

Application No: W 13 / 0607

Town/Parish Council: Warwick
Case Officer: Penny Butler

Registration Date: 03/05/13

Expiry Date: 02/08/13

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Land North of Harbury Lane Heathcote, Warwick CV34 6TB

Outline residential development up to a maximum of 220 dwellings; Provision of three points of access - one from Macbeth Approach, one from Heathcote Lane and one from Harbury Lane; Comprehensive green infrastructure and open spaces including potential children's play space; Potential footpath and cycleways; Foul and surface water drainage infrastructure, including attenuation ponds; Ancillary infrastructure and ground remodelling. FOR Gallagher Estates Ltd

This application is being presented to Committee due to the number of objections and an objection from the Parish and Town Councils having been received and the level of public interest in the application.

RECOMMENDATION

Planning Committee are recommended to grant outline planning permission for the development subject to the conditions listed and any other conditions required by WCC Highways and to the removal of the holding direction by the Highways Agency and the completion of a Section 106 agreement by 2 August 2013.

DETAILS OF THE DEVELOPMENT

This application is one of three submitted concurrently by Gallaghers to develop three plots of land adjacent to the Europa Way/Gallows Hill/Harbury Lane roundabout.

The application is made in outline with all matters reserved apart from access. Three access points are proposed, one from Macbeth Approach, one from Heathcote Lane and one from Harbury Lane. The development proposes a urban extension to the southern side of Heathcote/Warwick Gates and includes up to 220 dwellings. A comprehensive range of green infrastructure is proposed which would include a potential children's play space, footpaths and cycle ways, foul and surface water drainage infrastructure, including attenuation ponds and other ancillary infrastructure and ground remodelling.

The application is supported by extensive documentation. This includes an Environmental Statement, report dealing with transportation matters, a Planning Statement and Design & Access Statement. The Transport Assessment (TA) submitted with the application models the impacts of the developments on the

road network and along with further modelling work carried out since submission demonstrates that the development can be accommodated with at most a 'minor significant impact', and in many instances 'no significant impact'.

THE SITE AND ITS LOCATION

The site lies to the south of Warwick and Whitnash and is currently rough grassland and relatively flat. It covers a total of 9.85 hectares and comprises a roughly triangular shaped field bounded by tree and hedgerow planting. To the north, the site is bounded by Heathcote Lane beyond which lies the Heathcote Industrial Estate, to the east is Macbeth Approach and a mix of residential and employment/ commercial development on Warwick Gates, and the southern boundary follows Harbury Lane but omits buildings at Hawkes Farm and Longacre. These properties project into the site on the Harbury Lane frontage. The site occupies the land between two arms of the Harbury Lane/Europa Way/Gallows Hill roundabout.

On the opposite side of Europa Way to the west and south are predominantly arable fields, although the land to the south includes farm buildings, a caravan site and fishing ponds. Land to the north-east is arable land and is included in the Revised Development Strategy as Myton Garden Suburb with potential for up to 1250 houses and other facilities. To the west of this area is the Banbury Road beyond which lies the historic Castle Park. On the opposite side of Heathcote Lane is the

The application site is allocated employment land under the current Local Plan. All of the site is Grade 2 (Very Good) agricultural land. This site was a 2012 Preferred Option for development. The site is included in the 2013 Revised Development Strategy as a Strategic Development Site (5.1 Southern Sites: Sites South of Warwick and Whitnash).

PLANNING HISTORY

Outline planning permission (W/01/1605) was granted in 2002 for Phase 2 of the Gallagher Warwick Business Park comprising 56200 sq.m. B1 offices, 650 sq.m. A3 cafe/bar, 2035 car parking spaces, structural landscaping, roads, footpaths, cycle ways and water features. Two applications for the Land West of Europa Way (planning application site W/13/0603), and Land South of Harbury Lane (application site W/13/0606) were submitted at the same time but have subsequently been withdrawn.

RELEVANT POLICIES

- SSP1 - Employment Allocations (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC4 - Supporting Cycle and Pedestrian Facilities (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- RAP10 - Safeguarding Rural Roads (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Warwickshire Landscape Guidelines SPG
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Bishops Tachbrook Parish Council: Object on the following grounds:

- Consultation: The Revised Development Strategy cannot be used as a material consideration as it is currently out for consultation. The Council's housing population growth calculations are excessive. BTPC have been monitoring the figures and predict a 212 annual increase over the next 5 years
- Landscape and visual impact: The land to the north of the Tach Brook should not be developed. The land to the south of the Tach Brook (The Asps) has not been carried forward from the Preferred Options consultation, and the RDS notes its importance as part of the Castle Park setting. This land is visible from the Castle towers and mound and will directly impact on views from the Castle. The Council's Richard Morrish concludes that the area should be safeguarded from development which BTPC support. The view from the Gallows Hill/Banbury Rd junction forms part of the important setting of the

Castle Park. The suggested mitigation would not work. The application would set a precedent for development on land to the north-west which Richard Morrish advises against. The site should be considered as a whole along with The Asps. The land is Grade 2 Agricultural Land and the subject of a Natural England Entry Level Environmental Stewardship Contract. Harm to ecology and the habitat associated with the Tach Brook

- Flooding: The development is part of a much wider potential development which will increase flood risks downstream of the River Avon due to faster discharge of surface water.
- 5 year land supply: There is a 5 year supply of land for housing based on the up to date position on consultation and planning approvals.
- Contrary to the Strategic Vision of the Council "to make Warwick District a Great Place to Live, Work and Visit".

