

Planning Committee: 24 April 2018

Item Number: 7

Application No: [W 17 / 2357](#)

Town/Parish Council: Burton Green
Case Officer: Lucy Hammond

Registration Date: 08/12/17
Expiry Date: 09/03/18

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Land to the South of Westwood Heath Road, Burton Green, Coventry

Hybrid planning application for the erection of up to 425 dwellings (detailed first phase of 129 dwellings with the remainder of the site being outline including details of access), convenience store of up to 400 sqm gross together with the erection of formal and informal open space including allotments, infrastructure provision and associated work together with means of access onto Westwood Heath Road and agricultural access onto Bockendon Lane. FOR Crest Nicholson Operation Limited

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 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 in relation to affordable housing, sustainable travel packs, health care, improvements to public rights of way, sport and leisure, air quality and biodiversity offsetting.

Should a satisfactory Section 106 Agreement not have been completed by 22 May 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

This is a hybrid planning application for the erection of up to 425 dwellings, on an allocated site (H42) in the Local Plan. The proposals include the first detailed phase for 129 dwellings, with the remainder of the site being outline with all matters reserved except for access. The outline proposals include a convenience store of up to 400 sq.m., which the allocation envisages being on site, together with the creation of formal and informal open space and associated infrastructure. Approval is sought at this stage for two new vehicle accesses which are proposed off Westwood Heath Road together with an agricultural access to be created off Bockendon Road that serves the agricultural land to the south west of the site. Through both the detailed phase and the rest of the

outline phase the spine road is intended to facilitate public transport links through the site.

The first detailed phase for 129 dwellings is located in the north east corner of the site where Westwood Heath Road and Bockendon Road meet. It includes areas of open space along the road frontages and one of the accesses off Westwood Heath Road provides the start of a spine road that is intended to circulate through the entire development. Existing boundary hedgerows are proposed to be retained and supplemented. The 129 dwellings proposed as part of the detailed phase of the application would, in the main, be two storey and the Design and Access Statement states that traditional materials would be used, including a mix of red brick, sporadic use of buff only for detailing around key/feature buildings, some render and cladding detailing and traditional tiled roofs. The detailed phase 1 of the development is described as the gateway to the site which would have a tree lined avenue and areas of parkland with drainage and SUD's incorporated into them. In terms of the overall design there is a reference to the Arts and Craft style throughout.

A number of different house types are proposed, in accordance with the Council's housing mix guidance, and ranging in size from maisonettes up to 4-bed dwellings. Of the detailed phase one of the dwellings proposed is a bungalow. The proposed market housing mix is set out in the table below:

Dwelling Type	Total no. proposed
2 bedroom	11
3 bedroom	33
4 bedroom	32

THE SITE AND ITS LOCATION

The site is irregular in shape and comprises approximately 30 hectares of agricultural land. It lies immediately south of Westwood Heath Road and is bounded by Bockendon Road to the east. The rear gardens of properties in Cromwell Lane define the western edge of the site. The southern edge is defined by the edge of Black Waste Wood and the existing mature hedgerows. There is a change in levels across the site from east to west of some 30 metres, while the change in levels from north to south is less significant. An oil pipeline runs across the north east corner of the site which requires a 6m easement.

The site lies immediately to the west of Burton Green which is one of the District's identified Growth Villages. It also lies approximately 5km from the city centre of Coventry. Although the development site is within the administrative boundary of Warwick District, the boundary with Coventry City Council runs in line with the northern site boundary and a small area adjacent to the western site access proposed off Westwood Heath Road lies within the administrative boundary of Coventry City. The site is served by excellent road links into the city centre from Tile Hill station which is approximately 1km from the site. Tile Hill

station also offers a direct service to Birmingham and a service to London via Coventry.

The University of Warwick lies some 2km to the east of the site and larger area of employment land at Westwood Heath Road and Tile Hill are approximately 1km away. The surrounding residential development is mixed in character with a range of 1990-2000 properties immediately opposite the site on Westwood Heath Road. The site is not within any designated conservation area and there are no listed buildings in the vicinity of the site.

