

Application No: [W 17 / 1729](#)

Town/Parish Council: Baginton
Case Officer: Rob Young

Registration Date: 28/09/17
Expiry Date: 28/12/17

01926 456535 rob.young@warwickdc.gov.uk

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.

Application for approval of reserved matters in relation to appearance, landscaping, layout and scale under outline planning permission no. W16/0239 for Phase 1A of the approved development comprising two buildings for Class B1(b) research and development use totalling 19,225 square metres GFA floor space plus 696 square metres GFA floor space of ancillary energy centre, substations and pump room; provision of 1,031 associated car parking spaces and associated soft and hard landscaping. FOR Jaguar Land Rover

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

RECOMMENDATION

Planning Committee are recommended to APPROVE this reserved matters application, subject to conditions.

DETAILS OF THE DEVELOPMENT

This is a reserved matters submission under outline planning permission no. W16/0239. The plans show two main buildings joined by a bridge link. These buildings are three storeys in height, with some two storey sections. Parking areas are provided to the south and east of the buildings. These are accessed via two vehicular accesses off Rowley Road. In addition an energy centre building is proposed to the west of the two main buildings.

THE SITE AND ITS LOCATION

The application relates to part of the Whitley South site, which adjoins the southern edge of Coventry. The site has outline planning permission for a Technology Park. This application specifically relates to a 2.8ha plot on the western side of the approved Technology Park. The site is currently an agricultural field.

To the north the site adjoins land that will form further development plots on the Technology Park. To the east the site will be bounded by the proposed access road between the new A45 junction and Rowley Road, with land that will form further development plots on the Technology Park on the opposite side of this. Rowley Road runs along the southern boundary of the site, with land that will form further development plots on the Technology Park on the opposite side of

this. Land to the west of the site is proposed to be laid out as a countryside park, with the area adjoining the site boundary proposed to contain a landscaped bund.

The site is 160m from the eastern edge of Baginton village. The area of the Technology Park has been removed from the Green Belt. The new Green Belt boundary runs along the western edge of the current application site, with the adjacent countryside park land remaining within the Green Belt. The site is allocated as a sub-regional employment site in the Local Plan.

PLANNING HISTORY

In April 2016 Planning Committee resolved to grant planning permission subject to the completion of a section 106 agreement for the following development: "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)" (Ref. W16/0239). The section 106 agreement was completed and the planning permission was issued in July 2017.

Prior to that the application site had formed part of the proposed Coventry and Warwickshire Gateway development, for which planning permission was refused by the Secretary of State in 2015 (Ref. W12/1143).

In September 2017 Planning Committee resolved to grant planning permission subject to the completion of a section 106 agreement for the following development: "Variation of conditions 11, 20-26, 28, 39, 40 and 61 of planning permission no. W16/0239 to clarify the work that can proceed on site prior to the approval of certain design details, specifically allowing site preparation and earthworks to be commenced as soon as possible" (Ref. W17/1411). This is currently awaiting the completion of a section 106 agreement before the decision can be issued.

RELEVANT POLICIES

- National Planning Policy Framework
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS4 - Spatial Strategy (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS8 - Employment Land (Warwick District Local Plan 2011-2029)
- DS9 - Employment Sites to be Allocated (Warwick District Local Plan 2011-2029)
- DS16 - Sub-Regional Employment Site (Warwick District Local Plan 2011-2029)

- DS19 - Review of the Local Plan (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- EC1 - Directing New Employment Development (Warwick District Local Plan 2011-2029)
- TCP2 - Directing Retail Development (Warwick District Local Plan 2011-2029)
- TC17 - Local Shopping Facilities (Warwick District Local Plan 2011-2029)
- CT2 - Directing New or Extended Visitor Accommodation (Warwick District Local Plan 2011-2029)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- TR5 - Safe Operation of Aerodromes (Warwick Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS2 - Protecting Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Draft Baginton and Bubbenhall Neighbourhood Plan
- Open Space (Supplementary Planning Document - June 2009)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Warwickshire Landscape Guidelines SPG

SUMMARY OF REPRESENTATIONS

Baginton Parish Council: Object on the following grounds:

- this phase is closest to the village and so has the greatest impact on the village and historic sites such as the Lunt Fort in terms of traffic, noise, light pollution, visual setting etc.;
- the original consent was for multiple small buildings with dispersed parking and landscaping around the buildings which would have limited the visual impact on the village and the Lunt Fort;
- the reserved matters proposals are very different, being a couple of 2 and 3 storey megastructures that will dominate the skyline and adversely impact on views from the village and the Lunt Fort;
- the concept of small car parks broken up by landscaping has been replaced by two massive car parks without any room for planting to soften the appearance;
- the decision notice for W17/1411 has yet to be issued, depriving the public of information pertinent to the consideration of this application;
- condition 6 of the outline permission has not been complied with - this requires 11 items to be submitted before the submission of reserved matters;
- the countryside park must be in place first to minimise the impact on local residents;
- the size and scale of the proposals are so radically different from the "campus" concept that it is not compliant with the outline permission;
- the studies, reports and supporting documents for the outline permission are now invalid because they are based on the "campus" concept;
- increased traffic through Baginton village;
- noise from plant and equipment;
- the safeguarding infrastructure changes originally identified have not been completed; and
- the energy centre is too close to the village and should be moved to minimise its impact.

Stoneleigh & Ashow Parish Council: Object on the grounds that this new proposal is radically different from the outline permission. Outline permission was granted for a concept containing multiple buildings and a sympathetically landscaped Technology Park, not two large and overly imposing production buildings. Also state this is an important site in the Green Belt, the development of which will have a critical impact on traffic in the area and severely reduce the green buffer between Coventry and the neighbouring villages.

Public response: 8 objections and 1 neutral comment have been received, raising the following concerns:

- the new access off Rowley Road is too close to the village;
- increased traffic through Baginton village;
- increased traffic congestion;
- detrimental to highway safety;
- Rowley Road should be closed off between the site and the village;
- noise pollution;
- loss of privacy;
- contrary to Green Belt policy;
- harm to the rural landscape;
- the application bears little resemblance to the outline permission;

- the scale of the buildings will result in an industrial campus sited on the outskirts of a historic village;
- Baginton would become a suburb of Coventry;
- loss of views over Coventry;
- harm to the setting of the Lunt Fort;
- there are other suitable sites for this development;
- ecological harm;
- detrimental to air quality; and
- pollution from industrial processes.

Cllr Redford: Objects to any plans to make the buildings taller. The proposals have always previously been shown as low level buildings with sufficient landscaping to sympathetically obscure the buildings. This is now in jeopardy. JLR should adhere to the suggestions that were given to the residents and Parish Council.

There is also a concern from residents about the level of light pollution that could arise from taller buildings. Constant changes should be looked at with great detail and concern on this development. JLR must be held to a plan that is sympathetic with this area and mindful of its historic value, such as the Lunt Fort, which will overlook this development.

Coventry City Council: No comment.

Historic England: No objection.

Highways England: Recommend a condition to prohibit access gates or barriers.

Warwickshire Police: No objection. Make detailed comments about security measures that should be incorporated within the development.

Coventry Airport: No objection.

WCC Ecology: Note that ecological matters are dealt with by conditions on the outline permission. Advise that there is likely to be a minor loss of biodiversity from this phase of the development and point out that this will have to be addressed in the future phases of the development and in the consideration of the relevant conditions.

WCC Highways: Final comments awaited, however early indications are that there will be no objection.

WCC Landscape: Raise issues with the proposed landscaping. Further comments awaiting on the amended landscaping proposals that have subsequently been submitted.

WCC Archaeology: No comment.

ASSESSMENT

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

- the economic benefits of the proposals;

- the impact on the setting of the Lunt Fort Scheduled Ancient Monument;
- the impact on the character and appearance of the area;
- the impact on the living conditions of nearby dwellings;
- car parking and highway safety;
- ecological impact; and
- compliance with the Draft Baginton and Bubbenhall Neighbourhood Plan.

Economic benefits

The proposals would generate significant economic benefits. The scheme provides for the expansion of a major local employer and would create a significant number of jobs. The proposals also provide for the largest employment allocation in the Local Plan to be brought forward for development. In the planning balance these economic benefits weigh in favour of approving this reserved matters application, in accordance with the importance that the NPPF and Local Plan attach to supporting economic growth.

