

Planning Committee: 26 April 2016

Item Number: 4

Application No: W 16 / 0239

Town/Parish Council: Baginton

Case Officer: Rob Young

01926 456535 rob.young@warwickdc.gov.uk

Registration Date: 11/02/16

Expiry Date: 12/05/16

Land to the north and south of the A45 (between Festival and Tollbar junctions) and land at the A45/Festival Roundabout, the A46/Tollbar Roundabout and at the junctions of the A444 with the A4114/Whitley Roundabout.

Comprehensive development comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), hotel accommodation (Use Class C1), car showroom accommodation, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), new countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of junctions on the existing highway network, associated parking, servicing and landscaping (Outline application discharging access with all other matters reserved). FOR
Coventry City Council & Jaguar Land Rover

INTRODUCTION

This report relates to an application that has been submitted by Coventry City Council (CCC) and Jaguar Land Rover (JLR) for the development described above, which the applicant calls the "Whitley South" development. The application site crosses the boundary between the administrative areas of Warwick District Council and Coventry City Council. Therefore the same application has been submitted to each authority. Each authority will make a decision on the part of the development that falls within their administrative area.

The boundary between Warwick District and the City of Coventry runs along the A45 and around the western and southern edges of the Stonebridge Trading Estate. Therefore all of the proposed buildings fall within Warwick District while the majority of the highway works fall within the City of Coventry.

If the District Council resolve that they are minded to grant planning permission there is a requirement for the application to be referred to the Secretary of State for Communities and Local Government who will decide whether or not to "call in" the application for a decision to be made by himself. If the application is "called in" then a public local inquiry would be

held by an Inspector, who would then make a recommendation to the Secretary of State.

Many of the issues relevant to the consideration of this application have previously been considered by the Secretary of State in his decision on the Coventry and Warwickshire Gateway planning application in 2015. That previous scheme included the current application site and a large area of land to the south of Coventry Airport.

RECOMMENDATION

Planning Committee are recommended to resolve that they are minded to approve those elements of the application within the administrative area of Warwick District Council subject to conditions and subject to a Section 106 Agreement being entered into by the applicant in respect of the matters outlined in this report and subject to the Secretary of State not wishing to intervene regarding determination of the application.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for a comprehensive development comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), hotel accommodation (Use Class C1), car showroom accommodation, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), a countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of junctions on the existing highway network and associated parking, servicing and landscaping. This is an outline application including details of access. All other matters are reserved for future consideration under subsequent reserved matters applications.

The proposed development can be divided into 3 parts, with approval sought for total new build floorspace of 70,683 square metres. The first 2 parts listed below are all entirely within Warwick District. The third part (the highway works) falls largely within Coventry, although there are also some significant highway works within Warwick District (as highlighted below). Nevertheless, it should be noted that the highway works within Coventry are a direct consequence of the proposed development within Warwick District and therefore must be assessed by Warwick District Council as an impact of the proposed development. Following is a description of the 3 parts of the development.

Firstly, north of Coventry Airport, on land either side of Rowley Road between the airport and the A45 a technology campus is proposed. This part of the site currently comprises agricultural land, a railway museum, a former landfill site and land occupied by Trinity Guild Rugby Football Club. The proposed technology campus would accommodate up to 53,976

square metres of business floorspace (Use Class B1). It is envisaged that this would comprise primarily research & development and light industrial uses as opposed to offices. The technology campus would also accommodate up to 4,645 square metres of car showroom floorspace, 11,617 square metres of hotel accommodation with up to 350 bedrooms, and up to 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace (Use Classes A1, A3, A4 & A5). Floorspace on the technology campus would therefore total 70,683 square metres.

The proposed buildings would have ridge heights of between 8m (79.5m AOD) and 16.5m (94.5m AOD). Building sizes would also vary substantially from units with a floorspace of 480 square metres up to units of 15,000 square metres.

Secondly, a new publicly accessible countryside park covering approximately 21.5 hectares is proposed to the immediate west of the technology campus. Where this countryside park adjoins the technology campus its topography would be characterised by large mounded areas designed to reduce the visual impact of the proposed built development in terms of views from the Lunt Roman Fort and Baginton Village. The maximum height of those mounded areas visible from the Lunt Roman Fort and Baginton Village would range from 73m AOD (around 3m above the finished floor levels of the proposed adjacent buildings) to 93m AOD (around 8m above adjacent building finished floor levels).

Lastly, extensive works are proposed to the surrounding highway network to accommodate traffic from the proposed scheme. Key works are as follows:

- New junction on A45: A new junction is proposed on the A45 between the Tollbar and Festival Islands which would include a bridge over the A45 between the Jaguar Whitley Business Park site and the proposed technology campus (the A45 bridge and elements north of this are within Coventry, the part of the new A45 junction to the south of the A45 is within Warwick District).
- A45/A46/A444 Festival Island: Full signalisation and some additional lane provision (the northern half of this junction is within Coventry, the southern half is within Warwick District). Various different options are proposed for the Leaf Lane arm of this junction and the final decision on this is proposed to be left to a later date.
- A444/A4144/A4082 Whitley Roundabout: Signalisation around the northern side of the roundabout and some widening to the approaches (this part of the development is within Coventry).
- JLR Whitley Business Park: Provision of 2 new roads to provide a link road from the new A45 bridge to the recently constructed bridge over the Stivichall bypass and a road connection from the Festival Island junction to this new link road (this part of the development is within Coventry).

- A4082/B4110 Asda Roundabout: A financial contribution is proposed towards mitigation works to this junction (this roundabout is within Coventry).
- A46/Stoneleigh Road Interchange: Re-design including replacement of the existing roundabout junction where Dalehouse Lane and Stoneleigh Road meet with a signals junction (this part of the development is within Warwick District).

In addition to the above works, the Transport Assessment refers to other works to junctions within Coventry which are progressing separately and will take place regardless of whether the Whitley South scheme is developed. This includes works to the A45/B4113 St. Martins Roundabout, the A46/A428 Binley Island and the A46/B4082 Wallsgrave Roundabout. Works are also currently ongoing on the Highways England's Toll Bar Island scheme.

The planning application also proposes extensive improvements in terms of non-car access to the site. This includes the provision of a new bus route and associated infrastructure linking the development and the JLR Whitley site with the City Centre. It is also proposed that the existing Route 21 bus service is extended along Rowley Road to serve the site. In addition, a program of enhancements to pedestrian/cycling routes to and within the site is included within the scheme.

Overall, the above improvements to non-car access together with other proposed Green Travel Plan measures aim to ensure that no more than 65% of employees drive to the site alone, 10% car share, 15% use public transport and 10% cycle/walk. To assist in achieving this target, car parking within the site would be restricted to 2,500 spaces, comprising 2,000 for employees and 500 for visitors, with access to such spaces being controlled.

The application is accompanied by extensive supporting documentation. This includes an Environmental Statement, various reports dealing with transportation matters, a Planning Statement and Design & Access Statement.

Section 106 Agreement Heads of Terms

The applicant is proposing to enter into a Section 106 Agreement with Warwick District Council, Warwickshire County Council and Coventry City Council. Discussions are on-going with consultees and the applicant regarding the content of the Section 106 agreement. At present the applicant proposes that it will provide for the following:

1. A requirement for JLR to occupy the first 5,000 square metres of floorspace within the development.
2. Preparation and implementation of an Employment & Training Strategy to link local people and businesses within 12 miles of the application site with employment, training and contract opportunities arising from the development during both its construction and operational phases.

3. Preparation and implementation of a site wide Construction Ecological Protection & Mitigation Strategy.
4. Payment of a contribution of £100,000 for mitigation and enhancement works at the Lunt Roman Fort.
5. Preparation and implementation of a Site Wide Infrastructure Design, Management and Maintenance Strategy for the countryside park and other common areas within the site which shall provide for public access to the countryside park in perpetuity.
6. Payment of a contribution of £500,000 towards of the cost of off-site highway improvement schemes.
7. Payment of a contribution of £300,000 towards the cost of enhancing off-site cycle and pedestrian routes within the vicinity of the site.
8. Preparation and implementation of a Framework Travel Plan and individual Workplace Travel Plans, to include the appointment of a Travel Plan Co-ordinator to oversee the preparation of these Plans.
9. Establishment of a new bus route between the application site and Coventry City Centre, to include bus priority measures and new bus shelters equipped with "Real-Time Travel Information" displays.
10. Extension of the existing Route 21 bus service to serve the development with at least a half-hourly frequency during occupation hours (on a commercially viable basis).
11. Payment of a contribution of £20,000 to fund Traffic Regulation Orders within the Rowley Road area east of the application site.
12. Payment of a contribution of £17,500 to fund Traffic Regulation Orders within the Rowley Road and Baginton Village area west of the application site
13. Payment of a contribution of £150,000 to fund traffic management works in the Leaf Lane area.
14. Preparation and implementation of a Rowley Road Access Restriction Strategy utilising ANPR cameras and implementation of that strategy thereafter for the lifetime of the development.
15. Payment of a contribution to fund the legal costs of the local planning authorities in drafting the Agreement and the costs of the local planning authorities in monitoring it.

As discussions are on-going in relation to the final content of the Section 106 agreement, an update will be provided in the addendum report to Committee.

Applicant's planning statement

The applicant has summarised the need for the development and the benefits of the scheme in the executive summary to their Planning Statement. They refer to the recent success of JLR; in the last 5 years turnover has tripled and their workforce has doubled. They now employ over 37,000 people with over 34,000 based in the UK.

With this level of rapid growth comes a requirement for more and better accommodation. The JLR Whitley site has grown significantly in recent years with resultant pressures on space and parking. The Company's recent decision to build their own engines places further pressure on

accommodation at their Whitley site where the engineers, researchers and support staff are based and its engine and gearbox development and testing facilities are located.

The Company has acquired the remaining land at Whitley Business Park, but the accommodation requirements, particularly for the expansion of engine and gearbox testing facilities are such that a large amount of additional space is required to accommodate their research and development and other specialist and support staff. The need for additional space is urgent. Delays to investment decisions will damage the growth of JLR in the UK.

The co-location of researchers, specialist staff, support staff, engineers and engine development and testing at Whitley, together with core JLR supplier businesses is essential and will provide vital commercial and operational efficiencies.

The evidence presented through independent assessment work demonstrates that land supply in the sub-region is critically low and there are no alternative suitable sites which would meet JLR's needs. The dispersal of powertrain facilities and research and development staff elsewhere in the wider region or UK would not fit with JLR's commercial requirements. It would cause serious inefficiencies and add considerably to production costs. If expansion at Whitley is not possible, put simply, JLR will need to look elsewhere, even abroad, where there are significant base cost advantages.

The proposals would directly support the creation of 3-4,000 jobs as well as helping to secure jobs and investment at JLR's existing Whitley site. The proposals would also generate benefits in terms of the provision of a large area of publicly accessible open space and improvements to the highway network.

It is acknowledged that the site is situated within the Green Belt and therefore that very special circumstances must be demonstrated to justify the proposals. This application differs from the Gateway scheme presented previously because of the specific and special circumstances of the applicant. Other changes have also occurred which are material and which directly address the concerns of the Secretary of State and the Inquiry Inspector, and demonstrably alter the planning balance in favour of granting consent. This includes the significant delay to the Emerging Local Plan which was not envisaged at the time of the Secretary of State's decision. It also includes publication of a comprehensive Employment Land Study undertaken by CBRE on behalf of the LEP. This Study addresses deficiencies in evidence highlighted by the Inspector and Secretary of State; it identifies serious shortages in land supply, extremely strong demand and the need for the identification of significant land, in addition to the Coventry and Warwickshire Gateway site, for employment requirements over the next 15 years. It concludes that growth in the area will be constrained unless land is brought forward quickly to meet demands.

In combination these factors, together with those identified as major beneficial components previously by the Secretary of State, amount to very special circumstances which outweigh the harm to the Green Belt and a compelling case for permission to be granted without delay. Key investment decisions for JLR need to be made now and cannot await the adoption of the Local Plan.

THE SITE AND ITS LOCATION

The application relates to a substantial site that adjoins the southern edge of Coventry, covering an area of 105 hectares. The site includes land between Coventry Airport and the A45, land within the approved Whitley Business Park to the north of the A45 and land within and adjacent to various highways including the A45, A46, A444, A4114 and Leaf Lane. The site straddles the boundary between Warwick District and Coventry.

The site can be divided into two zones. The first zone is the area where the new buildings and countryside park are proposed while the second zone is the area where the highway works are proposed.

The first zone comprises land to the south of the A45 and to the north of Coventry Airport. This area contains a range of existing land uses including an overgrown former landfill site, the Trinity Guild Rugby Club and part of the Electric Railway Museum site, with the remainder of this area being in agricultural use, including some modern agricultural buildings.

The A45 runs along the northern edge of this zone, while the village of Baginton adjoins much of the western boundary, with the site sharing a boundary with the dwellings on the eastern edge of the village. The Baginton Conservation Area is close to the western boundary of the site, although the dwellings that adjoin the site are not within the Conservation Area. The remainder of the western boundary of this part of the site adjoins the Lunt Roman Fort (a Scheduled Ancient Monument) and further agricultural land on the opposite side of the River Sowe. There is also a pair of Grade II Listed Buildings alongside this boundary (The Lunt Cottages). The airport adjoins the southern boundary of this part of the site, while the Stonebridge Industrial Estate forms the eastern boundary.

The second zone comprises land within and alongside existing and proposed highways, largely within Coventry. This part of the site also includes land within Whitley Business Park. The highways affected adjoin a number of predominantly residential areas in Coventry. In addition, the site includes a separate area of land around the A46/Stoneleigh Road junction in Warwick District, alongside which there are a number of dwellings.

The majority of the site is situated within the Green Belt, including all of the land that falls within Warwick District (i.e. south of the A45) as well as areas within Coventry that are affected by the highway works.

The majority of the site is situated within Flood Zone 1, although the land alongside the River Sowe is situated within Flood Zones 2 and 3. This includes the western edge of that part of the site that falls within Warwick District, and areas affected by the highway works within Coventry, including the site of the proposed bridges across the River Sowe.

There are a number of trees and hedgerows on the application site. The parts of the site that fall within Coventry adjoin the Stonebridge Meadows Nature Reserve as well as a number of Local Wildlife Sites (LWS) and potential Local Wildlife Sites (pLWS) (Lower Sowe and Sherbourne Valleys LWS, Leaf Lane LWS and Lower Sowe and Sherbourne Valleys Extension pLWS).

The highway network within the vicinity of the site is under the control of 3 Highway Authorities. The A45 and A46, including the Festival and Toll Bar Islands and the Stoneleigh Road junction, are part of the strategic trunk road network and are therefore under the control of Highways England. All other roads within the vicinity are either within the control of Coventry City Council or Warwickshire County Council.

Those elements of the application site within the District Council's administrative area comprise all areas to the south of the A45, with the exception of those existing highways in the application site that are within or immediately adjacent to the Stonebridge Trading Estate.

PLANNING HISTORY

Coventry & Warwickshire Gateway

In 2012 a planning application was submitted to Warwick District Council and Coventry City Council for a scheme called the Coventry and Warwickshire Gateway (Ref. W12/1143). This included the whole of the current application site as well as further land to the west and south of Coventry Airport. That scheme comprised a logistics park south of the airport and a technology park on the current application site. Both local planning authorities resolved to grant planning permission but the Secretary of State exercised his power to call the application in to make the decision himself. A public inquiry was held in April / May 2014 and then in February 2015 the Secretary of State refused planning permission. The Secretary of State's overall conclusions are copied below.

"The Secretary of State concludes that a strong case has been made for the development. He considers that it would deliver economic benefits and environmental gains, and that it would be reasonably consistent with sustainable development objectives. However, he also considers that it would give rise to substantial

Green Belt harm, to which he attaches very serious weight. He considers that the Employment Land Study addresses some of the shortcomings in the supporting evidence identified by the Inspector, but fails to establish that the need for the proposal is such that a decision on the future of the Green Belt at the application site should be taken now, ahead of a wider consideration of Green Belt boundaries through the Local Plan.

Taking all of the benefits of the proposed development into account, both on an individual basis and cumulatively, the Secretary of State concludes that the harm to the Green Belt has not been clearly outweighed, and that very special circumstances do not exist to justify allowing the inappropriate development. He also concludes that there are no material considerations sufficient to overcome the conflict he has identified with the Development Plan."

Other previous applications

Prior to the above application there had been a significant number of previous planning applications relating to the various different parts of the application site. Following is a brief summary of the relevant planning history for the different parts of the site.

Land north of Rowley Road: Planning permission was granted for a golf course in 1977 (Ref. W77/1180). This permission was not implemented. Subsequently planning permissions were granted for agricultural buildings in 1983 (W83/0071 & W83/1141).

Electric Railway Museum: Planning permission was granted for the railway museum in 1983 (Ref. W83/0412).

Trinity Guild Rugby Football Club: Various planning permissions have been granted for the use of this site as a Rugby Football Club and for the erection and extension of the clubhouse. There have also been previous planning permissions relating to mobile phone masts.

Land south of Rowley Road and west of the Rugby Club: In 1982 planning permission was granted for a change of use from a disused sewage works and agricultural playing fields to general recreational use (Ref. W82/0017).

Whitley Business Park: Outline planning permission for this business park was granted by the Secretary of State in 2001 following a public inquiry. Reserved Matters approval was granted for the entire site in 2006. A revised outline planning permission was granted in 2008 which allowed minor variations to certain conditions regarding the phasing of various matters and there have been 3 subsequent full planning permissions granted relating to highway works/car parking and some plots within the site. In 2015 full planning permission was granted for a distribution warehouse for Travis Perkins.

RELEVANT POLICIES

The National Planning Policy Framework (NPPF) re-affirms that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan

The Development Plan for the part of the site that falls within Warwick District comprises the Warwick District Local Plan 1996-2011. For the purposes of this report, this will be referred to as the "Adopted Local Plan". Relevant Adopted Local Plan policies are as follows:

- DP1 - Layout and Design
- DP2 - Amenity
- DP3 - Natural and Historic Environment and Landscape
- DP4 - Archaeology
- DP6 - Access
- DP7 - Traffic Generation
- DP8 - Parking
- DP9 - Pollution Control
- DP11 - Drainage
- DP12 - Energy Efficiency
- DP13 - Renewable Energy Developments
- DP14 - Crime Prevention
- DP15 - Accessibility and Inclusion
- SC4 - Supporting Cycle and Pedestrian Facilities
- SC8 - Protecting Community Facilities
- SC12 - Sustainable Transport Improvements
- SC15 - Public Art
- RAP6 - Directing New Employment
- RAP10 - Safeguarding Rural Roads
- RAP11 - Rural Shops and Services
- RAP13 - Directing New Outdoor Sport and Recreation Development
- RAP16 - Directing New Visitor Accommodation
- DAP3 - Protecting Nature Conservation and Geology
- DAP4 - Protection of Listed Buildings
- DAP8 - Protection of Conservation Areas
- UAP3 - Directing New Retail Development

The NPPF advises that decision makers should give due weight to relevant policies in Development Plans that were adopted prior to the NPPF according to their degree of consistency with the NPPF (para. 215).

Supplementary Planning Documents & Supplementary Planning Guidance

The following Supplementary Planning Documents (SPD) and Supplementary Planning Guidance (SPG) apply to the part of the site that falls within Warwick District:

- Open Space
- Sustainable Buildings
- Vehicle Parking Standards
- Warwickshire Landscape Guidelines

Emerging Local Plan

A Draft Local Plan was submitted to the Secretary of State in January 2015. The Examination in Public into the Draft Local Plan opened with initial hearings in May 2015. Following these initial hearings the Inspector wrote to the Council in June 2015 raising some significant concerns with regard to the Plan. In particular, concerns were raised about an unmet housing need in Coventry and Warwickshire which the Draft Local Plan is required to address.

The Council have proposed modifications to the Draft Local Plan to address these issues. Consultation on these modifications commenced in March 2016, with the consultation period to run until 22 April 2016. The Examination in Public is expected to resume in Autumn 2016.

For the purposes of this report, this will be referred to as the "Draft Local Plan". Relevant policies in the Draft Local Plan are as follows:

- DS1 - Supporting Prosperity
- DS3 - Supporting Sustainable Communities
- DS4 - Spatial Strategy
- DS5 - Presumption in Favour of Sustainable Development
- DS8 - Employment Land
- DS9 - Employment Sites to be Allocated
- DS16 - Sub-Regional Employment Site
- DS19 - Green Belt
- PC0 - Prosperous Communities
- EC1 - Directing New Employment Development
- TC2 - Directing Retail Development
- TC17 - Local Shopping Facilities
- CT2 - Directing New or Extended Visitor Accommodation
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic Generation
- TR3 - Transport Improvements
- TR4 - Parking
- TR6 - Safe Operation of Aerodromes
- HS1 - Healthy, Safe and Inclusive Communities
- HS2 - Protecting Open Space, Sport and Recreation Facilities
- HS4 - Improvements to Open Space, Sport and Recreation Facilities

- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- CC1 - Planning for Climate Change Adaptation
- CC3 - Buildings Standards Requirements
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE6 - Archaeology
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- NP1 - Neighbourhood Plans
- NP2 - Community-led Planning
- DM1 - Infrastructure Contributions

In terms of the weight that can be attached to these policies, Paragraph 216 of the NPPF states that, from the day of publication, decision-takers may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

This means that the precise weight that should be afforded to each draft policy will vary depending on whether there are unresolved objections to that particular policy and the degree of consistency between that particular policy and the NPPF. However, as a general point, the Draft Local Plan is at a relatively advanced stage in the process because it has been submitted and is part way through Examination.