The site makes up site allocation H42 in the Warwick District Local Plan 2011-2029. Policy DS11 identifies this as one of the edge of Coventry allocations and it is anticipated it will be developed for 425 dwellings and include a health centre, community facilities and retail facilities (a convenience store of no more than 500 sq.m. gross floor space). The site was taken out of the Green Belt as part of the Local Plan allocation.

PLANNING HISTORY

There is no relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DS5 - Presumption in Favour of Sustainable Development (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)
- DS20 - Accommodating Housing Need Arising from Outside the District (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (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)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE2 - Developing Strategic Housing Sites (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)
- 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)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (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)

Guidance Documents

- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- LES - Low Emission Strategy Guidance for Developers (April 2014)
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- Strategic Local Plan Site H42 Westwood Heath

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council: Objection for the following reasons:-

- the existing road infrastructure is inadequate and this development will make things worse
- the cumulative impact of other proposed future developments has been minimised
- Coventry's population statistics should be reviewed before houses are built
- brownfield sites should be prioritised
- there is insufficient provision for education

Lead Local Flood Authority: No objection subject to conditions

WCC Highways: No objection subject to conditions and request for financial contributions

WCC Public Rights of Way Team: No objections; request for financial contribution

WCC Ecology: No objection; request for financial contribution

Warwickshire Wildlife Trust: No objections

Housing Strategy Team: No objections

Health & Community Protection (Environmental Sustainability): No objections subject to conditions and financial contribution

Sport and Leisure: No objection; request for financial contributions

Open Space Team: Detailed comments awaited however anticipate there being no objection.

Waste Management: No objections

Planning Policy: No objections

South Warwickshire NHS Trust: No objections; request for financial contribution

Crime Prevention Officer: No objections

HS2: No objections

Coal Authority: No comments to make

British Pipeline Agency: No comments to make

Public Response:

Westwood Heath Residents Association: Objection for the following reasons:

- lack of infrastructure
- traffic congestion and road safety
- development is out of character
- environmental concerns
- failure to consider surrounding development
- use of incorrect data (question raised over the accuracy of the housing numbers for Coventry and Warwickshire)
- archaeological issues (although trial trenching has been undertaken at the site the depth of the trenches was not sufficient)
- ecology (there are findings in the ecology report to suggest development of the site would destroy the natural habitat of several species)

143 letters received, objecting for the following reasons:

- there is insufficient infrastructure to support the development
- although accident figures may not reflect it there is local knowledge of traffic collisions in the vicinity
- the area is Green Belt and semi-rural in character
- proposals are not in line with the current accommodation in the surrounding area
- there will be significant disturbance to local residents
- development lacks character
- there is insufficient parking proposed

- loss of wildlife/ecological features
- insufficient capacity at doctors
- insufficient capacity at schools
- insufficient provision for cycle links and pathways
- the site is not suitable for development
- this scheme does not address the housing need in Coventry
- brownfield sites should be developed first
- concern about the proposed density
- no very special circumstances have been demonstrated
- how will remaining green spaces be managed
- given the location on the border of WDC and CCC there should be appropriate strategies put in place for joint infrastructure improvements
- housing mix is inappropriate as there are too many smaller/affordable units
- increased noise and pollution
- CCC's housing figures are inaccurate
- bus service needs to be improved as it is not currently frequent
- insufficient provision for pedestrian safety
- the transport assessment is flawed
- inadequate air pollution assessment
- overdevelopment of the site
- concerns regarding the proximity of the sewage pump to an existing dwelling
- development will be detrimental to existing neighbours amenities
- questions as to why part of the development is not for the over-55's
- loss of agricultural land

Other non-material considerations were raised including;

- loss of views
- there is no need for a shop here
- there is no need for this development
- this will reduce the value of nearby properties
- private matters of land ownership/ale of land
- concerns regarding who will eventually occupy these properties e.g. bought as buy to let and/or occupied as HMO's
- comments regarding how the developers undertook their public consultation exercises

