

Planning Committee: 27 March 2018

Item Number: 9

Application No: W 17 / 2415

Town/Parish Council: Hatton
Case Officer: Dan Charles
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Registration Date: 22/12/17
Expiry Date: 23/03/18

Land On The North Side of Birmingham Road, Hatton

Full planning application for construction of 150no. dwellings (Class C3); a new vehicular access from Birmingham Road; a new temporary access for sales and construction from Birmingham Road; associated drainage and infrastructure; public open space; landscaping and all other ancillary and enabling works FOR Taylor Wimpey UK Ltd; Mr John Stuart Burman; Mr David Ian Burman; Mr Dennis Keit

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

RECOMMENDATION

That Members delegate authority to Planning Officers to grant planning permission, subject to the submission of an acceptable Archaeological Survey and the signing of a Section 106 Agreement to secure contributions as detailed within the report.

DETAILS OF THE DEVELOPMENT

This is a full application for the erection of 150 dwellings comprising 90 open market and 60 affordable housing units varying between 1 and 5 bedrooms (max 4 bedroom for the affordable housing element); Creation of new vehicular access from Birmingham Road together with a temporary access for sales and construction vehicles, Provision of all associated drainage, infrastructure, public open space, landscaping.

Applicant's Summary

The application site is allocated within the Local Plan (allocation H28) for 150 dwellings. The proposed development is considered to deliver the following benefits to the surrounding area:

- An additional 150 new dwellings within Hatton Park on an allocated site to be delivered in line with the housing trajectory of the Local Plan;
- Provision of 40% on-site affordable dwellings – equating to the provision of 60 affordable dwellings on the site;
- Improved housing choice within the local market by providing additional one, two, three, four and five-bedroom dwellings;

- Additional residents who will provide support for existing services and facilities within Hatton Park and its surrounding environs;
- Provision of a high-quality, modern and sustainable development and associated amenity space which represents an appropriate response to the character of the site and the wider area;
- Provision of features of biodiversity value within the design of the proposed development;
- Provision of a 3 metre wide ecological buffer along the western boundary to encourage and provide foraging habitat for local fauna;
- Provision for an additional 2.24 hectares of public open space to include a Locally Equipped Area of Play;
- Improved potential for connectivity through to the existing Hatton Park estate with a pedestrian linkage proposed through to Ebrington Drive;
- Provision of financial contributions towards services and facilities within the local proximity of Hatton Park to include contributions towards education

There are no technical or environmental constraints to the development of the site as has been demonstrated by the supporting technical reports. The applicant has engaged and worked proactively with the local planning authority and local highways authority to ensure the scheme is available and deliverable. The applicant has also engaged with the local community and relevant Stakeholders prior to the submission of the full application and during the application process to address concerns throughout the application's progression.

Housing Mix

Private Housing

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

Affordable Housing

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

THE SITE AND ITS LOCATION

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

The site is currently agricultural fields laid to crops.

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

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

PLANNING HISTORY

No previous planning history.

RELEVANT POLICIES

- National Planning Policy Framework
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS4 - Spatial Strategy (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029)
- DS10 - Broad Location of Allocated Sites for Housing (Warwick District Local Plan 2011-2029)
- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029)
- DS15 - Comprehensive Development of Strategic Sites (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029)
- TR3 - Transport Improvements (Warwick District Local Plan 2011-2029)
- TR4 - Parking (Warwick District Local Plan 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)

- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE4 - Protecting Historic Parks and Gardens (Warwick District Local Plan 2011-2029)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- W1 - Waste Core Strategy (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Warwickshire Landscape Guidelines SPG
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Vehicle Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)
- Open Space (Supplementary Planning Document - June 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)

SUMMARY OF REPRESENTATIONS

Hatton Parish Council: No objection to the principle of development nor housing mix or design and the use of bungalows is welcomed, however, raise objections on the following grounds:

- Access - Increased traffic movements will cause delays and result in unacceptable noise and air pollution. Lack of pedestrian and cycle connectivity to local facilities.
- Open Space - 3 metre wide ecological corridor to western boundary insufficient for maintenance. There is no reason the scheme could not be moved towards the eastern boundary to allow this corridor to be increased. Area to north should be maximised.
- Sustainability - No reason not to install solar panels to all dwellings where it is feasible.
- Infrastructure - Concern over the additional burden on services.

The site cannot be assessed in isolation and measures to mitigate impact should be considered in conjunction with other housing developments.