In many cases the policies of the Draft Local Plan are similar to the policies of the Adopted Local Plan and / or the NPPF. The most significant exception to this in relation to the consideration of the current application is Draft Policy DS16. This allocates the application site and further land to the south of Coventry Airport as a sub-regional employment site. As part of this allocation the Draft Plan proposes to remove the site from the Green Belt.

Draft Policy DS16 is the subject of a significant number of unresolved objections. Therefore this policy can only be afforded limited weight in the assessment of the current planning application.

The weight to be afforded to other Draft Local Plan Policies will be considered separately as and when they are referred to in the "Assessment" section of this report.

Emerging Neighbourhood Plan

The application site falls within a designated Neighbourhood Plan Area that covers the Parishes of Baginton, Bubbenhall, Stoneleigh and Ashow. The Neighbourhood Plan Area was designated in July 2015 and work has started on the preparation of a Neighbourhood Plan. A First Discussion Draft Neighbourhood Plan was published in January 2016 and has been the subject of public consultation within the Parishes of Baginton and Bubbenhall. This represents a relatively early stage in the Neighbourhood Plan process and therefore it is considered that little weight can be afforded to the Draft Neighbourhood Plan in the assessment of the current planning application.

In relation to the consideration of the current application, the key provisions of the Draft Neighbourhood Plan are that it seeks to resist changes to Green Belt boundaries and any form of large scale development within the Green Belt such as the Whitley South development. However, in this respect the Emerging Neighbourhood Plan is in conflict with the Draft Local Plan. Paragraph 184 of the NPPF requires neighbourhood plans to be in general conformity with the strategic policies of the Local Plan.

National Planning Policy Framework

The NPPF sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant 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 in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted. The NPPF also confirms that the Government attaches great importance to the protection of Green Belts.

The NPPF highlights 12 Core Planning Principles which should underpin decision taking. These are as follows:

- The planning system should be genuinely plan-led, empowering local people to shape their surroundings with succinct local and neighbourhood plans setting out a positive vision for the future of the area. Plans should be kept up-to-date and be based on joint working and co-operation to address larger than local issues.
- The planning system should not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places where people live their lives.
- Pro-actively drive and support sustainable economic development.

- Always seek to secure high quality design and a good standard of amenity.
- Take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.
- Support the transition to a low carbon future in a changing climate.
- Contribute to conserving and enhancing the natural environment and reducing pollution.
- Encourage the effective use of land by reusing land that has been previously developed provided that it is not of high environmental value.
- Promote mixed-use developments.
- Conserve heritage assets in a manner appropriate to their significance.
- Actively manage patterns of growth to promote sustainable transport choices.
- Support local strategies to improve health, social and cultural wellbeing and deliver sufficient community and cultural facilities and services to meet local needs.

Detailed Policies in the NPPF that are of particular relevance to the consideration of the current application are those relating to building a strong competitive economy, ensuring the vitality of town centres, supporting a prosperous rural economy, promoting sustainable transport, requiring good design, promoting healthy communities, protecting Green Belt land, meeting the challenge of climate change/flooding, the conservation of the natural and historic environments and planning conditions/obligations. These are covered further in the Assessment section of this report.

The policies of the NPPF are expanded upon within the Government's Planning Practice Guidance. This includes further advice on subjects such as air quality, historic environment, design, retail development, economic land availability assessments, contamination, natural environment, noise, planning obligations and transportation matters.

SUMMARY OF REPRESENTATIONS

Baginton Parish Council: Object on the following grounds:

- the development will use a large area of previously undeveloped Green Belt land;
- the development will sprawl to within 200m of dwellings in Baginton and 400m from the Lunt Fort;
- the development will bring traffic chaos;
- unnecessary competition for local rural businesses;
- the A45 barrier to urban sprawl will be breached;
- the development will destroy the character of Baginton and harm the quality of life of residents;

- the development is speculative and there is no guarantee that JLR suppliers would move onto the site;
- there is no guarantee that any new jobs will be created, even if the buildings were occupied;
- there is no need for JLR suppliers to be consolidated onto a single new site;
- alternative sites are available, including Ansty, Ryton and numerous empty factory sites in the immediate area;
- contrary to the Adopted Local Plan;
- the Draft Local Plan has not yet been publicly examined and therefore must not be cited as a reference document for this application;
- contrary to Green Belt policy in the NPPF;
- this specific area of Green Belt is of exceptional importance and was recognised in the Joint Green Belt Study as “making a considerable contribution to all the purposes of Green Belt”;
- the Government has confirmed that a claim of unmet demand is unlikely to constitute very special circumstances;
- car showrooms and a hotel cannot possibly be considered as part of a very special circumstances case;
- there are no very special circumstances to outweigh the harm that would be caused;
- these proposals show no material difference to the Gateway phase 1 plan which the Secretary of State has already ruled against; and
- if Green Belt land must be used then this should be the land north or east of the current JLR site, with the Coventry boundary, rather than sprawling beyond the A45 across the boundary into Warwickshire – this would not cause the same problems in terms of traffic impact, competition for local businesses, harm to the setting of historic villages and urban sprawl.

Bubbenhall Parish Council: Object on the following grounds:

- the development would cause immense harm to the Green Belt and would lead inevitably to the absorption of the village of Baginton into Coventry;
- the Joint Green Belt Study concluded that this was one of the most sensitive and effective parts of the Green Belt around Coventry – this was rated as a “higher performing” parcel of Green Belt;
- the Joint Green Belt Study has ruled clearly and unambiguously against a re-designation of this part of the Green Belt;
- there are no very special circumstances to justify this development;
- the requirements of JLR are cited as the very special circumstances to justify inappropriate development within the Green Belt but JLR would occupy only one part of the proposed site – the land requirements of JLR are actually quite small and could be easily met elsewhere;
- less than 50% of the jobs would be from JLR;
- a substantial proportion of the proposed development would be speculative and there is no proven need for this part of the development;
- many of the JLR jobs would be relocated from other sites;

- the JLR jobs include administrative posts which only require easily found office accommodation rather than high tech, R & D facilities;
- there are alternative sites that can meet JLR's needs;
- the 2014 LEP Employment Land Study identified many sites that could meet JLR's needs, bearing in mind they only require 30 acres;
- the search for alternative sites must be assessed against the type of site that JLR actually needs to displace the non-R&D staff from its existing site;
- the shortage of land at Whitley Business Park is largely explained by Coventry City Council's decision to approve a large warehouse for Travis Perkins on that site, contrary to the original designation of that site for office accommodation and high tech industry;
- the hotel, car showrooms and retail and catering outlets cannot possibly be construed as "very special circumstances" justifying development in the Green Belt, as determined by the Secretary of State in his decision on the Gateway scheme;
- the bridge over the A45 is the same as proposed in the Gateway scheme and would open up a much large area of Green Belt south of the A45 to future development and would negate the effective barrier that the A45 currently provides against urban sprawl;
- the bridge over the A45 would exacerbate existing heavy traffic flows through Baginton, Bubbenhall and Stoneleigh; and
- this size of bridge is not necessary for the development proposed.

Stoneleigh & Ashow Parish Council: Object on the following grounds:

- this scheme shows no material difference to the original Gateway phase 1 plan which was rejected by the Secretary of State;
- contrary to the Adopted Local Plan;
- the Draft Local Plan has not yet been publicly examined and therefore must not be cited as a reference document for this application;
- the Joint Green Belt Study concluded that this was one of the most sensitive and effective parts of the Green Belt around Coventry – this was rated as a "higher performing" parcel of Green Belt;
- the Joint Green Belt Study has ruled clearly and unambiguously against a re-designation of this part of the Green Belt;
- the cumulative impact of other allocations and development proposals in the locality should be taken into account, including the housing allocation at Kings Hill, the employment allocation south-east of the airport and HS2;
- the very special circumstances cited by the applicant focus on the requirements of JLR, but they would only occupy 50% of the site – the land requirements of JLR are actually quite small and could be easily met elsewhere;
- only 50% of the estimated jobs would be from JLR, many of which would be relocated from JLR's other sites, including Whitley;
- the JLR jobs include administrative posts which only require easily found office accommodation rather than high tech, R & D facilities;
- there are alternative sites that can meet JLR's needs;

- the search for alternative sites must be assessed against the type of site that JLR actually needs to displace the non-R&D staff from its existing site;
- the 2014 LEP Employment Land Study identified many sites that could meet JLR's needs, bearing in mind they only require 30 acres;
- the hotel, car showrooms and retail and catering outlets cannot possibly be construed as "very special circumstances" justifying development in the Green Belt, as determined by the Secretary of State in his decision on the Gateway scheme;
- the new bridge and its associated slip roads will interrupt the flow of the A45, a road of strategic importance;
- contrary to Green Belt policy in the NPPF;
- the Government has confirmed that a claim of unmet demand is unlikely to constitute very special circumstances; and
- there are no very special circumstances to outweigh the harm that would be caused.

Public response: 98 objections, 2 comments in support and 2 comments neither supporting nor objecting have been received.

The objectors raise the following concerns:

- inappropriate development within the Green Belt;
- the development would cause significant harm to all 5 purposes of Green Belt;
- no very special circumstances to outweigh the harm to the Green Belt;
- harmful urban sprawl;
- the development would breach the important boundary to urban sprawl that is provided by the A45;
- the development would lead to coalescence between Coventry and the adjacent villages in Warwickshire;
- the Joint Green Belt Study concluded that this site makes a considerable contribution to all the purposes of Green Belt and that this is a higher-performing part of the Green Belt;
- the Joint Green Belt Study has ruled unambiguously against a re-designation of this part of the Green Belt;
- contrary to the Adopted Local Plan and the NPPF;
- retail facilities, catering establishments, car show rooms and a hotel are not appropriate uses of Green Belt and cannot be justified by very special circumstances;
- this is a largely speculative development for which a genuine need has not been identified;
- there are many other brownfield sites and sites outside of the Green Belt which could meet the identified need;
- alternative sites cited by objectors include JLR's existing sites at Gaydon, i54 near Wolverhampton, Solihull, Fen End and the University of Warwick as well as other non-JLR sites at Ansty Park, Prologis Ryton, Middlemarch Business Park and the land that Coventry City Council are proposing to allocate for employment development to the east of the existing JLR Whitley / Whitley Business Park site;

- JLR themselves did not identify this site – it was the only site offered to them by Coventry City Council;
- there are many complex planning hurdles to the development of this site which make it unsuitable for meeting the strict timescales set by JLR;
- JLR only require a 30 acre site and this requirement cannot be used to justify the much larger development that is proposed in this application;
- JLR should not be an exception, the Green Belt needs to be preserved at all costs;
- the R & D facilities (e.g. engine test pods) will be located on JLR's existing Whitley site and not within this new proposed development, consequently this would not be an R & D development;
- JLR's need is for space for relocated administrative staff, which could be located at any of JLRs existing sites or other brownfield sites or sites outside of the Green Belt;
- the job claims in the application are misleading in stating that the JLR jobs on this site will be for R & D staff;
- many of the purported jobs will not be for JLR;
- there is no guarantee that JLR or any of its suppliers would move onto the site;
- JLR previous owned land for expansion at Whitley but sold this in 2006 – this land is now being developed as a Travis Perkins distribution centre, in contravention of the high-tech planning permission for that site;
- the development of this site has been rejected by the Secretary of State twice before, firstly as part of the proposals for an Enterprise Zone and then as part of the proposed Gateway development;
- the Secretary of State decided that the release of this land from the Green Belt should be matter to be considered as part of the Local Plan review;
- this is effectively a repeat of Zone B of the Gateway, which was rejected;
- this must be considered as merely the first part of a much larger development that will affect 740 acres of land south of the A45 and not merely the 30 acres required by JLR, given the allocation of this larger site in the Draft Local Plan;
- approving this development would be premature in advance of the Examination in Public into the Draft Local Plan;
- no weight should be afforded to the Draft Local Plan allocation of this site due to the level objection to this allocation and the inconsistency with the NPPF;
- contrary to Policy DS16 of the Draft Local Plan due to the inclusion of uses outside of Classes B1, B2 and B8;
- there is no need for the hotel, retail and catering facilities;
- the hotel and retail facilities would harm existing local businesses;
- concerns about state funding for the new bridge over the A45;
- the provision of the new bridge over the A45 will open up the Green Belt south of the A45 to further development, including the Zone A part of the Gateway scheme south of Coventry Airport;

- the new bridge over the A45 is larger than is required for the development proposed in the current application and its viability relies on further development being approved within the Green Belt;
- the current scheme could proceed without the need for a new bridge;
- increased traffic congestion, particularly in surrounding villages;
- the ANPR proposals for controlling traffic are impractical;
- concerns about the impact on traffic movements in the wider area given other developments proposed in the Draft Local Plan;
- concerns about the access to Henry VIII playing fields being off a slip road;
- concerns about the impact of additional traffic on Leaf Lane and alterations to the Leaf Lane arm of the Festival Island;
- the highway works could not be finished as proposed in the application as Highways England would not have completed their works on the A45;
- ecological harm;
- Stonebridge Meadows will be isolated and the unique foraging grounds for wildlife will be destroyed;
- the ecological mitigation works are inadequate;
- increased air pollution;
- increased noise pollution;
- increased light pollution;
- loss of agricultural land;
- loss of the Electric Railway Museum;
- harm to the setting of the Lunt Fort Scheduled Ancient Monument;
- harm to the landscaped setting of the City of Coventry; and
- contrary to resident's basic human right to enjoy a peaceful night's sleep under the Human Rights Act, due to the traffic impact.

The supporters make the following points in support of the application:

- given the economic decline of Coventry since the wealth of the 60s and early 70s (particularly in the car industry), it is great that JLR are keeping the embers of the car industry burning;
- this Green Belt land is wedged between the city and Coventry Airport – it is an 'island' within an established urban area; and
- the city should promote and encourage the expansion of one of the worlds leading marques.

The comments neither supporting nor objecting raise detailed points in relation to the proposed cycling provision and request access restrictions in Baginton.

Electric Railway Museum: The proposed development will destroy the Electric Railway Museum and threaten unique items of national railway heritage. The statement in the application that the Railway Museum's lease has come to an end and will be moving off the site is incorrect. A new lease commenced on 2 March 2016 with a 3 year term.

St. Modwen Developments (owners of land within Whitley Business Park): Overall are supportive of JLR's proposed expansion

plans and the wider economic benefits it will provide. However, point out that St. Modwen still own a critical part of Whitley Business Park over which access to this development is required and at this time the applicants have not secured the necessary land for their access. St. Modwen therefore have concerns about the deliverability of the scheme and the economic benefits alluded to in the planning application submission.

Cllr Redford: Objects. Car showrooms, retail units, a hotel and catering establishments are not very special circumstances. Baginton village will lose its Green Belt protection from the urban sprawl of Coventry. The small businesses in Baginton will be seriously affected by more retail units, catering establishments and another hotel. Employment will be more a question of transferring employees from one site to another and will have little effect on the overall employment figure within our area.

Cllr Harrington: Objects. There are no reasons provided that demonstrate exceptional circumstances to grant the development of offices, R & D facilities, light-industrial units, hotel or car showroom operations within the Green Belt. Para. 19 of the NPPF dictates that Green Belt boundaries should only be altered in exceptional circumstances through the Local Plan process. This extensive development is not included within the current Draft Local Plan. If the Local Plan were to be amended again this would significantly delay and jeopardise the viability of the Plan and further delay the Examination in Public.

CPRE: Object to the proposals on the following grounds:

- contrary to Green Belt policy;
- the proposals would cause substantial harm to the openness and rural character of this part of the Green Belt;
- there would be clear conflict with 3 of the 5 Green Belt purposes;
- the development would lead to coalescence between Coventry and surrounding villages;
- the development would create significant urban sprawl;
- the development would undermine urban regeneration;
- granting permission would result in significant prejudice to the emerging Local Plan;
- the Government have repeatedly confirmed that the single issue of unmet demand is unlikely to outweigh harm to the Green Belt;
- approving this scheme will inevitably lead to the development of the remainder of the Gateway site to the south of the airport;
- the recent Joint Green Belt Study rated this a higher-performing part of the Green Belt;
- there is no evidence that the site has been selected as the best available after a top-down sustainability assessment for the whole LEP area – brownfield sites and other sites outside the Green Belt are alternatives, including the 100ha allocation at Gaydon, and large rural brownfield sites at Long Marston, Long Itchington and Bishop's Itchington;

- the claimed need to co-located JLR's engineering and development staff could be satisfied at Gaydon, alongside its existing design and engineering centre there;
- JLR would only occupy part of the development, the remainder would be speculative;
- office development is a town centre use and should not be located within the countryside;
- JLR's R & D facilities are distributed across the LEP area and this area offers alternative sites that are not in the Green Belt;
- the LEP employment land studies are flawed;
- it was previously claimed that JLR had usage of a large alternative site at Gaydon in order to justify the Gateway proposals, but now JLR is being used to justify the current proposals for the application site in addition to the Gaydon site;
- the car showrooms, hotel, retail and catering establishments are town centre uses and should be subject to the sequential tests in the NPPF;
- the application exaggerates the need for the development to come forward so swiftly;
- the delays in the completion of the Tollbar End scheme will make the urgent timescales envisaged by JLR for construction of the development impractical;
- the approval of a large Travis Perkins warehouse on Whitley Business Park has constrained JLR's expansion on that site, when the original outline permission for that development was granted on the basis of very special circumstances relating to a high-tech business park – JLR are now making a similar case for further incursions into the Green Belt;
- the claim in the application that the Secretary of State found the environmental impact of the Gateway scheme to be acceptable is incorrect – on the issue of flood risk the Secretary of State judged that the acceptability of the scheme in this regard depended on the acceptability of the scheme as a whole; and
- the Environmental Impact Assessment is inadequate.

Coventry & Warwickshire Local Enterprise Partnership (LEP):

Support the application on the following grounds:

- this is a key element of the LEP's Strategic Economic Plan (SEP);
- the vision for growth in the SEP depends, in part, on the release and development of new employment opportunities;
- this site is part of an area identified by the LEP as a priority site for sub-regional employment;
- the SEP makes it clear that without the development of this area the LEP will be unable to meet its expected overall growth ambitions;
- the application includes uses that are important sectors for growth identified in the SEP;
- the CBRE Employment Land Study carried out for the LEP found that as a result of very high recent take up the supply of land generally and in particular the supply of readily implementable employment land is at a critically low level;

- the CBRE study warns that without action future economic growth in the sub-region will be constrained;
- this application will bring forward further employment land to meet the current sub-regional shortfall;
- the LEP is mindful of the need to facilitate the needs of this major employer to cluster its various activities in close proximity and acknowledges the benefits this will bring to operational efficiency; and
- the LEP consider that the range of benefits set out in the application should be given considerable weight in assessing whether the benefits of the proposals outweigh the harm to the Green Belt.

Rugby Borough Council: It is not considered that the proposed development will have an adverse impact upon employment sites in Rugby Borough (e.g. Ansty and Peugeot). It should be ensured that the development does not damage the Princethorpe Woodland Biodiversity Opportunity Area. If possible, the development should link to this area, to improve the network of green infrastructure assets in the locality.

Coventry City Council: Notwithstanding that the application will need to be considered by our Members at Planning Committee, we are supportive of the principle of development and mindful of the need of this major employer to cluster their activities together and this site relates well to their existing premises and the highway infrastructure.

Advise that there is a shortfall of 225 hectares in the City's employment land requirements, which is subject to discussions under the Duty to Co-operate between the City and its Warwickshire neighbours.

Historic England: The harm to the setting of the Lunt Fort Scheduled Ancient Monument is less than substantial. It appears that the necessary measures are in place to reduce the impact upon the landscape setting of the monument. We are content that consent be granted conditional upon our continued involvement as the detail of the scheme is developed.

Highways England: Request further information in relation to various matters. Discussions are on-going with the applicant to resolve the issues raised.

Environment Agency: Object due to concerns about the impact of the A45 bridge on the River Sowe floodplain. Also request further details in relation to the River Sherbourne culvert extension. Discussions are on-going with the applicant to resolve the issues raised.

Sport England: No objection, subject to a condition to secure the relocation of Trinity Guild Rugby Club.

Coventry Airport: No objection. Make detailed comments in relation to airport safeguarding.

