Planning Committee

Minutes of the meeting held on Thursday 24 June 2021 at the Town Hall, Royal Leamington Spa at 6.00pm.

Present: Councillor Boad (Chairman); Councillors Ashford, Cullinan, R. Dickson, Falp, Jacques, Kennedy, Leigh-Hunt and Morris.

Also Present: Democratic Services Manager & Deputy Monitoring Officer – Graham Leach; Legal Advisor – Samantha Amphlett; Manager - Development Services – Gary Fisher; and Senior Planning Officer – Rob Young.

37. **Apologies and Substitutes**

(a) Apologies were received from Councillors Murphy and Tangri.

(b) Councillor Falp substituted for Councillor Heath.

38. **Declarations of Interest**

Minute Number 41 – W/20/2134 – United Reformed Church, Spencer Street, no.5 and Old Dole Officer, Spencer Yard, Royal Leamington Spa

Councillor Falp declared she was a Member of Warwick District Council's Cabinet and therefore the applicant. She left the room whilst this item was discussed.

Minute Number 42 – W/20/2135 LB – United Reformed Church, Spencer Street, Royal Leamington Spa

Councillor Falp declared she was a Member of Warwick District Council's Cabinet and therefore the applicant. She left the room whilst this item was discussed.

Minute Number 44 – Urgent Item – W/20/0617 – Land South of Chesterton Gardens, Royal Leamington Spa

Councillor Falp informed the Committee that she was both the Ward Councillor for this application site and also a County Councillor for that site. As County Councillor and as they were a recipient of S106 money Councillor Falp explained she would have a Disclosable Pecuniary Interest and left the room whilst the application was discussed.

39. **Site Visits**

To assist with decision making, Councillors Cullinan and Jacques both made independent site visits to W/20/2134 & W/20/2135 LB – United Reformed Church, Spencer Street, no.5 and Old Dole Office, Spencer Yard, Royal Leamington Spa.

40. **W/19/1133 – Land at Ward Hill, Warwick Road, Littleworth, Norton Lindsey, Warwick**

The application was withdrawn from the agenda to enable officers to further consider some of the information submitted as part of the application and seek further views from consultees in that respect.

41. **W/20/2134 – United Reformed Church, Spencer Street, no.5 and Old Dole Office, Spencer Yard, Royal Leamington Spa**

The Committee considered an application from Complex Development Projects for extensions, alterations and change of use to space office (use Class E).

The application was considered by the Committee alongside application W/20/2135 LB.

The application was presented to Committee because Warwick District Council owned the site and because of the number of objections received.

The officer was of the opinion that the proposals would generate significant public benefits, including making a major contribution to the regeneration of the Creative Quarter and securing the long-term use of an important listed building. The proposals were considered to be acceptable in terms of design, the impact on heritage assets, the impact on neighbouring properties, parking / highway safety, ecological impacts, air quality and the other detailed matters assessed in the report. It was recommended that planning permission should be granted.

An addendum circulated at the meeting advised that further to the revised transport note, Safer Communities - Health and Community Protection, was satisfied that the proposed development would not be classified as a major development in accordance with the air quality SPD and a full air quality assessment would not be required. A request was made in relation to electric vehicle charging points.

Changes to large scale details conditions were proposed. The conditions affected were condition 3 of the listed building consent (application W/20/2135 LB) and Condition 7 of application W/20/2134. The revised conditions still required the same details but changed the timescales for their submission.

Councillor Cooke, District Councillor, addressed the Committee in support of the applications W/20/2134 and W/20/2135 LB.

The Committee had concerns that there was an outstanding consultation response from Warwickshire County Council Highways in respect of safety grounds. In their view this was a key piece of information to determining the application.

Members of the Committee also had concerns regarding the travel plan and the thermal efficiency electric vehicle charging point.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was

proposed by Councillor Ashford and seconded by Councillor Kennedy that the application should be granted, subject to the Officers and Chairman of the Committee receiving, no objection from WCC highways, within the next two weeks on safety grounds, the conditions set out in the report, as revised in the addendum, the additional condition in the addendum, revision to condition 14 that the green travel plan must include active travel plan to and from the site and cycle parking with a note to the applicant on improving the thermal efficiency of the roof on the URC building and the inclusion of a high speed electric vehicle charging point.

The Committee therefore

Resolved that W/20/2134 be **granted** subject to Planning Officers and Chairman of Planning Committee receiving no objection from WCC Highways, within the next two weeks on safety grounds and subject to the following conditions:

No.	Condition
(1)	the development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended);
(2)	the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 2362.04.3-P2, 2362.03.6-P3, 2362.03.3-P4 and 2362.03.5-P5, and specification contained therein, submitted on 22nd December 2020 and 2362.03.7 P1, 12000 SK02 A, 2362.01.10 P6, 2362.01.12 P4, 2362.01.13 P4, 2362.01.15 P1, 2362.01.16 P1, 2362.01.4 P7, 2362.01.5 P7 , 2362.01.6 P7, 2362.01.7 P6, 2362.02.4 P4, 2362.02.5 P4, 2362.02.6 P4 and 2362.00.04 P2, and specification contained therein, submitted on 27th May 2021. **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;
(3)	noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not

No.	Condition
	exceed the background noise level (measured as LA90,T). 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 project the living conditions of nearby dwellings, in accordance with Policies BE3 and NE5 of the Warwick District Local Plan;
(4)	in the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority. **Reason:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029;
(5)	the development hereby permitted shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists-Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development, in accordance with Policy NE2 of the Warwick District Local Plan;

No.	Condition
(6)	no development shall be carried out above slab level unless and until samples of the external facing and landscaping materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only 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 HE1 of the Warwick District Local Plan 2011-2029;
(7)	no works to the doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods, railings, parapets, cladding or the internal staircase shall commence until large scale details of the element in question, at a scale of 1:5 (including details of materials), have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **Reason:** To ensure a high standard of design and appearance for this Listed Building and the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;
(8)	all rainwater goods for the development hereby permitted shall be metal. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;
(9)	the roofing material for the pitched roof parts of the development hereby permitted shall be natural slate. **Reason:** To ensure a high standard of design and appearance for this Listed Building and Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029;
(10)	no part of the development hereby permitted shall be used for any purpose