Warwick Town Council: Object on the following grounds:

- Applications should not be considered prior to the outcome of the Proposed Development Strategy consultation, as any decision on this application would prejudice the consultation and analysis
- The land is not allocated for housing purposes
- It is not accepted that the Council do not have sufficient land to meet development for the next 5 years. There are currently outstanding permissions for nearly 2000 houses, plus designated housing sites and brown field sites. Housing completions from 2006-2012 averaged 330 houses per year. From 2009-2012 there were an average of 141 houses during a period of low economic growth. Government forecasts are for austerity and low growth to continue till 2018 which will limit demand to below the number of houses which can be built on available land in the next 5 years.
- The Council's decision to seek to provide 12,300 houses greatly in excess of that needed to meet local needs contributes to the assertion that there is insufficient land to meet the 5 year demand. The number of houses required should be reviewed to provide for the real local needs of the District, and the consequent reduction would show the existing land allocation would meet this need.

Whitnash Town Council: Object on the following grounds:

- Adverse impact on highways due to increased traffic around Whitnash
- Adverse impact on schools and facilities around Whitnash
- Adverse impact on infrastructure in Whitnash, Warwick, Bishops Tachbrook and Leamington
- The split of affordable housing should be balanced across all developments
- If granted more provision should be made for older persons bungalows

Public response: 25 objections received from local residents are as follows:

- Applications should not be considered prior to the outcome of the Proposed Development Strategy consultation
- Within an Area of Restraint
- The allocation of dwellings should be distributed across the District, not concentrated in the south. Development should be to the north of Leamington
- Increased noise and air pollution

- Increased traffic congestion on major transport routes and all surrounding residential streets. Proposed highway mitigation measures are unacceptable.
- Excessive density of development. Insufficient plot sizes.
- Insufficient parking provision
- Harm to rural landscape and setting of Warwick Castle
- Loss of high grade agricultural land
- Harm to local ecology including the Tach Brook
- There are no bungalows proposed
- Pressure on local services, surgeries, hospitals and schools. Proposed school provision is insufficient. If schools are required then these should be secured through S106 and provided before development is completed.
- Loss of green space
- Will lead to the coalescence of settlements of Bishops Tachbrook and Warwick Gates
- Loss of archaeology
- Development close to flood plain. Increased flood risk.
- Insufficient capacity in sewer system
- Pedestrian links will threaten adjoining residents security (606)
- Loss of light to adjoining residents (606) and loss of privacy (606; 607)
- Excessive density (606; 607)
- Planning blight to adjoining dwelling (606)
- No need for further employment land given vacancies in area
- Contrary to 2012 Preferred Options which included land as a green wedge (606), and to current Local Plan
- Insufficient contribution is made to local infrastructure as required by the Revised Development Strategy
- A gypsy/traveller site should be incorporated into the development (603)
- Adjoining residents were not consulted at pre-application stage. Insufficient publicity has been carried out to inform residents of the applications.

Highways Agency: Whilst the HA have issued a holding direction preventing WDC from granting permission at this point, WDC and the developer are still working to resolve their requirements. It is likely that we will be able to report to Planning Committee that the direction will be lifted before the Committee meeting and this will be reported in the additional observations at the meeting.

WCC Highways: Comments awaited and to be reported in the additional observations at the meeting.

WCC Education: Comments awaited and to be reported in the additional observations at the meeting.

English Heritage: The development is beyond Harbury Lane when viewed from the roof of St Mary's Church Tower and from within the Castle Park, and being essentially an infill of the urban extension, the impact on the significance of the Park and its associated assets will be small, and is acceptable subject to appropriate low scale development and suitable landscaping. The Castle Bridge (Grade II* Listed and Ancient Monument) will be impacted by the cumulative traffic increase by vehicle movements and necessary traffic management improvements. A transparent and appropriate assessment of the impact on

heritage asset by reference to its setting as a part of its significance is required, without which it is not possible for developers to claim the scheme will have a low impact. Measures also need to be taken to ensure conservation of the Castle Bridge and its setting.

NHS Public Health/South Warwickshire NHS Foundation Trust: Request contributions from all housing developments based on an increase of 12,300 houses of £8 million towards a new ward block at Warwick Hospital and £8 million towards additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community health care teams at Warwick and Leamington hospital sites. This is £1572.95 per dwelling and the requirement for this site would be £346,047.97.

NHS Property Services: Request contributions towards the capital costs of the construction of a new five GP facility based on an increase of 12,300 houses, the total cost of which would be £2,859,946. This is £700 per dwelling and the requirement for this site would be £154,000. They have also clarified discrepancies between their and the WCC Public Health comments.

WCC Public Health: Provide details of spare capacity at surrounding doctors surgeries based on the 2013 list size (1779 at Lisle Court, Warwick Gates and Whitnash Medical Centre), but an overall lack of capacity across the wider area. Recommend a Health Impact Assessment be carried out, measures included at detailed stage to reduce unhealthy behaviour, promotion of affordable and extra care housing, and adequate education provision.

Housing Strategy: Support the amount of affordable housing proposed and expect the site to deliver a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. On the element of affordable rent, the level of rent should be restricted to 60% of open market rent. The requirements for the size and type of property are provided (and includes some bungalows) but may need to be adjusted to take account of current demand at the time of submission of reserved matters.

Community Protection: No objection subject to development in accordance with the submitted Flood Risk Assessment, and the adoption of surface water drainage systems with payment of maintenance costs for 13 years.

WCC Flood Risk: No objection subject to prior approval of drainage details.