3 support letters received making the following comments:

- there is a need for new homes to be built
- government funding should mean that essential infrastructure is improved accordingly in time which should help support this (and other) development

3 neutral letters received making the following comments:

- concern about the highway network and added vehicle movements
- concern about density about development
- a dual carriage way along Westwood Heath Road is needed
- when the essential infrastructure has been reviewed and better planned then a development can be considered here
- concern about schools and hospitals and their existing capacity
- this development should incorporate green spaces for occupants to be able to enjoy

- population assessments of nearby settlements are misleading
- other brownfield sites have not been reviewed and discounted first
- there are capacity issues on the local road network
- there will be impacts as a result of HS2 and associated developments
- how will the landscape be protected and preserved
- the tenure of the affordable housing should be clear
- properties should have a local person 'tie' on them
- there is no need for a convenience store to be on this site

ASSESSMENT

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

- principle of development;
- impact on the character and appearance of the area;
- impact on the living conditions of neighbouring dwellings;
- provision of appropriate living environment for future occupants of the proposed development;
- car parking and highway safety;
- housing mix;
- section 106 contributions;
- drainage and flood risk;
- ecological impact; and
- health and wellbeing.

Principle of development

The application site is one of the allocated sites (H42) set out in Policy DS11 of the Warwick District Local Plan 2011-2029. Site H42, identified on the Policies Map, relates to Westwood Heath with an estimated figure for the number of dwellings shown as 425. The policy states within the explanatory text (at 2.49) that at Westwood Heath, land has been identified for a residential-led, mixed use development. This application proposes 425 dwellings which is in accordance with the allocation number and a convenience store as per the allocation estimate. The existing highway network is considered to be capable of supporting the number proposed by the allocation although it is envisaged that with improved road infrastructure / additional network capacity, further residential development could be accommodated without undue adverse impacts on local amenity, on land that has been safeguarded adjacent to the allocated site.

The proposals seek part outline and part detailed permission for the construction of a total of 425 dwellings, of which, 129no. form the first detailed phase as part of this application. The remainder of the dwellings are proposed in outline form only at this stage, with all matters reserved except for access. Two vehicle accesses are proposed off Westwood Heath Road and an agricultural access is proposed to the southern corner of the site off Bockendon Road. The application includes the appropriate associated infrastructure, with the first detailed phase incorporating drainage, landscaping and open space.

In accordance with the provisions of Policy DS11 and having regard to the fact this is one of the District's allocated sites for housing development, the proposals are considered acceptable in principle subject to an assessment being made of the other relevant considerations which are set out below.

Impact on the character and appearance of the area

This is a hybrid planning application and comprehensive details are known at this stage in respect of the first detailed phase of development which comprises 129no. dwellings in the north eastern corner of the site, while the remainder of the proposal is in outline and as such indicative layouts and parameters plans have been submitted.

The detailed phase

The access off Westwood Heath Road into Phase 1 provides part of the primary spine road across the wider development which would be tree lined and in accordance with the Garden Towns, Villages and Suburbs guidance.

The layout is thoughtfully arranged with much open space towards the perimeter of the site near to the Westwood Heath Road/Bockendon Road frontages. These areas not only provide positive opportunities for landscaping and areas of open space / shared amenity for occupants of the development but also include opportunities for drainage swales and attenuation basins. They contribute to an overall feeling of spaciousness throughout this detailed phase of the development which has a density of approximately 22 dwellings per hectare.

The affordable housing is evenly distributed across the site, with smaller clusters within each parcel of the development's layout. The tenure mix is also appropriately spread which promotes integration and social cohesion within the development.

There is some provision of forecourt parking across the development however amended plans have been submitted which further reduce this and break up parking spaces to the fronts of properties so they are positioned to the sides and/or enhanced by landscaping. The remaining areas of 'parking courts' are associated with the apartments and located at the end of cul-de-sacs and therefore not forming prominent features or fronting the roads within the development. Overall, officers are satisfied the development is acceptable in this regard.