No.	Condition
	falling within Class E (b) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), unless and until: a) an odour assessment has been undertaken to assess the impact of odour arising from cooking and any proposed fume extraction system that is required to serve the premises; b) the results of the odour assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and c) any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details. The mitigation measures shall be retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority. **Reason:** To project the living conditions of nearby dwellings, in accordance with Policies BE3 and NE5 of the Warwick District Local Plan;
(11)	the United Reform Church shall not be used for the purposes hereby permitted unless and until a mechanical ventilation system with heat recovery has been installed in strict accordance with details that shall have been submitted to and approved in writing by the local planning authority. The mechanical ventilation system with heat recovery shall thereafter be operated and maintained in strict accordance with the approved details at all times that the building is used for the purposes hereby permitted. **Reason:** To ensure appropriate air quality within the building, in accordance with Policy NE5 of the Warwick District Local Plan;
(12)	the development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas

No.	Condition
	indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **Reason:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029;
(13)	the development hereby permitted shall not be occupied unless and 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 and the approved scheme has been implemented in full in strict accordance with the approved details. **Reason:** In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029;
(14)	the development hereby permitted shall not be occupied or brought into first use unless and until: (a) a Green Travel Plan (that must include active travel plan to and from the site and cycle parking) has been submitted to and approved in writing by the local planning authority; and (b) the Green Travel Plan approved under (a) has been implemented in strict accordance with the approved details. Once implemented the Green Travel Plan shall not be withdrawn or amended. **Reason:** In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR2 of the Warwick District Local Plan 2011-2029;
(15)	prior to the occupation of the development hereby permitted, one 7kW (minimum) electric vehicle

No.	Condition
	recharging point shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point, and; (2). A technical data sheet for the electric vehicle recharging point infrastructure. Thereafter the electric vehicle recharging point shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded); and
(16)	a note to Applicant on improving the thermal efficiency of the roof on the URC building and the inclusion of a highspeed vehicle charging point.

42. **W/20/2135 LB – United Reformed Church, Spencer Street, Royal Leamington Spa**

The Committee considered an application from Complex Development Projects for internal and external alterations for the creation of new office space. It was considered by the Committee alongside W/20/2134.

The application was presented to Committee because Warwick District Council owned the site and because of the number of public objections received.

The officer was of the opinion that the proposals would preserve the character and appearance of the listed building and the proposed works would facilitate the reuse of a listed building that had been vacant for a number of years.

An addendum circulated at the meeting advised a change to the wording of condition 3.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Ashford and seconded by Councillor Kennedy that the application should be granted.

The Committee therefore

Resolved that W/20/2135 LB be **granted** subject to the following conditions:

No.	Condition
(1)	the works hereby permitted shall begin not later than three years from the date of this consent. **Reason:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended);
(2)	the development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 2362.04.3-P2, 2362.03.6-P3, 2362.03.3-P4 and 2362.03.5-P5, and specification contained therein, submitted on 22nd December 2020 and 2362.03.7 P1, 12000 SK02 A, 2362.01.10 P6, 2362.01.12 P4, 2362.01.13 P4, 2362.01.15 P1, 2362.01.16 P1, 2362.01.4 P7, 2362.01.5 P7 , 2362.01.6 P7, 2362.01.7 P6, 2362.02.4 P4, 2362.02.5 P4, 2362.02.6 P4 and 2362.00.04 P2, and specification contained therein, submitted on 27th May 2021. **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;
(3)	no works to the doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods, railings, parapets, cladding or the internal staircase shall commence until large scale details of the element in question, at a scale of 1:5 (including details of materials), have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **Reason:** To ensure a high standard of design and appearance for this Listed Building and the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029; and
(4)	the roofing material for the pitched roof parts of the development hereby permitted shall be natural slate. **Reason:** To ensure a high standard of design and appearance for this Listed Building and Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

43. W/18/0643 – Land at Kings Hill Lane, Stoneleigh

The Committee considered an outline application with access from Lioncourt Strategic Land Limited, Lioncourt Homes (Development No. 17) Limited De for a development of up to 2,500 dwellings (C3); 4,000 square metres of mixed use floorspace (A1, A2, A3, A4, A5, B1, C2, D1 and D2), a primary and secondary school, open space and associated infrastructure.

The application was presented to Committee to seek authorisation for a small number of revisions to the requirements of a Section 106 Agreement relating to the development and to the conditions that were previously agreed by the Planning Committee.

The officer was of the opinion that the change to the Section 106 Agreement would improve the facilities provided on the site from those previously agreed and the changes to the conditions were mostly minor alterations to the wording that did not change the requirements of the conditions in most cases. There were exceptions detailed in the officer's report, but these had been resolved by work already carried out. The officer therefore recommended that the proposed changes should be approved.

An addendum circulated at the meeting advised that CPRE had written to all Planning Committee Members questioning the reliability of the population estimates that were used to inform the Local Plan. They considered that the principle of development should be reconsidered by Planning Committee and the Ward members Councillors Redford and Wright supported the comments and view of CPRE.

WCC Highways had not made comment on Condition 48 (Stoneleigh Junction) so officers advised that because work was progressing with the County Council's scheme for this junction, the most appropriate way forward would be for Committee to agree that the condition could be omitted if there was agreement from WCC Highways and Highways England.

There were further minor changes proposed to conditions 11 and 12 to ensure that the site wide code was not required to include too great a level of detail for a site of this size.

Councillor Davies, representing Stoneleigh & Ashow Parish Council which objected to the proposals, addressed the Committee.

Following consideration of the report, presentation, information contained in the addendum and the representation made at the meeting, it was proposed by Councillor Morris and seconded by Councillor Jacques that the recommendations in the report and addendum should be approved.

The Committee therefore

Resolved that in respect of W/18/0643, authority be delegated to the Head of Development Services to agree and finalise the changes to the Section 106 agreement and conditions as set out below:

Section 106 agreement:

Increase in the size of the changing facilities associated with the sports pitches from 50 sq m as specified in the original Committee report, to 150 sq m. Associated increase in the changing facilities cost cap.

