

Planning Committee: 09 October 2018

Item Number: 10

Application No: W 18 / 1435

Town/Parish Council: Warwick
Case Officer: Dan Charles

Registration Date: 30/07/18
Expiry Date: 29/10/18

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Land South of Gallows Hill / Banbury Road, Warwick, CV34 6RN

Application for outline planning permission, with all matters reserved except access, for residential development of up to 180 dwellings, public open space, landscaping, access to Gallows Hill, sustainable urban drainage systems, footpaths/cycle ways and associated infrastructure. FOR William Davis Limited & Hallam Land Management Limited

This application is being reported to Planning Committee because it raises significant issues and in the opinion of the Head of Development Services, it would be prudent to refer the application to Planning Committee for decision.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed at the end of this report and a Section 106 Agreement to secure the necessary financial contributions/obligations as set out in the report.

Should a satisfactory Section 106 Agreement not have been completed by 7 December 2018, Planning Committee are recommended to delegate authority to the Head of Development Services to refuse planning permission on the grounds that the proposal makes inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

The proposal is for an outline application for up to 180 dwellings with all matters reserved other than access.

Access to be created as a signalised junction opposite existing Technology Park access point.

It is proposed to provide 40% (up to 72) as affordable units.

The remaining matters would be reserved for a separate submission.

THE SITE AND ITS LOCATION

The site is a roughly triangular parcel of land that is flanked on two sides by public highway – Gallows Hill and Banbury Road. The third side is an open, undelineated boundary that abuts the site owned by Gallagher’s which has an existing, extant permission for residential development of up to 450 dwellings.

The site is open agricultural land with only a single tree punctuating the open land within the site. The boundaries of the site are set to a combination of mature trees and hedges that have been supplemented with a dense buffer of young trees species.

The highest point of the land is where the site joins the development site to the East. The land has a plateau in this area then the land falls away quite significantly to the West towards Warwick and offers views of Warwick Castle.

To the north of the site is the Warwick Technology Park that is served from Gallows Hill.

To the east of the site is the adjacent development site as detailed above which is currently a continuation of the open field on the existing plateau.

To the south of the site is the Banbury Road and beyond this, the Castle Fields site which is a Registered Park and Garden and also forms the boundary of the Warwick Conservation Area.

PLANNING HISTORY

W/17/2275 - Development of up to 250 dwellings, public open space, landscaping, access to Gallows Hill, sustainable urban drainage systems, footpaths/cycle ways, and associated infrastructure. All matters to be reserved except access into the site – Refused 01.03.2018.

W/17/0699 - Development of up to 260 dwellings, public open space, landscaping, access to Gallows Hill, sustainable urban drainage systems, footpaths/cycle ways, and associated infrastructure. All matters to be reserved except access into the site – Refused 12.10.2017.

W/13/1434 - Outline planning application for the erection of up to 250 dwellings together with associated infrastructure, landscaping and open space (all matters reserved except access) – Withdrawn 05.12.2013.

RELEVANT POLICIES

- National Planning Policy Framework
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS4 - Spatial Strategy (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029)
- DS10 - Broad Location of Allocated Sites for Housing (Warwick District Local Plan 2011-2029)

- DS11 - Allocated Housing Sites (Warwick District Local Plan 2011-2029)
- DS15 - Comprehensive Development of Strategic Sites (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE2 - Developing Strategic Housing Sites (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029)
- TR3 - Transport Improvements (Warwick District Local Plan 2011-2029)
- TR4 - Parking (Warwick District Local Plan 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE4 - Protecting Historic Parks and Gardens (Warwick District Local Plan 2011-2029)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- W1 - Waste Core Strategy (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Warwickshire Landscape Guidelines SPG
- Garden Towns, Villages and Suburbs - A prospectus for Warwick District Council (Consultation document - May 2012)
- Development Management Policy Guidance: Achieving a Mix of Market Housing on new Development Sites (Agreed by Executive - 19th June 2013)
- Draft Village Housing Options and Settlement Boundaries (November 2013)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Support the comments made by the conservation team and raise concerns on the outcome of the pending appeal.

Leamington Spa Town Council: The development will have a significant impact on vehicular movements and place an increased burden on the road infrastructure in the area. Emphasis will need to be given to connectivity for vehicles and non-vehicular movements such as those for pedestrians and cyclists. The Council supports the observations of the Conservation Area Forum regarding dispersal of the larger blocks of development to allow tree planting between buildings.

Conservation Advisory Forum: Welcome the fact that the amended scheme now proposes the same number of dwellings that the adopted Local Plan prescribes for the site, and the amendments to the masterplan are significant in reducing its harmful impact upon the setting of Warwick Castle (Listed Grade I and part Scheduled Monument) and its Park (Registered Grade I), and the Warwick Conservation Area, for instance a whole block of development has been removed from a linear green space, abutting a proposed new viewing corridor aligned with the towers of the Castle and the tower of the Collegiate Church of St Mary's; and wider green buffers are proposed abutting the Banbury Road, which is also the boundary of Castle Park and the Conservation Area.

CAF, however, recommends that the larger blocks of development shown on the masterplan be broken up, to allow tree planting between buildings, to soften the appearance of development, especially when seen from the towers of Warwick Castle and the tower of the Collegiate Church of St Mary's.