Dwellings are two storey with the exception of one building in a prominent position near the site's entrance which is proposed at single storey. The spine road is intended to connect through and loop around the entire development and there are other link roads through phase 1 resulting in small clusters of development around each of the internal roads.

There are two apartment buildings located towards the southern edge of the detailed phase, positioned in cul-de-sac style layouts and therefore less prominent along the main spine road as the dwellings which add a sense of symmetry and uniformity throughout the overall layout.

The submitted Design and Access Statement refers to the detailed phase as 'The Village'; traditional in appearance with references to the Arts and Crafts style. The use of traditional red brick is the predominant choice for dwellings, with elements of render, timber cladding and some buff brick for architectural detailing on feature buildings, for example, around windows and doors.

The outline phase

The remainder of the proposal is in outline and therefore both illustrative layout plans and parameters plans are submitted with this application to provide an indication of how the remainder of the site would connect to the detailed first phase. A strong and positive feature noted in the layout of both the detailed and the outline proposals, is the central spine road, that connects both accesses off Westwood Heath Road through the entire development, off which are secondary and tertiary roads internally within the development. This is illustrated as a tree lined boulevard as encouraged by the Garden Towns, Villages and Suburbs guidance. Dwellings are indicatively shown arranged in reasonably small clusters, around the internal roads and cul-de-sacs, reflecting the regularity and uniformity of the layout of the detailed first phase. Relative to the developable site area of the remainder of the site, average densities are proposed in the region of 35 dwellings per hectare.

The character areas plan of the remainder of the site refer to the smaller parcel due west of the detailed phase as the 'Village Core', traditional in appearance with references to the Arts and Crafts style in much the same way as the detailed phase to the east, while the rest of the site to the south is identified as the 'Southern Heart'. This envisages both a mix of traditional and contemporary, still with references to Arts and Crafts, and has lower density and significant amounts of open space, including both formal and informal, including a central park, an amenity parkland area and additional drainage swales and attenuation basins.

Officers consider that the indicative layouts demonstrate that the site can be developed for the proposed number of dwellings, whilst ensuring there is ample provision of open space throughout, a sense of spaciousness across the built development and a focal point created by the tree-lined spine road that flows centrally throughout the development as a whole and connects both accesses together.

All of these features are considered in keeping with the established pattern of development in the area and accordingly, it has been concluded that the proposals would be acceptable in respect of the character and appearance of the area and as such would comply with Policy BE1 of the Local Plan.

Impact on the living conditions of neighbouring dwellings

Due to the site's position in relation to existing built development, together with existing boundary treatments consisting of landscaping, the proposed dwellings would not have any material impacts on the amenity of existing residential properties in terms of overshadowing, overlooking or overbearing impacts.

In terms of noise and disturbance, and with regard to the impacts of the development on existing neighbours, there has been no objection from the Council's Environmental Health Officer. Therefore it has been concluded that the proposals would not cause unacceptable noise and disturbance for neighbouring dwellings.

Some concern has been raised locally about construction noise and construction traffic. Both Environmental Health and the Highway Authority have recommended a condition to require the submission of a Construction Management Plan. This would ensure that adequate controls are put in place to address these issues.

With regard to the remainder of the development and the outline phase, only the north west corner of the site is near to existing dwellings. Officers therefore consider that the proposals would not result in any harm to the amenity of neighbouring dwellings.

For the above reasons it has been concluded that the proposals would be acceptable in respect of the living conditions of neighbouring dwellings and accordingly the development complies with Policy BE3 of the Local Plan.

Provision of appropriate living environment for future occupiers of the proposed development

Within the development, the layout of the proposed dwellings achieves the Council's Distance Separation Guidelines where dwellings share a back to back or back to side relationship and in many instances exceeds the guidelines. In respect of front to front relationships consideration has been given to the fact that such dwellings would be positioned on opposite sides of a road or pedestrian route running through the development and accordingly regard is had to the more 'public' frontage these properties would have, from which views, certainly into ground floor windows, would be facilitated by pedestrians, cyclists and other passers-by. Overall, having regard to the relevant guidance, the proposals are compliant and the development is acceptable in this regard.