Impact on the Lunt Fort Scheduled Ancient Monument

The proposed buildings would be visible from the Lunt Fort. However, the countryside park and landscaped bund that have been approved for the intervening land would mitigate the visual impact of the development. The countryside park would provide a substantial undeveloped area of land to preserve the setting to the east of the Fort, with further countryside remaining undeveloped to the north. The proposed buildings would be some distance from the fort (420m) and at this distance it is considered that the landscaped bund would provide adequate mitigation. There has been no objection from Historic England or the County Archaeologist and therefore it has been concluded that the proposals would have an acceptable impact on the setting of the Lunt Fort Schedule Ancient Monument.

Impact on the character and appearance of the area

The proposed buildings would be visible from Baginton village and from the countryside to the west of the site. However, the mitigating factors that are relevant to the Lunt Fort are also relevant to the impact on the village and adjacent countryside (i.e. the presence of the countryside park and landscaped bund separating the development from the village and the distance between the development and the village).

The proposed buildings would be 160m from the edge of the village and further still from the adjacent countryside. At this distance it is considered that the landscaped bund would provide adequate mitigation. In addition, following the adoption of the new Local Plan the site of these buildings is outside of the Green Belt.

Taking all of these factors into account, it has been concluded that the scale and mass of the proposed buildings is appropriate for this location and will not harm the rural landscape or the setting of Baginton village.

Amended landscaping details have been submitted to address issues that were raised by WCC Landscape. These show additional tree planting around the site frontages, alongside the car parks. Further comments are awaited from WCC Landscape and will be included in the addendum report to Committee.

In terms of detailed design, the development will be viewed in association with the other buildings to be constructed on the business park together with the buildings on the adjacent Stonebridge Trading Estate and the commercial buildings on the northern edge of the airport. In this context the design of the buildings is considered to be appropriate. The proposals will have the appearance of a high quality, modern commercial development that will be appropriate for the location on a sub-regional employment site. The facing materials proposed in the Design Statement are considered to be acceptable.

Impact on the living conditions of nearby dwellings

The proposed buildings will be approximately 200m from the nearest dwellings. This is far enough away to ensure that the proposals do not cause any material loss of light, loss of outlook or loss of privacy for those dwellings, particularly bearing in mind the presence of the landscaped bund on the intervening land.

Objectors have raised concerns about increased noise and disturbance. However, this was considered in the assessment of the outline application and the impact in this regard was judged to be acceptable.

Car parking and highway safety

The proposed parking provision would be in excess of the levels specified in the Council's Parking Standards. If this level of provision is continued across the whole Technology Park then the parking provision would be likely to contravene the overall parking limit set out in Condition 36 of the outline permission. However, the applicant has advised that some of this parking is intended to serve a future phase of the development. Therefore, overall the limit in Condition 36 will not be breached. With this in mind it has been concluded that the proposed parking provision is acceptable.

Objectors have raised concerns about increased traffic through Baginton village. However, this issue was considered in the assessment of the outline planning application. The outline permission includes a requirement for the implementation of an Access Restriction Strategy to prevent traffic associated with the Whitley South development from travelling through Baginton village. This is expected to be achieved using a combination of Automatic Number Plate Recognition cameras, traffic signal technology and signage. This matter cannot be reconsidered as part of the assessment of this reserved matters application.

Discussions have been ongoing between the applicant and the Highway Authority about various issues relating to the highways impact of the proposals. Amended / further details have been submitted by the applicant to address these issues and the final comments of the Highway Authority in response to this are awaited. However, early indications from the Highway Authority are that the amended / further details have addressed their concerns. The full comments of the Highway Authority will be included in the addendum report to Committee.

Ecological impact

WCC Ecology have advised that there is likely to be a net loss of biodiversity from this phase of the development. They have not objected to the application but have advised that the applicant should be made aware that this will have to

be compensated for by biodiversity enhancements on future phases of development, or via an offset scheme. The applicant has confirmed that they are happy with this approach. On this basis it has been concluded that the proposals would have an acceptable ecological impact. In any case, ecological matters (including safeguards for protected species) are dealt with by conditions on the outline planning permission and clauses in the section 106 agreement associated with the outline permission.