Conditions:

No.	Condition
(1)	Reserved Matters to be Submitted Details of the; a. Appearance of the building(s); b. Landscaping of the site; c. Layout of the site and its relationship with adjoining development; and d. The scale of building(s). (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 full accordance with these reserved matters as approved. **Reason:** To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2015 (as amended);
(2)	Approved Plans The development hereby permitted shall be carried out in accordance shown on the site location plan and the approved access drawings and specification contained therein; 1. Figure 2.9 – 01 – Stoneleigh Road/Kings Hill Lane Signalised Site Access Junction. 2. Figure 2.11 – 02 – Proposed Bus Gate (No General Site Access). 3. SK048A – 01 (Amended Design) – Proposed Site Access – St. Martin's Rd/Green Lane. **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;
(3)	Time Limit for Reserved Matters

No. **Condition**

Application for approval of the reserved matters shall be made to the local planning authority not later than fifteen years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended);

(4) Time to Commence Development

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);

In the event that CCC Application is not approved

(5) Development Restriction (St. Martins Road/Green Lane) (Compliance)

Notwithstanding details contained within the approved documents, no submission of Reserved Matters within the area denoted under 'PHASE 1A (N)' of drawing number L.0384_39 shall commence until such time that full planning permission has been issued for the access arrangements that would provide a connection from the site to the road network within the Coventry City Council's administrative boundary.

Reason: In the interests of comprehensive development and highway safety in accordance with Policies DS15 and TR1 respectively of the Warwick District Local Plan 2011-2029;

Comprehensive Masterplanning

(6) Site-Wide Framework Plan (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to submission of the first reserved matters application a site-wide framework plan to include;

No. **Condition**

a) An overall plan of development parcels;
b) Site-wide phasing plan; and
c) Infrastructure delivery strategy (Arup Report reference 247389).

Shall be submitted to and approved in writing by the Local Planning Authority. The subsequent timing and content of applications shall accord with the Framework Plan unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of comprehensive development in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029);

(7) Future Order of Applications (Compliance)

Notwithstanding details contained within the approved documents, the sequence of planning applications following determination of this outline proposal shall be as follows;

1) Reserved Matters application for spine road, structural landscaping and drainage.
2) Reserved Matters for Phase 1A (North and South) and / or Phases 1B/1C.

The phases shall be read in accordance with drawing L.0384_43 Rev B.

Reason: To ensure that the site is developed in a comprehensive manner in accordance with Policy DS15 of the Warwick District Local Plan (2011-2029);

(8) Remove Permitted Changes of Use (Compliance)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no permitted changes contained therein shall be enacted within the development hereby permitted.

For the avoidance of doubt this shall include changes from C3 dwellinghouse to C4 Houses in Multiple Occupation.

No. **Condition**

Reason: To manage the balance of sustainable communities in accordance with Policy SC0 of the Warwick District Local Plan (2011-2029);

Design

(9) Site Wide Masterplan to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of reserved matters application for any phase of the development hereby approved, a Site Wide Masterplan to include;

a) Illustrative details of how the proposed layout of development has been designed with due regard to the surrounding urban and rural context;
b) Land use plan and character areas (including densities and building heights);
c) 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;
d) Key infrastructure (including SUDs, significant utility provision, schools, district/local centres);
e) Landscape corridors and open space network;
f) Structural planting landscape areas;
g) A phasing plan including triggers for delivery of key elements of supporting infrastructure; and
h) A statement establishing how the development proposals accord with the principles set out in the Site Wide Design Code.

Shall be submitted to and approved in writing by the Local Planning Authority. The Site Wide Masterplan shall be used in the assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of good urban design and a comprehensively

No.	Condition
	planned development in accordance with NPPF and Policies DS7, DS15, BE2 of the Warwick District Local Plan 2011-2029;
(10)	Phase Wide Masterplan to be Submitted (Pre-Commencement of a Phase) Notwithstanding details contained within the approved documents, prior to the submission of any reserved matters application for each phase of the development hereby approved, a Phase Wide Masterplan to include (where not already provided); a) Illustrative details of how the proposed layout of development has been designed with due regard to the surrounding urban and rural context; b) Land form topography as existing and proposed; c) Land use plan and character areas (including densities and building heights); d) Movement corridors within the phase (including principal roads, public transport corridors, footpaths, cycleways and green corridors) and demonstrating how these relate to existing movement networks in the wider area; e) Key infrastructure (including SUDs, significant utility provision, schools, district/local centres); f) Landscape corridors and open space network; g) Public open space; h) Structural planting landscape areas; i) Street lighting arrangements and any other lighting to public space; j) A phasing plan including triggers for delivery of key elements of supporting infrastructure; and k) A statement establishing how the development proposals accord with the principles set out in the Site Wide Design Code. Shall be submitted to and approved in writing by the Local Planning Authority. The Phase Wide Masterplan shall be used in the assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

No. **Condition**

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;

(11) Site Wide Design Code to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of reserved matters application for each phase of the development hereby approved, a Site Wide Design Code to include;

a) Hierarchy of streets/routes/sections ~~(including the extent of adoptable highways and associated areas)~~;
b) 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);
c) Sustainable Urban Drainage features;
d) Key spaces, open spaces and green features;
e) Architectural language and detailing;
f) A scheme of strategic landscaping (including site sections, site visuals, site levels, structural landscaping and hedgerow retention)
g) Design principles for street tree planting and other structural planting landscaping areas;
h) Design principles on hard and soft landscaping treatments (including surfacing materials for all public realm) and proposals for their long-term management;
i) Design principles on waste disposal and recycling;
j) The principles shall include a regulating plan on an ordnance survey base at a scale no greater than 1:2500;
k) A mechanism for periodic review and refinement if necessary, of the approved Design Code.

Shall be submitted to and approved in writing by the Local Planning Authority. The Site Wide Design Code shall be used in the

No.	Condition

assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

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;

(12) Phase Wide Design Code to be Submitted (Pre-Commencement of each phase)

Notwithstanding details contained within the approved documents, prior to the submission of reserved matters application for each phase of the development hereby approved, a Phase Wide Design Code to include (where not already provided);

a) Hierarchy of streets/routes/sections (including the extent of adoptable highways and associated areas);
b) 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);
c) Building types;
d) Building heights;
e) The means to accommodate the parking of vehicles and cycles;
f) Sustainable Urban Drainage features;
g) Key spaces, open spaces and green features;
h) Architectural language and detailing;
i) A scheme of strategic landscaping (including site sections, site visuals, site levels, structural landscaping and hedgerow retention)
j) Detailed design principles for street tree planting and other structural planting landscaping areas;
k) Design principles on hard and soft landscaping treatments (including surfacing materials for all public realm) and proposals for their long-term management;
l) Design principles on waste disposal and recycling;
m) Design principles on the colour and texture of external materials and facing

No.	Condition

finishes for roofing and walls of buildings and structures;

n) Design principles for street lighting and any other lighting to public space (including parking areas);

o) The principles shall include a regulating plan on an ordnance survey base at a scale no greater than 1:1250;

p) A mechanism for periodic review and refinement if necessary, of the approved Design Code.