In terms of other benefits of the scheme, the detailed phase includes areas of open space to the north east corner and south east corners of the site. Although some of these areas are intended to accommodate the SUD's for the scheme, they would also provide good opportunities for enhanced public amenity and areas of open space for the enjoyment of future occupants. Overall, officers consider this would provide an attractive environment for people to live.

A noise assessment for the whole site was submitted with the application which has been reviewed and agreed by the Environmental Health officer (EHO) who is in agreement with the supporting information and has raised no objection subject to the imposition of a condition requiring a noise mitigation scheme to be submitted for approval.

With regard to the remainder of the development and the outline phase, the illustrative layouts demonstrate that the site is capable of being developed in a similar way which would not impact the amenity of future occupiers. Broadly speaking, the illustrative plans show that clusters of dwellings would be laid out in a similar way to the detailed phase and officers are satisfied that the distance separation guidelines can, as a minimum, be met, if not exceeded in many cases.

Overall, having regard to the above, the development is considered to provide appropriate living environments for future occupants, which is further enhanced by the extent of the public open spaces proposed as part of the development.

Car parking and highway safety

The development proposals include two vehicle access points, both off Westwood Heath Road, as well as proposing a new agricultural access off Bockendon Road. Due to the proximity of one of the accesses on Westwood Heath Road to the boundary between Warwick District and Coventry City Council's administrative areas, a joint planning application has been submitted to both local planning authorities and the Coventry City Council's Highways Officer has been consulted as well as Warwickshire County Council's Highways Authority. Both access points together with the internal layout, comply with the requirements of the Highway Authority and would provide a safe form of access into the new development. The joint response from both Highways officers is one of no objection subject to conditions and financial contributions.

These proposals follow extensive pre-application discussion that was undertaken between the developers and the County Highways Authority, as well as Coventry City's Highways Authority, and the application has been accompanied by a Transport Assessment (TA).

Concern has been raised by numerous objectors over the impact of development related traffic on the surrounding Highway Network as well as questioning the current level of infrastructure and whether or not it is capable of supporting this level of development. However, the TA and the Highway Authority have both confirmed that the highway network as proposed to be improved is capable of accommodating the development proposed.

In terms of car parking, the proposed development would provide the requisite number of spaces for each dwelling based on size (number of bedrooms).

Overall, there is no objection to the proposals from the County Highways Authority, subject to the imposition of suitable conditions relating to the provision of accesses and estate roads within the development, as well as the inclusion of financial contributions to be secured via the Section 106 Agreement. It is therefore considered that the development would result in no detriment to highway safety and accordingly the development complies with Policies TR1 to TR3 (inclusive) of the Local Plan.

Housing mix

The market housing mix set out earlier in this report reflects the housing mix guidance and the provisions of Policy H4.

The affordable housing mix has been reviewed by the Housing Strategy and Development Officer and is considered to be acceptable in accordance with Policy H2.

Section 106 contributions

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

- provision of 52no. units of affordable housing (40% of the total units proposed);
- a contribution towards highways infrastructure and junction improvements in the locality;
- a contribution towards sustainability packs;
- a contribution towards public open space;
- a contribution of £21,540 towards improvements to public rights of way within a 1.5 mile radius of the development site (including e.g. upgrading stiles to gates, bridge improvements and path surface improvements);
- a contribution of £79,169 towards air quality (Type 3 mitigation as per the adopted guidance);
- a contribution of £93,771 towards biodiversity offsetting;
- a contribution of £428,200 towards primary care;
- a contribution of £489,111.82 towards the South Warwickshire NHS Trust;
- a contribution of £30,304 towards outdoor artificial pitches;
- a contribution of £354,079 towards indoor sports facilities;

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

Where figures are not specified above it is anticipated that by the committee meeting these will have been finalised and reported via the committee updates sheet.