Neighbourhood Services (Waste Management): All shared streets should be accessible to refuse collection vehicles and that private drives should provide collection points.

Cultural Services: Request contributions towards play equipment and the maintenance of open spaces, would need to approve the design of open spaces, and the transfer of open space to WDC. Also request a contribution of £172,614.52 towards improvements to swimming pools and sports halls (£784.61 per dwelling).

Severn Trent Water: No objection subject to a condition requiring drainage details.

WCC Fire & Rescue Services: No objection subject to the provision of fire hydrants.

Warwickshire Police (Corporate Services): Confirm they will not be requesting a contribution under S106 as they do not have an in-date policy and the Police Commissioner will not be addressing this for some time. However, this should not set a precedent. The Secured By Design standard should be conditioned.

Warwickshire Police (Community Protection): No objection subject to conditions requiring lockable gates, glazing to BS standard, doors to PAS24 standard, perimeter fencing to be 2m high, lighting to BS standard, fencing open space to prevent vehicles. The primary school should be built to Secured By Design standard.

WCC Footpaths: Request a contribution (£3,300) towards the improvement of public rights of way within 1.5 miles of the sites as a result of increased use by future residents.

Ramblers: Request the provision of improvements to pedestrian/cycle paths to Leamington Shopping Park, and the reimbursement of costs to WDC/WCC of any Public Path Creation Agreement or Order, including compensation to land owners.

Environment Agency: Have no objection subject to conditions requiring development in accordance with the Flood Risk Assessment and the submission of a surface water drainage scheme.

Natural England: Comment on soils and land quality as the development would result in the loss of 6.3ha. of best and most versatile agricultural land. Refer to the NPPF (para.12) which requires the consideration of poorer quality land in preference to higher quality, and Policy DP3 which requires the protection of best and most versatile agricultural land. Recommend that soil handling and supervision is carried out as part of any approval to protect its quality. Welcome the green infrastructure plans and expect the Council to assess impacts on local sites, landscape character and biodiversity priority habitats and species. Biodiversity enhancements should also be considered.

WCC Ecology: Biodiversity offsetting to compensate for the loss of biodiversity on the site is required, to be accommodated on the southern site (W/13/0606), or if this is not possible then credits must be purchased for the offsetting to be provided elsewhere, and should be required under S106. Recommend conditions for a Construction and Environmental Management Plan, a Landscape and Ecological Management Plan, tree protection measures and lighting details.

WCC Archaeology: No objection subject to a condition requiring a programme of archaeological work.

WCC: Request a contribution towards the library service and have been asked for further information to demonstrate how this would be CIL compliant. Also request pedestrian and cycle links, relocation of the hub and schools, and provision of a bus hook-up point at the hub.

Tree Preservation Officer: No objection as the proposals identify minimal tree removals, subject to conditions requiring annotated tree protection plans and planting plans to mitigate loss of highway verge hedgerows.

Environmental Health: Recommend conditions requiring measures to prevent nuisance traffic noise to occupiers, prevention of crime, improved public transport, noise mitigation measures for proposed commercial/industrial uses, odour mitigation measures for proposed catering premises, furnace/chimney/exhaust system details, measures for pest control, prevention of domestic/neighbour noise transmission, lighting details, contaminated land investigation/mitigation, and construction management techniques. Also recommend measures to encourage walking/cycling and prevention of crime, and consideration of the suitability of renewable energy technologies.

ASSESSMENT

Key issues to be assessed include the following:

- The principle of development taking into account the Five Year Housing Supply position, the current policy position, prematurity and an assessment of the proposed housing;
 - Transportation issues including the impact on the surrounding highway network;
 - The impact on landscape and heritage assets;
 - The impact on ecology;
 - The impact on the living conditions of surrounding dwellings;
 - Flood risk and drainage matters;
 - Socio-economic impacts, including the contribution that would be made to health, education, open space, affordable housing and community facilities;

The principle of development

Five Year Housing Supply

The site is within the defined urban area within the Local Plan, and the proposed development is therefore contrary to Policy UAP1 as the site is not previously developed land. However, the NPPF states (para.49) that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites against their housing requirement. Whilst the Council can demonstrate a five year supply against the requirements of the revoked Regional Spatial Strategy 2008, these requirements do not reflect the most up-to-date evidence in terms

of objectively assessed housing need. In terms of the most recent evidence of housing need, the Council cannot demonstrate a five year supply. The land is also allocated employment land within the Local Plan, which Policy SC2 protects from change of use unless specific circumstances apply which do not in this case.

The latest Annual Monitoring Report (June 2013) indicates that the housing land supply is 2.8 years. The five year requirement (2012-2017) is 4,550 dwellings with 2,575 already provided, leaving 1,975 to be provided. Accordingly, only limited weight can be afforded to Policy RAP1, and in these circumstances the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. This states at paragraph 14 that where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

The developer has outlined the contribution they consider this site could make towards meeting the five year supply. In order for dwellings to contribute they must be deliverable, which means have planning permission, and be achievable with a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable. Sites with planning permission should be considered deliverable unless there is clear evidence schemes will not be implemented within five years, for example if they are unviable or have long term phasing plans.