Shall be submitted to and approved in writing by the Local Planning Authority. The Phase Wide Design Code shall be used in the assessment of future applications unless otherwise agreed in writing by the Local Planning Authority.

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;

(13) Landscaping Standards (Compliance)

Notwithstanding details contained within the approved documents, the landscaping scheme(s) approved under any subsequent reserved matters application(s) shall be;

a) Carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation;

b) Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted;

c) 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 and to

No.	Condition

protect and enhance the amenities of the area, in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029;

(14) Details of BREEAM Rating (or equivalent) to be Submitted

Notwithstanding details contained within the approved documents, prior to construction on the site for the District Centre, details of a pre-assessment and design stage assessment by an accredited BREEAM assessor demonstrating;

a) How the development will be designed and constructed to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent).
b) That the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent).

Shall be submitted to and approved in writing by the Local Planning Authority to discharge (a).

The development shall not be occupied unless and until a completion stage assessment by an accredited BREEAM assessor demonstrating that the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority to discharge (b).

Should the BREEAM standard not be used as the performance measure, then the applicant shall appoint a suitably qualified professional for the assessment.

Reason: To deliver reductions in carbon dioxide emissions, building running costs, energy consumption and water use in accordance with the provisions of Policy CC3 in the Warwick District Local Plan (2011-2029);

(15) Details of Water Consumption to be Submitted

Notwithstanding details contained within the approved documents, prior to construction of

No.	Condition

the development within its relevant phase. A scheme showing;

a) How a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved.

Shall be submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan (2011-2029);

(16) Details of Energy Hierarchy to be Submitted

Notwithstanding details contained within the approved documents, prior to commencement of development within its relevant phase. A scheme based on the following energy hierarchy;

1) Reducing the need for energy;
2) Energy efficiency;
3) Maximising the potential for energy from decentralised, low carbon and renewable energy sources, including community-led initiatives; and
4) Efficiently using fossil fuels from clean technologies.

To include;

a) Proposed methods of heating/cooling;
b) Details of the infrastructure to incorporate the measures;
c) Details of management/ownership; and
d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have

No.	Condition

been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

No further development phases shall be inhibited from shared heating/cooling systems unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of the National Design Guide (2019);

(17) Sustainability Statement to be Submitted

Notwithstanding details contained within the approved documents, prior to construction of each phase of development. A Sustainability Statement to include;

a) How the development will reduce carbon emissions and utilise renewable energy;
b) Address overheating issues;
c) How proposals will de-carbonise major development;
d) Details of the building envelope (including U/R values and air tightness);
e) How the proposed materials respond in terms of embodied carbon;
f) Address air quality issues; and
g) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development phase shall subsequently be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the creation of well-designed and sustainable buildings and in accordance with Policy CC3 of the Warwick District Local Plan (2011- 2029) and National Design Guidance;

(18) Scheme of Open Space to be Submitted

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of open

No.	Condition

space for that reserved matters consent to include details of;

a) How mixed open space facilities will be incorporated into the development
b) Informal open space;
c) Appropriate children's play facilities;
d) Outdoor sport facilities
e) Allotment gardens;
f) Management arrangements; and
g) Program of delivery.

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 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;

Historic Environment

(19) Details of Archaeological Evaluation to be Submitted

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted:

a) a programme of archaeological evaluation shall be undertaken in accordance with a written scheme of investigation which shall be submitted to and approved in writing by the local planning authority. A report detailing the results of this fieldwork is to be submitted to the Local Planning Authority prior to, or concurrently with, the Reserved Matters submission;
b) An Archaeological Mitigation Strategy document shall be submitted to 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

No.	Condition

preservation in situ of any archaeological deposits of national importance.

Unless otherwise agreed in writing with the Local Planning Authority, no development shall take place in any development phase until the Archaeological Mitigation Strategy document for that development phase has been approved in writing by the Local Planning Authority and 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 were applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029;

(20) Details of the SAM Landscape Management to be Submitted

Notwithstanding the details contained within the approved documents, prior to the commencement of any development within land at the 'Deserted Medieval Village located to the east of the site adjacent Kings Hill Lane' SAM, a Landscape Management Plan to include;

a) Proposed path surfaces and routes;
b) Details of street furniture;
c) Information/interpretation panels;
d) Planting; and
e) Management of the SAM.

shall be submitted to and approved in writing by the Local Planning Authority. The approved landscape management plan shall be implemented in full thereafter. Any subsequent transfer of ownership/management shall maintain the approved scheme of landscape management unless otherwise agreed in writing by the Local Planning Authority.

No. **Condition**

Reason: To manage the future harm and public benefit of the Scheduled Ancient Monument in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029;

Amenity

(21) Details of Noise Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted, a noise mitigation scheme to include;

a) Detailed arrangements to protect residents of the development from noise arising from the activities at Finham Park School and the Alvis Sports and Social Club entering habitable rooms together with the provision of quiet garden areas shielded from noise; and
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and 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;

(22) Details of Flood Light Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of each Reserved Matters applications for any phase of the development hereby permitted within a 100m radius of Alvis Sports Club or other sports provision, a lighting assessment for;

a) Flood lights at Alvis Sports and Social Club;
b) A scheme of mitigation for the layout and orientation of residential dwellings; and

No. **Condition**

c) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To ensure appropriate levels of amenity for residents of the development and to protect them from potential adverse effects of luminance levels from outside the development in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029;

(23) Low Emission Strategy to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the submission of any Reserved Matters applications for any phase of the development hereby permitted, a Low Emission Strategy for that phase to include;

a) Proposed mitigation measures; and
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The Low Emission Strategy shall thereafter be in 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;

Natural Environment

(24) Ground Investigations and Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to the commencement of development under each Reserved Matters Consent, ground investigations to include;

a) A site investigation has been designed for that phase using the information

No.	Condition

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; and
d) Program of delivery (if applicable).

Shall be submitted to and approved in writing by the Local Planning Authority. Any remediation shall thereafter be carried out in accordance with the approved details.

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

(25) Contamination not Previously Discovered (Compliance)

Notwithstanding details contained within the approved documents, if during development,

No. **Condition**

contamination not previously identified, is found to be present at the site;

a) No further development shall take place within that area of Reserved Matters Consent (unless otherwise agreed in writing with the planning authority for an addendum to the method statement);
b) This addendum to the method statement must detail how this contamination shall be dealt with; and
c) Program of delivery (if applicable).

Shall be submitted to and approved in writing by the Local Planning Authority. Any remediation shall thereafter be carried out in accordance with the approved details.