Concerns were also raised in relation to such a large development having only one vehicular access point, and it was considered that greater attention needs to be given to connectivity and permeability for vehicles, pedestrians, and cyclists. The design of the junction onto Gallows Hill will also need special consideration, as it is a key approach to the historic town of Warwick, and the junction may affect the wider setting of the Conservation Area".

Historic England: These proposals follow the refusal of successive schemes for a maximum of 260 houses, and then a maximum of 250, which were in excess of the Local Plan allocation. This proposal for up to 180 dwellings, if our arithmetic is correct, accords with the Local Plan allocation.

This application is solely for access points, with all other matters reserved. This offers a main access point labelled A on the north side of the site, with to the east of it a secondary emergency access labelled D. This implies that the two areas of development are to be linked by a road crossing the area which it is argued will be visible from the distant view-points. You will need to satisfy yourselves that these access points are the best that can be achieved in terms of their impact on the overall form of the development.

In due course, if you grant consent, the reserved matters applications will need to achieve a scheme of exemplary quality. That will need to extend beyond the design of the buildings to the whole of the public realm associated with the

scheme, including road design, car parking, boundary treatments, lighting and so on. It is essential that your authority is robust in achieving that objective on this sensitive site in order to minimise the level of harm".

WCC Landscape: Layout is an improvement over previous. Sections of 2.5 storey dwellings shown further up slope of site. 2.5 storey dwellings will be visible from Banbury Road despite landscaping. Views of development from Banbury Road should not detract from views into Castle Park or longer views to St Nicholas Church Spire or the overall historic/designed experience enjoyed by visitors entering Warwick from the south. Relatively straight access road through site likely to dominate views from the Castle/St Mary's Church tower. Increasing numbers of trees would limit this. Overall, more trees incorporated into the layout on the higher part of the site would be beneficial. Little planting is proposed along Gallows Hill and increased planting should be provided to establish the parkland character, screen the development from Gallows Hill and to frame the views of Warwick Castle towers from the site. This is a very sensitive site and it is essential that the layout and design take maximum account of the local topography, and historic significance in all aspects of landscape design and layout.

WCC Ecology: In principle, no objection subject to appropriate mitigation for biodiversity loss and Skylark mitigation is provided in the appropriate manner.

Warwickshire Fire and Rescue: No objection, subject to condition securing appropriate provision of water supplies for fire fighting purposes.

Natural England: No comments to make. Recommend assessment against standing advice.

Warwickshire Flood Risk Management Team: No objection, subject to detailed drainage condition.

Highways England: No objection.

WCC Archaeology: Recommend Archaeological Written Scheme of Investigation Condition.

Warwickshire Police (Design): Recommend development be in accordance with Secured By Design standards.

WDC Waste Management: No objection - development should be in accordance with the adopted Refuse and Recycling requirements.

WCC Infrastructure: Request contributions of £1,830,012 for Education, £3,940 for libraries, £13,500 for road safety and £40,000 for transport planning.

NHS Clinical Commissioning Group: Request contribution of £70,855.

WDC Sports Development: Request contribution of £149,542

Warwickshire Police (Place Partnerships): Request contribution of £27,487.

Public Response: A total of 4 letters of objection received making the following comments;

- Additional traffic will cause more air pollution and traffic congestion in an already heavily congested area.
- Development will detract from the scenic views that form the entrance to Warwick from the south.
- Will still have a negative impact on the heritage setting. Many comments from Historic England still stand.
- Public benefit does not outweigh the harm to heritage assets.
- Overdevelopment of the area which harms the historic setting of the town.
- Indicative layout is not akin to a garden suburb.
- Any scheme should make the most of the site attributes.
- Site is extremely sensitive and important and should be designed to reflect this character.

ASSESSMENT

History/Background

An outline planning application for up to 250 dwellings was submitted under reference W/13/1434 on 9 October 2013 as a result of the proposed allocation of the site for residential development as a preferred option of the draft Local Plan. Following detailed discussions, the application was withdrawn due to concerns raised by Historic England as to the potential effect of the proposed development on the setting of Warwick Castle Park and Warwick Conservation Area.

Notwithstanding the above, the site was still accepted as a preferred option in the draft Local Plan and now forms part of allocation H46a within the adopted Local Plan.

Following the advancement of the Local Plan process, an outline planning application for up to 260 dwellings was submitted on 18 April 2017 under reference W/17/0699. This application was referred to Planning Committee on 10 October 2017 with a recommendation to grant planning permission but was subsequently refused for the following reasons;

1. *"Policy HE1 of the Warwick District Local Plan states that development that would lead to substantial harm to the significance of Heritage Assets will not be supported unless it can be demonstrated that there are substantial public benefits that outweigh the harm and in cases where the harm is less than substantial, it must be weighed against the public benefits of the proposal. Policy HE2 seeks to protect the character of Conservation Areas and Historic Parks and Gardens within the District by protecting them from development that would harm their character.*

The application site forms part of an overall site allocation of 630 dwellings identified within the Local Plan as Allocation H46A.

The cumulative maximum number of dwellings arising from the proposals the subject of this application when taken with that already permitted by way of an

existing extant planning permission for up to 450 dwellings on the other part of Allocation H46A , would be 710 dwellings thereby exceeding the identified allocation by up to 80 dwellings.