The developers have stated that the site could contribute 125 houses within a five year period and have also outlined the contribution the other sites could make, using these calculations:

North of Harbury Lane – One Builder – Total of 125 (25 in year one, 50 in year two and 50 in year three)

West of Europa Way – Two Builders – Total of 250 (50 in year one, 100 in year two and 100 in year three)

South of Harbury – Three Builders – Total of 375 (75 in year one, 150 in year two and 150 in year three)

The developer therefore considers that the three sites could contribute 750 dwellings over the five year period. It is considered that this would be an optimistic delivery rate given the Council's experience of monitoring housing delivery. Warwick Gates delivered about 200 houses per year, compared to the 250 houses being put forwards for each of these sites. Smaller sites generally deliver lower delivery rates. The contribution that this application, or all three, could make towards helping the Council meet the five year requirement is therefore not considerable. However, granting outline permission for any of the sites would significantly increase the supply of land for housing which carries

significant weight in this determination. The granting of outline planning permission would not necessarily contribute towards meeting the five year supply as the Council has no control over whether a site will be deliverable, given that they cannot require a developer to deliver houses once a consent is given, and that further reserved matters approval would be required before work can start.

Current Policy Position

The site was included in the Local Plan Preferred Options report in 2012, and is included in the Revised Development Strategy 2013 currently under consultation.

Little weight is attached to the 2012 Preferred Options although these were the subject of public consultation, as these have been superseded by the Council's preferred options in the 2013 Revised Development Strategy (RDS) and have not therefore been carried forward. Little weight can be attached to the 2013 RDS since the public consultation has not been completed or its outcomes assessed. However, this does represent the Council's current preference for development based on the most up to date evidence base. The intention is that the public response to the RDS will inform the policies within the Draft Local Plan, which is scheduled for public consultation in late 2013. The current Local Plan covered the period 1996-2011 and therefore makes no provision for future housing needs. The Warwickshire Structure Plan 1996-2011 contains saved policies but none are relevant to housing supply. The current Local Plan and the Warwickshire Structure Plan form the development plan, which decisions should be made in accordance with, unless material considerations indicate otherwise. The NPPF is a material consideration, as are other policies under preparation such as the RDS.

The RDS (paras. 5.1.26-5.1.33) contains justification for the development of the application site and others south of Warwick and Whitnash, as it will not be possible to provide land for the 12,300 new homes needed between 2011 and 2029. This is the interim level of growth adopted by the Council based on current evidence including the 2012 Strategic Housing Market Assessment (SHMA). However, the Inspector considering Coventry's Core Strategy requested that Coventry City Council withdraw their Core Strategy in order to work with other councils in the sub-region in preparing a Joint Strategic Housing Market Assessment. Warwick District Council is one of these councils and therefore the timetable for the preparation of Warwick's Submission Draft Local Plan will be delayed until late 2013, at which stage it will gather more weight.

The RDS states that as it is not possible to provide for 12,300 homes within the existing urban areas, it will be necessary to allocate new development on green field and Green Belt sites. In comparison with other possible green field sites, this area has significant advantages which justify its inclusion in the RDS. This includes that the landowners are willing, the location is sustainable, the land is not Green Belt, there are opportunities to enhance public access and design, the

5 year housing supply position, and there are no insurmountable constraints. Whilst there are significant constraints that need to be addressed, particularly in relation to landscape, historic environment, flooding and transport infrastructure, none of these are insurmountable.

The RDS also contains justification for employment land requirements in the District. This states that the current supply of land for employment is 48.5ha, whilst the demand up to 2029 is for 66ha. There remains a balance of 17.5ha. to be found, which would be made up of 16 hectares of employment land at strategic development sites and 6.5 hectares to meet local needs at the Gateway. The RDS recommends that 8 hectares be allocated in the vicinity of the Warwick Technology Park either to the north or south of Gallows Hill, and recommends that further work is required to fully assess these options. The RDS takes a strategic view across all the southern sites in terms of assessing the best location for employment development, and concludes that the application site is not the best option in terms of supporting the expansion of Warwick Technology Park. The current allocation of the site for employment purposes was made at a time when this was strategically sensible, however, it can be argued that this is no longer the case.

Prematurity

Should any of the sites surrounding this land be allocated for development in the future adopted Local Plan, their development would not be prevented by the development of the application site. Equally, as the sites surrounding are neither dependent on, nor incompatible with, the application site in terms of principle or layout, the development of the application site would not prejudice the outcomes of the preparation of the Local Plan. On this basis, the development of this site would not prejudice the outcome of the Local Plan therefore it could not be demonstrated that the permission should be refused on the grounds of prematurity.

Assessment of the proposed housing provision

In terms of the type of housing being provided, 40% would be affordable and the affordable mix would accord with the affordable housing needs of the District in accordance with the current SHMA (50% social rented; 30% affordable rented; 20% intermediate tenure/shared ownership). The size and type of the affordable dwellings would be subject to further consideration under a reserved matters application, but currently the recommendation would be to provide this mix:

Size	One bed	Two bed	Three bed	Four bed	Bungalow	Total
Client group	General	General	General	General	Older	
Social rented	12	27	22	4	9	74
Affordable rented	4	20	13	3	4	44
Intermediate	0	20	10	0	0	30
Total	16	67	45	7	13	148

In terms of the market housing being provided, this would also be subject to consideration under a reserved matters application, but this should accord with the Development Management Guidance: Achieving a Mix of Market Housing on New Development Sites (2013), recently agreed by Executive as follows:

Dwelling Size	%
1-beds	About 7
2-beds	About 26
3-beds	About 43
4+ beds	About 24

Complying with the above requirements in terms of the affordable and market housing mix, sizes and house types, would comply with Policy SC1 which requires a range of sizes and types of dwelling and SC11 which requires 40% affordable housing and provision in accordance with local needs. The NPPF (para.50) sets out the need to “plan for a mix of housing based on current and demographic trends, market trends and the needs of different groups in the community”. Paragraph 159 of the NPPF says the LPA should prepare a SHMA to assess the needs for all types of housing. The Guidance reflects the needs set out in the latest SHMA. A condition is recommended to ensure that subsequent reserved matters applications are consistent with the current guidance.