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

(26) Verification of Remediation to be Submitted

Notwithstanding details contained within the approved documents, in the event that any phase of future development requires land remediation agreed through an approved method statement;

a) Upon completion of the remediation 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; and
b) A post remediation sampling and monitoring which 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.

Shall be submitted to and approved in writing by the Local Planning Authority. Any mitigating/monitoring works shall be carried out in accordance with the approved details.

Reason: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local

No. **Condition**

Plan 2011-2029;

(27) Construction Method Statement to be Submitted (pre-construction)

Notwithstanding details contained within the approved documents, prior to commencement of development under any Reserved Matters Consent, a Construction Method Statement to include;

a) Any temporary measures required to manage traffic during construction;
b) Plans and details of haul roads within the site and for the turning and unloading and loading of vehicles within the site during construction;
c) Dust management and suppression measures – level of mitigation determined using IAQM guidance;
d) Wheel washing;
e) 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;
f) Concrete crusher if required or alternative procedure;
g) Delivery times and site working hours;
h) Site lighting;
i) Access and protection arrangements around the site for pedestrians, cyclists and other road users;
j) Restrictions on burning and details of all temporary contractors' buildings;
k) Plant and storage of materials associated with the development process;
l) External safety and information signing notices;
m) Complaints procedures, including complaints response procedures and dedicated points of contact; and
n) 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

No.	Condition
	4.30 pm Mon – Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays. Shall be submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. **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;
(28)	Details of Electrical Charge Points to be Submitted Notwithstanding details contained within the approved documents, prior to commencement to each Reserved Matters for residential development, a scheme of electrical charge points to include; a) Specification and location of charge points; b) Measures to safeguard the future installation of charge points; and c) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved. **Reason:** In the interests of decarbonising private transportation in accordance with Policy CC1 of the Warwick District Local Plan 2011-2029 and the Air Quality Supplementary Planning Document 2019;
	Landscaping & Open Space
(29)	Scheme of Tree & Hedgerow Protection to be Submitted (Pre- Commencement) Notwithstanding details contained within the approved documents, prior to commencement of development under any Reserved Matters Consent that includes the operation of heavy equipment, machinery or materials being brought onto the site for any phase of development hereby approved, a

No. **Condition**

scheme of tree and hedgerow protection to include details of;

a) The protection of all existing trees and hedges to be retained on site; and
b) 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.

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 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;

(30) Strategic Landscaping Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to submission of each Reserved Matters application for each phase of development, a scheme of strategic landscaping to include;

a) Site sections;
b) Site visuals;
c) Site levels;
d) Structural landscaping; and
e) Hedgerow retention.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be adhered to through the future submission of Reserved Matters application.

Reason: To manage the landscape character impacts of the proposal in

No.	Condition
	accordance with Policy NE4 of the Warwick District Local Plan 2011-2019;

Ecology

(31) Ecological and Landscaping Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent a combined ecological and landscaping scheme to include details of;

a) Accordance with the principle Biodiversity Impact Assessment;
b) Landscaping including a river corridor strategy (if applicable);
c) Any lake/pond creation;
d) Retention of the Veteran Trees and species rich hedgerows; and
e) Program of delivery.

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 retained thereafter.

Reason: In accordance with NPPF, ODPM Circular 2005/06 and Policy NE2 of the Warwick District Local Plan 2011-2029;

(32) Landscape and Ecological Management Plan to be Submitted (Pre- Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a Landscape and Ecological Management Plan for that reserved matters consent to include details of;

a) Accordance with the principle Biodiversity Impact Assessment;
b) Planting and maintenance of all new planting;
c) Species used and sourcing of plants;
d) Invasive plant species eradication and biosecurity for invasive plant species;
e) Habitat enhancement/creation measures and management, such as native species

No.	Condition
	planting, wildflower grassland creation, woodland and hedgerow creation/enhancement; f) Provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles, hedgehog shelters and passes); and g) Program of delivery. 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 retained thereafter. **Reason:** To ensure a net biodiversity gain in accordance with Policy NE3 of the Warwick District Local Plan 2011-2029 and the NPPF;
(33)	Scheme of Protection for the Ancient Woodland/Local Wildlife Site to be Submitted (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent which has an uninterrupted site boundary that adjoins an Ancient Woodland, a scheme of protection for any ancient woodland or local wildlife site within the vicinity of the development to include details of; a) A barrier, such as a wire fence, which should be erected before works start and remain in place for the duration of the construction works. This fenced area should include a buffer zone of at least 50 metres between the development and the boundary of the local wildlife site. 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; b) Mitigation measures in the event of damage; and c) Program of delivery. Shall be submitted to and approved in writing by the Local Planning

No.	Condition

Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: To ensure the protection of important habitats during development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;

(34) Bats & Lighting Mitigation Scheme to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, a Bats and Lighting Mitigation Scheme to include;

a) Land parcel mitigation plan;
b) Site-wide integration measures; and
c) Program of delivery.

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 retained thereafter.

The Local Planning Authority expects lighting to be restricted along Finham Brook corridor and all around the development especially to the north west where it will be located at least 50 metres from Wainbody Ancient Woodland, and to be kept to a minimum at night across the whole site and include dark areas where appropriate and around the Ancient Woodland and Finham Brook in order to minimise impact on emerging and foraging bats. This can include measures such as;

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths
- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

No. **Condition**

Reason: In accordance with the NPPF and Policies BE1 and NE2 of the Warwick District Local Plan 2011-2029;

(35) Bat Survey to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each Reserved Matters consent, a further bat survey to include;

a) Survey of the medium and low potential trees, to include appropriate activity surveys in accordance with BCT Bat Surveys – Good Practice Guidelines;
b) A detailed mitigation plan including a schedule of works and timings;
c) Where applications are within 100m T143 a full detailed survey shall be conducted; and
d) Program of delivery.

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 retained thereafter.