In the opinion of the Local Planning Authority, the additional resulting dwellings and intensity of development would cause less than substantial harm to the setting of the adjacent Castle Park, a Registered Grade 1 Park and Garden and the adjacent Warwick Conservation Area by virtue of the failure of the proposals to adequately demonstrate that i. they can be satisfactorily integrated into the surrounding historic landscape in an acceptable manner without detriment to the significance of those heritage assets or, ii. that any such harm is capable of being appropriately mitigated.

There has been no public benefit demonstrated that is sufficient to outweigh the detrimental impact and additional harm arising from the additional dwellings proposed and therefore the development is considered to be contrary to the National Planning Policy Framework and the aforementioned Local Plan policies."

2. "The increased number of vehicle journeys arising from the additional dwellings would result in further airborne pollution within an area that is already subject to high levels of such pollution and the proposal would therefore also be contrary to Paragraphs 93 & 94 of the National Planning Policy Framework and Local Plan Policy NE5 relating to the reduction of emissions and greenhouse gasses."

A further application sought outline permission for up to 250 dwellings under reference W/17/2275. This application was recommended for approval but refused by Planning Committee on the 3 March 2018 for the following reasons;

1. "Policy HE1 of the Warwick District Local Plan states that development that would lead to substantial harm to the significance of Heritage Assets will not be supported unless it can be demonstrated that there are substantial public benefits that outweigh the harm and in cases where the harm is less than substantial, it must be weighed against the public benefits of the proposal. Policy HE2 seeks to protect the character of Conservation Areas and Historic Parks and Gardens within the District by protecting them from development that would harm their character.

The application site forms part of an overall site allocation of 630 dwellings identified within the Local Plan as Allocation H46A. The cumulative maximum number of dwellings arising from the proposals the subject of this application when taken with that already permitted by way of an existing extant planning permission for up to 450 dwellings on the other part of Allocation H46A , would be 700 dwellings thereby exceeding the identified allocation by up to 70 dwellings.

In the opinion of the Local Planning Authority, the additional resulting dwellings and intensity of development would cause less than substantial harm to the setting of both the adjacent Castle Park, a Registered Grade 1 Park and Garden and the adjacent Warwick Conservation Area by virtue of the failure of the proposals to adequately demonstrate that

- they can be satisfactorily integrated into the surrounding historic landscape in an acceptable manner without detriment to the significance of those heritage assets or,
- ii. that any such harm is capable of being appropriately mitigated.

The revised application does not adequately demonstrate that the above requirements are met and the scheme is not therefore considered to provide public benefit sufficient to outweigh the detrimental impact and further harm arising from the additional dwellings proposed. The development is therefore considered to be contrary to the National Planning Policy Framework and the aforementioned Local Plan policies”

2. “The increased number of vehicle journeys arising from the additional dwellings would result in further airborne pollution within an area that is already subject to high levels of such pollution. Insufficient information has been provided to demonstrate that the proposal would satisfactorily mitigate against the additional harm as a result of the additional dwellings on the site. The proposal would therefore also be contrary to Paragraphs 93 & 94 of the National Planning Policy Framework and Local Plan Policy NE5 relating to the reduction of emissions and greenhouse gasses”

An appeal against W/17/2275 which was due to be heard by Public Inquiry in December 2018 has been withdrawn.

Details of Development

This application is for a reduced scheme of 180 dwellings compared the previously refused 260 and 250 dwelling schemes. The 180 dwelling figure would result in an overall number of dwellings of 630 which is in line with the overall allocation on the site.

The key changes as detailed on the indicative masterplan are as follows;

- Dwellings omitted from north eastern corner of site.
- Development pulled away from boundary with Castle Park.
- Development block omitted from eastern development block.
- Green wedge widened and open space areas increased.
- Green fingers added through development blocks.

Principle of Development

Five Year Housing Land Supply

The most up to date Five Year Housing Land Supply (5YHLS) figures state that as of 1 April 2018, the District Planning Authority is able to demonstrate a 6.49 year Housing Land Supply.

Local Plan

The application site is identified within the Local Plan as a site for new housing development as part of the wider strategic urban extension to the south of

Warwick and Leamington. The land forms part of the H46A allocation which is covered by two different land owners.

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

Policy DS11 sets out the allocations of housing development and gives an overall figure for each of the allocated sites. The overall allocation for new dwellings on the H46A Allocation within the Local Plan identified up to 630 dwellings.

The area of land immediately to the east of the site forms part of the allocation and has an existing and extant outline permission for up to 450 dwellings.

Taking into account the existing outline permission for up to 450 dwellings on the adjacent site, this scheme for 180 dwellings would result in the provision of the identified allocation of 630 dwellings on the site which accords with the level of dwellings set out within Policy DS11.

Assessment of the proposed housing provision

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing, based on current and demographic trends, market trends and the needs of different groups in the community. It goes on to state that local planning authorities should identify the size, type, tenure and range of housing that is required in different locations.

In accordance with these requirements, all development must accord with the Strategic Housing Market Assessment for Warwick District that requires a mix of housing sizes of 1, 2, 3 and 4+ bedroomed dwellings based upon the market assessment for the area.

The applicant has confirmed that a comprehensive mix of unit types will be proposed ranging from one bedroomed to four+ bedroomed houses, which can be controlled by a suitably worded condition to ensure that this is followed at reserved matters stage. An affordable housing allocation of 40% will be incorporated into the design and these dwellings will be integrated across the site.