The granting of outline consent would significantly increase the supply of land for meeting the unmet market and affordable housing needs of the District and would therefore represent a key benefit of the scheme.

Transportation issues including the impact of the development on the surrounding highway network

The Transport Assessment (TA) submitted with the application models the impacts of all three of the developments on the road network and demonstrates that they can be accommodated with at most a 'minor significant impact', and in many instances 'no significant impact'. Further modelling work was carried out at the request of WCC Highways to demonstrate the proposed mitigation measures would not result in unacceptable impacts on the network. WCC are continuing to check this information and will provide their final recommendations for conditions and S106 requirements prior to Committee. Providing they confirm that there is

sufficient capacity to accommodate the predicted traffic associated with the proposed development, and advise that the road layout within the development would be acceptable then the proposals would be considered acceptable from a highway safety and capacity point of view and would not represent a negative impact of the scheme.

The Highways Agency issued a holding direction preventing WDC from granting permission until 31 August 2013. This is to provide time for the applicant to address the transport issues and for the HA to agree suitable planning conditions or a draft S106, as the TA does not address the issue of finalising the cost and delivery of mitigation measures. The HA must agree the mitigation measures before they will remove the holding direction, therefore work is progressing to ensure they receive the information as soon as possible. If the Highways Agency do not remove their holding direction before the 13 week determination period of the application expires then this direction would form a reason for refusal, but if the direction is removed then this would not be a reason for refusal.

The application would trigger the need for the transport mitigation measures identified as necessary by WCC as part of their Phase 3 Strategic Transport Assessment (STA) which is part of the evidence base for the RDS. The STA demonstrates that the network can accommodate the increase in traffic arising from 12,300 houses with significant improvements to the highway network locally and further afield. The required mitigation measures would be funded via contributions secured by a legal agreement under Section 106 from all new housing developments. WCC will advise the appropriate triggers for these works based on the number of dwellings occupied across all three sites at any one time, as development of the sites may come forward separately or together. Some of the required highway alterations are required immediately to deal with existing network issues therefore contributions for these improvements would be required at an earlier stage. The most urgent requirement is for the signalisation of the Banbury Road/Myton Road roundabout. The more urgent highway improvements funded by the developer would be a benefit arising from the development which may otherwise be delayed.

The Planning Statement sets out an intention to provide parking provision in accordance with the Council's Vehicle Parking Standards SPD, and any reserved matters application would include the exact allocation and location. This approach would fully accord with Policy DP8 and the NPPF (para.39).

Part of the mitigation measures required by WCC to be secured by a S106 would include improvement to the existing no.68 bus service and the provision of a new 15/20 min service to Leamington town centre, whilst new footpath links would be required to the south and improved cycle/footpath links provided to the Leamington Retail Park. These measures would represent a benefit of the development.

The impact on landscape and heritage assets

The development of this site will have a significant visual impact on the rural setting by introducing wide scale built development on a green field site,

bounded by two major roads which presently provide a rural approach to Warwick. The site is visible from a number of key vantage points on the approaches to and from Warwick, Leamington and Bishops Tachbrook, and also from the Grade I Listed Warwick Castle and the Registered landscape of the Castle Park. The Grade II* and Ancient Monument Castle Bridge would also be impacted by increased traffic arising from the development, and potentially by the required signalisation of the Myton Road roundabout. The site is located in the Feldon and Dunsmore character area and is the Feldon Parklands landscape type characterised by rolling topography, woodland and scattered farmsteads. In recognition of the major impact that development in this area would have, the Council commissioned a Landscape Consultant Richard Morrish Associates to assess the land to the south of Warwick and Leamington.

The conclusions from the 2009 "Landscape Character Assessment" were that the farmland creates an attractive setting to the Castle Park and is prominent in the approaches to Warwick. Any development south of Heathcote Lane/Gallows Hill would set a major landscape precedent and make for a disjointed urban structure possibly likely to intensify development at the Technology Park and around the schools. It was concluded that the wider area should be safeguarded from development.

In 2012 ("Options for Future Urban Expansion in Warwick District Considerations for Sustainable Landscape Planning") it was further concluded that the area should be protected from development, but that there is some potential for landscape mitigation to visually contain development and reduce its impacts on the wider landscape, as long as adequate measures are taken to develop appropriate green infrastructure. It was noted that The Asps (land to the south of W/13/0603) might remain undeveloped to minimise and mitigate wider visual impacts, and this land remains outside the scope of this application.

The 2012 report also examined the issue of coalescence. The gap between Warwick/Leamington and Bishop's Tachbrook would be marginally reduced by the development of this land, but since it is currently allocated employment land, development of this site has been previously accepted and is not new. Carefully designed and managed landscape areas would be essential to mitigate the potential landscape and visual impacts.

In accordance with the Landscape Consultant's recommendations, it is considered that the landscape impact could be mitigated to minimise the impact on the rural landscape and character. The developments show large areas of green infrastructure along the southern boundaries and wide set backs from the roads. The detailed layouts and heights of buildings, and the proposed landscape mitigation and open space will be subject to the consideration of a reserved matters application, but in principle, it is considered that the development of this site could be mitigated to an appropriate standard that would avoid serious and unacceptable visual harm to this rural landscape. It is also considered that this impact would not be so significant, that it would outweigh the public benefits of the development, and that the development would therefore not conflict with the NPPF. However, the visual impact would represent an adverse impact of the development.