Reason: To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;

(36) Construction & Ecological Management Plan to be Submitted (Pre- Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each Reserved Matters consent, a Construction and Ecological Management Plan (CEMP) to include;

a) Details concerning pre-commencement checks for badger, bats, breeding birds, great crested newts, reptiles and otters;
b) Great crested newt mitigation plan;
c) A reptile mitigation plan;
d) Bat mitigation plan including a method statement if required for tree felling;
e) Otter mitigation;
f) Badger mitigation plan;

No.	Condition

g) Appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site; and
h) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;

(37) Scheme of Protection for Finham Brook to be Submitted (Pre- Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, a scheme for the provision and management is required to be agreed to protect a 5-metre-wide buffer zone within the application site's side of the Finham Brook Tributary and an 8-metre-wide buffer zone on the application site's side of the Finham Brook. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

a) Plans showing the extent and layout of the buffer zone;
b) Details of any proposed planting scheme (for example, native species);
c) Details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan;
d) Details of any proposed footpaths, fencing, lighting; and
e) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning

No.	Condition

Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

Reason: Development that encroaches on watercourses has a potentially severe impact on their ecological value, e.g. artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected in accordance with Policies NE1 and NE2 of the Warwick District Local Plan 2011-2029;

(38) Scheme of Great Crested-Newt Mitigation to be Submitted (Pre- Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of schedule of great crested-newt mitigation measures to include;

a) A method statement;
b) Timing of works;
c) Protection measures;
d) Enhancement details;
e) Monitoring;
f) Further survey if deemed necessary); and
g) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.

Reason: To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;

(39) Scheme of Reptile Mitigation to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of schedule of great crested-newt mitigation measures to include;

No.	Condition
	a) A method statement for translocation; b) Timing of works; c) Protection measures; d) Enhancement details; e) Monitoring; f) Further survey if deemed necessary); and g) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details. **Reason:** To ensure that protected species are not harmed by the development in accordance with Policy NE2 of the Warwick District Local Plan 2011-2029;
	Highways
(40)	Construction Management Plan to be Submitted (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to the commencement of development under each Reserved Matters applications hereby permitted, a Construction Management Plan to include; a) Construction Phasing Plan; b) Details and measures to prevent mud, debris and obstacles on the highway network; c) HGV Routing Plan, with no construction traffic heading west along Stoneleigh Road past Woodfield Primary school, nor travel north west past Finham Primary School in the interests of highway safety; d) Identify the location of the site compound, deliveries and serving area, HGV holding area, and car parking provision for contractors within the development site; and e) A Communication Strategy with the Local Community with a point of contact for residents to raise matters with. Shall be submitted to and approved in writing by the Local Planning

No.	Condition
	Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter. **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 and NE5 of the Warwick District Local Plan 2011-2029;
(41)	Highway Restrictions During Construction (Compliance) Notwithstanding details contained within the approved documents, the following restrictions relating to the road network shall be observed through the construction phase of the development; a) No HGV movements during the construction phase will take place Monday to Friday during the time periods 07:30 – 09:15 and 16:30 – 18:00, to ensure that HGV movements are limited during the peak travel periods. b) No construction traffic will wait on the adopted Highway managed or maintained by Warwickshire County Council or Coventry City Council in the interests of highway safety. Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter. **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 and NE5 of the Warwick District Local Plan 2011-2029;
(42)	Details of Protected Walking & Cycling Routes to be Submitted Notwithstanding details contained within the approved documents, prior to the commencement of development of each Reserved Matters applications hereby permitted, scheme of protected routes to include;

No. **Condition**

a) Identified walking and cycling routes between the northern and southern development parcels during the construction phase,
b) Relevant development required to implement protected routes;
c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

Reason: in order to provide and maintain access to the new primary school within the development site. In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

(43) Details of Access to Phase 1A (S) to be Submitted (Stage 1)

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (S)' (Stoneleigh Road Access) of drawing number L.0384_39 site access details to include;

a) Detailed access proposal; and
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(44) Details of Access to Phase 1A (S) to be Submitted (Stage 2)

Notwithstanding details contained within the approved documents, dwellings within the area denoted under 'PHASE 1A (S)'

No.	Condition
	(Stoneleigh Road Access) of drawing number L.0384_39, no more than 100 dwellings shall be occupied until site access details to include; a) The second phase (signalisation) site access arrangements from the Stoneleigh Road; and b) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details. No more than 300 dwellings shall be occupied on any part of 'PHASE 1A (S)' until the approved highway access works have been completed as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
(45)	Details of Access to Phase 1A (N) to be Submitted Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384_39 site access details to include; a) Detailed access proposal; and b) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority. **Reason:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;
(46)	Details of Bus Gate/Emergency Access to Phase 1A (N) to be Submitted

No. **Condition**

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384_39 access details to include;

a) Detailed bus gate and emergency access onto Green Lane; and
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(47) Details of Spine Road to be Submitted

Notwithstanding details contained within the approved documents, no more than 400 of the dwellings hereby permitted shall be occupied across the development site until the detailed design and technical drawings for the Link Road between St Martins Road and Stoneleigh Road (the Spine Road) to be designed to;

a) Carriageway width of 7.3 metres;
b) With 2 metre verges;
c) 3 metre footway / cycleways either side of the carriageway.

Shall be submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be carried out in accordance with the approved details.

Reason: In order to provide and maintain access to the new primary school within the development site. In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

(48) Development Restriction for Spine Road Completion (Compliance)

No. **Condition**

Notwithstanding details contained within the approved documents, no more than 700 of the dwellings hereby permitted shall be occupied across the development site until the Spine Road detailed within the condition titled 'Details of Spine Road to be Submitted' has been implemented in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

Reason: In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

(49) Development Restriction for Any Dwelling Occupation (Compliance)

Notwithstanding details contained within the approved documents, no dwelling shall be occupied until such time that a scheme of improvement comprising of either;

a) Signalisation of the A46/Stoneleigh Junction; or
b) A46 Stoneleigh Junction Scheme; or
c) An equivalent scheme of highway improvement.

Has become operational unless otherwise agreed in writing by the Local Planning Authority. In the event that a scheme of highway mitigation is implemented at the A46 Stoneleigh junction, this condition will not be considered relevant.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(50) Development Restriction for Operation of Stoneleigh Junction (Compliance)

Notwithstanding details contained within the approved documents, no more than 700 dwellings shall be occupied until such time that;

a) Warwickshire County Council's A46 Stoneleigh Junction Scheme; or

No. **Condition**

b) An equivalent scheme of highway improvement.

Has become operational unless otherwise agreed in writing by the Local Planning Authority. In the event that an agreed scheme of highway mitigation is implemented at the A46 Stoneleigh junction, this condition will not be considered relevant.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(51) Mitigation at the B4115/Birmingham Road/Stoneleigh Road to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (S)' (Stoneleigh Road Access) of drawing number L.0384_39 details of the mitigation to include;

a) A scheme at the B4115 / Birmingham Road / Stoneleigh Road offset crossroads junction;
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(52) Mitigation at the B4113 St Martins Road / B4115 Priority Junction to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384_39 details of the mitigation to include;

a) A scheme at the B4113 St Martins Road / B4115 priority junction;

No.	Condition

b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(53) Details of Bus Infrastructure to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of development under each reserved matters consent, a scheme of bus infrastructure to include;

a) Detailed plans for the location of bus infrastructure;
b) The design of any bus shelters;
c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained thereafter.