WCC Highways: No objection, subject to conditions, notes and Section 106 contributions towards highway improvements.

WCC Fire and Rescue: No objection, subject to a condition requiring appropriate water supplies to be provided.

WCC Flood Risk Management: No objection, subject to conditions.

WDC Contract Services - Waste Management: No objection

WCC Ecology: No objection, subject to conditions, notes and Section 106 contribution towards biodiversity offsetting.

WCC Landscape: Concern over the landscaping scheme proposed. Recommend changes to species included within the scheme.

Warwickshire Wildlife Trust: Object to removal of excessive amount of central hedgerow. Biodiversity offsetting required. Hedgehog habitats should be incorporated. Recommend gully pots contain amphibian ladders.

WDC Housing Strategy Team: Housing Strategy expects the amount of affordable housing on the proposed development to comply with Policy H2 and welcomes the applicant's commitment to provide this.

WCC Infrastructure: Request contributions towards education, libraries, sustainable travel packs and bus stop improvements.

Warwickshire Police Architectural Liaison Officer: Recommend development constructed in accordance with Secure By Design standards.

Warwickshire Police Infrastructure: Request S106 contributions towards additional policing requirements as a result of the development.

South Warwickshire NHS Trust: Request S106 contributions towards NHS improvements.

Public Health: Recommend scheme accords with Building for Life 12 to ensure scheme promoted healthy, active and sustainable communities.

WDC Environmental Health: Require additional information for noise report to overcome issues raised. Recommend conditions for Low Emissions Strategy, contaminated land survey and Construction Management Plan. Also request S106 contributions towards Type 3 Mitigation Air Quality Improvements.

Public Response: A total of 58 letters of objection received making the following comments;

- Overdevelopment of the site.
- Infrastructure will not support this level of housing.

- Traffic on Birmingham Road already not acceptable and results in regular queuing and congestion.
- Lack of school and doctors places.
- Damaging to character of the area.
- Harm to environment through increased vehicle emissions/pollution.
- Loss of rural aspect.
- Loss of Green Belt land.
- Lack of link to adjacent development will result in isolated development through poor connectivity.
- Additional noise pollution.
- New access onto Birmingham Road is not appropriate.
- Loss of light, overlooking and overshadowing to neighbouring properties.
- Should focus new development on brownfield land first.
- Loss of natural habitats and harm to wildlife.
- Over-reliance on surface water drainage and run off could result in increased flooding issues.
- Development too dense and out of character with the area.
- Ecology corridor proposed is inadequate.
- Harm to woodland wildlife.
- Preferable to provide access from Ebrington Drive or adjacent driveway to east.
- Loss of trees.
- Lack of appropriate level of parking.
- Application contains inaccurate information.

Letter from adjacent Land Owner - AC Lloyd: AC Lloyd control the land at the end of Ebrington Drive and have confirmed their commitment to enter into discussions with the applicant for the provision of an appropriate link between the developments.

ASSESSMENT

Principle of Development

NPPF

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

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

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

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

Environmental benefits would arise from measures to increase biodiversity, sustainable transport improvements, more efficient use of land, provision of open spaces, sustainable drainage measures and new footpath links. The site is sustainably located adjacent to the built up area of Hatton and will be closely integrated into the existing settlement. It is therefore concluded that the development represents sustainable development by satisfying the three dimensions.

Warwick District Local Plan

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

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

The adopted Local Plan is the most up to date evidence base for the allocation of new housing land and this site forms part of the strategic expansion of Warwick and Leamington as defined within Policy H1.

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

Housing Mix

Policy H4 of the Warwick District Local Plan requires new housing development to provide a mix of housing that contributes towards a balance of house types and sizes across the District. In assessing the housing mix, Policy H4 seeks development to be provided in accordance with the mix of housing as set out in the Strategic Housing Market Assessment (SHMA).

The proposed mix of market dwellings on the site represents an appropriate level of 1 and 2 bedroom homes in line with the SHMA requirements. A slightly lower proportion of 3 bedroom properties are proposed and this results in a higher ratio of 4 and 5 bedroom homes proposed. In this location, the SHMA identifies that there is a higher level of need identified for larger homes with four- or more bedrooms based on the demographic modelling of Warwick District.

In terms of the affordable housing mix, the sizes range from one to four bedroom units of varying tenures. The Council's Housing Strategy and Development Officer is satisfied that the size of the affordable units proposed across the site is acceptable and no objection is raised to this mix.