National Air Traffic Services: No objection.

Warwickshire Police: No objection, but request that various security features are incorporated into the design.

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

National Grid: No comment.

Coal Authority: Refer to standing advice.

Natural England: No concerns about the impact on nearby SSSIs. Refer to national policy regarding the loss of best and most versatile agricultural land. Recommend that the applicant appoints a suitably experienced soil specialist to advise on, and supervise, soil handling. Confirm that they are satisfied that the Green Infrastructure conforms to the requirements as set out in the Council's Green Infrastructure Plan. Refer to standing advice in relation to protected species. Suggest that the Council should consider securing measures to enhance the biodiversity of the site.

Warwickshire Wildlife Trust: Object due to concerns about the impact on the River Sowe habitat corridor, which includes a Local Nature Reserve and Local Wildlife Site. The Trust do not believe that negative impacts on the natural environment, including priority habitats, protected species and sites designated for significant nature conservation interest will be able to be adequately avoided or mitigated. However, if the Council are minded to approve the application, the Trust recommend various mitigation and compensatory measures in addition to those already identified in the application.

Detailed concerns raised in relation to the impact on the Stonebridge Meadows Local Nature Reserve, the Lower Sowe and Sherbourne Valleys Local Wildlife Site, Otters, Bats and Trees and the impact of the bridge over the River Sowe. Concerns are also raised about the accuracy of the Biodiversity Impact Assessment and the cumulative impact of other Local Plan allocations in the locality.

Ramblers Association: Generally speaking would not support development in the Green Belt, but in this case are inclined to believe that the application offers the least-worst option for this particular site. Welcome the country park buffer zone between the site and Baginton village. However, in mitigation the land allocated south of the airport should now remain in the Green Belt and be rigorously protected from further development.

The Ramblers Association welcome the stated intention to create new footways and cycleways, although there is no evidence that these footways would be dedicated as public and whether they would be available for cycling as well as walking.

WCC Highways: No objection, subject to conditions and Section 106 requirements. The results of the Transport Assessment, including the

junction modelling, have demonstrated that the impact of the development on the local highway network within Warwickshire will not be detrimental to highway safety, subject to the infrastructure improvements proposed to mitigate the development traffic forecast. The traffic modelling was based upon the existing modal share for the area, and with the implementation of the measures detailed within the Travel Plan the impacts of the development could be further reduced. Raise some detailed issues with certain aspects of the highway works, but advise that these can be resolved by conditions.

CCC Highways: No objection, subject to conditions and Section 106 requirements. The impact of the development on the local highway network is not considered to be detrimental to highway safety, subject to infrastructure improvements to mitigate the additional traffic generation. The traffic modelling has been based on the existing modal share for the area, and it is anticipated that with the implementation of the public transport proposals, walking and cycling infrastructure and other travel plan initiatives, the impact of the development will be further reduced over the situation that has been modelled, and therefore the modelling presents a robust, worst case scenario.

WCC Ecology: Raise concerns about some of the ecological information that has been submitted with the application, including the fact that some of the protected species surveys were carried out at a sub-optimal time of year. However, it is noted that the applicant proposes a precautionary approach in relation to some of these species and the on-going highway works in the locality are likely to have impacted on species present in the area. Other shortfalls in the ecological information can be addressed by suitable conditions.

The Biodiversity Impact Assessment carried out by the applicant shows a net gain of 5.86 units. There are some concerns with this assessment, but even taking these into account it still indicates a biodiversity gain of 0.4 units. This can be secured by condition.

WCC Archaeology: The proposed development will have a negative impact upon the archaeological deposits which survive across the site. This impact could be mitigated by the implementation of an appropriate programme of archaeological fieldwork, which can be secured by condition.

Raise concerns about the impact on the setting of the Lunt Fort, but note that Historic England's concerns have been addressed in this regard. Recommend that the District Council ensure that there is sufficient flexibility in the scheme to enable appropriately worded conditions to address the issues raised by Historic England.

WCC Landscape: If development were to take place on this site it is essential that the landscape masterplan is of the highest quality. Raise concerns about the amount of landscaping indicated around the edges of the site on the Illustrative Development Plan. Any development permitted

within the Green Belt should sit within a very strong landscape framework, rather than the landscape being fitted around the development.

WCC Rights of Way: No objection. There are no public rights of way crossing or immediately abutting the application site.

WCC Fire & Rescue: No objection, subject to a condition to require details of water supplies and fire hydrants.

WDC Environmental Health: No objection, subject to conditions in relation to plant noise, contamination, lighting, air quality and construction impacts.

WDC Community Protection: No objection, subject to conditions.

ASSESSMENT

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

1. Economic Case for the Proposal
2. Green Belt
3. Transportation matters
4. Landscape issues
5. Public open space, sport & recreation
6. Heritage impacts
7. Noise pollution
8. Air quality impacts
9. Light pollution
10. Contamination
11. Drainage & flood risk
12. Loss of agricultural land
13. Acceptability in principle of retail, hotel & car showroom floorspace
14. Ecological impacts
15. Sustainable buildings
16. Urban design matters
17. Impact on the living conditions of nearby dwellings

1. Economic Case for the Proposal

Comparison with previous Gateway scheme

It is fair to say that the Secretary of State's decision on the previous Gateway proposals turned on this first main issue. As quoted in the "Planning History" section of this report, whilst concluding that the Gateway scheme would deliver economic benefits, the Secretary of State was not convinced that the evidence submitted in support of that scheme established that the need for the proposals was such that a decision on

the future of the Green Belt should be taken at that time, ahead of a wider consideration of Green Belt boundaries through the Local Plan.

It is worth noting here that in considering the urgency of the economic need for the Gateway scheme in terms of it being determined in advance of the emerging Local Plan, the Inspector's Report (para. 1015) concluded as follows:

"In my view this [the evidence submitted] does not establish a degree of urgency such that serious harm to local economic interests would result from a time to adoption likely to be associated with an Examination in 2014."

Clearly the Inspector's consideration of this issue was influenced by his assumption that the Draft Local Plan would proceed to adoption in relatively short order. The Inspector expected that the Examination in Public would take place in 2014. From this it is reasonable to assume that the Inspector expected the Draft Local Plan to have been adopted by now and to have resolved any issues to do with employment land requirements and the release of Green Belt land.

This is not the case. In fact, two years on from the Gateway Inquiry, the Draft Local Plan is still at a similar stage in the process. The Examination in Public has been suspended. Public consultation is underway in relation to further modifications to the draft plan with the Examination in Public currently expected to resume in Autumn 2016.

The extensive delays in the progress of the Draft Local Plan represent a significant change in circumstances that could not have been foreseen by the Inspector or Secretary of State when considering the previous Gateway scheme.

Another significant change in circumstances relevant to the consideration of the economic case for the proposals relates to the identity of the applicant and the nature of the development. The Gateway scheme was a speculative development promoted by a developer; there were no occupiers committed to take up space within the development. Consequently the economic case for that scheme was based on a general requirement for a sub-regional employment site and associated regeneration benefits. In contrast, the current scheme is promoted by the main prospective occupier, JLR, who are a joint applicant. The economic case for this scheme is focussed on the specific requirements of JLR.

A further significant change in circumstances since the Secretary of State's decision is the publication of an Employment Land Use Study that was undertaken by CBRE on behalf of the LEP in August 2015. This Study helps to address deficiencies in evidence in relation to the need for employment land within the sub-region that were identified by the Inspector and Secretary of State.

In summary on this issue, it is clear that there have been significant changes in circumstances since the Secretary of State's consideration of the Gateway scheme which would tip the planning balance more in favour of a grant of planning permission for employment development now.

Planning policy in relation to employment development

The application site is situated within the rural area as defined in the Adopted Local Plan and consequently any proposals for employment development on this site are subject to Policy RAP6. This sets out the circumstances in which employment development will be permitted within the rural area. The current proposals do not comply with any of the criteria set out in this policy. Therefore the proposals are contrary to the Development Plan in this respect.

Nevertheless, in terms of providing for economic development needs the Adopted Local Plan was only intended to cover the period up till 2011. As a result, it is quite out of date in this respect and perhaps unsurprisingly does not therefore provide for land to meet JLR's current needs which have arisen 5 years after the end of the plan period. The needs of JLR may be a material consideration that outweighs the conflict with this adopted policy and this will be considered in the following sections.

Draft Local Plan Policy EC1 deals with directing new employment development in urban and rural areas. However, this policy is the subject of a number of unresolved objections and consequently it can only be afforded limited weight.

In terms of Government planning policy, paragraph 18 of the NPPF states that the Government is committed to securing economic growth to create jobs and prosperity. Paragraph 19 continues by stressing that the planning system should do everything it can to support sustainable economic growth and therefore significant weight should be placed on the need to support economic growth through the planning system.

Jaguar Land Rover's requirements

JLR's requirements are set out in the Planning Statement and this is summarised in the "Details of the Development" section of this committee report. JLR were subsequently asked to provide further details on their requirements and additional information has been provided in two separate letters. The first of these is for public view and has been included with the other application documents on the Council's website. The second letter contains commercially sensitive information about JLR's operations and consequently this has been kept private and confidential. However, a copy of this letter will be provided to members of the Planning Committee.

The key points from the Planning Statement and JLR's public letter are repeated below.

JLR is the UK's largest automotive manufacturing business. They have a significant presence in the sub-region, which includes their global headquarters adjacent to the current application site. JLR are expanding rapidly, with sales doubling over the past 5 years. The company's workforce has also doubled over this period and the majority of employees are based in the UK.

As a result of this rapid growth, JLR have an urgent requirement for more accommodation. The company's Whitley site has grown significantly in recent years with resultant pressures on space and parking. The recent decision to build their own engines places further pressure on accommodation at their Whitley site where the engineers, researchers and support staff are based and its engine and gearbox development and testing facilities are located.

The company has acquired the remaining land at Whitley Business Park, but the accommodation requirements, particularly for the expansion of engine and gearbox testing facilities, are such that a large amount of additional space is required to accommodate their research and development and other specialist and support staff. The need for additional space is urgent. Delays to investment decisions will damage the growth of JLR in the UK.

The urgency of JLR's requirement for increased in-house propulsion capability is due to the following pressures:

- plans to double the size of the JLR engine manufacturing facility near Wolverhampton;
- the need to develop high-technology, ultra-low emissions technologies to meet changing international emissions legislation;
- recent developments in the wider automotive sector have led to an immediate impact on global testing capacity;
- expansion into new markets with different demands requiring bespoke propulsion system engineering; and
- limited availability of high quality third party engineering test and development facilities – a predominantly outsourced approach is no longer a commercially or operationally viable position.

The co-location of researchers, specialist staff, support staff, engineers and engine development and testing at Whitley, together with core JLR supplier businesses is essential and will also provide vital commercial and operational efficiencies.

From the evidence provided by the applicant (including the commercially sensitive information that will be seen by members of the Planning Committee) it is clear that JLR have an urgent need for the development and that there would be operational benefits in their suppliers taking other space within the proposed development. Many of the objectors to the application do not dispute that this need exists, but most objectors consider that there are alternative sites outside of the Green Belt that could meet JLR's needs.

Alternative sites

Having reviewed the supporting information put forward by the applicant it is clear that the key reason why alternative sites would not be suitable is the fact that the site needs to be adjacent to JLR's existing engineering centre and global headquarters at Whitley. JLR advise that as part of their proposals to expand the number of engineering test cells at the existing JLR Whitley site they will need an additional 500 propulsion engineers by the end of 2018 and potentially a further 1,000 engineers by 2025. It is essential for these engineers to be located as close to the operational test cells as possible to ensure operational efficiencies, as they are required to work with these facilities 24 hours a day.

JLR advise that the dispersal of powertrain facilities and research and development staff elsewhere in the wider region or UK would not fit with their commercial requirements. It would cause serious inefficiencies and add considerably to production costs. Further detail on this issue is provided in the private and confidential information from JLR that will be provided to members of the Planning Committee.

Objectors have cited a number of alternative sites that they consider to be suitable to meet JLR's requirements. These are considered individually below.

Objectors have referred to land that is available at the JLR site in Gaydon, including a proposed 100 hectare allocation of land for expansion of that site in the Draft Core Strategy for Stratford District. That site is outside of the Green Belt. However, JLR advises that, with the majority of existing propulsion development activity located at Whitley, it would be commercially prohibitive to relocate these existing facilities to another site, especially when compared to further development at Whitley. JLR also advise that there are already extensive plans underway to concentrate other product creation and design activities (aside from propulsion development) alongside programme management and production purchasing activities at that site. In addition, the site infrastructure at Gaydon would not be able to accommodate the necessary expansion of propulsion development activities as well as the existing plans in place for other activities at that site, nor within the necessary timeframe.

Objectors have also suggested that the development could be accommodated on one of JLR's other sites in the Midlands, including i54 near Wolverhampton, Solihull, Fen End and the University of Warwick. However, none of these sites have space available to accommodate the proposals.

In terms of other non-JLR sites, objectors have referred to Ansty Park, Prologis Ryton, Middlemarch Business Park and the land that Coventry City Council are proposing to allocate for employment development to the east of the existing JLR Whitley / Whitley Business Park site.

With regard to Ansty Park, there has recently been a sharp increase in take-up on this site, such that there is now only 6.8ha of land left. It is understood that this remaining land is the subject of strong occupier interest.

With regard to Prologis Ryton, this has also been largely built out, with less than 10 hectares remaining available. In any case, this is being promoted for B2 and B8 uses, rather than B1, in accordance with the planning permissions granted for that site.

With regard to Middlemarch Business Park, this has been built out and there is no land available. Outline planning permission has been granted for further B2 and B8 development on land adjacent to Middlemarch that is currently occupied by the redundant airport passenger terminal. However, this is only 11.7 hectares in area and it does not include any B1 floorspace.

With regard to the land that Coventry City Council are proposing to allocate for employment purposes to the east of the existing JLR Whitley site, this land is currently within the Green Belt. The Draft Coventry Local Plan is at an early stage in the process and this draft allocation is the subject of unresolved objections. As a result it can only be afforded limited weight. Furthermore, there are a number of significant constraints which mean that this site is not immediately available and consequently cannot meet JLR's urgent requirements. This includes the fact that this site is in multiple ownerships and the fact that it is currently occupied by school playing fields which will need to be relocated before any development could come forward.

CPRE have also referred to large rural brownfield sites outside of the Green Belt at Long Marston (the former Engineer Resources Depot), Long Itchington (the former Southam Cement Works) and Bishop's Itchington (the former Harbury Cement Works). This is a reference to Policy AS.11 of the Interim Core Strategy for Stratford District. This interim policy does not allocate these sites for the type of employment development that is envisaged by JLR. Rather, the policy sets out the principles that proposals for the redevelopment of these sites will be assessed against, as and when they come forward. This indicates that various uses are appropriate in principle on these sites, including employment development. As a result, given that the policy indicates that other non-employment uses will be considered, there is no evidence that these sites are readily available or suitable for the type of employment development that would meet the requirements and timescales of JLR.

The applicant has given further reasons why each of these sites is not considered to be available or suitable to meet JLR's needs.

With regard to the Long Marston site, the applicant cites four main constraints. Firstly it is 23 miles from the existing JLR Whitley site. Secondly it currently provides accommodation for local companies which

would be displaced if the site were to be redeveloped. Thirdly a significant portion of the site already has planning permission for residential development, a caravan park, a leisure hub and holiday accommodation and therefore is not available for employment development. Finally, the rural location of that site is less sustainable than Whitley South for major employment development.

With regard to the Long Itchington site, the applicant cites three main constraints. Firstly it is not in close proximity to JLR's current facility at Whitley. Secondly the site is not large enough to accommodate the proposed development. Finally the site is located in open countryside and is therefore a less sustainable location for major employment development than Whitley South.

With regard to the Bishop's Itchington site, the application cites four main constraints. Firstly it is not in close proximity to JLR's current facility at Whitley. Secondly the site is situated in the open countryside and is therefore not a sustainable location for major employment development. Thirdly the site is not large enough to accommodate the proposed development. Finally JLR's proposals would depart from the provisions of the masterplan for that site.

Significantly, none of the alternative sites that have been cited by objectors provide the amount of land required. Neither do any of these sites meet the requirement of being adjacent to JLR's existing Whitley site.

Objectors have also referred generally to the availability of brownfield sites and empty factory units within Coventry. However, no details of any other specific sites that could meet the requirements of JLR have been provided.

Finally on this issue, it is considered to be significant that in the whole time since the Gateway scheme was originally submitted in 2012, no alternative site has come forward as a planning application to meet the identified need. In the meantime, established sites such as Ansty Park and Prologis Ryton have steadily filled up.

Local Enterprise Partnership

The Coventry and Warwickshire Local Enterprise Partnership (LEP) is the body established by the government for the purpose of creating or improving the conditions for economic growth in the sub-region. The LEP have submitted comments in support of the application. They advise that the development of this site is a key element of the LEP's Strategic Economic Plan (SEP) and that without the development of this area the LEP will be unable to meet its expected overall growth ambitions. The LEP also advise that the supply of employment land is at a critically low level and that without action future economic growth in the sub-region will be constrained.

The LEP published a Strategic Economic Plan (SEP) in 2014. This identifies the "Coventry and Warwickshire Gateway" as the priority employment site for the delivery period of the economic plan. The current application site forms one part of that priority site. The SEP states that this provides the largest available employment site and without its development the LEP will be unable to meet its expected employment growth.

The SEP states that advanced manufacturing and engineering is the foundation of the SEP, and in particular automotive technologies. The SEP states that the availability of employment sites is fundamental to attracting new investors, retaining local businesses and reshoring of manufacturing. A portfolio of sites is prioritised in the SEP, including the current application site.

The current proposals fit well with the priorities of the LEP, both in terms of the location of the site and the type of development proposed. In particular, in locational terms the site forms part of the priority employment site identified in the SEP. Furthermore, the form of development comprises advanced manufacturing and engineering, and in particular automotive technologies, which is the key priority sector for the SEP. In addition, the provision of quality employment land will help to address a key constraint to economic growth that is identified in the SEP (the availability of land).

LEP Employment Land Use Study

The LEP commissioned CBRE to undertake an Employment Land Use Study for the sub-region. This comprises an assessment of the current supply of employment land within the sub-region together with an assessment of future demand. This reaches the following conclusions:

"There is a significant shortage of sites within the sub-region that can adequately meet forecast demand through to 2031. Indeed, the current supply position is such that there is an urgent need for additional supply of good quality and well located land, to accommodate short and medium term demand.

The scarcity of available land in the short term has the potential to damage the economic prospects of the area by preventing investment opportunities [from being] fully delivered. Indeed there is the risk that demand would be forced to consider alternative locations, in the Midlands and elsewhere in the UK. In particular there is a need for additional strategic sites that are capable of accommodating the largest B8 requirements, as well as sites suitable for development as R&D sites, in order for the LEP to achieve its key targets in relation to the growth of the sub-region's automotive cluster."

This Study was published in August 2015 and consequently represents significant new evidence on employment land supply and demand since the Secretary of State determined the previous Gateway application. It is

notable that the CBRE study found that take up of employment land has accelerated strongly as the economy has moved out of recession with take-up across the West Midlands exceeding the pre-recession peak in 2014, with momentum continuing in 2015. This indicates that the employment land supply situation has changed since the time of the Gateway Inquiry in April / May 2014 and the Secretary of State's decision in February 2015, with supply notably being even more constrained now due to recent take-up.

Why in advance of the Local Plan process

In refusing permission for the previous Gateway proposals the Secretary of State considered that a strong economic case had been made in favour of that scheme but ultimately concluded that the evidence available at that time *"fails to establish that the need for the proposal is such that a decision on the future of the Green Belt at the application site should be taken now, ahead of a wider consideration of Green Belt boundaries through the Local Plan"*. As stated previously in this committee report, the Secretary of State's assessment was based on an assumption that the Draft Local Plan would progress relatively swiftly to adoption. However, two years on from the public inquiry, the Draft Local Plan is still at the same stage in the process, with the Examination in Public not expected to resume until Autumn 2016 at the earliest.

It is also of note that the Gateway scheme was a speculative development. As a result it was that much harder to demonstrate that there was such an urgent need for the development that this warranted granting permission in advance of the review of the Local Plan.

In contrast, the justification for the current scheme is based around the specific needs of JLR. As outlined in the section of this report entitled "JLR's Requirements", it is clear that JLR have an urgent need for the development. Delays to investment decisions will damage the growth of JLR in the UK. They would have to look elsewhere for a site, potentially overseas. This will result in these new jobs being lost to the District and the sub-region and quite possibly the country. The District and sub-region would also miss out on any benefits associated with the added security that the development would bring to JLR's existing global headquarters and other operations at Whitley.