Reason: In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

(54) Interim Transport Assessment to be Submitted

Notwithstanding details contained within the approved documents, in the event that an interim scheme of signalisation at the A46 Stoneleigh Junction has been implemented, prior to the occupation of the 701st dwelling, an interim transport assessment to include;

a) Investigation of highway capacity for the remaining 1800 dwellings;
b) Details of highway mitigation if required; and

No.	Condition

c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The mitigation scheme (if applicable) shall thereafter be carried out in accordance with the approved details as evidenced by the issuing of a Certificate of Substantial Completion by the relevant Highway Authority.

The requirement of this condition shall only be applicable if the interim scheme at the A46 Stoneleigh Junction is implemented.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(55) Safeguarded Transport Route Details to be Submitted

Notwithstanding details contained within the approved documents, prior to occupation of the 701st dwelling a safeguarded route for a dedicated transport method to include;

a) Alignment of the route;
b) Utility presence within the proposed route;
c) Details of landscaping and drainage;
d) Details of management/ownership; and
e) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved route shall be retained free of development to an agreed timescale with the highway authority to allow for the integration of a future mode of transport.

Reason: In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

(56) Interim Development Restriction for Phase 1A (N) (Compliance)

Notwithstanding details contained within the approved documents, dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number

No. **Condition**

L.0384_39, no more than 200 dwellings within PHASE 1A (N) shall be occupied until a secondary emergency access / bus gate onto Green Lane has become operational unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(57) Development Restriction for Phase 1A (N) (Compliance)

Notwithstanding details contained within the approved documents, dwellings within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384_39 shall be limited to no more than 300 dwellings shall be occupied in total until such time that the spine road linking the access at Stoneleigh Road to the vehicular access at Green Lane is operational unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(58) Development Restriction for Phase 1A (S) (Compliance)

Notwithstanding details contained within the approved documents, dwellings within the area denoted under 'PHASE 1A (S)' (Stoneleigh Road Access) of drawing number L.0384_39 shall be limited to no more than 400 dwellings shall be occupied in total until such time that the spine road linking the access at Stoneleigh Road to the vehicular access at Green Lane is operational unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(59) A Scheme of Highway Improvements to be Submitted

Notwithstanding details contained within the approved documents, no more than 400

No.	Condition

dwellings shall be occupied within the area denoted under 'PHASE 1A (N)' (St. Martins Road Access) of drawing number L.0384_39 until a programme of highway improvements to include;

a) a programme defining trigger points for the implementation and completion of highway schemes at A46 Stoneleigh Junction and A45/A46 Stivichall Interchange;
b) Assessment of the improvement scheme Stivichall Interchange associated with the Whitley South development (Drawing Reference: 15-0752 0100-101 Rev E);
c) Scheme of highway improvements including further schemes identified for the Stivichall Interchange; and
d) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The program shall be implemented in accordance with the approved details.

Reason: In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029;

(60) Residential Travel Plan to be Submitted

Notwithstanding details contained within the approved documents, prior to the 1st occupation of any dwelling within each Reserved Matters application that includes residential development, a detailed Travel Plan to include;

a) Measures to reduce single occupancy car trips to/from the site;
b) Encourage modal shift; and
c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details.

Reason: In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;

No.	Condition
(61)	4. Non-residential Travel Plan to be Submitted Notwithstanding details contained within the approved documents, prior to occupation of the District Centre, any Employment Uses or Educational Facilities under any reserved matters consent, a detailed Travel Plan to include; a) Measures to reduce single occupancy car trips to/from the site; b) Encourage modal shift; and c) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented **Reason:** In order to prevent additional vehicular traffic and promote sustainable modes of transport in accordance with Policies BE3 and TR1 of the Warwick District Local Plan 2011-2029;
	Railway
(62)	Risk Assessment & Method Statement to be Submitted (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to commencement of any phase of development hereby approved that would involve development within 10m of the operational railway. A Risk Assessment and Method Statement to include; a) Details of a suitable trespass proof steel palisade fence of a minimum height of 1.8m adjacent to the boundary with the railway/railway land. The fence including foundations must be wholly constructed and maintained within the applicant's land ownership footprint; b) Measures to ensure that their proposal, both during construction and as a permanent arrangement, does not affect the safety, operation or integrity of the existing operational railway / Network Rail land; c) Drainage management to ensure that drainage does not increase Network Rail's liability, or cause flooding pollution or soil

No.	Condition
	slippage, vegetation or boundary issues on railway land; d) Details of all excavation and earthworks within 10m of the railway boundary to determine if the works impact upon the support zone of Network Rail land and infrastructure as well as determining relative levels in relation to the railway; e) Details of proximity of future development to the railway boundary. Less than 2m from the railway boundary to the edge of structures could result in construction and future maintenance works being undertaken on Network Rail land; f) Proposals for the site should take into account the recommendations of, 'BS 5837:2012 Trees in Relation to Design, Demolition and Construction', which needs to be applied to prevent long term damage to the health of trees on Network Rail land so that they do not become a risk to members of the public in the future. Shall be submitted to and approved in writing by the Local Planning Authority. The Risk and Method Statement shall be adhered to in accordance with the approved details. **Reason:** To protect railway assets in accordance with the National Planning Policy Framework;
	Water Management
(63)	Surface Water Drainage Scheme to be Submitted (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, a Surface Water Drainage Scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development to include; a) Site-wide surface water drainage strategy/accordance with approved site-wide strategy; b) Provide provision of surface water attenuation storage in accordance with 'Science Report SC030219 Rainfall Management for Developments';

No.	Condition
	c) Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753; d) 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 and 1 in 100 year plus climate change return periods; e) Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network; f) 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; g) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in accordance with the approved details. **Reason:** To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029;
(64)	Foul Drainage Scheme (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, a Foul Drainage scheme to include; a) A drainage strategy for the disposal of foul sewage; and b) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first

No.	Condition

occupation of the relevant phase of development.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policies BE1, FW2 and NE5 of the Warwick District Local Plan 2011-2029;

(65) Details of Sustainable Drainage Design to be Submitted (Pre- Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of sustainable drainage design in line with the SuDs manual CIRIA C753 and ES Addendum Appendix 1.3 Groundwater monitoring to include;

a) Site-wide sustainable drainage design principles;
b) Measures to ensure the required storage capacity remains available during times of high groundwater;
c) Assess the impact of fluvial flooding on groundwater levels adjacent to the Finham Brook tributary corridor; and
d) Measures to mitigate the risk of groundwater mounding adjacent to Sustainable Drainage Systems.