Policy DAP4 of the Warwick District Local Plan does not permit development that will adversely affect the setting of listed buildings, whilst Policy DAP11 also protects the setting of Historic Parks and Gardens. The NPPF (para.134) advises that where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, that this harm should be weighed against the public benefits of the proposal. English Heritage are content that the impact of the development on the Park and Castle will be small and that it would be acceptable subject to appropriate low scale development and suitable landscaping. However, the setting of the Castle Bridge would potentially be impacted by the required widening of the road and introduction of signalling. English Heritage echo this concern and consider that insufficient assessment work has been done to demonstrate the impact of the works on the setting of the heritage asset as part of its significance. However, it is considered that the potential for harm will be low given the scale of highway works proposed in this location and the opportunity for WCC to require a sensitive scheme. It is also considered that 220 dwellings would not dramatically increase traffic over the bridge, and WCC are required to regularly assess the structural safety of the bridge. Whilst there is considered to be potential harm to this heritage asset and therefore it would fail to comply with paragraph 134 of the NPPF and Policy DAP4, this harm must be balanced against the benefits of the scheme.

Archaeological investigation was carried out prior to the submission of the application, which identified several features of potential interest. WCC Archaeology have not raised objection to the granting of permission providing that a programme of further archaeological survey work is required by condition. It is considered unlikely that extensive archaeological features survive across this site, though there is potential for small scale, but significant, features to survive which were not previously identified. A condition is considered the appropriate way of securing the required mitigation and on this basis the impact on archaeology would not represent an adverse impact of the scheme.

The impact on ecology

The development will result in the loss of existing wildlife habitats and has the potential to increase contaminated surface water run-off into watercourses. This matter has been carefully considered by the Environment Agency, the Community Protection Officer, and WCC Ecology. Further wildlife surveys were requested which have demonstrated to the satisfaction of these parties, that the impact can be mitigated through the imposition of conditions requiring further survey work and appropriate mitigation. The detailed design of reserved matters applications will also provide an opportunity to secure protection and mitigation. WCC Ecology require biodiversity offsetting for the loss of existing habitats and biodiversity as part of a S106. This requires compensatory works to achieve a net increase in biodiversity through the provision of suitable habitats to the south adjacent to the Tach Brook, or if this site is not granted permission, then provision elsewhere offsite that the developer would be required to fund. This approach is currently being piloted by Warwickshire as part of a National Pilot on Biodiversity Offsetting where conservation activities deliver biodiversity benefits in compensation for losses arising from development, in a measurable way. Since

the impact on ecological matters can be addressed this would not represent a negative impact of the scheme, whilst the improvements that would be required to biodiversity and the provision of enhanced habitats would represent a benefit.

Flood risk and drainage matters

The scheme will implement Sustainable Urban Drainage (SUDS) techniques to assist in reducing flood risk, and these measures are acceptable to WDC Community Protection and the Environment Agency. The SUDS will improve water quality, increase biodiversity and provide no worse, if not better, surface water discharge from the site than its current state. Therefore, subject to development in accordance with the submitted details it is considered that the proposals would be acceptable in terms of flood risk and would not increase the risk of flooding elsewhere. The S106 would require the SUDS systems to be adopted and the maintenance costs to be provided for the first 13 years.

Socio-economic impacts, including the contribution that would be made to health, education, open space, and community facilities

The increased population arising from the development will put additional pressure on existing facilities and services in the surrounding area, and in some cases will lead to a need for new facilities where the existing cannot accommodate the level of growth. The quantum of development proposed is not considered sufficient to require the provision of new retail, health, education or community facilities on this site. Proportionate contributions will be required through the S106 to address the education and health requirements of the development. The relevant consultees confirm this approach is agreeable and that appropriate provision will be made to address the increased service demands of the development. The development would also make a financial contribution towards improved public transport and walking/cycling routes therefore there would be reasonable access to local facilities for occupiers and improvements made for existing residents in the vicinity. WCC made a request for contributions towards general footpath improvements within a 1.5 mile radius, and for general library improvements, but these requests are not considered CIL compliant as no evidence has been provided of existing shortfalls in provision, no evidence provided of what infrastructure the contributions would fund, and no evidence of how the money would be directly and reasonably related to the development.

Outdoor sports facilities will be required by condition either through provision of sports pitches/playing fields on site, potentially shared with the schools, or via an offsite contribution. Indoor sports facilities will be improved by a proportionate offsite contribution under S106, which will be used to improve existing indoor facilities. A network of public open space/green infrastructure is to be provided in accordance with the Open Space SPD which sets requirements in terms of the amount and typology of open space. This site provides 1.86ha. of open space, deducting the Parks & Gardens and Allotments elements which will be provided off site through a S106 contribution since the site is so small that provision would be unsuitable. The number of proposed play areas meets the local play area standard, though their exact location may require some amendment at reserved

matters stage. WDC Cultural Services are content the development makes satisfactory provision using this approach.

The provision of contributions towards funding new facilities for doctors surgeries, hospitals, the local centre and schools would benefit local residents by increasing choice. Improvements to walking and cycling routes and public transport would also be of benefit to local residents.