Officers have considered the recommendations of the SHMA and the site in the context of the local area and consider that the mix of housing would be appropriate for the area in terms of the general character and distribution of housing.

Impact on visual amenity and the character of surrounding area

Policy BE1 of the Warwick District Local Plan states that new development should positively contribute to the character and quality of its environment. The policy requires the provision of high quality layout and design in all developments that relates well to the character of the area.

Since this is a full planning application, comprehensive details have been provided in respect of the layout and visual appearance of the proposed dwellings.

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

The site has been designed to follow the Inspectors report on the Local Plan that stated the site "adjoins existing residential development to the west and is bounded to the south by the A4177 and vegetation along the roadside. Smith's Covert is a substantial area of woodland enclosing the site to the north and Ugly Bridge Road and the significant line of trees and other vegetation associated with it runs down the eastern boundary. The site could be suitably accessed and the layout and design of development would be able to accommodate significant additional landscaping and provide adequate buffers to Smith's Covert and Ugly Bridge Road and address other detailed matters."

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

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

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

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

The proposed development has been amended following the concerns raised by the Landscape Officer at Warwickshire County Council. The key elements related to the assessment of the site, the loss of an excessive amount of hedgerow for

the access road to connect the two parcels of land, inappropriate tree species, lack of tree planting in landscape buffers together with comments regarding the wider landscaping proposals across the site.

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

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

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

Site Connectivity

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

A pedestrian link is indicated to the north east of the application site to connect the site to the footpath leading to the existing residential development located in this area. This will increase connectivity for pedestrians with the dwellings located to the north east of the application site.

The revised layout plan also indicates a potential pedestrian link to Ebrington Drive. However, this land forms part of a ransom strip owned by a third party but can be subject to negotiation to facilitate access through the entire development creating a sense of permeability and connectivity.

Having sought legal advice on this matter, the most appropriate method to secure the link would be through a Grampian-style condition to secure the access provision prior to first occupation of any of the dwellings. The exact wording of the condition is currently being discussed with Legal Officers and the wording will be provided within the update report to Committee.

In justifying the use of a Grampian condition, Officers consider that when the original site was allocated within the Local Plan it was always the intention to be read in conjunction with the adjacent housing development and connectivity through the site was a key factor in providing a cohesive form of development for the area. The adjacent development contains many of the village amenities so providing an appropriate and convenient access to these facilities by pedestrians/cyclists and so an appropriate link into the site is considered to be a defining factor in providing a truly connected form of development.

Paragraph 69 of the NPPF refers to promoting healthy communities and also seeks to ensure that proposals are "safe and accessible developments,

containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas."

The adjacent land owner has formally written to the Local Planning Authority expressing their commitment to enter into discussions with the applicants in order to facilitate the creation of an appropriate link between the sites.

Impact on living conditions

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

Amenity of Existing Properties

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

Nos. 7-17 Tidmington Close would have a rear to rear relationship with the proposed development properties. In terms of separation, the wall to wall distances along this row would be 33 metres which greatly exceeds the required standard of 22 metres.

No.1 Tidmington Close would have a side to rear relationship with a separation of 16 metres where the minimum requirement is 12 metres.

No 3 Tidmington Close has an offset relationship with Plot 22 with a separation distance of 10 metres. There would be no direct facing walls/windows. In this respect, Officers consider that the proposal would not have a detrimental impact on the amenity of the occupiers of this property. The proposed dwelling would be within the 45 degree line drawn from the neighbouring property but as this distance exceeds 8 metres, it is considered acceptable.

Nos. 2-12 Combroke Grove would have back to back relationship with the new development. The minimum distance between these properties would be 23 metres rising to 28 metres. All of these distances exceed the required standards.

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

No.18 Combroke Grove would share an offset side to side relationship with Plot 130. Whilst there is no specific minimum distance requirement for side to side relationships, Officers have assessed the proposed relationship and are satisfied that due to the separation distance of approximately 7 metres and the intervening mature hedgerow, the proposal would not have a harmful impact on the amenity of the occupiers of the existing property.

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

Amenity of Future Occupiers

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

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

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

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

Noise Impact

The frontage of the site is onto the Birmingham Road, which is a busy 'A' Class Road. The application has been submitted with a Noise Assessment that has been considered and Environmental Health have raised some concerns regarding mitigation for future occupiers. An updated Noise Assessment to demonstrate how the scheme has been designed to meet the requirements of BS8233: 2014 and World Health Organisation Guidelines is being prepared by the applicants and the results of this survey together with the District Environmental Protection Officer's response will be reported within the update sheet.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all development to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposal has been assessed by the County Highways Officer and additional information sought during the consultation process.