In terms of on-site health care provision, the Infrastructure Delivery Team, in its consultation response confirmed that the South Warwickshire and Coventry and Rugby CCGs are looking at the existing provision of health care across the area and rather than require a health centre on the site, would undoubtedly require financial contributions instead to go towards the improvement/extension or otherwise of the existing facilities.

Drainage and flood risk

Although the site is in Flood Zone 1, a Flood Risk Assessment has been submitted with the application. The Lead Local Flood Authority has confirmed there is no objection to the development subject to conditions requiring a detailed drainage strategy to deal with surface water as well as a strategy to manage and maintain any construction materials from entering or silting up the ditch network. Subject to these conditions there is no objection from a drainage and flood risk point of view and the development is therefore considered to be acceptable in this regard.

Ecological impacts

A number of supporting documents have been submitted with the application in respect of protected species and other ecological features. The County Ecologist has now confirmed there is no objection to the development subject to a number of conditions which require necessary mitigation as well as a financial contribution towards biodiversity offsetting. Subject to such conditions and financial contributions being secured, officers are satisfied the development would not be detrimental to any protected species or features of ecological importance and is therefore acceptable in this regard.

Health and wellbeing

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

Other matters

With regard to contamination, a desk study and site investigation report was submitted with the application. Environmental Health have no objection to the principle of development, but have recommended a condition to require a further site investigation and details of remediation measures to be submitted for approval. Subject to this condition, the proposals are considered to be acceptable from a contamination point of view.

In respect of air pollution, Environmental Health have recommended a financial contribution to be put towards air quality improvement measures which is necessary due to the scale of the proposed development. It is considered that this would satisfactorily mitigate the impact of the proposals in relation to air quality.

There is a public footpath to the south and west of the site and there are opportunities for the development to provide links through to this to promote improved circulation and ease of access through/to the site for future occupiers.

The proposals are CIL liable and the amount to be paid will be calculated following the determination of the application.

SUMMARY/CONCLUSION

The development of this allocated site (H42) for the construction of 425 dwellings and a convenience store of up to 400 sq.m., including the first detailed phase for 129 dwellings and two new accesses off Westwood Heath Road, together with the necessary infrastructure and associated works, including the provision of open spaces and SUD's is considered to be acceptable in principle in accordance with Local Plan Policy DS11.

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

Notwithstanding the partial outline nature of these proposals, officers are satisfied, based on the illustrative layouts submitted and the parameters plans, that the site is capable of being developed for this number of dwellings and the convenience store without causing material harm to neighbouring amenity or the general character of the surrounding area. Suitable conditions are recommended regarding the phasing of the development.

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

Conditions

- 1 The development hereby permitted in detail (i.e. the detailed first phase of 129no. dwellings, landscaping, SUD's and open space) must be begun not later than the expiration of three years from the date of this permission. The development hereby permitted in outline must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 With the exception of the detailed first phase of 129no. dwellings and associated access, servicing, highway works, parking, footpaths, cycleways, public realm and other related works, this permission is granted under the provisions of Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 as amended, on an outline application and the further approval of the

District Planning Authority shall be required to the undermentioned matters hereby reserved before any development is commenced on each subsequent phase of development:-

- (a) Appearance
- (b) landscaping (other than the structural landscaping hereby approved)
- (c) layout
- (d) scale

REASON: To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended).