The affordable housing would be secured by a Section 106 agreement to accord with Policy SC11.

Design

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms

of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

Impact on visual amenity and the character of surrounding area

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

Views from outside the site are mitigated by existing mature boundary planting that is proposed to be supplemented with additional planting. The existing boundary to the south of the site, where it is adjacent to the Castle Park has already been strengthened with significant tree planting. This tree belt offers significant structural planting to this boundary of the site and offsets any residential development from the site boundary giving a significant green buffer between the proposed residential development and the adjacent Castle Park.

It is noted by Officers that the upper area of the site will be read against the backdrop of further residential development on the parcel of land to the immediate east of the application site and this is an important consideration when considering the visual impact of this development.

The scheme as identified on the indicative masterplan identifies large areas of open space forming an integral element of the overall proposal. The reduction in housing numbers compared to the previously refused schemes have also allowed for the increased provision of green spaces within the application site. The result on the increased green spaces is a development that seeks to significantly bolster the amount of tree planting within the site and the retention of large areas of open green space within the development that give an overall feeling of a development site that is sensitive to the edge of the settlement and creates a more green and 'leafy' form of development that is appropriate for this sensitive location.

At this stage, it is acknowledged that the masterplan drawing is indicative only and the overall landscaping strategy for the site would be provided at reserved matters stage. However, the indicative masterplan clearly demonstrates that the provision of a scheme for 180 dwellings would provide for significant areas of additional planting and green space within the site. Any proposed landscaping scheme would be subject to negotiation with the Landscape Officer to agree a suitable solution for the treatment of the site and this will be submitted as part of the reserved matters application.

Impact on the adjacent Registered Park and Garden and Warwick Conservation Area

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Warwick District Local Plan Policy HE1 (protection of Heritage Assets) states that development will be expected to respect the setting of conservation areas and important views both in and out of them.

In refusing planning permission for the previous schemes of 260 and 250 dwellings, there was a concern that the additional number of dwellings over the allocation and the intensity of development would cause less than substantial harm to the setting of both the adjacent Castle Park, a Registered Grade 1 Park and Garden and the adjacent Warwick Conservation Area. That harm was considered to arise from the failure of the proposals to adequately demonstrate that:-

- they can be satisfactorily integrated into the surrounding historic landscape in an acceptable manner without detriment to the significance of those heritage assets or,
- that any such harm is capable of being appropriately mitigated.

The applicants considered the comments of Historic England and letters of objection to the previously refused schemes carefully and this application has been submitted with an updated detailed Heritage Assessment of the proposed development. The assessment provides cross sections through the site to the adjacent Castle Park to demonstrate that in terms of levels, the proposed development would be largely screened by the existing mature tree planting to the boundary which has also been strengthened with additional tree planting to provide a dense buffer, which would also assist in ensuring that the two sites would not compete with each other when viewed from the public domain.

In assessing the impact, Paragraph 159 of the Inspector's Final Report into the Local Plan acknowledged that due to the close proximity of the western part of Allocation H46a, housing on the scale proposed would have an impact on views from the Castle Park and this part of the Warwick Conservation Area given that the site extends up to Banbury Road and its junction with Gallows Hill. In the opinion of the Inspector, the views from the Castle Park would be screened to a significant degree by existing trees along the boundary of the Castle Park/Conservation Area which runs along Banbury Road and by existing and proposed landscaping on the opposite side of Banbury Road and within the site itself.

In considering whether the site should be allocated for residential development, the Inspector opined that whilst there would be some harm to the setting and therefore the significance of the Castle Park and Conservation Area, this would be less than substantial but due to the statutory duties relating to the preservation of such assets, gave this harm considerable importance and weight.

When assessing the harm, the Inspector concluded at Paragraph 161 of the Final Local Plan Report that the proposed site allocation would make a sizeable contribution to the supply of housing including a substantial amount of affordable housing (40% of the total) and would also have benefit in terms of providing public ally accessible open space and improved pedestrian and cycling links towards Warwick Town Centre. He considered that these public benefits are very significant and outweigh the less than substantial harm to designated heritage assets as identified.

Within that context, the illustrative Masterplan and cross sections that have been submitted demonstrate that within the wider landscape, the reduced number of proposed dwellings will be read as being an integral part of a heavily landscaped area where the built development within the core of the site is focussed at a significant distance from the site boundaries behind deep structurally landscaped areas including belts of mature trees supplemented with newly planted young tree species that are beginning to establish and mature. Additionally, the revised masterplan submitted indicates a number of green fingers of planting through the development which would further break up the massing of built form of the proposed development.

As a result, it is considered that there would be limited public views of the core of the development site when read within the context of Castle Park from the public highway and any other public areas within the Warwick Conservation Area. Rather, the existing heavily treed character of the approach to Warwick will be reinforced and enhanced by the proposals. Plots that are located in any sensitive areas of the site can also be restricted to a maximum of two storey properties to prevent any excessive height impact.

Officers conclude that the impact of the development on the adjacent heritage assets amounts to less than substantial. Weighed against this degree of harm is the fact not only that this is an allocated site in the Local Plan which would deliver additional housing, but other benefits such as the provision of open space which would form an integral part of the layout and define the character of the development.