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

The Highway Authority is proposing a scheme of improvement at the A4133/A46 Stanks junction, the estimated cost of which is in the region of £6,000,000. Whilst the developer's Transport Assessment does not include an assessment of the development's impact upon the Stanks junction, the scheme proposed includes for traffic from the allocated sites in the vicinity which are considered to impact upon the junction, and will therefore provide adequate capacity to enable

the development to proceed without any adverse effect on the Highway Network.

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

In considering the form of access into the development, the developer has submitted a technical note 2056/02-18/574 which considers the options for access.

In assessing the location of the access, an alternative option of access from Ebrington Drive was considered.

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

The technical note further concludes that a direct access from the A4177 which complies fully with the relevant design standards can be achieved and the Highway Authority is satisfied that this sufficiently demonstrates that the proposed access to the site is the most suitable.

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

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

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

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

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

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

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

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

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

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

The applicants have provided the CEMP and LEMP to the County Ecologists to avoid the need for a pre-commencement condition. These documents have been considered by the County Ecologist and considered acceptable. The content of the CEMP and LEMP can be secured through appropriate conditions.

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

Drainage and flood risk

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

Trees/Hedgerows

The application site is formed by two parcels of land that are defined by a hedgerow that separates the land parcels. The proposal requires the removal of a section of the hedge to facilitate the vehicular access to the rear element of the site. Following concerns from the Landscape Officer, the area of hedgerow to be removed has been reduced to the minimum required to facilitate access through the site. In order to mitigate the loss of the hedgerow, additional tree planting is proposed to the area to offset the loss. This can be secured by condition.

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

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

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

Archaeology

The application was submitted with a desk-based archaeological survey supplemented with a geo-physical survey of the site. The County Archaeologist has considered the submitted information and has requested that further works in the form of trial trenching to be carried out prior to the determination of the application.

At the current time, the site is laid to crops and the provision of trial trenching across the site cannot be carried out. However, the applicants are aware of the requirement to carry out the survey work.

In order to ensure that the site delivery is carried out in a timely manner on this allocated site, it is considered that in this case, due to the specific circumstances on the application site, a recommendation is made on the application that permission be delegated to officers following the submission and approval of an appropriate report following the scheme of trial trenching being carried out on the site. Should this not be forthcoming, the application would be referred back to planning committee for re-consideration.

Air Quality

Warwick District Council has adopted air quality planning guidance as an addendum to the air quality action plan. The District Environmental Protection

Officer has considered the submitted information and recommended a condition requiring the applicant to produce a Low Emission Strategy in compliance with the Air Quality guidance and submit the proposal for approval prior to commencement of the development.

The Low Emission Strategy Guidance establishes the principle of Warwick District as an 'Emission Reduction Area' and requires developers to use 'reasonable endeavours' to minimise emissions and, where necessary, offset the impact of development on the environment. Under the guidance the above development is classified as a medium scheme because it required a transport assessment, as such the developer is required to provide Type 1 and 2 mitigation from the guidance. The guidance states that electric vehicle (EV) recharging provision for each house with dedicated parking is expected and also sets out a range of locally specific measures to be used to minimise and/or offset the emissions from new development, however these are suggestions and other innovative ideas are also encouraged. This will be secured by condition.

The applicant's air quality assessment has predicted a significant adverse effect on air quality in the absence of mitigation. As such applicant must also provide Type 3 mitigation. This includes the calculation of the damage costs of the proposed scheme to enable the assessment of the scale and kind of mitigation or compensation that is required to make the scheme acceptable. Type 3 mitigation will be secured through a S106 agreement.

Contaminated Land

The proposal has been submitted with a Contaminated Land Assessment. This has been considered by the District Environmental Protection Officer who has recommended that further investigation is carried out due to the submitted reports identifying areas of potential pollutant leakages. This detail can be secured by the use of a pre-commencement condition.

Public Open Space

The site contains approximately 2.24 hectares proposed to be used as public open space including the provision of a Local Equipped Area of Play located centrally within the site. The exact type of open space is to be negotiated with the Open Space team and any additional requirements will be subject to an off-site contribution that will be secured through the Section 106 Agreement.

The proposal does not contain any areas designated as allotments. The Open Space Officer has advised that there is local need for allotments. In this respect, it is appropriate to incorporate this into the additional open space contribution.