It is considered that the specific needs identified by JLR represent a compelling case in favour of granting permission now rather than waiting an unknown time for the completion of the Local Plan process. The evidence submitted by JLR makes it clear that any such delay would be economically damaging to their operational and commercial position, in particular due to the pressure they face as set out in the 5 bullet points in the "Jaguar Land Rover's Requirements" section above. Add to this the fact that supply is now even more constrained than it was at the time of the Gateway Inquiry, as demonstrated by the more recent CBRE Study, then it is clear that granting planning permission in advance of the Local Plan process is justified for these particular proposals.

It is further considered that granting planning permission for the current scheme would not be premature and would not prejudice the wider consideration of Green Belt boundaries in the Local Plan review. The decision on the current case relates to the specific needs of JLR in relation to a relatively small area of Green Belt adjacent to their existing global headquarters. A planning permission for this site would not have any significant implications for the consideration of the larger releases of Green Belt around Coventry that are proposed in the Draft Local Plans for Warwick and Coventry or the other authorities adjoining the city boundary. It would also not have any significant implications for the consideration of the remainder of the proposed Gateway allocation in the Draft Local Plan, i.e. the larger area south of Coventry Airport.

Conclusion on economic matters

The recent growth of JLR represents a major success story for the UK economy, but also more significantly for the Coventry and Warwickshire sub-region due to the substantial JLR operations that it contains. The development will generate a large number of jobs and it is notable that a significant number of these will be highly skilled and highly paid jobs. This will include not only JLR jobs but jobs associated with their supply chain. There are no alternative sites that could meet the requirements of JLR and the proposals have the support of the LEP and are in accordance with the LEP's objectives and published strategy. JLR have demonstrated an urgent need for the development and for it to be located adjacent to their existing site. Therefore it has been concluded that there is a compelling economic case in favour of granting planning permission and that this issue cannot wait to be considered as part of the Local Plan review. This is consistent with the emphasis that the NPPF places on promoting economic development, including the requirement for the planning system to do "everything it can to support sustainable economic growth" (para. 19).

For the above reasons it is considered that the urgent needs of JLR represent an important material consideration that outweighs the conflict with Adopted Local Plan Policy RAP6. Whether this amounts to very special circumstances in relation to Green Belt policy is considered separately in the following section of this report.

2. Green Belt

All parts of the application site that fall within Warwick District are situated within the Green Belt. The proposed new buildings, extensive road infrastructure and bunds constitute inappropriate development within the Green Belt. The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the

Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations”.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

The above provisions of the NPPF are reflected in Policy DS19 of the Draft Local Plan. However this draft policy is the subject of unresolved objections and consequently it can only be afforded limited weight.

Joint Green Belt Study

Objectors have referred to the Joint Green Belt Study (JGBS) that was carried out in 2015 on behalf of Coventry, Warwick, Nuneaton and Bedworth and Rugby Council’s. However, it should be noted that this is perhaps more useful as a tool for deciding on the location of large scale allocations of land for development through the Local Plan process, rather than as a tool for assessing individual sites. Furthermore, the current application site covers part of 2 different land parcels in the study (C9 & C10), which complicates efforts to apply the findings of the Study to this particular site. Nevertheless, the JGBS does include some useful conclusions that assist in the assessment of the function of the Green Belt around the application site.

The JGBS found that parcel C10 was one of the higher performing parcels of Green Belt. This parcel includes the part of the site to the north of Rowley Road. This parcel was given a mid-range score for “checking the unrestricted sprawl of large urban areas” and “preserving the setting and special character of historic towns”. The parcel was scored highly for “preventing neighbouring towns merging into one another” and “assisting in the safeguarding of the countryside from encroachment”.

Parcel C9 had a lower score, making this a mid-performing parcel. This parcel includes the part of the site to the south of Rowley Road. This parcel was given a low score for “checking the unrestricted sprawl of large urban areas” but a higher score for “preventing neighbouring towns merging into one another” and “assisting in the safeguarding of the countryside from encroachment”. In terms of “preserving the setting and special character of historic towns”, this parcel was given a mid-range score.

It should be noted that the JGBS scored all land parcels equally highly for the purpose of “assisting in urban regeneration by encouraging the recycling of derelict and other urban land” (i.e. all parcels got the top score for this).

Whilst the conclusions of the JGBS are relevant, it is necessary to carry out a further assessment of the particular parts of the Green Belt that fall within the current application site and the precise impact of the development that is proposed. This will be undertaken by firstly

considering the impact of the proposals on Green Belt openness and then assessing the site and the proposed development against the five purposes of Green Belt.

Green Belt Openness

There are some existing structures on the site associated with the rugby club as well as some agricultural buildings and these are all proposed to be demolished. However, these occupy only relatively small parts of the overall site, which is otherwise notably free of existing buildings. There are also some other features on the site that detract from the rural character of the locality, including the area of former landfill and the rugby club playing pitches and associated paraphernalia. However, these are largely ground level features that do not intrude on open vistas. Therefore it has been concluded that the site currently has a largely open and undeveloped nature and that in Green Belt terms the site has strong characteristics of openness.

The proposed technology campus would occupy a large proportion of the site. This would include large scale buildings and associated car parking, service areas and road infrastructure. The overall effect of this extensive physical development would amount to a major intrusion on openness within much of the existing open land of the site. The proposed bridge across the A45 with its supporting structures would also be a new built element that would erode Green Belt openness.

Green Belt Purposes

Paragraph 80 of the NPPF states that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

The proposals will be assessed against each in turn.

Green Belt Purpose: To check the unrestricted sprawl of large built-up areas

The site lies adjacent to the southern edge of the built-up area of Coventry. The A45 forms a strong physical barrier between the urban area and adjacent countryside, although there is already urban type development to the south of this. In particular, in the vicinity of the site are the Stonebridge Trading Estate, Coventry Airport and Middlemarch Business Park. Nevertheless, the proposal would extend built development across a large area adjoining the boundary of the existing urban area. As a result the proposals would add to sprawl by comprising development

beyond the existing urban area. This would undermine the Green Belt purpose of checking the unrestricted sprawl of large built-up areas.

Green Belt Purpose: To prevent neighbouring towns from merging into one another

The proposed development would bring urban development closer to the north-east corner of the village of Baginton than currently exists. However, the proposed countryside park would provide a landscaped buffer between the development and the village. As a result there would not be an immediate physical coalescence of the development with the built-up area of Baginton. Nevertheless, in broader terms, there would be a substantial infilling of the gap between the A45, the Stonebridge Trading Estate, the airport and the village. The proposal would add to a perception of urban development extending to the south of the A45 to create a contiguous developed envelope that would include Baginton. The proposed bridge across the A45 would also contribute to the apparent linking of development.

The outcome would be that the development would materially contribute towards the merging of Coventry with Baginton and would therefore conflict with this purpose of Green Belt.

Green Belt Purpose: To assist in safeguarding the countryside from encroachment

The proposals would undoubtedly involve an encroachment on the countryside. Large parts of the site currently comprise agricultural fields. The area of former landfill comprises scrubland that is also more akin to rural character than urban development. The encroachment on the countryside from the replacement of these areas by substantial buildings and associated infrastructure would therefore be significant.

Green Belt Purpose: To preserve the setting and special character of historic towns

The effect on designated heritage assets in the vicinity of the site is considered separately in the Heritage section of this report. It is concluded there that the setting of the nearby Baginton Conservation Area would be preserved.

There is a view northwards from Rowley Road across agricultural land on the site towards the buildings of Coventry City Centre. This vista would to a large extent be curtailed by the development of the technology campus in the foreground. The view has no special status but the erosion of it would be an element of harm to the setting of Coventry as an historic centre seen from the countryside beyond. It is important to note, however, that the approved development of Whitley Business Park would intrude into part of this view.

Green Belt Purpose: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

All of the Green Belt within the application site contributes towards this objective. However, for the reasons stated in the preceding "Economic Case for the Proposal" section of this report, it is not considered that there are suitable urban sites for the proposed technology campus. Consequently, if planning permission is refused for the current proposals it is unlikely that the development would take place on an urban site instead. Therefore it has been concluded that the development would not harm the Green Belt purpose of assisting urban regeneration.

Summary of harm to the Green Belt

In summary, it is considered that the proposals would cause significant harm to the openness of the Green Belt. There would also be clear conflict with 3 of the 5 Green Belt purposes.

It is notable that in assessing this issue in relation to the previous Gateway proposals, the Secretary of State commented that a major contributory factor to the Green Belt harm caused by that scheme was the geographical extent of Green Belt land that would be affected. In this regard the Secretary of State made a particular reference to the projection of that development well to the south of Coventry Airport. That was a reference to the logistics park that was proposed as part of the Gateway scheme. This is a significant difference with the current proposals, which relate to a much smaller area of Green Belt and do not include any land south of the airport.

Notwithstanding the above point, the current proposals would cause significant harm to the Green Belt, even if this is less harm than the previous Gateway scheme. Nevertheless, the NPPF permits such development within the Green Belt if the applicant can demonstrate very special circumstances to clearly outweigh the potential harm by reason of inappropriateness, and any other harm.

Very special circumstances

The applicant has put forward a number of considerations in support of the proposals which they consider outweigh the harm to the Green Belt. In summary, these are as follows:

- economic benefits;
- the provision of a net gain in biodiversity;
- the provision of improved public transport connections;
- improvements to the local highway network and associated traffic benefits; and
- the provision of a publicly accessible countryside park.

With the exception of the economic issue, the benefits listed above are similar to those that were considered in relation to the previous Gateway

proposals, albeit proportionately reduced to account for the smaller size of the Whitley South site. The Secretary of State concluded that that the biodiversity and traffic / highways benefits carried "limited positive weight", while the public transport benefits carried "significant weight" and the benefits of the countryside park were afforded a "moderate degree of weight". Having considered these matters in relation to the current proposals, it is considered that they carry a similar amount of weight as was afforded by the Secretary of State.

In reaching this conclusion, regard has been had to Paragraph 81 of the NPPF. This states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged or derelict land. It is considered that the proposed development would meet a number of these objectives, including the provision of public access to an area of Green Belt with limited existing accessibility, providing opportunities for outdoor sport and recreation and enhancing biodiversity.

Turning to the economic benefits, these have been disputed by objectors, but the economic case has been assessed in detail in the "Economic Case for the Proposal" section of this report. In summary, JLR have demonstrated an urgent need for the development and for it to be located adjacent to their existing site. There are no alternative sites that could meet the requirements of JLR and the proposals have the support of the LEP and are in accordance with their objectives and the SEP. Therefore it has been concluded that there is a compelling economic case in favour of granting planning permission and that this issue cannot wait to be considered as part of the Local Plan review.

It has therefore been concluded that the benefits generated by the scheme would be substantial and compelling. It is of note that the most significant of these benefits relates to an issue that is given particular prominence in the NPPF, i.e. supporting economic growth. Therefore, taken as a whole, it is considered that these benefits amount to very special circumstances sufficient to outweigh the conflict with Green Belt policy and the harm to the Green Belt that has been identified above.

3. Transportation matters

In considering transportation matters it is first important to note that much of the proposed off-site highway works would be located within Coventry. Consequently the planning application relating to those highway works will be determined by Coventry City Council. However, as the additional traffic will be generated by the built development that falls within Warwick District, this is a material consideration relevant to the District Council's assessment of the scheme.

The elements of the highway works that fall within Warwick District are as follows:

- those parts of the new junction on the A45 that are to the south of the A45;
- the southern half of the Festival Island; and
- the A46 / Stoneleigh Road Junction.

As much of the highways impact would relate to roads that fall within the jurisdiction of Coventry City Council, the comments of CCC Highways are referenced in the relevant sections below alongside those from WCC Highways.

Comparison with previous Gateway scheme

In relation to transportation matters, the current proposals would have a much smaller impact than the previous Gateway scheme. This is because the current proposals relate to a much smaller site area and do not include the substantial logistics park that formed part of that earlier scheme.

The Secretary of State found that the residual cumulative impacts of the larger Gateway scheme in highways terms would not be severe and that the proposals would comply with Adopted Local Plan policies that seek satisfactory access and accessibility, safety, and movement infrastructure provision (NB. the policy conflict that the Secretary of State identified in relation to the Bubbenhall Road alterations would not apply to the current scheme because it does not propose any changes to Bubbenhall Road).

Planning policy in relation to transportation matters

Adopted Local Plan Policy DP6 states that development will only be permitted which provides safe, convenient and attractive access routes for pedestrians, cyclists, public transport users and other users of motor vehicles, as appropriate. Development proposals will be expected to demonstrate that they do not cause harm to highway safety, are designed to give priority access to, and allow penetration by, pedestrians, cyclists and public transport services, as appropriate and integrate the access routes into the overall development.

Adopted Local Plan Policy DP7 states that development will not be permitted which generates significant road traffic movements unless practicable and effective measures are taken to avoid adverse impact from traffic generation.

Adopted Local Plan Policy DP8 states that development will only be permitted that makes provision for parking which does not encourage unnecessary car use, has regard to the location and accessibility of the site by means other than the private car, does not result in on-street car parking detrimental to highway safety, takes account of the parking needs of disabled car users, motorcyclists and cyclists and takes account of the requirements of commercial vehicles. Draft Local Plan Policy TR4 includes

similar provisions. There have been no objections to this draft policy and therefore it can be afforded significant weight.

Adopted Local Plan Policy SC4 states that development will not be permitted which would have an unacceptable adverse impact upon, or prejudice the implementation of, new or improved cycle and pedestrian routes identified in the Warwickshire Local Transport Plan 2006, or the continuity of any existing cycle and pedestrian routes. Policy SC4 goes on to state that development of cycle and pedestrian facilities will be permitted provided the benefits in terms of encouraging cycling and walking outweigh any adverse impacts.

Adopted Local Plan Policy SC12 states that contributions towards sustainable transport improvements will be sought from all development that would lead to a material increase in traffic on the road network. Policy SC12 goes on to state that contributions will also be sought in appropriate cases towards footpaths, cycleways and towpaths both within development sites, and to create links with the wider network.

The Council have also adopted a Supplementary Planning Document on Vehicle Parking Standards.

Draft Local Plan Policies TR1, TR2 and TR3 cover issues relating to access, highway safety, traffic generation and transport-related Section 106 contributions. However there are unresolved objections to these policies and consequently they can only be afforded limited weight.

Traffic generation, distribution & impacts on key junctions

The application was accompanied by a Transport Assessment (TA) which assesses the impact of the development on the surrounding road network. Following the submission of further information to address a range of issues both WCC Highways and CCC Highways have confirmed that they have are satisfied with the assessment that has been carried out.

The TA predicts that the proposed development would generate 800 inbound and 250 outbound vehicle movements during the AM peak period and 200 inbound and 650 outbound movements during the PM peak period. This is a worst case scenario based on current statistics which show that 81% of trips in south Coventry are made by car and does not include any reductions that would arise as a result of the improvements proposed in terms of bus services, pedestrian/cyclist routes and other green travel measures.

In terms of where this extra traffic goes on the highway network, it is predicted that 18% would utilise the proposed new Jaguar Link Road to access areas of Coventry, 23% would use the A46 Eastern bypass, 10% would use the A45 London Road to the east of Tollbar Island, 44% would use the westbound A45 Stonebridge Highway and 5% would use local roads to access areas to the south of the site (e.g. Rowley Road and Bubbenhall Road).

The TA provides an assessment of the impact on 12 major junctions in the surrounding area and the inter-connecting links. The TA concludes that the development will not give rise to material traffic impacts beyond these junctions. This is accepted.

Toll Bar Island: There is an on-going scheme of improvement works to this junction that is due for completion in 2017. These improvements will provide sufficient capacity to accommodate any additional traffic from the proposed development.

A45/A46/A444 Festival Island: Alterations are proposed to this junction including full signalisation and some additional lane provision. Various different options are proposed for the Leaf Lane arm and the final decision on this is proposed to be left to a later date, to be covered by a condition. These alterations are sufficient to accommodate additional traffic associated with the proposed development.

A46/A428 Binley Island: Highways England will be upgrading the A46 around Coventry to "Expressway" standard, which will include grade separation of the Binley Island. As a result no further assessments have been undertaken for this junction because it is assumed that the Highways England scheme will take account of the Whitley South development alongside other growth across the sub-region.

A45/A423 Ryton Interchange: This is not a major access route for the development, with only 10% of traffic expected to pass through this junction. Therefore it is not considered that the proposals would have a significant impact on this junction.

A45/B4113 St. Martin's Roundabout: The City Council has separately secured funding for an improvement scheme for this roundabout that addresses existing issues and provides head-room for growth in the City. This will provide sufficient mitigation for traffic associated with the proposed development.

A444/A4144/A4082 Whitley Roundabout: Signalisation is proposed around the northern side of the roundabout and some widening to the approaches. Following these improvements, the proposals would have an acceptable impact on the operation of this junction.

A444 / Leaf Lane Whitley Diamond Interchange: This junction has recently been completely replaced by the City Council. This is now an "all-movements" junction and consequently this has taken a lot of U-turn movements away from the adjacent Whitley Roundabout. The proposals would have an acceptable impact on the operation of this junction.

A46 / Stoneleigh Road Interchange: A re-design of this junction is proposed, including replacement of the existing roundabout junction where Dalehouse Lane and Stoneleigh Road meet with a signalised T-junction and the provision of a right-hand turning lane onto the A46. The

proposed improvements are considered to be sufficient to accommodate additional traffic from the proposed development.

A4082/B4110 Asda Roundabout: A financial contribution is proposed towards mitigation works to this junction. This has been agreed with the City Council, who will implement a scheme as part of a wider improvement package.

A46/B4082 Walsgrave Roundabout: Highways England will be upgrading the A46 around Coventry to "Expressway" standard, which will include grade separation of the Walsgrave Roundabout. As a result no further assessments have been undertaken for this junction because it is assumed that the Highways England scheme will take account of the Whitley South development alongside other growth across the sub-region.

M6 Junction 2 Ansty Interchange: In view of its distance from the application site the proposals would not have a material impact on the operation of this junction.

A45/A429 Kenilworth Road Crossroads: This junction has recently been rebuilt by the City Council who have advised that the junction now provided is the maximum that is possible within the environmental capacity and land ownership constraints of the site. As a result no further improvements are being sought by the City Council in respect of the proposed development, which would have an average peak hour impact of just 2%.

New junction on A45: A new junction is proposed on the A45 between the Tollbar and Festival Islands which would include a bridge over the A45 between JLR Whitley / Whitley Business Park site and the proposed technology campus. The proposed access is considered to be adequate to serve the levels of traffic expected to access the proposed development.

The 2 local highway authorities, Warwickshire County Council and Coventry City Council, consider the impact of the development on the surrounding highway network to be acceptable subject to the various proposed improvement works being undertaken by the developer or through Section 106 contributions. The detailed issues that the highway authorities have raised about certain aspects of the proposed highway works can be addressed by conditions. Therefore, subject to the satisfactory resolution of the issues raised by Highways England (referred to below), it has been concluded that the proposals would be in accordance with Adopted Local Plan Policies DP6 and DP7.

Highways England have requested further information in relation to various matters affecting the strategic road network. Discussions are ongoing between the applicant and Highways England to resolve the issues raised. It is expected that these issues will be resolved shortly and an update on this matter will be provided in the addendum report to Committee.

The scheme also includes proposed estate roads north of the A45 within the JLR Whitley / Whitley Business Park site. These fall within Coventry and form part of the application that will be considered separately by Coventry City Council.

The estate roads within the technology campus fall within Warwick District. Details of these roads are only provided in outline at this stage, with full details to form part of future reserved matters applications.

Proposed access restrictions

A new roundabout would link the proposed development with Rowley Road and some objectors have raised concerns that this could lead to employees and commercial traffic associated with the development "rat-running" through Baginton. The applicant proposes that this matter is dealt with by way of restrictions prohibiting employee and commercial vehicles associated with the development from passing along Rowley Road.

Unrestricted car access along Rowley Road between Baginton village and Middlemarch Business Park would be maintained for all vehicles except those of employees of the development who would not be permitted to access the development from Coventry Road / Mill Hill to the west of the site. This would be enforced by advising all employees of this restriction and requiring them to register their vehicle and personal details with the site management company. Automatic Number Plate Recognition (ANPR) cameras would then be sited on Mill Hill and Coventry Road at the edge of Baginton Village and sanctions put in place to enforce breaches of this access restriction including fines for persistent offenders. This system of control has been employed elsewhere. It would be enforced by the estate management company funded by the developer and would be secured through the Section 106 Agreement.

Commercial vehicles associated with the development would be covered by the same restrictions. Furthermore, HGV access to the development from Mill Hill would already be restricted given the existing 7.5 tonne weight restriction on Mill Hill. The ANPR cameras referred to above would be used to enforce the existing restrictions. Again these restrictions would be secured through the Section 106 Agreement.

The local highway authorities consider that the local highway network could accommodate traffic generated by the development without the need for the ANPR access restrictions. They therefore suggest that the details of such restrictions, to be agreed through the Section 106 Agreement, allow for an initial monitoring period without these restrictions in force, with the provisions agreed in respect of ANPR restrictions only being progressed if deemed necessary by the local highway authorities.