The public views of the site are predominantly from the public highway in close proximity to the site and some distance views are afforded from Warwick Castle and St. Marys Church. In near views of the site, the dense planting on the boundary of the application site and the boundary of the Castle Park provide two defined areas that are not viewed as a single entity. Officers are satisfied that the existing planting would provide a green buffer between those areas so that they do not compete visually and would not be easily read together when viewed from ground level.

The use of dense planting would ensure that even in winter when the trees are not all in leaf, a sufficient buffer is provided between the sites to prevent any

harm as a result of the residential development of the site having a detrimental impact on the Castle Park. The overall separation between the proposed built form on the application site and the boundary of the Castle Park is substantial and in Officers view, would not represent a form of development that would be intensive or intrusive upon the setting of the Castle Park.

The scheme as indicated on the indicative masterplan for 180 dwellings demonstrates how elements of the adjacent Castle Park are used in the proposals to reflect the existing character through the proposed landscaping of the site to provide visual cohesion between the areas in terms of landscaping.

As the application is made in outline, the details of landscaping and appearance of the development are not being considered at this stage. However, the indicative masterplan submitted sets out the manner in which proposals could come forward and provides an appropriate basis for securing the high quality landscaping and form of development to ensure that the proposals would not create any significant detrimental harm to the character of the Castle Park RPG or the wider Warwick Conservation Area.

Impact on the character and setting of Listed Buildings

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.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Warwick District Local Plan Policy HE1 (protection of statutory heritage assets) states that permission will not be granted to alter or extend a listed building where those works will adversely affect its special architectural or historic interest, integrity, or setting.

Whilst the immediate setting of Warwick Castle and St Mary's Church are not directly affected by the proposal, key views of the site are available from both of these buildings, albeit at a distance.

Paragraph 157 of the Local Plan Inspectors Final Report makes reference to the effect of the development of the Gallows Hill site. He concluded that the site would sit some way from Warwick Castle and inter-visibility would be limited by existing and proposed landscaping and the development of the site would be seen against the backdrop of the Warwick Technology Park, the wider urban area and other committed development sites and that there would be no harm to the setting and therefore the significance of the Castle.

The adjacent development site includes a specific site line of the Castle and Church incorporated into the Design Code for its future development. The masterplan submitted for this site would continue that open vista through the top section of the site where the land lies on the plateau. The area of open space as the land falls away is also contained within this vista ensuring that the

views of the castle and church are maintained as well as minimising the amount of built form in prominent areas of the site where visible from the castle and church.

The applicants have provided visualisations of the views from the castle to demonstrate that the harm to this very important view is minimised. It is also noted that the site will be viewed against the backdrop of the adjacent development site that shares the allocation so there will be an element of built form visible from the views from the castle and church.

Officers are satisfied that the development as proposed on the illustrative masterplan has had significant regard to these important views which will be integrated into the developed landscape in an appropriate manner including additional planting provided to significantly soften the impact of the development to the extent that it is considered to be acceptable in this regard.

The development is intended to provide a high quality environment which achieves and in some cases exceeds the Council's design guidelines. The extent of open space and landscaping proposed across the development would create an overall sense of spaciousness which would enhance the sense of place and overall amenity value for future residents. Officers are satisfied that the development accords with Policy BE3 of the Local Plan.

Impact on adjacent properties

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

There are no nearby neighbours to the site that would be directly affected by the residential development of the site.

The site is well screened from the surrounding premises by mature planting to the boundaries and these boundaries are to be strengthened as part of the application process. Officers are satisfied that there would be no significant harmful impact to the amenity of any wider neighbours as a result of the development proposed.

The ample landscaping and public open space shown on indicative plans will assist in ensuring the new development provides a high quality residential environment. Such details will be considered in greater detail at the reserved matters stage.

The adjacent site will have dwellings along the eastern boundary of the application site. However, the adjacent site is subject to a landscape buffer between the developments which will provide greatly in excess of the required separation distances.

As the application is outline only, no assessment is made of the potential future living conditions for occupants of the proposed dwellings and this will be considered at reserved matters stage.

Provision of an appropriate living environment for future occupants of the proposed development

The development provides a high quality environment which achieves and in some cases exceeds the Council's design guidelines.

The amount of open space and landscaping proposed across the development would create an overall sense of spaciousness which would enhance the sense of place and overall amenity value for future residents. Officers are satisfied that the development accords with Policy BE3 of the Local Plan.

Highway Safety

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

The proposed development is to be served by a single access point forming a cross roads with the existing access into the adjacent Technology Park and is as previously proposed. As part of the consideration of the earlier application, there was no objection to this element of the proposals which essentially remain unchanged.

The Highways Authority have raised no objection to the proposals subject to conditions to secure the detail of the access into the site and contributions towards infrastructure improvement for the Gallows Hill Corridor to improve walking and cycling opportunities and improvements to public transport services connecting the site to Leamington Spa and Warwick to improve sustainable transport opportunities for the occupiers of dwellings on the site.

Impact on Ecology/Protected Species

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

The County Ecologist has assessed the submitted ecological survey work and has undertaken a Biodiversity Impact Assessment (BIA). The biodiversity impact score has calculated by the County Ecologist as resulting in a net biodiversity loss, which is contrary to NPPF.

The County Ecologist considers the loss of Bio-diversity can potentially be offset through the design of the scheme at Reserved Matters stage subject to assurances that this will be implemented. If the subsequent reserved matters scheme satisfactorily mitigates the potentially loss, the County Ecologist does not oppose the development.