Officers note from the supporting information that the open space areas are to be privately managed. The Open Space team has advised that the existing Hatton Park development is managed by Warwick District Council and suggested for consistency, it may be appropriate to continue this. This would be subject to separate notification together with a commuted sum within the Section 106 process.

Health and Well-being

The proposals would provide housing to meet the housing needs of the district, including an element of affordable housing for people in housing need. This is a benefit that contributes to health and well-being. Additionally, the proposed open space and play facilities within the development are positive benefits that would add to the effective layout of the scheme and provide an enhanced environment in which to live for future occupiers.

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

Contributions

- provision of 60no. units of affordable housing (40% of the total units proposed);
- a contribution of £540,000 towards strategic highway infrastructure and measures to improve walking and cycling;
- a contribution of £1,116,208 towards Education and Learning.
- a contribution of £3,283 towards Library and Information Services.
- a contribution of £11,250 towards sustainability packs;
- a contribution of £10,683 towards outdoor sports facilities;
- a contribution of £133,530 towards indoor sports facilities;
- a contribution of £218,255 towards Biodiversity Offsetting.
- a contribution of £172,627.70 towards acute and community healthcare (hospitals)
- a contribution of £32,639 towards policing.
- monitoring fee - £30,000 or 1% of the total contributions, whichever is lower
- a contribution towards public open space and commuted sum towards maintenance (if adopted by WDC) (final figure to be confirmed and reported via the update sheet to committee);
- a contribution towards improvements to public rights of way within a 1.5 mile radius of the development site (final figure to be confirmed and reported via the update sheet to committee)
- a contribution towards improvements to the Stanks Island improvement works. (final figure to be confirmed and reported via the update sheet to committee)
- a contribution towards Type 3 Mitigation/Compensation Works for Air Quality.
- maintenance of on-site drainage areas.

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

The development is also liable for payments under the Community Infrastructure Levy (CIL) and this will be calculated accordingly if planning permission is granted. To ensure that no CIL payments overlap with the required Section 106 Contributions, the legal agreement will be subject to clauses to prevent and double payments.

Conclusion

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

The proposals would ensure appropriate levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants. The proposals would have a positive impact on the character and appearance of the area. Additionally, the proposals are considered to be acceptable in terms of car parking and highway safety. Furthermore the proposals are considered to be acceptable in ecological terms and there are a number of necessary and relevant conditions recommended in the event permission is forthcoming which would ensure that any possible impacts of the development are adequately mitigated.

The proposal is considered to require further archaeological investigation and this shall be carried out prior to the determination of the application subject to the agreement

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

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s)

Scheme Plans

- 1562-07, 20142-TP-01, 20142-EP-01, 20142-MP-01, and specification contained therein, submitted on 22 December 2017.
- 1562-01a (Sheet 1 of 6), 1562-02a (Sheet 2 of 6), 1562-03a (Sheet 3 of 6), 1562-05a (Sheet 5 of 6), and specification contained therein, submitted on 15 February 2018
- 20142-PL-01D, 10-01 P5, 10-03-01 P5 (Sheet 1 of 2), 10-03-02 P5 (Sheet 2 of 2), 10-04 P6, 10-05-01 P6, 10-05-02 P6, 10-05-03 P3, 10-06 P5, 10-07 P5, 10-08-01 P3, 10-08-02 P3, 10-09 P5, 10-10 P5, 1562-04b (Sheet 4 of 6) and 1562-06b (Sheet 6 of 6), and specification contained therein, submitted on 15 March 2018.

House Type Plans

BU2 - Bungalow 2, KE - Keydale, KE - Keydale Coloured, KE - Keydale Special Coloured, NA21 - Beauford, NA32 - Byford, NA46 Ransford (Bir Rd), NA46 Ransford Elevations, NA46 - Ransford Plans, NA47 - Stanford Elevations, NA47 - Standford Plans, NB52 - Rushton Elevations, NB52 -

Rushton Plans, NB52 Rushton Special Elevations, NB52 - Rushton Special Plans, AA11, AA24 - Type A, AA32 - Type B, AA42 - Type C, DE - Devonford Elevations, DE - Devonford Plans, DE - Devonford Plans Special PA25 - Canford, PA25 - Canford Special, PA34 - Gosford, PD51 - Lavenham Elevations, PD51 - Lavenham Plans, PT45 - Teasdale (Bir Rd) Elevations, PT45 - Teasdale Elevations, PT45 - Teasdale Plans, 20142 - Double Garage, 20142 - Double Shared Garage, 20142 - Single Garage and specification contained therein, submitted on 22 December 2017.