- 3 In the case of the reserved matters specified above, application for approval, accompanied by all detailed drawings and particulars, must be made to the District Planning Authority, for each phase of the development, not later than the expiration of three years beginning with the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 In the case of the reserved matters specified above, development 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).
- 5 The development hereby permitted in detail (i.e. the detailed first phase of 129no. dwellings, landscaping, SUD's and open space) shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 7842/P103 DR5, 7842/P120 DR2, 7842/P151.1 DR5, 7842/P151.2 DR5, 7842/P152.1 DR1, 7842/P152.2 DR1, 7842/P162.1 DR4, 7842/P162.2 DR5, 7842/P162.4 DR4, 7842/P166.3 DR4, 7842/P166.4 DR5, 7842/P166.5 DR5, 7842/P168.1 DR4, 7842/P168.2 DR3, 7842/P168.3 DR3, 7842/P169.1 DR4, 7842/P169.2 DR4, 7842/P170.1 DR4, 7842/P170.2 DR4, 7842/P170.3 DR4, 7842/P171.1 DR5, 7842/P171.2 DR4, 7842/P171.3 DR4, 7842/P171.4 DR1, 7842/P174.1 DR4, 7842/P174.1 DR4, 7842/P174.2 DR5, 7842/P175.1 DR1, 7842/P175.2 DR1, 7842/P175.3 DR1, 7842/P176.2 DR1, 7842/P176.4 DR1, 7842/P177.1 DR1, 7842/P177.2 DR1, 7842/P190.1 DR1, 7842/P190.3 DR2, 7842/P190.4 DR3, 7842/P190.5 DR3, 7842/P190.6 DR3, 7842/P190.7 DR3, 7842/P190.9 DR2 and specification contained therein, submitted on 8 December 2017 and revised drawings 7842/P172.1 DR5, 7842/P172.2 DR5, 7842/P173.1 DR4, 7842/P173.2 DR6, 7842/P176.1 DR2, 7842/P176.3 DR2, 7842/P101 DR10, 7842/P102 DR10, 7842/P105 DR8, 7842/P106 DR8, 7842/P107 DR8, 7842/P108 DR8, 7842/P109 DR8, 7842/P110 DR8, 7842/P111 DR9, 7842/P112 DR8 and specification contained therein, submitted on 12 April 2018. **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.

- 6 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted in detail (i.e. the detailed first phase of 129no. dwellings, landscaping, SUD's and open space) until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 7 No part of the development hereby permitted shall commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:
- Undertaken infiltration testing in accordance with the BRE 365 guidance to clarify whether or not an infiltration type drainage strategy is an appropriate means of managing the surface water runoff from the site.
 - Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
 - Where flooding occurs onsite to store the 1 in 100 year climate change event details should be provided of the storage capacity required outside of the proposed formal drainage system. Details of the depths and locations of flooding should also be provided to the LLFA where the depths may be unsafe Hazard mapping may be required to ensure the development remains safe to users of the site
 - Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network.
 - Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.
 - Provide and implement a maintenance plan to the LPA giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the

party responsible, including contact name and details shall be provided to the LPA.

REASON: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

- 8 No part of the development hereby permitted shall commence until a strategy to manage and maintain any construction materials from entering or silting up the ditch network has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. Details to ensure that no silt or chemicals can leave the phase being constructed shall be provided and any detrimental impact to the ditch network shall be repaired. **REASON:** To ensure the development does not have impacts off site to flood risk and that the ditch network downstream can function as intended.
- 9 The development hereby permitted shall not commence until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the District Planning Authority. The CEMP needs to be compliant with the British Standard on Biodiversity BS 42020:2013 published in August 2013. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation and monitoring, as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **REASON:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF) and Policy NE2 of the Warwick District Local Plan 2011-2029
- 10 No development shall commence until a Protected Species Contingency Plan has been submitted to and approved in writing by the local planning authority. The plan shall include:
 - a) Details on safeguarding Dormice during construction and post development – development licence and appropriate mitigation strategy, changes in proposed layout highly likely.
 - b) Further bat survey of the trees (if final plans show trees to be removed or significant period lapses) in accordance with BCT Bat Surveys – Good Practice Guidelines, has been carried out and if appropriate a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Any approved mitigation plan shall thereafter be implemented in full.
 - c) A pre-commencement badger survey carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the District Planning Authority. Any approved mitigation plan shall thereafter be implemented in full.

d) If it is not included in the S106 – a scheme to provide off-site mitigation for skylarks.

REASON: To ensure that protected species are not harmed by the development.