The Ecologist notes that a robust habitat management plan for the site, including details of habitat creation and any restoration, should be produced to accompany any subsequent reserved matters application to ensure proposed measures are achievable.

The Ecologist has also suggested a number of conditions to safeguard protected species and secure a suitable Construction and Environmental Management Plan; a Landscaping and Ecological Management Plan; tree protection measures; and a lighting scheme.

Other Matters

Drainage

In terms of surface water drainage, the site is within Flood Zone 1, and it is proposed to install balancing ponds within the limits of the site to ensure run-off does not exceed existing green field rates plus allowance for climate change. The Lead Local Flood Authority has raised no objection to the scheme, subject to detailed design to be secured by condition.

In terms of foul sewage, it is indicated that the dwellings are proposed to connect to the mains sewers in the local area. Severn Trent were consulted on the application but have not provided a response. However, it is noted that Severn Trent considered the earlier application for 260 dwellings and raised no objection to the scheme subject to a detailed drainage condition.

Trees and Hedgerows

The site is currently an open field with just a single tree located within the site area other than on the boundaries. The site has already been the subject of significant planting to the southern boundary to strengthen the boundary and increase the depth of separation with the adjacent highway. It also provides a significant buffer zone to the adjacent Castle Park.

A significant part of the proposal is to enhance the tree planting on the site as part of the development to create a softening effect to mitigate the impact on views from the Castle and Church. This has the added benefit of significantly increasing the level of tree planting within the site and this is to be welcomed from both an aesthetic view point as well as a biodiversity view point.

The specific types of tree and final landscaping design will be subject to a further submission through the reserved matters but at this stage, the indicative masterplan submitted shows significant additional tree planting which is appropriate for this land.

Air Pollution

During the consideration of the earlier applications, there was a concern raised regarding levels of air pollution already experienced within Warwick and that this could be further exacerbated by this proposal. That concern is expressed in the second reason for refusal on applications W/17/0699 and W/17/2275.

In response to the reason for refusal, the reduction in numbers to the proposed allocation of 180 would negate the reason for refusal. Notwithstanding this, the applicant has updated the air quality assessment provided by Peter Brett Associates with additional data to reflect the reduced numbers. The submitted assessment demonstrates that there would be no impact on air quality as a result of the development.

The Environmental Sustainability Officer has made an assessment of the proposal and raised no objection subject to conditions seeking the submission of a Low Emission Strategy identifying appropriate air quality improvement measures including under the District Councils Air Quality Action Plan and Low Emission Strategy Guidance as necessary. This guidance establishes the principle of Warwick District as an 'Emission Reduction Area' and requires developers to use 'reasonable endeavours' to minimise emissions and, where necessary, offset the impact of development on the environment.

Appropriate mitigation measures such as electric vehicle (EV) recharging provision and other locally specific measures to be used to minimise and/or offset any emissions from new development can be secured by condition.

Contributions towards local infrastructure and public transport improvements as requested by the Highways Authority in respect of this proposal which are intended to assist in the provision of alternative forms of sustainable transport opportunities from the site to further seek to reduce the impact on air quality as a result of the scheme may also be considered an appropriate part of that approach.

Officers are satisfied that these are technical matters and the specific details can be secured by condition so as to make the proposed development acceptable.

Archaeology

The County Archaeologist has assessed the submitted programme of evaluative archaeological fieldwork that included geophysical survey and trial trenching across this site.

The results of the geophysical survey and trial trenching have been submitted in a report with the supporting information to this application. The evaluation identified a collection of small pits at the north-western end of the field which included a probable cremation burial, with a token bone deposit within pyre debris, while another pit had a charcoal-rich fill that produced a quantity of charred hazelnut shell and a flint end scraper. There is, therefore, a potential for the proposed development to disturb prehistoric archaeological deposits across this area.

In light of the results of the trial trenching, the County Archaeologist has advised that a further phase of targeted excavation will be required to mitigate the archaeological impact of the proposed development. This can be secured through an appropriately worded condition.

Health and wellbeing

The site contains large areas of open space for use by future occupants. The area of land set out for open space exceeds the requirements for all types of open space provision. There is no requirement to seek any off-site contribution for open space provision. The final detail and form of the open space areas will be provided within the Reserved Matters submission for later consideration.

Warwickshire Police have raised no objection to the outline scheme subject to a financial contribution towards additional policing requirements for the area as a result of the additional dwellings.

In general terms it is proposed to ensure that the development follows Secured by Design principles through the imposition of an appropriate condition. This will assist in minimising the potential for crime and improve community safety for future residents.

Impact on local services

The proposed development of up to 180 dwellings would create significant additional demand for local services and to mitigate this, contributions towards community facilities would be required.

Negotiations into the levels of contributions are still ongoing and must be resolved to the satisfaction of the Local Planning Authority before a decision can be issued.

Having considered the available evidence, the contributions are considered to be in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. A development of 180 dwellings on this site would have a material impact on or need for affordable housing, education, open space, health care, sports facilities, drainage, monitoring costs, and rights of way, employment/training for locals and highway matters.