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

- 3 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the details of tree and hedgerow protection measures have been submitted to and approved in writing by the Local Planning Authority. Thereafter, prior to the commencement of any on site works, the approved scheme shall be put into place in full accordance with the approved details and shall remain in place for the full duration of any such construction work . In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).
REASON: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

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

- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
- Dust management and suppression measures - level of mitigation

- determined using IAQM guidance
- a scheme for recycling / disposing of waste resulting from demolition and construction works.
- Any temporary measures required to manage traffic during construction
- Plans and details of haul roads within the site and for the turning and unloading and loading of vehicles within the site during construction
- Noise assessment and mitigation method statements for the construction activities; in accordance with provisions of BS 5228:2009 Code of practice for noise and vibration control on construction and open sites - Part 1 and 2
- Concrete crusher if required or alternative procedure
- Delivery times and site working hours
- Site lighting
- Access and protection arrangements around the site for pedestrians, cyclists and other road users
- Restrictions on burning and details of all temporary contractors buildings
- Plant and storage of materials associated with the development process
- External safety and information signing notices
- Complaints procedures, including complaints response procedures and dedicated points of contact
- Best practicable means shall be employed at all times to control noise and dust on the site including:
 1. Work which is likely to give rise to noise nuisance be restricted to the following hours: Mon-Fri 7.30 am - 5 pm, Sat 7.30 am - 1pm. No working Sundays or Bank Holidays.
 2. Delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon - Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays.

REASON: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1, TR4 and NE5 of the Warwick District Local Plan 2011-2029.

- 5 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 6 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The

development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

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

7 No development and subsequent use of the development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

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

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

8 No development shall take place until: -

1.(a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the planning authority prior to that investigation

being carried out. The investigation must be comprehensive enough to enable:

- A risk assessment to be undertaken relating to human health
- A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
- An appropriate gas risk assessment to be undertaken
- Refinement of the conceptual model
- The development of a method statement detailing the remediation requirements

(b) The site investigation has been undertaken in accordance with details approved by the planning authority and a risk assessment has been undertaken.

(c) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the planning authority. The method statement shall include details of how the remediation works will be validated upon completion.

This should be approved in writing by the planning authority prior to the remediation being carried out on the site.

2. All development of the site shall accord with the approved method statement.

3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with and shall be submitted to and approved in writing by planning authority. The site shall not be occupied until the approved addendum has been complied with.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.'

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

- 9 The development hereby permitted shall be carried out strictly in accordance with the Landscape and Ecological Management Plan

reference CSA/2684/05 received on 1 March 2018. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 2011-2029.

10 The development hereby permitted shall be carried out strictly in accordance with the Construction and Environmental Management Plan (CEMP) reference CSA/2684/06 received on 1 March 2018. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 2011-2029.

11 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those specified within the application documentation. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.

12 The development permitted by this planning permission shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA) Birmingham Road, Hatton 890193-R1(2)-FRA_RSK_November 2017 and in particular the following mitigation measures detailed within the FRA:

- Limit 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 25.8 l/s for the site.
- 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.
- The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme.

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

13 No occupation and subsequent use of the development shall take place until a detailed maintenance plan is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the LPA within the maintenance plan. **REASON:** To ensure the future maintenance of the sustainable drainage structures in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029

14 The development shall not be occupied until the public highway A4133 has been improved so as to provide for the site access in accordance

with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority, as shown indicatively on plan 890193 10-09 P3. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 15 The layout of the estate roads serving the development [including footways, verges and footpaths] shall not be designed other than in accordance with the principles and guidance as set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001'. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 16 No dwelling shall be occupied until the estate roads [including footways] serving it have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 17 The Developer shall install suitable measures to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Prior to the commencement of the development, the details of these measures (including type, method of operation and control of use) shall be submitted in writing to the Local Planning Authority for their approval in consultation with the Highway Authority. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 18 The lighting scheme shall be carried out in accordance with the details submitted on plan reference 10-06 P3. In considering the lighting scheme, the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:
 - a. low energy LED lighting should be used in preference to high pressure sodium or mercury lamps;
 - b. the brightness of lights should be as low as legally possible; and
 - c. lighting should be timed to provide some dark periods.

REASON: To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE3 of the Warwick District Local Plan 1996-2011.

- 19 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works in the approved application documents. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
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