Overall, the access restrictions proposed are considered acceptable by the local highway authorities subject to conditions and Section 106 Agreement provisions.

Car parking levels and management

A Parking Management Strategy was submitted with the application and this seeks to restrict parking on site so as to limit the proportion of employees traveling to the site as car drivers. Together with other measures this is intended to achieve a modal share target for employees of 65% single occupancy car use, 10% car share, 15% public transport and 10% walking/cycling. As such, an overall parking provision of 2,500 spaces is proposed. The ratio of parking spaces to floorspace is broadly in line with those in the Council's Vehicle Parking Standards SPD.

The ANPR cameras referred to earlier in this report in respect of restrictions on employees accessing the application site from Mill Hill and Coventry Road could, if the monitoring period referred to above shows a need, also be used to prevent employees without allocated car parking spaces parking their vehicles in Baginton Village. These cameras together with those within the site on Rowley Road would pick up any employee vehicles without allocated spaces and appropriate penalties could be levied.

As a back up should the ANPR system not work effectively in practice it is also proposed that the developer will provide contributions to Coventry City Council and Warwickshire County Council through the Section 106 Agreement which could be used by the Councils to fund Traffic Regulation Orders to prevent employee car parking outside of the application site in the surrounding area.

Overall, both WCC Highways and CCC Highways consider the car parking proposals to be acceptable subject to conditions and Section 106 Agreement provisions. Therefore the proposals are considered to be in accordance with Adopted Local Plan Policy DP8.

Bus Services

Proposals for improving bus services to the site are set out in the Transport Assessment and the heads of terms for the Section 106 Agreement. Firstly, the applicant proposes to establish a new bus route between the application site and Coventry City Centre. This will include bus priority measures through the A444 Whitley Interchange and potentially along the Jaguar Link Road. The applicant also proposes to provide new bus shelters along the route equipped with "Real-Time Travel Information" displays.

Secondly, the applicant proposes that the existing Route 21 bus service is extended to serve the development with at least a half-hourly frequency during occupation hours (on a commercially viable basis).

It is considered that the above interventions have the potential to significantly improve public transport access, not only to the development, but also to JLR Whitley/ Whitley Business Park and other employment

sites in the locality. These measures would be secured through the Section 106 Agreement and are acceptable to WCC Highways and CCC Highways. Therefore the proposals are considered to be in accordance with Adopted Local Plan Policy SC12 in relation to securing sustainable transport contributions and Policy DP6 in relation to prioritising access by public transport.

Provision for Pedestrians and Cyclists

Combined footpath / cycleways are proposed along the main access road through the technology campus, which would link up with further new combined footpath / cycleways within the existing JLR Whitley / Whitley Business Park site along the Jaguar Link Road and Jaguar Expansion Road. These would link up to other existing and proposed combined footpath / cycleways surrounding the site. All other estate roads would have footways.

In addition to the footpath / cycleways referred to above, the applicant also proposes to make a Section 106 contribution towards the provision of enhanced walking and cycling routes in the surrounding area.

Both WCC Highways and CCC Highways consider that the provision for pedestrians and cyclists is acceptable. Therefore the proposals are considered to be in accordance with Adopted Local Plan Policy SC4 in relation to the provision of new cycling and pedestrian facilities and Policy DP6 in relation to prioritising access by pedestrians and cyclists.

Green Travel Measures

A Draft Travel Plan has been submitted with the application and it is proposed that a more detailed Travel Plan would be prepared prior to the first occupation of any part of the development. The implementation of a suitable Travel Plan is proposed to be secured through the Section 106 Agreement.

The Draft Travel Plan aims to achieve a modal split of 35% of employee journeys being made by car sharers, cycling, walking or public transport. The Draft Travel Plan indicates that this target will be met by implementing the following green travel measures:

- creation of a new bus route to Coventry City Centre;
- installation of at least 150 covered cycle stands (300 spaces);
- provision of changing facilities and showers within each building constructed on the site for use by cyclists;
- provision of up-to-date cycle and walking maps and associated health advice for employees, together with new signage, a cycle renting and insurance initiative, a Government funding strategy and a mobile cycle repair "workshop";
- provision of pool cycles & electric pool cars for use by employees;

- car-share scheme in combination with a pool car strategy, a company car policy, a multiple car occupancy and a non-car user business mileage rate initiative, linked to priority reserved car parking spaces;
- appointment of a Travel Plan Co-ordinator for the site;
- instigation of a Travel Reduction Policy to encourage flexi-time, homeworking and compressed working weeks;
- procurement of a Rail & Bus "Real Time Travel Information" (RTI) system for the site;
- provision of a fully operational "Whitley South Web Site" for the development providing sustainable transport information;
- implementation of an off-site car parking enforcement strategy; and
- implementation of the proposed restricted and "Barred Routes".

Overall, both WCC Highways and CCC Highways consider that the Travel Plan proposals are robust and will secure the target modal split. Therefore the proposals are considered to be in accordance with Adopted Local Plan Policy DP6 in relation to giving priority access to pedestrians, cyclists and public transport services and Policy SC12 in terms of securing contributions towards sustainable transport improvements.

4. Landscape issues

Adopted Local Plan Policy DP3 states that development will only be permitted which protects important natural features and positively contributes to the character and quality of its natural and historic environment through good habitat / landscape design and management. Policy DP3 goes on to state that development proposals will be expected to demonstrate that, amongst other requirements, they protect and enhance the landscape character of the area, particularly respecting its historic character.

Policy NE4 of the Draft Local Plan deals with landscape impacts. However, this is the subject of unresolved objections and therefore only limited weight can be afforded to this policy.

In terms of assessing the local landscape, the Warwickshire Landscape Guidelines have been adopted by the District Council as Supplementary Planning Guidance. These divide the County into different landscape types. The site crosses the boundary between a number of these landscape types, with the northern part of the site being within the Arden Parklands Landscape Type and the southern part of the site being within the Plateau Farmlands Landscape Type.

The Landscape Guidelines define the overall character and quality of the Arden Parklands Landscape Type as an enclosed, gently rolling landscape defined by woodland edges, parkland and belts of trees. The Guidelines identify the following characteristic features of this landscape type: middle distance views enclosed by woodland edge; belts of mature trees associated with estatelands; many ancient woodlands, often with irregular outlines; large country houses set in mature parkland; remnant deer

parks with ancient pollard oaks; and thick roadside hedgerows, often with bracken.

The Landscape Guidelines define the overall character and quality of the Plateau Farmlands Landscape Type as a simple, often heavily wooded, farmed landscape, typically confined to low plateau summits, and characterised by sandy soils and remnant healthy vegetation. The Guidelines identify the following characteristic features of this landscape type: a gently rolling topography of low glacial plateaus; an 'empty' landscape of former waste with few roads and little settlement; a regular geometric field pattern defined by closely cropped hawthorn hedges; many mature hedgerow oaks; large blocks of ancient woodland; a historic land use pattern reflected in the local abundance of 'Heath' names; and remnant healthy vegetation in woodlands and roadside verges.

The Guidelines specify a range of general development guidelines together with some more specific development guidelines for particular landscape types. For Arden Parklands this includes the following: felling copses should be carefully design to retain the effect of wooded enclosure; species selection along woodland edges should favour native trees and shrubs; enhance tree cover through the planting of new woodlands and belts of trees; consideration given to restoring areas of former park; and conserve and strengthen primary hedge lines and manage these more positively as landscape features.

The specific development guidelines for Plateau Farmlands include the following: conserve the historic pattern of large hedged fields, with priority to strengthening and restoring primary hedge lines; conserve the wooded character of mature hedgerow and roadside oaks; restocking of plantation ancient woodlands should favour native broadleaved species preferably through natural vegetation; and new woodland planting should be carefully designed to conserve and strengthen the open, empty character of the landscape.

Clearly the removal of a significant number of trees and hedgerows and the construction of large scale buildings would have a significant impact on the landscape character of the application site and on the characteristic features for the Arden Parklands and Plateau Farmlands Landscape Types that are evident on the site. However, if it is accepted that there is a need for this type of development on the edge of Coventry (as discussed earlier in this report), then any alternative site is likely to have some adverse impact on local landscape character. The judgement that must be reached in assessing the landscape impact of the current proposals is whether the degree of landscape harm that would be caused would be unacceptable, taking into account the character of this particular part of the landscape and the effectiveness of the mitigation measures in limiting harm to the wider landscape.

The site is currently largely open, with the exception of some small groups of buildings and the large number of trees and shrubs that exist across the site. However, there has been previous development involving landfill

on part of the site. The landscape quality of the site is also affected by the close proximity to the surrounding transport infrastructure, and to the large scale buildings of Stonebridge Trading Estate and the airport. In this context, the parts of the site that are to be developed are not of such landscape quality that would render the development unacceptable in principle, subject to the incorporation of suitable mitigation measures.

The mitigation measures include the construction of a landscaped bund to the east of the proposed technology campus. This would be a substantial feature, being between 3m and 7m above existing ground levels. However, the bund have been designed to incorporate varying heights, slope gradients and profiles which will help to give it the appearance of a natural feature within the landscape. In the context of a local landscape that is characterised by varying ground levels, it is considered that the bund will be in keeping with the character of the landscape and will not appear out of place, particularly once the proposed landscaping has matured.

The impact of the development on the wider rural landscape is more limited because this part of the site is enclosed by existing built development to the north (A45 and Coventry), east (Stonebridge Trading Estate) and south (Coventry Airport). Nevertheless, there would be an impact on local views, particularly from the north and west due to the fact that the land falls away in those directions. From the north, the buildings of the technology campus would be visible from the A45 and parts of Coventry beyond, including the areas of Green Belt along the River Sowe and River Sherbourne. However, from this direction the landscape is already viewed in an urban context, including the significant intrusion of the A45 itself. There are breaks in the trees and shrubs along the southern edge of the A45 that allow some close up views of the fields that will be occupied by the technology campus. However, this does not form part of any wider rural view due to the presence of Coventry Airport beyond.

From the west, the technology campus would be visible from the small area of countryside that would remain to the north of Baginton village. However, the proposed bund along the eastern edge of the technology campus would provide a degree of screening from this direction. Furthermore, the setting of this small area of countryside is already adversely affected by the surrounding road infrastructure and built up parts of Coventry.

The proposed mitigation measures will also ensure that the development does not have an adverse cumulative landscape impact in combination with other proposed developments in the area (e.g. former Peugeot site at Ryton, HS2 and Stoneleigh Park).

A number of trees and hedgerows are proposed to be removed to make way for the development, primarily within the main area of built development but also including areas affected by the highway works and the countryside park. The hedgerows that are to be removed are of

variable quality and intactness and the majority of the trees to be removed are not of individual significance, although many have a degree of group value. With the exception of one oak tree, the arboricultural assessment submitted with the application categorises all individual trees and tree groups to be removed as Category B, i.e. trees that are of moderate quality with an estimated remaining life expectancy of at least 20 years with potential to make a significant contribution. The oak tree (T99 in the survey) has been included within Category A.

In assessing whether the removal of these trees and hedgerows is appropriate, regard must be had to the compensatory planting that is proposed. It is proposed that approximately 4 hectares of new native woodland and trees will be planted, together with 1.5km of new native hedgerows. This is considered to amount to a significant package of compensatory planting which, considered together with the significant economic, environmental and recreational benefits of the proposals, is considered to outweigh the loss of trees and hedgerows.

The hedgerows that are to be removed are not "important hedgerows" under the Hedgerow Regulations, i.e. they do not fall within any of the relevant archaeological, historical or ecological criteria set out in the regulations. Therefore the removal of these hedgerows would not require consent under the Hedgerow Regulations.

With regard to landscaping within the technology campus and along the highways, cycleways and footpaths, it is considered that a condition requiring the submission of a master plan and design code prior to any reserved matters applications will ensure that suitable landscaping principles can be established for the development zones and incorporated into the detailed layout of the development. The landscape framework that has been submitted includes sufficient detail for this outline application, with landscaping being a reserved matter.

For the above reasons it has been concluded that the proposals meet the requirements of Adopted Local Plan Policy DP3. Landscape issues relating to light pollution are dealt with in the Light Pollution section of this report.

5. Public open space, sport & recreation

In terms of public open space, sport and recreation, matters to be considered are Trinity Guild Rugby Football Club, Museums within or adjacent to the application site (i.e. the Electric Railway Museum and Midland Air Museum) and the proposed countryside park which forms part of the development proposals. The Lunt Roman Fort to the west of the site is considered later in this report in the assessment of heritage impacts.

Trinity Guild Rugby Football Club

The Rugby Club currently occupy a site between Rowley Road and Coventry Airport to the immediate west of the Electric Railway Museum.

Their current facilities comprise 2 full size pitches, a floodlit training pitch and a small club house.

Paragraph 74 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

Draft Local Plan Policy HS2 includes provisions for the protection of sport and recreation facilities. However, this is subject to unresolved objections and therefore it can only be afforded limited weight.

Sport England have raised no objection, subject to a condition to prohibit any development on the rugby club site until the rugby club have moved to a new site with like for like or better facilities and have played their first competitive game on it. The Rugby Football Union have also raised no objection. Therefore, subject to this condition, the proposals are considered acceptable in respect of their impact on Trinity Guild RFC.

Museums within or adjacent to the application site

There are 2 museums on or adjacent to the application site. These are the Electric Railway Museum and the Midland Air Museum.

The Electric Railway Museum lies on the southern side of Rowley Road. The site boundary cuts through the Electric Railway Museum site, such that the western-most part of the museum is within the application site. The museum have objected to the application on the grounds that the proposed development will destroy the museum and threaten unique items of national railway heritage.

As part of the previous Gateway proposals the applicant (not the current applicant) agreed to a condition requiring them to relocate the Railway Museum to another part of the Gateway site (i.e. to the logistics park that was proposed to the south of Coventry Airport). However, the current proposals relate to a much smaller site and do not include the land to the south of the airport. Consequently there is no space for the museum to be relocated to within the smaller development that is now proposed.

The Railway Museum state that they were granted a new 3 year lease in March 2016. However, the applicant advises that this lease is on a contracted out basis with a landlord's rolling break exercisable on 6 months notice. In any case, these are land ownership matters that are not relevant to the consideration of the planning merits of the case.

It has previously been argued that the Railway Museum is protected from redevelopment by Adopted Local Plan Policy SC8 which deals with the

protection of community facilities (Draft Local Plan Policy HS8 contains similar provisions). However, in order to be protected by these policies, it would have to be determined that the museum is a "community facility".

The supporting text to Policy SC8 provides guidance on what are considered to be community facilities for the purposes of the policy. This indicates that it applies to a "wide range of facilities within Use Class D1, such as places of worship, dental and medical surgeries, community halls, local education facilities, crèches and nurseries for the care of children". It is notable that, whilst museums do fall within Use Class D1, they are not included in the list of example community facilities in the policy. The list suggests that the policy is intended to apply to facilities that meet the day to day needs of local residents.

It is also of note that these policies refer to community facilities that "serve local needs". In this case there are no dwellings anywhere near the museum and consequently there is no immediate local community that it might be said to serve.

The nature of the Railway Museum is such that it is better described as a cultural facility or cultural attraction rather than as a community facility. Visitors to the museum are likely to be drawn from a relatively wide catchment rather than from a local community as is envisaged in Policy SC8. Furthermore, in terms of being accessible to the community, the museum is only open on limited days (9 days in 2016). All things considered, in view of the wording of Policies SC8 and HS8 and the associated supporting text to those policies, it has been concluded that this is not the type of facility that these policies are intended to protect.

There are no national or local planning policies that seek to protect museums from redevelopment. As a result, there are no planning grounds for resisting the loss of part of the museum site.

Turning now to look at the impact on the Midland Air Museum, this is sited on Rowley Road to the east of the application site. The museum's on-site operations and access would not be significantly affected by the proposals, although access to the museum site from Rowley Road would need to be maintained in respect of both the construction and operational phases of the development in respect of improvement works to Rowley Road adjacent to the site. This could be secured by condition.

Countryside Park

Adopted Local Plan Policy SC13 states that contributions from commercial developments will be sought to provide, improve and maintain appropriate open space, sport or recreational facilities to meet local needs. The exact level and form of contributions required will have regard to the location, nature and size of development. The Council's Open Space Supplementary Planning Document provides further detail in this regard.

Draft Local Plan Policy HS4 deals with improvements to open space, sport and recreation facilities. However, this policy is the subject of unresolved objections and therefore can only be afforded limited weight.

The development proposals include the provision of a 21 hectare countryside park to the west of the technology campus. The land earmarked for the countryside park currently includes areas of open countryside that are not currently publicly accessible.

Key features within the countryside park would be a circular heritage walk beginning/ending at the Lunt Roman Fort car park and including a viewing platform offering views from the countryside park back to the fort; earthworks and tree planting to soften the impact of the technology campus in terms of views from the fort and Baginton; and pond areas to promote biodiversity.

The detailed design of the countryside park would be agreed at Reserved Matters stage and this would include details of the phasing of the works. Prior to this an infrastructure design, management and maintenance strategy for common areas within the development, including the countryside park, would be prepared by the developer and agreed as part of the Section 106 Agreement. This would detail arrangements in respect of design principles to inform detailed Reserved Matters planning applications, who will be responsible for maintenance, details of maintenance regimes and public access arrangements which shall provide for public access in perpetuity.

Overall, it is considered that the new countryside park would enhance the landscape character and biodiversity of the area adjacent to the proposed technology campus whilst also providing public access to those areas. The proposals are therefore considered to accord with the planning policy referred to above in this regard.

6. Heritage impacts

Archaeology

Adopted Local Plan Policy DP4 states that development will not be permitted which harms Scheduled Ancient Monuments or other archaeological remains of national importance, and their settings. Policy DP4 goes on to state that, with regard to locally or regionally important sites there will be a presumption in favour of preservation, except where the applicant can demonstrate that the benefits of development will outweigh the harm to archaeological remains.

Draft Local Plan Policy HE6 contains similar provisions in relation to archaeology. There are no unresolved objections to this policy and therefore it can be afforded significant weight.

The impact on Scheduled Ancient Monuments is considered separately in the following section of this report. With regard to other archaeological

remains, a programme of archaeological trial trenching has been undertaken across those parts of the site that have not been subject to extensive past disturbance and a report detailing the results of the fieldwork has been submitted to the County Archaeologist. The trial trenching established that archaeological deposits dating to the Middle Iron Age, Roman, medieval and post-medieval periods survive across the site. A number of undated features were also identified.

The County Archaeologist has advised that the proposed development will have a negative impact upon the archaeological deposits which survive across the application site. However, the County Archaeologist has advised that this impact could be mitigated by the implementation of an appropriate programme of archaeological fieldwork, which can be secured by condition. Therefore, subject to this condition, it has been concluded that the proposals would have an acceptable impact on these other archaeological remains and in this respect the proposals would be in accordance with Adopted Local Plan Policy DP4 and Draft Local Plan Policy HE6.

Impact on the setting of the Lunt Fort Scheduled Ancient Monument

The Lunt Fort is an important visitor attraction and education resource. It has considerable evidential value, particularly due to the survival and recreation of a gyrus, the only horse training arena of the period known to survive. The Lunt Fort was established by the Romans in a prominent landscape location. From here views to the north were particularly important. Much of the understanding of its topographical position is difficult to discern today due to the more recent developments such as the City of Coventry to the north, Baginton to the south and the various elements of infrastructure that surround it. To the north-east the view from the Fort is still essentially rural in character. This allows visitors to the fort, standing on the ramparts, to appreciate the landscape setting which the Romans sought to maximise.

The proposed buildings within the technology campus and the new bridge over the A45 would intrude into these rural views to the north-east of the Fort. However, the nearest buildings would still be some distance from the ramparts of the Fort (420m), with the intervening land proposed to remain undeveloped. Furthermore, the proposed bund and associated landscaping would soften views of the buildings. The visual impact would be further limited by aligning the buildings so that the narrowest elevations face west (towards the Fort) and so that less attractive features such as service areas are avoided alongside the western boundary. As a result, it would still be possible to get a reasonable appreciation of the original landscape setting of the Fort.

It is also important to note that the impact on the setting of the Lunt Fort will be the same as for the previous Gateway development. In his decision on the Gateway scheme the Secretary of State concluded that the overall degree of harm to the significance of the asset would be slight and certainly less than substantial. In relation to the current scheme Historic

England have advised that the necessary measures are in place to satisfactorily mitigate the impact on the landscape setting of the monument.

Paragraph 134 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In this regard, significant economic benefits have been identified in "Economic Case for the Proposal" section of this report. In addition, the applicant has agreed to make a contribution of £100,000 towards the enhancement of the fort. Furthermore, the provision of a countryside park between the Fort and the proposed development would provide the added benefit of allowing public views back to the Fort. Taken as a whole, it is considered that these public benefits clearly outweigh the limited harm that the development would cause to the setting of the Lunt Fort Scheduled Ancient Monument. Therefore it has been concluded that the proposals would be in accordance with Policy DP4 of the Adopted Local Plan, Policy HE6 of the Draft Local Plan and the NPPF.