This is a particular issue given the cumulative impact that is expected from the substantial level of housing growth proposed across the District. It is reasonable to expect a development of this size to contribute towards the additional costs associated with meeting these increased demands. The relevant consultees are currently seeking to identify specific projects and locations where this money would be spent. Therefore it is considered that appropriate contributions are necessary to make the development acceptable in planning terms and subject to being directly related to the development, are fairly and reasonably related in scale and kind to the development (as required by Regulation 122).

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the current time, the following financial contribution requests have been received;

Sustainable Travel Packs - £19,500.

Libraries - £3,940.

Education and Learning - £1,830,012.

Road Safety - £13,500 for sustainable travel packs

Transport Planning - £40,000
NHS Clinical Commissioning Group - £70,855.
Warwickshire Police - £27,487.
Indoor Sports Facilities - £149,542.
Outdoor Sports Facilities - £12,818.

At the time of writing, further requests are currently outstanding regarding Hospital Provision, Biodiversity Offsetting Payments (if necessary), wider Highways Improvements and improvements to public rights of way. These will be provided within the update sheet.

Additionally, the Section 106 Agreement will also secure the following;

40% Affordable Housing
SUDS Maintenance
Monitoring Fee - 1% or £30,000, whichever is the lesser

Conclusion

The site is allocated within the Local Plan for residential development as part of allocation H46A. When taking into consideration the extant planning permission for 450 dwellings on the eastern element of the site, the proposed number of dwellings is in direct accordance with the overall allocation of 630 dwelling. The applicant has demonstrated that the site is capable of accommodating a very high quality scheme at that level which is acceptable in overall terms including in respect of the integration of built development within the surrounding historic landscape and the appropriate management of air quality issues such that the previous reasons for refusal have been addressed.

For the above reasons, Officers recommend that outline planning permission be granted subject to the conditions listed.

CONDITIONS

- 1 Details of the appearance, landscaping, layout and scale of the development (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in strict accordance with these reserved matters as approved.
REASON: To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.
REASON: To comply with Section 92 of the Town and Country Planning

Act 1990 (as amended).

- 4 No part of the development hereby permitted shall be commenced until a detailed access plan including details of the proposed alterations to the highway has been submitted to and approved in writing by the Local Planning Authority in consultation with the County Highways Department. Thereafter, the approved access shall be carried out in general accordance with the approved details prior to the first occupation of any dwellings constructed on the site. **REASON:** In the interest of highway safety and to ensure appropriate access is available for the future occupiers of the dwellings.

- 5 No development shall take place under any relevant phase of development until a detailed lighting scheme for that phase has been submitted to and agreed in writing by the local planning authority. In discharging this condition the local planning authority expects lighting to be restricted around the boundary edges, particularly along hedgerows, where protected species are likely to be found, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:
 - a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps.
 - b. the brightness of lights should be as low as legally possible.
 - c. lighting should be timed to provide some dark periods.
 - d. connections to areas important for foraging should contain unlit stretches.

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

REASON: To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties and that appropriate measures are taken in relation to protected species in accordance with Policies BE3, NE2, NE4 and NE5 of the Warwick District Local Plan 2011-2029.

- 6 The development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species and subsequent mitigation as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Policy NE2 of the Warwick District Local Plan 2011-2029.

- 7 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as the pond, wildflower grasslands; provision of habitat for protected species. The plan should also include details on soil management to make best use of the high quality soils on site -detailed guidance to inform this matter is available in Defra '*Construction Code of Practice for the Sustainable Use of Soils on Construction Sites*'. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure a net biodiversity gain in accordance with NPPF.
- 8 No part of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the District Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** To protect trees and other features on site during construction in accordance with Policy NE4 of the Warwick District Local Plan 2011-2029
- 9 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented in strict accordance with the approved scheme. **REASON:** In the interests of fire safety.
- 10 The development hereby permitted shall not commence until: -
- 1(a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This must be submitted to and approved in writing by the local planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
- A risk assessment to be undertaken relating to human health;
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected;

- An appropriate gas risk assessment to be undertaken;
 - Refinement of the conceptual model;
 - The development of a method statement detailing the remediation requirements.
- (b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
- (c) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion and shall be approved in writing by the local planning authority prior to the remediation being carried out on the site.
2. All development of the site shall accord with the approved method statement.
3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.
4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: To safeguard health, safety and the environment in accordance with Policies NE4 and NE5 of the Warwick District Local Plan 2011-2029.

- 11 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority demonstrating that surface water runoff does not exceed runoff from the undeveloped site and does not increase the risk of flooding off-site. Post development runoff volumes and peak flow rates will be limited to the Greenfield discharge rate for all rainfall return periods up to and including the 100 year plus 30% (for climate change) as outlined within the Flood Risk Assessment. On-Site surface water attenuation will be provided to the 1:100 Climate change (30%) standard using Sustainable Urban Drainage Systems. The site drainage strategy will demonstrate the appropriate assessment and adoption of SUDS techniques. The approved systems shall thereafter be retained and shall be managed

and maintained in strict accordance with the approved details. **REASON:** To ensure that a satisfactory means of drainage is provided such as to minimise flooding, which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies FW1, FW2 and NE4 of the Warwick District Local Plan 2011-2029.