- 11 No part of the development hereby permitted shall commence until a detailed Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as water bodies, native species planting, wildflower grassland, woodland creation/enhancement, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a net biodiversity gain in accordance with NPPF and Policies NE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 12 No work to start until adequate measures have been taken to protect existing trees, scrub and ground flora of the adjacent Local Wildlife Site Black Waste Wood, during development. A barrier, such as a wire fence, should be erected before works start. This fenced area should include a sufficient buffer zone between the development / associated works and the boundary of the LWS. It is important NOT to allow access, or storage of materials within this buffer zone, otherwise soil compaction is likely to occur, with subsequent damage to the ground flora. **REASON:** To ensure the protection of important habitats during development.
- 13 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, *in particular the three veteran 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 BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground 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 Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.
- 14 No development shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority. In discharging this condition the District Planning Authority expects lighting to be restricted around the boundary edges,

along hedgerows, around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

- a) the brightness of lights should be as low as legally possible
- b) lighting should be timed to provide some dark periods
- c) connections to areas important for foraging should contain unlit stretches

The agreed scheme to be fully implemented before/during development of the site as appropriate. **REASON:** To ensure appropriate measures are taken in relation to protected species in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029.

- 15 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority. **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 HE4 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:
 - o 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.
 - o Delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon – Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays.

REASON: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1, TR3 and NE5 of the Warwick District Local Plan 2011-2029.

- 17 An application for the approval of a construction phasing plan for the development shall be submitted before the expiry of three years from the date of this permission. The development shall thereafter be carried out in accordance with the phases established in the phasing plan as approved by the local planning authority. **REASON:** To ensure the proper phasing of the development.
- 18 No part of the development hereby permitted shall commence until: -
1. (a) A site investigation has been designed for the site using the information obtained from the desk-top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the planning authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:
 - A risk assessment to be undertaken relating to human health
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
 - An appropriate gas risk assessment to be undertaken
 - Refinement of the conceptual model
 - The development of a method statement detailing the remediation requirements

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

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

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

2. All development of the site shall accord with the approved method statement.
3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.
4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.'

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

- 19 The development hereby permitted shall not commence until a scheme of mitigation including detailed arrangements to protect residents of the development from excessive traffic noise entering habitable rooms and the provision of quiet garden areas shielded from road noise shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details and shall be retained thereafter. **REASON:** To protect residents of the development from the adverse effects of traffic noise from outside the development in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 20 Noise arising from any plant or equipment at these premises, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes))
[if the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.] **REASON:** To ensure there would be no unacceptable disturbance to the detriment of the amenities of the occupiers of the development in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 21 The development permitted in detail by this planning permission shall be carried out strictly in accordance with the approved Flood Risk Assessment (FRA) *Westwood Heath Road, Coventry FRA_WHR-BWB-EWE-XX-RP-EN-0002-FRA_May 2017* and approved Drainage Strategy *Westwood Heath Road, Coventry_Reuby and Stagg_10210_August 2017* and in particular the following mitigation measures detailed within the FRA and Drainage Strategy:
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to 68.4 l/s for the site.
 - Provide provision of surface water attenuation storage as stated within the FRA of 4745m³ and/ or in accordance with '*Science Report SC030219 Rainfall Management for Developments*'.
 - Surface water is to be provided via a minimum of two trains of treatment using the proposed above ground drainage features within the drainage design.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing and phasing arrangements embodied within the scheme.

REASON: To prevent the increased risk of flooding; to improve and protect water quality; to improve habitat and amenity; and to ensure the future maintenance of the sustainable drainage structures.

- 22 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority".

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

- 23 The subsequent Reserved Matters applications for any phase of the development shall be submitted in general accordance with the approved Site Wide Design Code Document embodied within the Design and Access Statement dated November 2017 and prepared by Crest Nicholson for the approved development unless otherwise agreed in writing or superseded with an updated/revised Design Code Document.

REASON: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

- 24 The landscaping scheme submitted as part of the application hereby permitted in detail shall be completed, in all respects, not later than the first planting season following the completion of the foodstore hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be

replaced by trees of similar size and species to those originally required to be planted. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

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