Impact on the setting of the Baginton Conservation Area

Adopted Local Plan Policy DAP8 states that development will be expected to respect the setting of Conservation Areas and important views both in and out of them. Meanwhile, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

Draft Local Plan Policy HE2 deals with Conservation Areas. However, this is subject to unresolved objections and therefore it can only be afforded limited weight.

The Baginton Conservation Area is approximately 45m from the western boundary of the site. However, the part of the site to be developed would be approximately 300m from the Conservation Area and separated from it by the countryside park and existing development along Coventry Road. The Secretary of State concluded that the previous Gateway scheme would cause no material harm to the Conservation Area. That scheme extended closer to the Conservation Area due to the inclusion of an access road to the logistics park south of the airport and therefore the development now proposed would have less impact on the Conservation Area.

For the above reasons it is considered that the proposals would preserve the setting of the Baginton Conservation Area. The proposals are therefore in accordance with Adopted Local Plan Policy DAP8.

Impact on other heritage assets

In addition to the assets referred to above, the Environmental Statement identifies a number of other heritage assets in the surrounding area that

could potentially be affected by the proposed development. The closest / most affected of these are the Lunt Cottages and various other assets alongside the proposed highway works. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting. The Secretary of State concluded that there was no evidence to suggest that the previous Gateway scheme would have a material impact on any other designated or undesignated heritage assets. The same conclusions would apply to the current reduced scheme.

7. Noise pollution

Adopted Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, noise pollution that could cause harm to sensitive receptors. Policy NE5 of the Draft Local Plan contains similar provisions in relation to noise. Whilst there are unresolved objections to other parts of this policy, there have been no objections to the provisions in relation to noise. Therefore it is considered that this draft policy can be afforded significant weight insofar as it relates to noise.

The Environmental Statement includes an assessment of the likely significant effects of the development in terms of noise and vibration. This includes a baseline noise survey at 14 positions representative of existing noise sensitive receptors. The assessment considers the impact of construction noise, road traffic noise and industrial and operational noise.

With regard to construction noise, it is proposed that a Construction Management Plan will be prepared and agreed with the Council. A condition is recommended accordingly. It is considered that a suitable management plan will ensure that construction noise will not cause unacceptable noise and disturbance for nearby dwellings or other sensitive receptors.

The noise assessment has used IMMI noise modelling software to predict traffic noise levels at various receivers. The results show that traffic noise would have a negligible impact on the majority of sensitive receptors, with a minor positive, moderate positive or major positive impact on others.

In terms of operational noise arising from activities taking place within the proposed technology campus, the Environmental Statement advises that this would not be a significant issue given the distance from the nearest sensitive receptors. In this regard it is of note that the employment element of the technology campus would fall within Use Class B1, which by definition must be capable of being undertaken "*in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit*" (as defined the Use Classes Order).

With regard to plant noise, as this is an outline application, the exact location, orientation and specification of any plant is not known at this stage. As a result it is not possible to assess the precise impact that any plant may have. Therefore it is considered that a condition should be imposed to deal with this issue, specifying a maximum noise level for any plant.

It is also worth bearing in mind that the proposed bund to the east of the technology campus would serve as a barrier to noise from the development. However, it is made clear in the Environmental Statement that this feature is not critical to the acceptability of the scheme from a noise perspective.

Environmental Health have accepted the conclusions of the noise assessment contained within the Environmental Statement. Therefore it is considered that the proposals would not give rise to unacceptable noise pollution for any dwellings or other sensitive receptors and that the proposals would be in accordance with Adopted Local Plan Policy DP9 and Draft Local Plan Policy NE5 in relation to noise.

8. Air quality impacts

Adopted Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, air pollution where the level of discharge or emissions could cause harm to sensitive receptors. Policy NE5 of the Draft Local Plan contains similar provisions in relation to air quality. Whilst there are unresolved objections to other parts of this policy, there have been no objections to the provisions in relation to air quality. Therefore it is considered that this policy can be afforded significant weight insofar as it relates to air quality.

The Environmental Statement includes an Air Quality Assessment. This considers the impacts of the construction and operational phases of the development on air quality. The main potential impacts during the construction phase would be from construction activities and from construction traffic. The main potential impact during the operational phase would be from traffic generated by the development.

The Air Quality Assessment concludes that the proposals would have an acceptable impact on air quality. The construction phase of the development could give rise to emissions of dust. However, by adopting appropriate mitigation measures to reduce any such emissions, there should be no significant effects caused. These mitigation measures are proposed to be secured by a Construction Management Plan and a condition is recommended accordingly.

With regard to emissions caused by traffic associated with the development, the Assessment concludes that there would be a negligible impact on annual mean concentrations of NO₂ and PM₁₀. The number of

days exceeding the daily mean PM10 Air Quality Standards has also been determined to be negligible.

Environmental Health have accepted the findings of the Air Quality Assessment, but have raised concerns about the absence of any reference to the Council's Low Emissions Strategy Guidance. This requires all significant new developments to implement a Low Emissions Strategy so as to address the cumulative impact that new developments have on air quality (even if the development would have a negligible impact on its own). These Low Emissions Strategies are normally secured by condition and it is considered that this would be appropriate in the current case and so a condition is recommended accordingly.

For the above reasons it has been concluded that the development would not give rise to unacceptable air pollution and that the proposals would be in accordance with Adopted Local Plan Policy DP9 and Draft Local Plan Policy NE5 in relation to air quality.

9. Light pollution

Adopted Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, light pollution that could cause harm to sensitive receptors. Policy NE5 of the Draft Local Plan contains similar provisions in relation to light pollution. Whilst there are unresolved objections to other parts of this policy, the one objection to the provisions in relation to light pollution has been resolved by amendments to the policy. Therefore it is considered that this policy can be afforded significant weight insofar as it relates to light pollution.

It is not possible to undertake a full assessment of the lighting impact of the proposals until the detailed design stage due to the fact that the layout of the development and the design and position of the lighting will not be known until then. Therefore the decision that must be made in relation to the current proposals is whether or not the development is likely to result in light pollution that would have an unacceptable impact on sensitive receptors or the rural character of the area, if the development incorporates appropriate lighting design and mitigation.

The Environmental Statement outlines general lighting principles that are intended to minimise light pollution. The ES concludes that through careful design and mitigation the lighting effects of the development have been assessed as minor adverse.

There is already a degree of light pollution in the surrounding area caused by Stonebridge Trading Estate, the airport, the surrounding road lighting, the built up parts of Coventry and, to a lesser extent, Baginton. Furthermore, the bund alongside the technology campus would largely screen any direct views of the lighting from the countryside and the nearest dwellings. In terms of views from the surrounding countryside, the proposed development would be viewed in association with the

existing light pollution caused by adjacent urban uses and is partially divorced from the open countryside by the airport to the south.

Notwithstanding all of the above points, the introduction of lighting associated with the technology campus would inevitably result in a degree of light pollution that would have some adverse impact on the rural character of the area. However, subject to appropriate lighting design and mitigation, it is considered that this harm can be reduced to an acceptable level.

In terms of lighting associated with the highway improvements outside of the area where built development is proposed, this would be viewed in an urban context and / or would be closely related to existing / approved highway lighting. Improvements in lighting technology will mean that the proposed lights are likely to cause less light spillage and reduced sky glow in comparison with the existing highway lights.

Environmental Health have not objected to the proposals on the grounds of light pollution, subject to the imposition of a condition to require details of lighting to be submitted for approval. Therefore, for the reasons stated above, subject to appropriate lighting design and mitigation, it has been concluded that the proposals would not cause unacceptable light pollution and would not harm sensitive receptors. There would be some adverse impact on the rural character of the area but this can be mitigated. Therefore the proposals would be in accordance with Adopted Local Plan Policy DP9 and Draft Local Plan Policy NE5 in terms of the impact of lighting.

10. Contamination

Adopted Local Plan Policy DP9 states that, where there is evidence of existing land contamination, it will be necessary to ensure that the land is made fit for its intended purpose and does not pose an unacceptable risk to sensitive receptors. Policy NE5 of the Draft Local Plan contains similar provisions in relation to contamination. Whilst there are unresolved objections to other parts of this policy, there have been no objections to the provisions in relation to contamination. Therefore it is considered that this policy can be afforded significant weight insofar as it relates to contamination.

The application site includes areas of potentially contaminated land, including former sewage treatment works and a landfill site. The site is situated in a location that is highly vulnerable to contamination as the area is underlain by principal and secondary aquifers and is situated adjacent to rivers.

The Environmental Statement includes a preliminary assessment of contamination that exists across the site and advises that no specific significant remediation works are anticipated to be required to facilitate the development, although it is noted that this is subject to further investigation and assessment. The Environmental Statement notes that it

is possible that some limited remediation measures might need to be utilised in the potentially contaminated areas of the site to the south of Rowley Road (the areas affected by landfill and sewage works). It is anticipated that remediation is likely to be restricted to capping, clean cover systems and gas venting systems, although barriers and localised treatment might also need to be considered.

Environmental Health are satisfied that sufficient information has been submitted to demonstrate that the proposals are acceptable from a contaminated land perspective, subject to conditions to require further site investigation and the submission of detailed remediation proposals. Subject to these conditions, it has been concluded that the proposals would not cause harm to sensitive receptors (e.g. controlled waters or human health) and therefore it is considered that the proposals meet the requirements of Adopted Local Plan Policy DP9 and Draft Local Plan Policy NE5 in relation to land contamination.

11. Drainage & flood risk

Paragraph 103 of the NPPF advises that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

The Government's Planning Practice Guidance provides further detail as to the Sequential and Exceptions tests. It confirms that the overall objective of policy is to guide development to areas at lowest risk of flooding in Flood Zone 1. The guidance permits 'Essential Infrastructure' in Flood Zone 2 but in Flood Zone 3 such infrastructure is subject to tighter restrictions.

Within Flood Zone 3a – areas with a high probability of flooding – Essential Infrastructure should only be permitted if the Exception Test is passed and should be designed and constructed to remain operational and safe for users in times of flood.

Within Flood Zone 3b – the functional floodplain – Essential Infrastructure, as well as passing the Exception Test, should be designed and constructed to remain operational and safe for users in times of flood, result in no net loss of floodplain storage, not impede water flows and not increase flood risk elsewhere.

For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that

outweigh flood risk, informed by a Strategic Flood Risk Assessment where one has been prepared; and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall. Both elements of the test have to be passed for development to be permitted.

The above provisions of national planning policy are reflected in Draft Local Plan Policy FW1. The one objection to this draft policy has been resolved by amendments to the Plan and consequently it is considered that significant weight can be afforded to this policy.

Adopted Local Plan Policy DP11 deals with drainage. This states that development will be encouraged to incorporate sustainable drainage systems (SUDS) which provide for the disposal of surface water.

Draft Local Plan Policy FW2 states that appropriate SUDS facilities are required in all developments and that such facilities should preferably be provided on-site or, where this is not possible, close to the site. Draft Policy FW2 goes on to set out a range of criteria to be applied to SUDS proposals. The one objection to Draft Policy FW2 has been resolved by amendments to the Plan and consequently significant weight can be afforded to this policy.

The vast majority of the application site lies within Flood Zone 1 including all of the areas where new buildings are proposed. These elements therefore satisfy the Sequential Test.

However, the scheme includes a new bridge and culvert extension and associated infrastructure that are within the Flood Zone 3 functional floodplains of the Rivers Sowe and Sherbourne. Specifically, part of a new bridge over the A45 and its abutments are within the floodplain of the River Sowe and part of the slip road into the Whitley Business Park site from Festival Island involves a culvert extension within the River Sherbourne floodplain.

These elements of the scheme fall outside of Warwick District and consequently the District Council are not making a decision on those structures. However, as these are an essential part of the access arrangements to the site, the impact of these structures is a material consideration relevant to the consideration of the development that falls within Warwick District.

Looking first at the slip road from Festival Island and its associated culvert extension over the River Sherbourne, the application proposes that a new area of flood plain storage is provided within the site to compensate for the storage lost as a result of this part of the development. This will provide a larger volume of flood plain storage than will be lost (2,263 cubic metres created compared with 1,644 cubic metres lost).

Turning to the new bridge across the A45, the application proposes that a new area of flood plain storage is provided within the site to compensate for the storage lost as a result of this part of the development. This will provide a larger volume of flood plain storage than will be lost (7,199 cubic metres created compared with 4,247 cubic metres lost). In addition, flood flow culverts are proposed through the bridge embankment to prevent a reduction of the conveyance capacity of the river in this location. Overall the mitigation measures would reduce flood levels up and downstream of the bridge by up to 40mm.

Finally, the carriageways over the new bridges are set at such a level that their use would not be compromised by a 1 in 100 year flood event.

The bridge works proposed are considered to be 'Essential Infrastructure' as they are needed in order for the development to be integrated satisfactorily into the surrounding highway network. Overall it is considered that both elements of the Exceptions Test are satisfied.

The applicant's Flood Risk Assessment has had regard to the Strategic Flood Risk Assessments for Coventry & Warwickshire. In terms of wider sustainability benefits to the community, the proposals would generate substantial economic benefits as well as delivering infrastructure enhancements and improved public access to the river corridors and areas of open countryside within the application site. The technical requirements of the Exceptions Test are also satisfied.

Notwithstanding the above, the Environment Agency have objected to the current application due to concerns about the impact of the new bridge and culvert extensions on the floodplains of the River Sowe and River Sherbourne. In considering these comments it is important to bear in mind that the Environment Agency did not object to the previous Gateway application which included similar proposals in relation to the A45 bridge. However, they advise that their change of stance is based on revised guidance on the issues in question and revised information in the Strategic Flood Risk Assessment for the area.

Discussions are on-going between the Environment Agency and the applicant to resolve the issues raised. It is expected that this will be resolved shortly and an update on this matter will be provided in the addendum report to Committee.

In terms of surface water drainage across the development as a whole, the application documentation contains detail regarding a surface water drainage strategy which makes extensive use of sustainable drainage systems. A series of balancing ponds are proposed with a series of below ground pipes and swales connecting these ponds to the various development plots and estate roads.

Overall surface water run-off rates are proposed to be restricted to green field run off rates in line with Environment Agency requirements. Appropriate measures would also be provided to prevent pollutants

entering watercourses with measures also proposed regarding drainage impacts arising during construction works, with the details of these to be conditioned.

Subject to the resolution of the issues identified about, it is expected that there will be no objection from the Environment Agency or Severn Trent, with detailed flood risk and drainage matters being dealt with by condition. Therefore, provided these issues are indeed resolved to the satisfaction of the Environment Agency, it will be concluded that the proposals are acceptable from a drainage and flood risk point of view, in accordance with Adopted Local Plan Policy DP11, Draft Local Plan Policies FW1 and FW2 and the flood risk policies of the NPPF.

12. Loss of agricultural land

Objectors have raised concerns about the loss of productive agricultural land. Approximately one third of the site comprises agricultural land (33ha). Of this, 27.3 ha comprises best and most versatile agricultural land as defined in the NPPF (9.5ha Grade 2 and 17.8ha Grade 3a). The remaining 5.7ha falls within Grades 3b and 4.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The NPPF goes on to state that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This is reflected in Adopted Local Plan Policy DP3.

The Draft Local Plan includes provisions regarding agricultural land protection in Draft Policy NE5. However, there are unresolved objections to the agricultural land provisions of this draft policy and therefore it is considered that it can only be afforded limited weight.

In this case it has been accepted that development in this location is necessary (as assessed earlier in this report). The amount of high quality agricultural land that is proposed to be built on only amounts to a relatively small proportion of the overall site, with the remainder of the site either comprising non-agricultural land (e.g. the Rugby Club, railway museum etc.) or is being proposed for recreational use (i.e. the countryside park to the west of the technology campus). It is considered that the limited harm that would arise from the loss of relatively small areas of best and most versatile agricultural land would be outweighed by the significant economic, environmental and recreational benefits of the proposals. Furthermore, if it is accepted that there is a need for this type of development on the edge of Coventry, any alternative site is likely to result in the loss of a similar or greater amount of the best and most versatile agricultural land.

13. Acceptability in principle of retail, hotel & car showroom floorspace

The technology campus would include up to 4,645 square metres of car showroom floorspace, 11,617 square metres of hotel accommodation with up to 350 bedrooms, and up to 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace (Use Classes A1, A3, A4 & A5). Annex 2 of the NPPF identifies all of these uses, except car showrooms as 'Main Town Centre Uses'.

For the purposes of the NPPF the application site occupies an out-of-centre location.

Paragraph 24 of the NPPF states that local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. They should require applications for main town centre uses to be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference should be given to accessible sites that are well connected to the town centre.

These provisions of the NPPF are reflected in Policies TC2 and CT2 of the Draft Local Plan. However there are unresolved objections to these draft policies and consequently they can only be afforded limited weight.

Adopted Local Plan Policy UAP3 states that retail development will not be permitted outside the town centres unless there is a proven retail need for the proposal; there are no available, suitable and viable sequentially preferable sites or buildings; it would reduce the need to travel by private car; the development is, or can be made, genuinely accessible and well served by a choice of means of transport; it can be demonstrated that the proposal would not have a significant adverse impact on the vitality and viability of centres nor on the development plan retail strategy.

Adopted Local Plan Policy RAP11 states that the development of new or expansion of existing shops and local services within settlements will be permitted where these meet local retail or service needs.

Adopted Local Plan Policy RAP16 deals with visitor accommodation in the rural area. This states that development of new buildings for visitor accommodation will not be permitted.

In respect of the above policies the applicant has advised that the retail and hotel floorspace will primarily serve employees/visitors to the Whitley South development and employees/visitors to existing immediately adjoining sites such as JLR Whitley, Whitley Business Park, Middlemarch Business Park and Coventry Airport.

The retail and hotel elements of the scheme are the same as was included in the previous Gateway scheme. The Inspector's Report for that scheme concluded that the retail facilities met the requirements of the NPPF and

Adopted Local Plan policies because they would serve the large influx of visitors that would be attracted by that development. Whilst the current scheme is somewhat smaller, it would be linked to JLR Whitley / Whitley Business Park and with Middlemarch Business Park nearby and these combined sites amount to a sizeable employment destination which would attract significant numbers of visitors to the area. In this context the retail element of the scheme is considered to remain ancillary to the proposed and existing employment uses. It is also important to note that a reduction in the amount of retail floorspace would reduce the ability for a viable mix of retail services to be provided, undermining the purpose and viability of this element of the scheme.

The Inspector's Report for the Gateway scheme raised concerns about the proposed hotel accommodation. The Inspector stated "*while it can be understood that additional demand for accommodation would be likely to result from visitors to the business park development, and the incorporation of a hotel could add to its attractiveness, there is no explicit assessment of need for this or consideration of alternative sites*".

In considering this issue, a key difference between the current proposals and the previous Gateway scheme is that the current proposals are being brought forward by JLR as an expansion to their existing global headquarters site at Whitley. In contrast, the Gateway scheme was speculative. This changes the consideration of the hotel element of the scheme. JLR advise that the hotel and other ancillary uses are required to enhance the vitality of the development and to provide a high quality environment for JLR and other occupiers. The need for support services to meet the needs of staff and visitors is vital to the success of businesses like JLR both in terms of staff retention and recruitment and its international appeal and profile.

With specific regard to the hotel, the applicant advises that this contributes to the attraction of the scheme to JLR, its suppliers and business partners. This is particularly important given JLR's national and international links, where there is a need to accommodate visiting clients, colleagues and business associates.

Having considered the points that the applicant has put forward in favour of the hotel accommodation, it is considered that this represents a significant change in circumstances compared with the speculative Gateway scheme that was the subject of the Inspector's Report quoted above. JLR are a significant brand and this development would link to their global headquarters on the opposite side of the A45. Given the size and nature of the combined employment area that would be created with the proposed technology campus, JLR Whitley / Whitley Business Park and other significant employment areas nearby, the hotel is considered to be an appropriate facility that meets the needs of the proposed development and existing developments in the locality.

The 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace would be provided in small units given

the fact that it is proposed to serve a local catchment. This could be secured by conditions to ensure that the retail element in particular is not occupied by large units selling goods that would not ordinarily have a local customer catchment. In this regard it is proposed that the maximum floorspace of any retail unit is limited to 250 square metres.

For those uses where the sequential approach applies (i.e. all of the uses except the car showroom) it is not considered that there are suitable alternative sites that would be sequentially preferable bearing in mind the local needs that would be met by the retail facilities and considering the requirements of JLR for hotel accommodation to serve the proposed development and their global headquarters. Given the scale of the proposed employment development and other established employment developments in the locality, these requirements are not met by the two existing hotels nearby the site (the Holiday Inn on the A45 London Road east of Tollbar Island and the Ibis hotel on Abbey Road north of the Whitley Business Park site).

