with the allotments to be carried out at a later date than within three months of first occupation, and instead prior to any occupation of construction phase 5 as approved on the construction phasing plan, would not result in any detriment to the wider development, nor would it prejudice or harmfully impact in any way the delivery of the other areas of public open space, including amenity land, play areas, MUGA and SUDs. Furthermore, there are no material changes in planning policy that would lead Officers to reach a different conclusion to that which was reached previously through the assessment and determination of the previous application. It is therefore considered that the development remains in accordance with the relevant provisions of the Development Plan and consequently this application is recommended for approval.

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and the following approved drawings:-

A934_13 and specification contained therein, submitted on 02 July 2021;

A934_12 Rev.A and specification contained therein, submitted on 25 July 2022;

A934_05 Rev.E; A934_06 Rev.E; A934_07 Rev.E; A934_08 Rev.E; A934_09 Rev.F and 'House Type Brochure' June 2021: Rev.F and specification contained therein, submitted on 11 October 2022;

DR-0501 S4-P5; DR-0502 S4-P5; DR-0503 S4-P5; DR-0504 S4-P5; DR-0505 S4-P5; A934_02 Rev.J (Sheets 1-3 of 3) and A934_61 Rev.C and specification contained therein, submitted on 25 January 2023;

A934_04 Rev.F and specification contained therein, submitted on 30 January 2023;

A934_71; A934_03 Rev.F and A934_11 Rev.F and specification contained therein, submitted on 06 March 2023; and

DR-0500 S4-P7; DR-0511 S4-P6; DR-0512 S4-P6; DR-0513 S4-P6; DR-0514 S4-P6; DR-0515 S4-P6; DR-0516 S4-P6; DR-0517 S4-P6; DR-0518 S4-P6; DR-0519 S4-P6; DR-0520 S4-P5; DR-0521 S4-P6; DR-0522 S4-P5; DR-0523 S4-P6; DR-0524 S4-P6; DR-0525 S4-P5; DR-0526 S4-P5; DR-0527 S4-P6; DR-0528 S4-P6; DR-0529 S4-P6; DR-0530 S4-P5; DR-0531 S4-P5; DR-0532 S4-P5; DR-0533 S4-P5; DR-0534 S4-P5; DR-0535 S4-P5; DR-0536 S4-P5; DR-0537 S4-P5; and specification contained therein, submitted on 10 March 2023.

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.

- 2 Notwithstanding the landscaping details submitted, no part of the development hereby permitted shall commence unless and until further landscaping details (both hard and soft) for the allotments illustrated on Drg. No. 03 Rev.F and approved under this application have been submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of any proposed boundary walls, railings or gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard and soft landscaping works shall be completed in full accordance with the approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number

14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055). **Reason:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029. *

3 The development hereby permitted shall be carried out strictly in accordance with the details of the external facing materials approved in writing by the Local Planning Authority on 28 June 2023 in pursuance of condition 3 of planning permission W/21/1280. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

4 The development hereby permitted shall be carried out strictly in accordance with the Energy & Sustainability Statement approved on 03 July 2024 in pursuance of condition 4 of planning permission W/21/1280 and no dwelling/building shall be first occupied until those works within the approved scheme have been completed in strict accordance with the approved details. Thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

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

5 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 gate, fence, wall or other means of enclosure shall be erected on any land between the front or side elevation of any dwelling and any road or footpath. **Reason:** Due to the open plan layout of the proposed development it is considered important to ensure that control is maintained over boundary treatments fronting the public highway.

6 The garaging and car parking areas for Plots 133, 140, 164, 165, 194, 196, 199, 217, 220, 243, 245, 246, 273, 276, 289, 296, 303, 307, 308, 310, 317, 318, 319, 328, 322, 323, 329, 330, 331, 332, 347, 348, 362, 363, 394, 401, 409 and 425 shall be used for the parking of private vehicles for the benefit of the occupants of those dwellings to which they relate and shall be retained and kept available for such purposes in perpetuity. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and residential amenity in accordance with Policies BE3 and TR3 of the Warwick District Local Plan 2011-2029.

7 The development must be laid out in accordance with the following approved drawing: A934 03 Rev.F 'Coloured Planning Layout' dated 02

March 2023. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 8 No structure, tree or shrub shall be erected, planted, or retained within the visibility splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 9 Prior to first occupation, a plan will be required to be submitted detailing the provision and placement of 20mph and 30mph zone signs at the entrance into the 20mph and 30mph areas of the development for the approval of the Local Planning Authority in consultation with the Highway Authority. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 10 * In the event that the details submitted to discharge condition 2 are formally approved prior to the issuing of the decision notice for this application, condition 2 above would be re-worded as follows to reflect those already approved details in accordance with which the development is expected to be carried out:

The development hereby permitted, specifically including the allotments illustrated on Drg. No. 03 Rev.F, shall be carried out strictly in accordance with the landscaping details (both hard and soft) approved by the Local Planning Authority on *<insert date approved>* in pursuance of condition 2 of W/21/1280. The hard and soft landscaping works shall be completed in full accordance with these approved details prior to the first occupation of any dwelling within construction phase 5 as shown on drawing number 14514-CRN approved on 07 May 2024 in pursuance of condition 10 (construction phasing plan) of the hybrid permission (W/22/0055).