The impact on the living conditions of surrounding dwellings

Hawkes Farm is midway along the Harbury Lane frontage and is therefore surrounded by the site at the rear and sides. The indicative layout shows open and a children's play space, foot paths and an attenuation pond surrounding this property. It is not considered that these uses would lead to an unacceptable loss of light, loss of outlook or loss of privacy as the final layout of boundary treatments and facilities would be submitted under a reserved matters application. Long Acre is also on the northern side of Harbury Lane, and has its western boundary adjoining an indicative area of dwellings with their side gardens potentially adjacent. A reserved matter application would address the required separation standards between dwellings, and the provision of new housing alongside these existing dwellings would not lead to unacceptable standards of amenity.

A further issue to consider in assessing the impact on the living conditions of nearby dwellings is the potential for noise and disturbance from increased traffic using the surrounding roads to access the development site. Dwellings adjacent to roads further afield would also experience an overall intensification of vehicle movements. The potential for these dwellings to experience unacceptable noise and disturbance from the increased traffic has been carefully considered in consultation with Environmental Health who are satisfied that this would not be at unacceptable levels. The impact of traffic noise on potential occupiers of the development would be covered by the condition requiring layouts to take account of traffic routes.

The issue of construction noise has also been considered and it has been concluded that this could be addressed by a condition requiring a Construction Management Plan to limit potential for noise nuisance arising from construction activities.

The potential for increased traffic to lead to unacceptable deterioration of air quality has been considered by Environmental Health who conclude that the level of harm caused would not be sufficient to justify refusal on this basis, as further investigation can be required at reserved matters stage to address this.

Other matters

A comprehensive Sustainability Statement has been submitted which sets out the measures that the reserved matters applications will seek to achieve. Layouts will be considered in respect of minimising energy consumption, and new home owners will be offered energy saving packages such as energy meters or solar

panels at cost price or as standard. A condition is required to ensure reserved matters applications accord with current Local Plan Policies DP12 and DP13 in respect of generating 10% of the energy needs from renewable sources.

Concern has been raised regarding the loss of productive agricultural land. The Agricultural Land Classification of the site is Grade 2 and partly Grade 3. This is a negative impact of the development. However, it is considered that the need to provide new homes in a sustainable location outweighs concerns about the loss of productive agricultural land.

All other issues raised by objectors have been carefully considered, including light pollution, and overdevelopment. However, some of these issues are not relevant to the consideration of a planning application and the others do not amount to concerns that would justify a refusal of planning permission or can be dealt with by the recommended conditions.

SUMMARY/CONCLUSION

Due to the Council's lack of a Five year housing supply only limited weight can be afforded to Policy RAP1, therefore the NPPF requires applications to be considered in the context of the presumption in favour of sustainable development. This states at paragraph 14 that where the development plan policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF.

There are three dimensions to sustainable development: economic, social and environmental. 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. Business would also benefit economically through the provision of immediate highway network improvements. Social benefits would include the provision of a mix of types and sizes of market and affordable housing to meet identified local needs, the provision of open space in excess of the minimum requirement, improvements to and provision of sports facilities, community facilities, shops and services. Environmental benefits would arise from measures to increase biodiversity, potentially adjacent to the Tach Brook corridor, sustainable transport improvements, more efficient use of land, provision of open spaces, sustainable drainage measures and new footpath/cycle way links. The site is sustainably located adjacent to the urban area and will be integrated into the existing settlement by sustainable transport links. It is therefore concluded that the development represents sustainable development by satisfying the three dimensions.

It has been concluded that the issues raised can be satisfactorily addressed through the assessment of reserved matters applications, the provision of new facilities, and the provision of new infrastructure by way of financial contributions. Whilst the development would have an adverse impact on the surrounding landscape in terms of the loss of openness and rural character, with

a resulting decrease in the separation between settlements and the increased perception of coalescence, and there is a low potential for harm to the setting of the Castle Bridge, this needs to be weighed against the benefits of the development. The fact that the site is currently allocated for employment development means that harm to the surrounding landscape carries less weight, as development can already come forwards on the site, just in a different (and potentially more visually harmful) form. The conflict with Policy SC2 due to the loss of allocated employment land also needs to be weighed against the benefits. As stated elsewhere in this report it is considered that employment land in relation to the southern sites is best located in close vicinity to Warwick Technology Park to enable its expansion either adjacent to the Park, north of Gallows Hill or land opposite, south of Gallows Hill. It is considered that the application site is not located with sufficient proximity to the Technology Park to support its expansion. The benefits are listed above, and most significantly include the significant increase in the supply of land for the unmet market and affordable housing needs of the District, in a sustainable location adjacent to the urban area.

In the particular circumstances of this application, it is not considered that the adverse impacts on the landscape and rural area, heritage assets and employment land significantly and demonstrably outweigh the benefits of the development. The development is considered to comply with all current Local Plan policies aside from RAP1, which the NPPF advises can carry only limited weight and to comply with the policies of the NPPF as a whole. The presumption in favour of sustainable development carries substantial weight, as does the contribution the development would make to the provision of housing to meet the needs of the District. The fact that the site is identified as a preferred option in the RDS needs to be given serious consideration due to its stage in the plan process, but the evidence base that lead to the inclusion of the site in the RDS carries some weight. It is therefore concluded that the development should be granted.

Further responses are awaited from WCC Footpaths, WCC Education, WCC Highways and the Highways Agency, which will be reported at the Committee meeting. If the Highways Agency do not remove their holding direction before the 13 week determination period of the application then this direction would form a reason for refusal, but if the direction is removed and they do not raise objection then this would not prevent the granting of permission.