This is considered to be in accordance with the Government's Practice Guidance on the Sequential Approach which states that the objectives of the Sequential Approach are to minimise the need to travel and encourage linked trips. In this regard the Practice Guidance itself acknowledges that it may be necessary for some Town Centre Uses to locate on out-of-centre sites in order to meet local needs.

This leaves the car showroom accommodation to be considered. This is not subject to the sequential test. However, such facilities would not normally be permitted on a Green Belt site. The Inspector for the Gateway scheme concluded that the applicant had not demonstrated any specific evidence of need for showroom floorspace in this location.

As with the consideration of the hotel floorspace, a key difference with the current application is that the scheme is now being brought forward by JLR. As the application site is situated adjacent to JLR's global headquarters, they wish to incorporate space to showcase their new and emerging vehicles to national and international clients in a prestigious and attractive setting fronting onto the A45. This would be an integral part of the JLR campus and as such is considered to be an appropriate use for the site.

For the above reasons, subject to appropriate conditions, the proposed retail, hotel and car showroom floorspace is considered acceptable.

14. Ecological impacts

Adopted Local Plan Policy DP3 states that development will only be permitted which protects important natural features and positively contributes to the character and quality of its natural and historic environment through good habitat / landscape design and management. Policy DP3 goes on to state that development proposals will be expected to demonstrate that, amongst other requirements, they protect and / or

enhance local ecology, including existing site features of nature conservation value and secure the long term management and maintenance of habitat / landscape features. Meanwhile, Adopted Local Plan Policy DAP3 states that development will be strongly resisted that will destroy or adversely affect the following locally important sites / features: Local Nature Reserves; any other sites subject to a local ecological designation unless the applicant can demonstrate that the benefits of the proposal significantly outweigh the ecological importance of the area; and protected, rare, endangered or other wildlife species of conservation importance.

The Draft Local Plan includes provisions regarding ecology in Policies NE2, NE3 and NE4. However, there are unresolved objections to these draft policies and consequently they can only be afforded limited weight.

In terms of designated sites, the parts of the application site that fall within Coventry adjoin the Stonebridge Meadows Nature Reserve as well as a number of Local Wildlife Sites (LWS) and potential Local Wildlife Sites (pLWS) (Lower Sowe and Sherbourne Valleys LWS, Leaf Lane LWS and Lower Sowe and Sherbourne Valleys Extension pLWS).

The part of the site that falls within Warwick District does not contain any designated ecological sites, but does adjoin the River Sowe potential Local Wildlife Site to the west. This part of the site is separated from the Stonebridge Meadows Local Nature Reserve by the A45.

Species surveys have been carried out in relation to great crested newts, bats, badgers, breeding birds, wintering birds, reptiles, otters and water voles. These surveys have identified low levels of bat activity (comprising common and widespread species of bat); badger setts on land adjacent to the site and evidence of badger activity on the site; otters; a significant number of species of breeding and wintering birds; and a small population of grass snakes. A survey of a nearby site also identified a number of important species of invertebrate, whilst small populations of smooth newt have also been confirmed within 500m of the site. A number of the species that have been recorded in these surveys are protected species.

The County Ecologist has raised concerns about some of the ecological information that has been submitted with the application, including the fact that some of the protected species surveys were carried out at a sub-optimal time of year. However, the County Ecologist notes that the applicant proposes a precautionary approach in relation to some of these species and that the on-going highway works in the locality are likely to have impacted on species present in the area. The County Ecologist has therefore advised that this and other shortfalls in the ecological information can be addressed by suitable conditions.

The application site includes a range of existing habitats. A significant amount of this existing habitat would be retained within the proposed countryside park. However, a significant amount of the existing habitat elsewhere on the site would be lost as part of the proposed development.

Whilst large areas of the habitat that will be lost are of negligible / low nature conservation value (e.g. arable, amenity grassland, improved grassland), there would also be a loss of small areas of habitat that is of moderate / high nature conservation value (e.g. hedgerows, plantation woodland, mature trees, dense scrub, tall ruderal). This would include the partial loss of habitat within the River Sowe and Sherbourne Valleys LWS, the Leaf Lane LWS and the River Sowe and Sherbourne Valleys Extension pLWS. There is also potentially a very minor adverse impact on the edge of the Stonebridge Meadows LNR due to the construction of the retaining wall of the bridge over the A45 on the boundary with the reserve.

The proposals would also impact on wider ecological networks, potentially adversely affecting the connectivity between the various ecological sites in the surrounding area. Construction activities may also potentially have an adverse effect on designated nature conservation sites adjacent to the application site. The extent of habitat loss that has been identified is likely to harm the species that have been recorded on site (including protected species).

For the above reasons, unless suitable mitigation is provided, the proposals would have an unacceptable ecological impact due to the loss of habitat and the harm that would be caused to the fauna recorded on site (including protected species). The applicant proposes to use biodiversity off-setting to mitigate the impacts of the proposed development. This approach has been agreed with the County Ecologist.

Loss of habitats will be compensated by the creation of new and enhanced habitats within the site, principally within the proposed countryside park. The new and enhanced habitats within this part of the site will provide linkages to the River Sherbourne and River Sowe corridors to improve habitat connectivity. The total area of green infrastructure within the site will amount to approximately 60ha, or 57% of the total area of the site. This will amount to a net increase in biodiversity within the site. This has been agreed by the County Ecologist. Full details of the proposed habitat creation can be secured via a clause in the Section 106 agreement requiring the submission of a Construction Ecological Protection and Mitigation Strategy.

The Biodiversity Impact Assessment carried out by the applicant shows a net gain of 5.86 units. The County Ecologist has some concerns about this assessment, but even taking these into account it still indicates a biodiversity gain of 0.4 units.

The new habitats to be created will also ensure that the fauna on the site (including protected species) are adequately provided for within the completed development. The County Ecologist advises that impacts on fauna during the construction of the development can be dealt with by the Construction Ecological Protection and Mitigation Strategy to be secured by the Section 106 agreement.

In conclusion on this issue, it is considered that the proposals to create and enhance habitats within the site will ensure that there is no net loss of biodiversity as a result of the proposed development. In fact there is likely to be a net gain in biodiversity. The biodiversity offsetting proposals will also ensure that the development does not have an adverse effect on wider ecological networks. Therefore, taking all of the above issues into account, including the concerns raised by Warwickshire Wildlife Trust, it has been concluded that the proposals would have an acceptable ecological impact and that the proposals would be in accordance with Adopted Local Plan Policies DP3 and DAP3.

15. Sustainable buildings

Adopted Local Plan Policy DP13 states that, in appropriate residential and non-residential developments, the Council will require 10% of the predicted energy requirements to be produced on site, or in the locality, from renewable energy resources.

Draft Local Plan Policy CC3 deals with issues relating to sustainable buildings. However, there are a number of unresolved objections to this draft policy and therefore it is considered that it can only be afforded limited weight in the assessment of this application.

As this is an outline application, it only provides a general overview of the types of low and zero carbon technologies that are likely to be incorporated into the scheme. It is proposed that solar panels will be installed on the roofs of the buildings together with a combined heat and power plant for the hotel. The design of the buildings is also proposed to incorporate rainwater harvesting. The exact mix of low and zero carbon technologies will be confirmed at detailed design stage. A condition is recommended accordingly and this will ensure that the proposals comply with Adopted Local Plan Policy SC13.

16. Urban design matters

Matters to be considered in assessing the urban design merits of the proposal are general planning policy relating to design and the various reserved matters of layout, scale, appearance and landscaping. In addition consideration also needs to be given to disabled access, crime prevention matters and public art.

Looking first at general planning policy, the NPPF states that the Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development and should contribute to making places better for people. Development proposals should improve the character and quality of the area to which they relate.

Adopted Local Plan Policy DP1 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. Policy DP1 goes on to set out a range of design criteria to be applied to all new development.

Policy on detailed layout and design matters is provided in Draft Local Plan Policy BE1. However, there are unresolved objections to this Policy and therefore it can only be afforded limited weight.

These are all issues to be considered at the reserved matters stage. However, having considered the parameters set out in this outline application it is clear that these provide scope for a suitable design that takes account of all relevant urban design matters, in accordance with Adopted Local Plan Policy DP1.

Layout, Scale, Appearance & Landscaping Reserved Matters

In assessing the proposals having regard to the above policy it needs to be borne in mind that the applicant seeks outline planning permission with only reserved matters details regarding access being discharged at this stage. As such full details on matters of layout, scale, appearance and landscaping are not available at this time. Nevertheless, consideration should be given to urban design principles set down in the application documentation, particularly the Parameters Plan, Design & Access Statement and Green Infrastructure Study.

With regard to matters of layout the proposed technology campus occupies relatively high ground with levels dropping to the immediate west before rising again up to the Lunt Roman Fort. The technology campus would be laid out in a manner which minimises its impact on the Lunt Roman Fort. The area between the Fort and technology campus are proposed to be laid out as a countryside park and this would act as a visual buffer with sustainable drainage balancing ponds also proposed in this area to add visual interest. The layout of those units on the western edge of the technology campus would avoid the siting of less attractive curtilage features such as service areas adjacent to the west site boundary and the buildings themselves would be aligned so that their narrowest elevations faced west in order to minimise the extent of building elevations visible in views from the Lunt Fort and countryside park.

In terms of layout further attention would also need to be given at Reserved Matters stage to ensuring that the detailed estate road and building layouts were understandable to users and permeable with, for example, estate roads providing for good circulation and buildings being sited to address road frontages satisfactorily.

Moving on to matters of scale, details regarding building sizes are provided in the Parameters Plan and Design & Access Statement accompanying the application. The scale of buildings indicated is considered to be appropriate for this location. It is proposed that building

heights would decrease from east to west with the lowest buildings in height terms being adjacent to the more sensitive west boundary overlooking the Lunt Fort.

In terms of appearance it is proposed that buildings within the technology campus, in particular those on its more sensitive west boundary, would make extensive use of more natural external facing materials such as timber cladding to ensure that where proposed buildings are more visible from the surrounding locality that they are assimilated better into the landscape.

A further key element of the scheme in terms of appearance would be the proposed new bridge over the A45 between the Festival and Tollbar Islands. As the main entrance point into the development, the design of this bridge and the development plots south of the A45 immediately adjacent to it will require careful consideration to ensure that they provide a distinctive, high quality entrance to the scheme. Notwithstanding this, it will also be necessary to ensure that the appearance of the bridge has regard to the setting of the Lunt Fort.

It will be important to ensure in respect of Reserved Matters details that there is some overall structure and consistency in terms of building details and materials to maximise design and visual integration in the interests of visual amenity. This could be achieved by requiring that a Design Code is agreed for the development as a whole prior to the submission of any Reserved Matters details.

Finally in terms of landscaping, the visual impact of the technology campus on the Lunt Fort and countryside to the west would be minimised through ground re-profiling works and substantial tree planting to screen and filter views of the development. Notwithstanding this, there is a need at Reserved Matters stage to ensure that the areas occupied by the proposed countryside park are satisfactorily integrated in landscape terms with the developed areas of the scheme.

Disabled access

Adopted Local Plan Policy DP15 states that the layout and design of development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users, regardless of disability, age or gender. Development proposals will be expected to demonstrate that they provide safe, easy and inclusive access to, into and within buildings and facilities. This is reflected in Policies BE1 and HS1 of the Draft Local Plan. However, only limited weight can be afforded to these draft policies because they are both subject to unresolved objections.

It is proposed that a condition relating to Design Coding provides for the detailed specification of disabled access requirements so that these are provided for in terms of movement through the site and to buildings when Reserved Matters are submitted. Disabled access within buildings would be provided for under the Building Regulations.

Crime prevention

Adopted Local Plan Policy DP14 states that development will be encouraged to minimise the potential for crime and anti-social behaviour and improve community safety. Policy DP14 goes on to state that development proposals will be expected to demonstrate that, amongst other requirements, they make provision for appropriate security measures.

The Draft Local Plan includes provisions relating to crime prevention in Draft Policies BE1, HS1 and HS7. However all of these draft policies are subject to unresolved objections and therefore they can only be afforded limited weight.

Warwickshire Police have raised no objection to the proposals, but have made various detailed recommendations in relation to security measures. Some of these matters will be considered in the assessment of any reserved matters submissions. In addition, conditions are recommended to secure appropriate ANPR cameras and to secure suitable access control and road design measures to prevent illegal road racing or other anti-social use of the roads within the development.

Subject to these conditions, it is considered that the proposals would be acceptable in terms of crime and disorder and would meet the requirements of Adopted Local Plan Policy DP14. This matter will be considered in more detail as part of the assessment of any future reserved matters submissions.

Public art

Adopted Local Plan Policy SC15 states that contributions will be sought towards the provision of new works of art as part of new development schemes. Applicants will be encouraged to set aside a proportion of their costs, in line with the UK Percent for Art scheme, for works of art to be provided within the development, or where this is not appropriate, at a nearby location.

Draft Local Plan Policy CT5 proposes less onerous requirements in relation to public art. This states that contributions to new public art will be required where new development is closely related (either through proximity or through the nature of the use) to the District's centres of cultural and art activity. There have been no objections to Draft Policy CT5 and consequently it can be afforded significant weight.

Given the size of the application site it is considered that public art could be provided for on-site as part of the development and it is considered that suitable locations for such features should be identified as part of further master planning work to be undertaken before Reserved Matters are submitted. This could be secured by condition.

17. Impact on the living conditions of nearby dwellings

Adopted Local Plan Policy DP2 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Draft Local Plan Policy BE3 includes the same provisions in relation to amenity. There have been no objections to this draft policy and therefore it can be afforded significant weight.

The siting of the proposed buildings is a reserved matter. Nevertheless, the parameters plan shows that the buildings would be no closer than 160m from the nearest dwelling in Rowley Road. Furthermore the buildings would be separated from the nearest dwellings by a bund. In view of this distance separation and the screening that would be provided by the proposed bund, it has been concluded that the proposed buildings would not cause unacceptable loss of light, loss of outlook or loss of privacy for the nearest dwellings.

The bund itself would be 100m from the nearest dwelling. It would range in height between 3m and 7m above existing ground levels. Given the distance from the nearest dwellings and the height of the bund it has been concluded that it would not cause unacceptable loss of light or loss of outlook for neighbours.

When assessing the impact of the proposed buildings and bunds in terms of potential loss of light, regard has been had to the "25 degree line" indicator in the Building Research Establishment's publication "Site Layout Planning for Daylight and Sunlight". None of the buildings or bunds proposed would infringe this indicator in relation to windows in neighbouring dwellings.

For the above reasons it has been concluded that the proposals would be in accordance with Adopted Local Plan Policy DP2 and Draft Local Plan Policy BE3. Issues relating to light pollution, noise and air quality are assessed under separate headings elsewhere in this report.

18. Other Matters

Coventry Airport have raised no objection to the application. Therefore the proposals are considered to be acceptable from an airport safeguarding point of view.

Objectors have raised concerns about the size of the proposed bridge over the A45. They consider that the bridge is larger than needed to serve the development proposed in the current application and will open up the potential for a much larger area of Green Belt to be developed, including the logistics park that was proposed in the Gateway scheme. In response the applicant has submitted evidence from their highway engineers to demonstrate that the bridge is not over-sized for the development proposed in the current application. The bridge is one lane in each direction, with a central right turn only lane onto the eastbound slip road

on the A45. Whilst the bridge is the same size as that previously proposed in the Gateway application, it would not be possible to make the bridge smaller than one lane in each direction.

On this issue it is also important to note that granting planning permission for this bridge will not have any implications for the consideration of any future proposals for further development in the Green Belt south of the A45, including the proposed larger allocation of land in the Draft Local Plan that includes further land south of Coventry Airport. Any such proposals will be considered against Green Belt policy and the presence of a bridge potentially providing access will have no bearing on Green Belt considerations.

Objectors have raised concerns about state funding of the new bridge over the A45. However, this is a not a material planning consideration.

St. Modwen Developments have pointed out that they still own land in Whitley Business Park that is required for the access to the proposed development. In view of this they have raised concerns about the deliverability of the scheme. However, this is a land ownership matter that is not relevant to the consideration of the planning merits of the development. The access arrangements and highway works are proposed to be secured by conditions and this will provide adequate control over these aspects of the development from a planning point of view.

SUMMARY/CONCLUSION

As stated in the "Economic Case for the Proposal" section of this report, JLR have demonstrated an urgent need for the proposed development and for it to be located adjacent to their existing site. There are no alternative sites that could meet the requirements of JLR and the proposals have the support of the LEP and are in accordance with the LEP's objectives and published strategy. Therefore it has been concluded that there is a compelling economic case in favour of granting planning permission and that this issue cannot wait to be considered as part of the Local Plan review.

Whilst the proposals constitute inappropriate development in the Green Belt there are considered to be very special circumstances which are of sufficient weight to override the harm by way of inappropriateness and the other harm identified. These very special circumstances relate primarily to the substantial economic benefits outlined in the preceding paragraph but also to a lesser extent the provision of a countryside park, biodiversity gains, improved public transport connections and improvements to the local highway network.

It is noted that the proposals would be contrary to the Draft Neighbourhood Plan. However, this is at a very early stage in the process and therefore it can be afforded little weight in the consideration of the current application. As such, any conflict with the Draft Neighbourhood

Plan is clearly outweighed by the benefits of the scheme that have been outlined above.

Subject to conditions and a Section 106 Agreement and the resolution of the Highways England and Environment Agency issues, it has been concluded that the proposals are acceptable in terms of all other considerations including transportation matters; landscape impact; public open space, sport and recreation; heritage impacts; noise, air and light pollution; contamination; flood risk/drainage; loss of agricultural land; sequential and other locational issues related to the retail, catering, hotel and car showroom uses; ecology; sustainable buildings measures; urban design and neighbour amenity impacts.

Planning Committee are therefore recommended to resolve that they are minded to approve those elements of the application within the administrative area of the District Council subject to conditions, a Section 106 Agreement being entered into in respect of those matters highlighted in this report, and the Secretary of State not wishing to intervene regarding determination of the application.

SCHEDULE OF CONDITIONS

Reserved matters, phasing and time limits

1. Details of the following reserved matters for each phase of the development shall be submitted to and approved in writing by the local planning authority before any part of that phase of the development (other than demolition or ground works) is commenced:-
 - i) the layout of the phase and its relationship with existing adjoining development;
 - ii) the scale of the buildings;
 - iii) the appearance of the buildings; and
 - iv) the landscaping of the site.

REASON:

To comply with Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015.

2. Application for approval of the matters referred to in Condition 1 above must be made within 5 years of the date of this permission.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 (as amended)

3. The development to which this permission relates shall begin within 5 years of the date of permission or within 2 years of the final approval of the reserved matters, whichever is the later.

REASON:

To comply with Section 92 of the Town & Country Planning Act 1990 (as amended)

4. Prior to the commencement of development, details regarding the phasing of the development shall be submitted to and approved in writing by the local planning authority and such details shall include:
 - i) a plan(s) showing the boundaries of each phase, the extent and use of building development in each phase, the phasing of works within the proposed Countryside Park and arrangements in respect of the phasing of all transportation infrastructure;
 - ii) temporary access arrangements for vehicles and pedestrians in respect of each phase;
 - iii) car parking arrangements in respect of each phase;
 - iv) any interim surface, boundary treatment, external lighting or landscaping measures;
 - v) a report to demonstrate that the phasing proposals do not affect the conclusions of the noise and air quality assessments included in the Environmental Statement (including supplementary noise and air quality assessments and details of further mitigation measures, if necessary); and
 - vi) a temporary drainage strategy in respect of each phase.

Once approved the development of each phase shall be carried out in full accordance with such approved details or any subsequent amendments so approved.

REASON:

To ensure that in the event of the development being carried out on a phased basis, satisfactory access and interim environmental treatment is incorporated within each phase, in the interests of public safety and visual amenity in accordance with Policies DP1, DP7 and DP8 of the Warwick District Local Plan 1996-2011.

5. In respect of the Reserved Matters to be submitted in accordance with Condition 1, the building ridge heights and footprints and the overall Gross Internal Area of all building floorspace shall be within the minimum and maximum limits set down in approved pHp Architects Parameters Plan drawing no. 3924-1 003 Rev P8.

REASON:

To define the permission in the interests of urban design and highway safety and capacity in accordance with Policies DP1 and DP7 of the Warwick District Local Plan 1996-2011.

6. Prior to the submission of any Reserved Matters in respect of the development hereby permitted a Master Plan and Design Code shall be submitted to and approved in writing by the local planning authority. These shall:

- i) Accord with the approved pHp Architects Parameters Plan drawing no. 3924-1 003 Rev P8 and the principles set down in the Design & Access Statement forming part of the approved application documentation;
- ii) Define principles regarding building design, materials, elevational detailing and public realm hard/soft landscaping;
- iii) Identify those trees to be retained or removed as part of the development and the number and location of new trees to be provided as compensation;
- iv) Identify locations for public art features;
- v) Show the location of each pond;
- vi) Include design principles in respect of layout, scale, appearance and landscaping aimed at minimising its visual impact on the Lunt Roman Fort;
- vii) Contain details on how permeability will be achieved in respect of the network of estate roads within the technology campus;
- viii) Detail principles on how legibility will be achieved within the technology campus including design principles in respect of the new A45 bridge and land to the immediate south of it comprising the gateway into the development.
- ix) Include landscape design principles for the technology campus aimed at ensuring that soft landscaping within this area is satisfactorily integrated with the Countryside Park and neighbouring land.
- x) Contain principles in respect of disabled access throughout the development and to/from buildings.
- xi) Detail principles on how crime prevention matters will be addressed in respect of the development.