Compliance with the Draft Baginton and Bubbenhall Neighbourhood Plan

The Independent Examiner's report into the Draft Baginton and Bubbenhall Neighbourhood Plan was published on 25 October 2017. Given the stage that the Plan has reached in the process towards adoption, the Council can attach weight to its policies in accordance with para. 216 of the NPPF. However, a number of the provisions that might have influenced the consideration of the Whitley South proposals have been recommended for deletion or amendment by the Examiner. This includes certain provisions in relation to Green Belt (recommendations 11 and 18), protecting Baginton village (recommendation 30) and road traffic (recommendation 37).

Bearing in mind the fact that this is now an allocated employment site in the Adopted Local Plan, and has been removed from the Green Belt, it has been concluded that the proposed detailed design proposed in this application does not conflict with the Draft Neighbourhood Plan (as recommended for amendment by the Examiner). As stated previously in this report, the mitigation provided by the countryside park and landscaped bund will ensure that the character and setting of Baginton village and the adjacent countryside are adequately protected, a key objective of the Draft Neighbourhood Plan. Furthermore, the detailed proposals will not increase traffic flows through Baginton village, another key concern of the Draft Neighbourhood Plan.

Other matters

The proposals would require the removal of some trees and sections of hedgerow. However, the removal of these features was approved as part of the outline permission.

There has been no objection from Coventry Airport. Therefore the proposals are considered to be acceptable from an airport safeguarding point of view.

Warwickshire Police have made detailed recommendations regarding security measures to be incorporated into the development. These go to a level of detail that would not normally be required for a planning application and so the comments have been brought to the attention of the applicant so that they can incorporate the relevant security measures into the detailed design and specification of the development.

Concerns have been raised about the potential for light pollution from the proposed development. This matter is dealt with by Condition 61 of the outline permission, which requires the developer to submit a lighting scheme for each phase of development, prior to works commencing.

Objectors have raised concerns about these reserved matters proposals not being compliant with the parameters set out in the outline permission. However,

there is a further application under consideration which seeks to vary the parameters of the outline permission (Ref. W17/1631). That application is recommended for approval and the proposed reserved matters are in accordance with those revised parameters.

Objectors have raised various other issues that relate to the principle of development or matters that were assessed at the outline stage, such as noise, Green Belt, alternative sites and pollution from industrial processes. These matters cannot be reconsidered in the assessment of this reserved matters application.

SUMMARY/CONCLUSION

The proposals would generate significant economic benefits. Furthermore the scheme would have an acceptable impact on the setting of the Lunt Fort Scheduled Ancient Monument and on the character and appearance of the area. In addition, the proposals are considered acceptable in relation to car parking and highway safety and would not generate additional traffic through Baginton village. Therefore it is recommended that this reserved matters application is approved.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) JLRTP-CRL-SW-XX-AR-AR-0003A-P02, JLRTP-CRL-AA-00-DR-AR-1200A-P01, JLRTP-CRL-AA-01-DR-AR-1200A-P01, JLRTP-CRL-AA-02-DR-AR-1200A-P01, JLRTP-CRL-AA-RP-DR-AR-1200A-P01, JLRTP-CRL-10-RL-DRG-A-1341A, JLRTP-CRL-10-ZZ-DRG-A-2000, JLRTP-CRL-BB-00-DR-AR-2000A-P01, JLRTP-CRL-BB-01-DR-AR-2000A-P01, JLRTP-CRL-BB-02-DR-AR-2000A-P01, JLRTP-CRL-BB-RP-DR-AR-2000A-P01, JLRTP-CRL-SW-ZZ-DR-AR-3000A, JLRTP-CRL-AA-ZZ-DR-AR-4000, JLRTP-CRL-BB-ZZ-DR-AR-4000, JLRTP-CRL-BB-ZZ-DR-AR-4001, JLRTP-IJLA-SW-ZZ-DR-LA-10103-P02, the Jaguar Land Rover Technology Park Phase 1A Indicative Plant Schedule, and the Design Statement ref. P16-0062, and specification contained therein, submitted on 15 September 2017, 23 November 2017 & 24 November 2017.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 2 Unless otherwise agreed in writing by the local planning authority and in consultation with Highways England, there will be no permanent or temporary structures erected, or other measures of control implemented, that are capable of obstructing vehicular access in to the site. For the avoidance of doubt, this would include the provision of gates, barriers or other physical or non-physical obstructions. There shall be no impediments to the free flow of traffic into the site.
REASON : To maintain the safe and efficient flow of traffic into the site, in accordance with Policy TR1 of the Warwick District Local Plan.