Section 106 Agreement Heads of Terms

The applicant is proposing to enter into a Section 106 Agreement with Warwick District Council and Warwickshire County Council. The NPPF (para.173) requires that the requirements of any obligations should enable a development to be deliverable and viable. It is considered that the requirements would not affect the viability of the development, and no evidence has been submitted to the contrary from the developer. The measures identified so far that the applicant would be required to provide under the agreement are listed below, although

final recommendations from WCC Highways are outstanding and will be reported at Planning Committee:

1. Preparation and agreement with the local planning authority of an Employment & Training Strategy to link local people with employment, training and contract opportunities arising from the development during its construction phase.
2. Preparation and agreement with the local planning authority of the design, management and maintenance of SUDS, adoption of SUDS and payment of the management/maintenance fees for 13 years from the date on which planning permission was granted.
3. Preparation and agreement with the relevant local planning authority prior to the commencement of development of a Biodiversity Offsetting Scheme for off-site compensation to be identified in a Biodiversity Offsetting Report. The applicant would then deliver the agreed Scheme by funding the offsetting measures and their management/maintenance costs for at least 25 years from the date on which planning permission was granted.
4. Preparation and agreement with the local planning authority of a Site Wide Infrastructure Design, Management and Maintenance Strategy for areas of public open space within the site which shall provide for public access to open spaces in perpetuity. Payment of the management/maintenance fees for 13 years from the date on which planning permission was granted.
5. Payment of contributions towards the cost of off-site highway improvement schemes as required by WCC Highways (to be confirmed).
6. Payment of a contribution towards the cost of enhancing off-site cycle and pedestrian routes within the vicinity of the site (to be confirmed).
7. Provision of bus infrastructure as required by WCC Highways (to to be confirmed).
8. Contribution of £(to be confirmed) per dwelling towards funding new primary school places, and £(to be confirmed) towards funding new secondary school places, with contribution towards land required.
9. Contribution of £784.61 per dwelling to fund improvements to indoor sports facilities.
10. Contribution of £1572.95 per dwelling to fund a new ward block at Warwick Hospital and additional outpatient, diagnostic, treatment and inpatient facilities, including hubs for community healthcare teams at Warwick and Leamington hospital sites.
11. Provision of 40% affordable housing, to deliver a tenure mix of 50/30/20 social rent/affordable rent/shared ownership. On the element of affordable rent, the level of rent should be restricted to 60% of open market rent. The size and type of properties to be determined by current demand at time of submitting the reserved matters.
12. Contribution of £700 per dwelling towards the capital costs of construction of a new GP surgery.
13. Contribution to fund the legal costs of the local planning authority in drafting the Agreement and in monitoring it.

Discussions are ongoing with the applicant and consultees regarding those matters highlighted above where detailed matters remain to be agreed. An update will be provided at Planning Committee on these matters.

CONDITIONS

- 1 This permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2010 as amended, on an outline application and the further approval of the District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced:-
 - (a) layout
 - (b) scale
 - (c) appearance
 - (d) landscaping

REASON : To comply with Section 92 of the Town and Country Planning Act 1990 as amended.
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years of the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (SK-007 Rev:C), and specification contained therein, submitted on 3 May 2013. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 5 An application for the approval of a construction phasing plan of the development shall be submitted before the expiry of three years from the date of this permission. The development shall hereafter be carried out in accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development.
- 6 No development shall take place until a detailed lighting scheme has been submitted to and agreed in writing by the local planning authority.

In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, and around known bat roosts and badgers setts, 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 pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps
- b. the brightness of lights should be as low as legally possible
- c. lighting should be timed to provide some dark periods
- d. connections to areas important for foraging should contain unlit stretches

Such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

REASON: To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011. To ensure that appropriate measures are taken in relation to protected species in accordance with Policies DP3 and DAP3 of the Warwick District Local Plan 1996-2011.

- 7 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the local planning authority. That development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 8 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when the 'Secured by Design' standards will be incorporated into the development. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To ensure Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan.
- 9 No part of the development hereby permitted shall be commenced and

nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the local planning authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the local planning authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 10 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of outdoor sports facilities within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 11 The development hereby permitted (including demolition) shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

- 12 No development shall take place within the application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 13 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 14 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 fire safety.
- 15 The development hereby permitted shall not commence 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 local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
- 14.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 local 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 local planning authority. The method statement shall include details of how the remediation works will be validated upon completion and shall be approved in writing by the local 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 local 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.
4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local 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 DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 16 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the local planning authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as water bodies, native species planting, wildflower grasslands; provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net biodiversity gain in accordance with NPPF.
- 17 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; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 18 The drainage design permitted by this development shall be undertaken in accordance with the "Drainage Strategy and Flood Risk Assessment. Land North of Harbury Lane, Lower Heathcote" produced by Halcrow dated April 2013 (Version 1.4) and the following mitigation included within the FRA:

- Site will discharge at 3.8 l/s/ha for all events up to an including the 1 in 100 year return period event plus a 30% allowance for the effects of climate change.
- A maximum storage provision of 2760m³ will be required.

REASON: To prevent increased flood risk both on and off the site in accordance with the National Planning Policy Framework and Local Plan Policy DP11.

- 19 Any landscaping (other than the planting of trees and shrubs) including boundary treatment, paving and footpaths referred to in condition one shall be completed in all respects, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the dwellings and the tree(s) and shrub(s) shall be planted within six months of that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be 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 DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 20 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 21 The mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites". **REASON:** To ensure that the housing meets the needs of the District as required by Local Plan Policy SC1 and the NPPF.
- 22 Secured by Design standards shall be fully adopted in the development. **REASON :** To ensure that Secured by Design standards are met, in accordance with Policy DP14 of the Warwick District Local Plan.
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