- 12 The development hereby permitted shall be carried out in strict accordance with details of surface and foul water drainage works that shall have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029.
- 13 No development shall take place under any reserved matters consent until a construction phasing plan of the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development.
- 14 No development shall take place under any reserved matters consent until a scheme for that reserved matters consent has been submitted to and approved in writing by the local planning authority indicating how and when mixed open space facilities will be incorporated into the development, to include informal open space, appropriate children's play facilities, outdoor sport facilities and allotment gardens. The scheme shall be implemented in strict accordance with the approved details and shall be retained thereafter. **REASON:** To ensure appropriate open space and recreational facilities are provided to serve the development in accordance with Policy HS4 of the Warwick District Local Plan 2011-2029.
- 15 The development hereby permitted shall not commence until a scheme detailing arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in strict accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policies BE3 & NE5 of the Warwick District Local Plan 2011-2029.
- 16 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for:

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

The measures indicated within the Construction Management Plan shall be implemented prior to the commencement of the development and maintained for the duration of the works, unless otherwise agreed in writing by the local planning authority. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1, TR4 and NE5 of the Warwick District Local Plan 2011-2029.

- 17 No development shall take place unless and until a Low Emission Strategy 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 NE5 of the Warwick District Local Plan 2011-2029 and the aims and objectives of national

guidance within the NPPF 2018.

18 Prior to the submission of any Reserved Matters applications for any phase of development:

- a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work across this site shall be submitted to and approved in writing by the Local Planning Authority.

- the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the Local planning authority.

- An Archaeological Mitigation Strategy document shall be submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development. Dependent upon the results of the trial trenching, this may include further archaeological fieldwork and/or the preservation in situ of any archaeological deposits worthy of conservation. Unless otherwise agreed with the Local Planning Authority, no development shall take place until any fieldwork detailed in the approved Archaeological Mitigation Strategy document has been completed to the satisfaction of the Local Planning Authority. The post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved Mitigation Strategy document.

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 HE6 of the Warwick District Local Plan 2011-2029.

19 No reserved matters application for any phase of the development shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a Site Wide Masterplan for the approved development, which shall substantially be in accordance with the approved plans and documents listed above in condition 4 and the principles set out within the Council's approved document 'Garden Towns, Villages and Suburb: A Prospectus for Warwick District Council, May 2012' (and any subsequent revision and/or approved plans/strategy available at the time), and which shall also accord with the principles set out in the approved Site Wide Design Code. The Site Wide Master Plan shall include the following:

- Illustrative details of how the proposed layout of development

has been designed with due regard to the surrounding urban and rural context

- Land form topography as existing and proposed
- Land use plan and character areas (including densities and building heights)
- Movement corridors within the site (including principal roads, public transport corridors, footpaths, cycleways and green corridors) and demonstrating how these relate to existing movement networks in the wider area
- Location of any areas for off-street car parking areas and courts
- Key infrastructure (including SUDs, significant utility provision, schools, district/local centres)
- Landscape corridors and open space network
- Public open space
- Housing mix including tenure and size of dwelling
- Location of affordable housing
- Street tree planting and other structural planting landscape areas
- Hard and soft landscaping treatments
- Street lighting arrangements and any other lighting to public space
- A phasing plan including triggers for delivery of key elements of supporting infrastructure
- A statement establishing how the development proposals accord with the principles set out in the Site Wide Design Code.

REASON: In the interests of good urban design and a comprehensively planned development in accordance with NPPF and Policies DS7, DS15, BE2 of the Warwick District Local Plan 2011-2029

- 20 No reserved matters application for any phase of the development shall be submitted until there has been submitted to and approved in writing by the Local Planning Authority a Site Wide Design Code for the approved development. This Design Code shall be in accordance with the principles and parameters as set out within the DAS, the plans and documents listed in condition 4 above and

"Garden Towns, Villages and Suburbs: A Prospectus for Warwick District Council, May 2012" (and any subsequent revision and/or approved plans/strategy available at the time). The Design Code shall include the following matters:

- hierarchy of streets/routes/sections (including the extent of adoptable highways and associated areas)
 - Development blocks including built form and massing and relationship with adjoining development areas/blocks including areas of transition between development parcels (including the relationship between built form and adjoining open space);
 - Building types
 - Building heights
 - The means to accommodate the parking of vehicles and cycles
 - Sustainable Urban Drainage features
 - Key spaces, open spaces and green features
 - Architectural language and detailing
 - Design principles for street tree planting and other structural planting landscaping areas
 - Design principles on hard and soft landscaping treatments (including surfacing materials for all public realm) and proposals for their long term management
 - Design principles on waste disposal and recycling
 - Design principles on the colour and texture of external materials and facing finishes for roofing and walls of buildings and structures
 - Design principles for street lighting and any other lighting to public space (including parking areas)
 - The principles shall include a regulating plan on an ordnance survey base at a scale no greater than 1:1250
 - A mechanism for periodic review and refinement if necessary of the approved Design Code
- The Design Code shall then be used to inform the subsequent reserved matters applications.

REASON: In the interests of good urban design and a comprehensively planned development in accordance with NPPF and Policies DS7, DS15, BE2 of the Warwick District Local Plan 2011-2029.

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

BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 22 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those 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 Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.
- 23 The mix of type and size of market dwellings submitted as part of any reserved matters application must accord with the recommendations contained within the most up to date version of the "Development Management Policy Guidance : Achieving Mix of Market Housing on new Development Sites". **REASON:** To ensure that the housing meets the needs of the District as required by Local Plan Policy H4 of the Warwick District Local Plan 2011-2029 and the NPPF.
-