Any subsequent Reserved Matters applications shall accord with the approved Master Plan and Design Code.

REASON:

In the interests of urban design in accordance with Policies DP1, DP14, DP15 and SC15 of the Warwick District Local Plan 1996-2011.

- 7. The reserved matters to be submitted in accordance with Condition 1 for each phase shall include details of all earthworks, mounding and the finished floor levels of all buildings and structures, together with details of existing and proposed site levels in that phase and the relationship with adjacent land and buildings and such details shall accord with approved pHp Architects Parameters Plan drawing no. 3924-1 003 Rev P8 forming part of the approved application documentation.

REASON:

In the interests of urban design, to ensure that the mounds are in keeping with surrounding landscape and to ensure that the proposals do not harm the living conditions of nearby dwellings, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

8. The reserved matters to be submitted in accordance with Condition 1 for each phase shall include sample details of facing, roofing and hard surfacing materials for that phase, such details to include information on the recycled/reclaimed content of such materials. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the local planning authority.

REASON:

In the interests of urban design in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

Use restrictions

9. The gross floorspace of any unit the primary use of which falls within Class B1(a) of the Town & Country Planning (Use Classes) Order 1987 as amended erected under this permission shall not exceed 4999 square metres.

REASON:

To ensure that the development does not prejudice the provision of large scale office accommodation in town centres in accordance with Policy UAP2 of the Warwick District Local Plan.

10. No building approved under this permission used primarily for purposes falling within Class A1 of the Town & Country Planning (Use Classes) Order 1987 as amended (or in any Order revoking and re-enacting that Order) shall exceed 250 square metres gross internal floor area.

REASON:

To safeguard the shopping strategies of the local planning authorities and to accord with Government Guidance in the NPPF which seeks to direct large scale retailing to Town Centre locations.

11. No car showroom floorspace or floorspace falling within Classes A1, A3, A4, A5 or C1 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be occupied unless and until at least 9,290 square metres (GFA) of floorspace falling within Use Class B1 of the said Order has been occupied within the technology campus.

REASON:

To ensure that the car showroom and other floorspace falling within Use Classes A1, A3, A4, A5 and C1 is only provided when it is needed to serve the employment uses which primarily comprise the development approved under this permission in accordance with Policy UAP3 of the Warwick District Local Plan 1996-2011.

12. No more than 10% of the total B1 floorspace shall be occupied for purposes falling within Class B1a of the Town & Country Planning (Use Classes) Order 1987 as amended.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

13. The first 5,000 square meters (GFA) of floorspace within the development shall be occupied by Jaguar Land Rover. No other buildings shall be occupied within the development until Jaguar Land Rover have fully occupied 5,000 square metres of B1 floorspace within the technology campus.

REASON:

Since the particular requirements of Jaguar Land Rover form part of the very special circumstances for permitting this inappropriate development within the Green Belt, in accordance with the NPPF.

Landscaping and tree protection

14. Any soft landscaping referred to in Condition 1 in respect of each phase shall be completed in all respects within 6 months of the substantial completion of development in that phase. Any such landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with landscaping of a similar size and species to that which they replace. Any replacement hedging, trees or shrubs 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 visual amenity in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

15. No demolition or construction works shall commence in any phase (including any ground remodelling works), until a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment in respect of those trees earmarked for retention under Condition 6 above have been submitted to and approved in writing by the local planning authority. Thereafter, all demolition and construction works (including any ground remodelling works) in that phase shall be undertaken in strict accordance with the approved Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment.

REASON:

To safeguard those trees to be retained in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

16. The existing trees, shrubs and hedges indicated under Condition 6 to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any trees, shrubs or hedges removed without such consent or dying, or being severely damaged or diseased or becoming, 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), hedge(s) or shrub(s) of such size and species as have been approved in writing by the local planning authority. All tree(s), hedge(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 trees and shrubs 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 Policy DP3 of the Warwick District Local Plan 1996-2011.

17. The construction of buildings and mounds within the technology campus shall be phased in strict accordance with the construction phasing plan (drawing no. 3924-1/004 P4).

REASON:

To ensure that the mounds provide screening for the development at the earliest opportunity, in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

18. Prior to commencement of site works including demolition, a detailed soil management plan, conforming to the *Defra Code of Practice for the Sustainable Use of Soils on Construction Sites (2009)*, will be submitted for approval by the local planning authority. The plan will detail proposals for soil stripping, movement, storage, and spreading and will also identify soil remediation works where required. All earthworks shall be carried out in strict accordance with the approved details.

REASON:

To ensure the sustainable management of the site's soil resource and to ensure that earthworks will provide the best opportunities for successful establishment and sustenance of landscape infrastructure and ecological services throughout the scheme, in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

Highways

19. No development shall commence until full details of the site access provisions, in general accordance with drawing nos. THDA 15-0752 101 & 102, have been submitted to and approved in writing by the local planning authority. Thereafter the approved highway access works will be implemented in strict accordance with the approved plans and permanently retained thereafter.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

20. No development shall commence until full details of the proposed alterations to the A46/Stoneleigh Road/Dalehouse Lane Interchange, in general accordance with drawing no. THDA 15-0752 110, have been submitted to and approved in writing by the local planning authority. Thereafter these highway works shall be implemented in strict accordance with the approved plans and permanently retained thereafter.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

21. No construction shall commence until a Construction Management Plan has been submitted to and approved in writing by the local planning authority. This shall include a Construction Phasing Plan, HGV routing Plan, details of provision for HGV access and manoeuvring on site and details of employee car parking provision. The development shall be carried out in strict accordance with the Construction Management Plan approved under this condition.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

22. Access to and departure from the development site by construction delivery vehicles shall not be permitted between 0730 hours and 0900 hours or between 1630 hours and 1800 hours.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

23. No development shall commence until details of the proposed accesses onto Rowley Road, in general accordance with drawing no. THDA 15-0752 106 and PHP Architects Illustrative Development Plan 3924-1 002 rev P8, have been submitted to and approved in writing by the local planning authority. Thereafter the approved highway access works will be implemented in accordance with the approved plans and permanently retained thereafter.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

24. No construction shall commence on site until a detailed Highway Improvement Works Phasing Plan and Construction Sequence Programme/Timetable, linked to the extent of built floor space, and generally in accordance with Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P27 and PHP Architects Construction Phasing Plan Including Highways and Earthworks 3924-1 004 rev P3 has been submitted to and approved in writing by the local planning authority. Thereafter the phasing of development shall be undertaken in full accordance with these approved details.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

25. No more than 46,450 square metres (GFA) of development falling within Use Class B1 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be brought into use and occupied until the Phase 2 site access highway works as illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P27 have been constructed in general accordance with the detailed highways drawings in respect of such phase 2 works forming part of the approved application documentation and is opened to traffic.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

26. The construction of any highway structure as identified on TH:DA Drawing No. 15-0752 140 (Structures Location Plan) shall be undertaken only in full accordance with details, which shall include an approval in principle report, which have previously been submitted to and approved in writing by the local planning authority.

REASON:

In the interests of highway safety in accordance with Policies DP6 and DP7 of the Warwick District Local Plan 1996-2011.

27. No highway works approved as part of the development shall be undertaken unless and until:
- i) a Stage 1 and 2 Safety Audit (incorporating associated designers responses); and
 - ii) the details of any relaxations or departures from the highway standards utilised by the relevant Highway Authority at that time;

in respect of those highway works, have been submitted to and approved in writing by the local planning authority.

REASON:

In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

28. Street lighting shall be provided in respect of each phase of the development hereby permitted which involves the construction of highways, footpaths or cycleways in full accordance with details previously submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway, pedestrian and cyclist safety in accordance with Policies DP6 and SC4 of the Warwick District Local Plan 1996-2011.

29. At all times following the completion and opening to traffic of the phase 3 highway works in respect of the new A45 junction between the Festival and Toll Bar Islands, as illustrated on Lawrence Walker Ltd Drawing no. Figure 2 Rev P27 (Site Access Proposed Improvements Phasing) signage, traffic signal or other traffic management arrangements shall be in place on Rowley Road in accordance with details previously submitted to and approved in writing by the local planning authority to discourage vehicles exiting the development from utilising the roundabout element of the completed Highways Agency Tollbar End Improvement Scheme in order to access the strategic highway network.

REASON: In the interests of promoting the free flow of traffic in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

30. No building within the development hereby permitted shall be occupied unless and until the following transportation infrastructure has been provided in respect of that building in accordance with Reserved Matters details submitted to and approved in writing by the local planning authority:
- i) Motor vehicle, pedestrian and cyclist access to that building from the boundary of the application site;
 - ii) All the car parking approved for that building which shall include disabled car parking comprising at least 2% of the total number of car parking spaces provided for that building plus 6 further spaces;

- iii) Covered cycle and motorcycle parking; and
- iv) Servicing arrangements in respect of that building.

Thereafter such transportation infrastructure shall remain in place and available for such use at all times.

REASON:

In the interests of highway, pedestrian and cyclist safety and to promote sustainable transport choices in accordance Policies DP6, DP8 and SC4 of the Warwick District Local Plan 1996-2011.

Car parking and sustainable travel

- 31. The number of car parking spaces to be provided within the application site in respect of the development hereby permitted shall not exceed 2,500, of which a maximum of 500 shall be allocated for visitors and no more than 2,000 for the employees of the development. Provided the above limits are not exceeded, car parking shall be provided in accordance with the standards for low accessibility zones set out in the Council Vehicle Parking Standards Supplementary Planning Document.

REASON:

In the interests of highway safety and the promotion of sustainable transport choices in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011.

- 32. Prior to any part of the development being brought into use and occupied a detailed Car Parking Management Strategy for the control, management and enforcement of on-site (development plot) parking and of off-site (access and distributor road) parking shall be submitted to and approved in writing by the local planning authority. Thereafter car parking associated with the development shall be managed in full accordance with this approved Strategy.

REASON:

In the interests of highway safety and the promotion of sustainable transport choices in accordance with Policies DP6, DP7 and DP8 of the Warwick District Local Plan 1996-2011.

- 33. The reserved matters to be submitted in accordance with Condition 1 in respect of any single unit exceeding 1000 square metres (GFA) shall be accompanied by details of showering and changing facilities for employees working in or visiting that unit. Thereafter such approved facilities shall be provided in the construction of that unit and at all times following the first occupation of that unit those facilities shall remain in place and be available for use by persons employed in that unit.

REASON:

To promote sustainable transport choices in accordance with Policy SC4 of the Warwick District Local Plan 1996-2011.

Drainage and flood risk

34. At the Reserved Matters stage, before each phase of development commences, a scheme to show the location of each pond with the associated discharge rate and storage volume for the 1 in 100 year plus 20% for climate change flood event shall be submitted to, and approved in writing by the local planning authority. The scheme shall be fully implemented and subsequently maintained, in accordance with the phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

REASON:

To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

35. No development shall take place until a 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. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 plus 20% critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:
- i) Full drainage calculations for a range of events (Microdrainage windes or similar)
 - ii) Construction details for the ponds/swales
 - iii) Details of how the scheme will be maintained and managed after completion.

REASON:

To prevent the increased risk of flooding both on and off site, to ensure the features are constructed to the necessary standard and to ensure long term maintenance of the sustainable drainage scheme in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

36. The development hereby permitted shall not be commenced until such time as a scheme to provide details of the proposed bridges and bridge extensions has been submitted to, and approved in writing by, the local planning authority. The scheme shall include construction details, details of bridge openings and details of any floodplain compensatory works. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing and phasing arrangements in the scheme, or any alternative arrangements as may subsequently be agreed, in writing, by the local planning authority.

REASON:

To ensure the bridges and bridge extensions are constructed to a satisfactory standard and will not increase flood risk elsewhere in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

37. The development approved by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) 'Environmental Statement Chapter 8 Water Resources and Drainage' and the associated appendices in Chapter 8.1.

REASON:

To ensure runoff from the site is not increased, satisfactory storage is provided and water quality benefits are included in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

38. The development hereby permitted shall not be commenced until such time as a Surface Water Management Plan has been submitted to and approved in writing by the local planning authority. This shall include mitigation measures to prevent pollution of the watercourse in the construction phase. The scheme shall be implemented as approved.

REASON:

To protect and enhance the water quality of the River Sowe in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

39. The reserved matters submitted under Condition 1 above in respect of any phase of the development shall include details for the disposal of foul sewage associated with any development in that phase. Thereafter infrastructure for the disposal of foul sewage in respect of that phase of the development shall be provided in accordance with the approved details before the development in that phase is first brought into use.

REASON:

To ensure that the development is provided with a satisfactory means of foul sewage drainage in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

40. No development shall take place until a scheme for the provision and management of compensatory habitat creation, to compensate for the impact of the proposed development on the River Sowe, has been submitted to and agreed in writing by the local planning authority. This should include an investigation into the feasibility of river bank and floodplain restoration. Thereafter the development shall be implemented in accordance with the approved scheme.

REASON:

To ensure that harm resulting from the development can be adequately mitigated in accordance with Paragraph 118 of the NPPF.

Relocation and protection of community and other facilities

41. For the duration of highway construction works on Rowley Road and thereafter at all times following the completion of those highway works access for the Midland Air Museum to and from Rowley Road shall be maintained in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard this cultural facility.

42. The development hereby permitted shall not be commenced on the site occupied by Trinity Guild RFC unless and until:
- i) the Trinity Guild RFC have moved to a new site and playing pitch, clubhouse and car parking facilities together with vehicle and pedestrian access to those facilities have been provided for the club on that site which are at least equivalent in terms of quantity and quality to those which the club currently have on their existing site in accordance with details submitted to and approved in writing by the local planning authority in consultation with Sport England and;
 - ii) those playing pitch, clubhouse and car parking facilities together with vehicle and pedestrian access to those facilities on that new site are available for use by the club.

REASON:

To ensure the satisfactory quantity, quality and accessibility of compensatory provision which secures continuity of use and to accord with the NPPF.

Archaeology

43. No development shall take place on any phase of the development hereby permitted until arrangements have been made to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. The development shall be carried out in accordance with the programme so approved or any amended programme subsequently 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.

Crime and anti-social behaviour

44. No part of the development hereby permitted shall be occupied until:
- i) details of measures to prevent illegal road racing or other anti-social or dangerous use of the roads within the development have been submitted to and approved in writing by the local planning authority; and
 - ii) the measures approved under i) have been implemented in strict accordance with the approved details in relation to that part.

REASON:

To minimise the potential for crime and anti-social behaviour and improve community safety, in accordance with Policy DP14 of the Warwick District Local Plan.

45. No part of the development hereby permitted shall be occupied until ANPR cameras have been provided in accordance with a scheme submitted to and approved in writing by the local planning authority. The ANPR equipment shall comply with the ACPO ANPR standards and with the information security requirements of Warwickshire Police. Warwickshire Police shall be provided with access to the live feeds from the ANPR cameras at all times thereafter.

REASON:

To minimise the potential for crime and anti-social behaviour and improve community safety, in accordance with Policy DP14 of the Warwick District Local Plan 1996-2011.

Noise, dust and odour

46. Fume extraction and odour control equipment (including external ducting flues) associated with any catering operation shall be properly installed in its entirety in accordance with details first submitted to and approved in writing by the local planning authority and such installation shall have been inspected by the local planning authority before that catering operation commences. Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be colour coated to match within one month of its installation. The equipment shall be permanently operated and maintained in accordance with the manufacturer's specifications.

REASON:

In the interests of amenity in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.

47. Noise arising from any plant or equipment within the application site, when measured one metre from the façade of any residential property, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

REASON:

To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

48. None of the buildings hereby permitted shall be first occupied until:
- (i) a report detailing noise mitigation measures for the development (including noise calculations) has been submitted to and approved in writing by the District Planning Authority; and
 - (ii) the noise mitigation measures approved under (i) have been implemented in strict accordance with the approved details.

The approved noise mitigation measures shall be maintained in a manner that achieves the noise attenuation specified in the report approved under (i) at all times thereafter.

REASON:

To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

49. The Construction Management Plan to be submitted under Condition 21 above shall also include detail in respect of those matters set out in Sections 4, 5 & 6 of the Construction Sequence and Programme report forming part of the approved application documentation and shall include details of measures to control dust and noise from construction activities.

REASON:

In the interests of highway safety and to protect the living conditions of nearby properties, in accordance with Policies DP2, DP6, DP7 and DP9 of the Warwick District Local Plan 1996-2011.

50. No development shall take place on any phase of development until a Low Emission Strategy for that phase has been submitted to and approved in writing by the local planning authority. The Low Emission Strategy shall thereafter be implemented in strict accordance with the approved details.

REASON:

To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan.

Contamination

51. No development shall take place on any phase of the development until:
- i) a preliminary risk assessment has been carried out (to include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information) and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced;
 - ii) a site investigation has been undertaken in accordance with details approved by the local planning authority using the information obtained from the preliminary risk assessment;
 - iii) 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 and approved in writing by the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion.

No remediation should be undertaken before the method statement has been so approved. The approved remediation requirements shall thereafter be implemented in full and all development of the site shall accord with the approved method statement.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

52. If, during development, contamination not previously identified is found to be present at the site then no further development shall take place until an addendum to the remediation method statement has been submitted to and approved in writing by the local planning authority. The addendum to the method statement shall detail how this unsuspected contamination will be dealt with. The remediation requirements in the approved addendum to the method statement shall thereafter be implemented.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

53. No phase of the development shall be first occupied until a verification report demonstrating completion of the works set out in the approved remediation method statement and the effectiveness of the remediation has been submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. The report shall also include a plan (a "long-term monitoring and maintenance plan") for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented in strict accordance with the approved details.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

54. No recycled aggregate shall be imported to any part of the application site to be used in the construction of the development hereby permitted until:
- i) a scheme of validation sampling has been submitted to and approved in writing by the local planning authority; and
 - ii) the recycled aggregate has been sampled in accordance with the scheme approved under i) and the results of the sampling have been submitted to and approved in writing by the local planning authority.

REASON:

To protect controlled waters and the health and safety of future occupiers, and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

55. No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the local planning authority. This consent will only be granted for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON:

To protect controlled waters and to satisfy the requirements of Policy DP9 of the Warwick District Local Plan 1996-2011.

Fire safety

56. Construction work shall not begin on any phase of the development hereby permitted 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 District Planning Authority. No part of any phase of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the District Planning Authority for that phase of the development.

REASON:

In the interests of fire safety in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

Lighting

57. No development shall commence on any phase of the development hereby permitted until a lighting scheme for that phase of the development, excluding street lighting, has been submitted to and approved in writing by the local planning authority. No lighting shall be installed other than in strict accordance with the approved lighting schemes.

REASON:

To protect the amenities of the occupiers of nearby properties in the locality and the rural character of the area, in accordance with Policies DP2, DP3 & DP9 of the Warwick District Local Plan 1996-2011.

Sustainable buildings

58. No work shall commence on any of the buildings permitted under this outline planning permission and any subsequent reserved matters approval unless and until a scheme showing how either a) at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b) a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials, has been submitted to and approved in writing by the local planning authority. No

building shall be first occupied until all the works within this scheme in respect of that building have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's 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.



CHOTEL (Floors)		Unit GA
R	5	2,160 m ²
AJAJAS RETAIL		
S	1	3,000 m ²
T	1	2,620 m ²
TOTAL		2,310 m ²
CAR SHOWROOMS		
B	1	2,350 m ²
C	1	4,175 m ²
TOTAL		4,500 m ²

Blk	Blk	Units	Unit GA
A	2	2	2,160 m ²
D	3	3	3,000 m ²
E	2	2	2,620 m ²
F	2	2	2,310 m ²
G	2	2	2,350 m ²
H	2	2	4,175 m ²
J	2	2	4,500 m ²
K	2	2	4,960 m ²
L	3	3	2,500 m ²
M	3	3	6,966 m ²
N	2	2	3,920 m ²
O	2	2	3,300 m ²
P	2	2	4,750 m ²
Q	2	2	6,475 m ²
TOTAL			53,976 m ²
			581,008 ft ²



WHITLEY SOUTH
COVENTRY

COVENTRY CITY COUNCIL
& JAGUAR LAND ROVER

PHIP ARCHITECTS
www.phip-architects.com

ILLUSTRATIVE DEVELOPMENT PLAN

Planning Ref: 15/01002/01
Date: 18/08/15
Scale: 1:1,000
Drawing No: 002
Rev: 01