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

Reason: To prevent groundwater ingress into the development drainage system, and prevent the increased risk of flooding in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029;

(66) Details of Ditch Network Management to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to

No. **Condition**

commencement of each phase of development hereby approved, details of ditch management to include;

a) A management and maintenance strategy for construction materials from entering or silting up the ditch network
b) 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; and
c) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

Reason: To ensure the development does not have impacts off site to flood risk and that the ditch network downstream can function as intended in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029;

(67) Details of Finished Floor Levels to be Submitted (Pre-Commencement)

Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of finished floor levels to include;

a) Finished floor levels being set at 600mm above the 1% flood event plus relevant climate change allowance; and
b) Program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The floor levels shall be implemented in accordance with the approved details prior to the first occupation of the relevant phase of development.

Reason: To reduce the risk of flooding to the proposed development and future users in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029;

(68) Treatment of Surface Water during

No.	Condition
	Construction to be Submitted (Pre-Commencement) Notwithstanding details contained within the approved documents, prior to commencement of each phase of development hereby approved, details of surface water treatment to include; a) A scheme to treat and remove suspended solids from surface water run-off during construction works; b) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance the with approved details. **Reason:** To ensure there is no deterioration in water quality from sediment run-off during construction in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029;
(69)	Surface Water Maintenance Strategy to be Submitted Notwithstanding details contained within the approved documents, prior to occupation of each phase of development hereby approved, details of surface water drainage measures will be maintained to include; a) How surface water systems shall be maintained and managed for the life time of the development; b) The name of the party responsible, including contact name and details; and c) Program of delivery. Shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall be implemented in accordance the with approved details. **Reason:** To ensure the future maintenance of the sustainable drainage structures in accordance with Policy FW2 of the Warwick District Local Plan 2011-2029;
(70)	Details of Water Supplies and Fire Hydrants to be Submitted

No.	Condition
	Notwithstanding details contained within the approved documents, prior to occupation of each phase of development hereby approved, details of firefighting provisions to include; a) Details of adequate water supplies; b) Details of fire hydrants; and c) Program of delivery. Shall be 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 accordance with the approved details. **Reason:** In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters; and
(71)	Works in Accordance with Flood Risk Assessment (Compliance) Notwithstanding details contained within the approved documents, the development shall be carried out in accordance with a Flood Risk Assessment (FRA) specifically adhering to; a) Limits to 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 411l/s for the entire site. Individual parcel discharge rates should be derived accordingly; b) Finished floor levels are set no lower than 150mm above existing ground level; and c) 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. **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 in accordance with Policies FW1, FW2 and NE2 of the Warwick District Local Plan 2011-2029.

44. **Urgent Item - W/20/0617 – Land South of Chesterton Gardens, Royal Leamington Spa**

The Committee considered an outline application from AC Lloyd (Homes) Limited for a residential development of up to 200 dwellings with associated access, landscaping and public open space (all matters reserved apart from access).

The application was presented to Committee as an urgent item because it was necessary for a decision to be made quickly prior to the next round of Planning Committee meetings in July whilst work on the final sums continued.

This officer's report related to the above planning application which was refused planning permission by Planning Committee on 2 February 2021 with the decision being issued on 12 February 2021.

The application had been recommended to Committee for approval by officers subject to the signing of a Section 106 Agreement to secure a range of obligations from the developer. The obligations that were to be included in the Section 106 agreement were as follows:

- Contribution of £2,000 towards sustainable travel promotion for future occupants.
- Contribution of £4,378 towards local library services.
- Contribution of £2,567,447 towards local education provision *(final sum under discussion).*
- Contribution towards off-site highway improvements *(amount under discussion)*.
- Contribution of £200,000 towards off-site cycling network improvements.
- Contribution of £194,396.07 towards delivery of NHS acute and community care infrastructure.
- Contribution towards improvement and/or extension of GP facilities *(amount under discussion).*
- Contribution of £33,645 towards recruitment and equipment, police vehicles and office accommodation by Warwickshire Police.
- Contribution of £157,316 towards expansion and/or improvements of indoor sports facilities.
- Contribution of £75,161 towards provision and/or improvements to artificial and grass pitches.
- Contribution of £67,405 towards Air Quality mitigation measures.
- Contribution of towards upgrade/provision of bus stops *(amount to be confirmed).*
- Provision of 40% Affordable Housing as part of the development.
- Agreement with the LPA on the provision of Open Space, the adoption of Open Space Areas and the payment of management/maintenance fees.
- Noise mitigation measures for dwellings on Brimstone End.
- Agreement with the LPA on the adoption of SUDS and payment of the management/maintenance fees.
- Agreement with the LPA of an Employment and Training Strategy to link local people with employment, training and contract opportunities arising from the development during the construction phase.

- Contribution towards the costs of the LPA and the County Council in monitoring the agreement *(amounts to be confirmed)*.
- Road Safety Contribution of £50 per dwelling.

The applicants had appealed against the decision of the Local Planning Authority and the appeal would be heard at a public inquiry from 13 July 2021. As part of the inquiry process a signed Section 106 agreement was required in order to secure the contributions in the event that the appeal was allowed. This had to be submitted by 6 July 2021, prior to the next meeting of the Committee.

Officers did not have delegated authority to sign a Section 106 Agreement when there was no Committee Resolution to grant planning permission for the development.

The authorisation of the signing of a Section 106 agreement did not in any way reflect Committee's views on the merits of the proposed development it merely ensured that, in the event the appeal was allowed, appropriate infrastructure contributions were secured to mitigate the impact of the development and minimise any risk of that not being the case.

Authority from the Planning Committee was sought to delegate authority to officers to continue to work with the appellant on finalising and signing the Section 106 Agreement in the terms outlined above in order to ensure that in the event that the appeal was allowed, all required infrastructure and contributions were secured.

Following consideration of the report and presentation, it was proposed by Councillor Morris and seconded by Councillor Kennedy that delegated authority should be given to officers.

The Committee therefore

Resolved that in respect of W/20/0617, authority be delegated to Planning Officers to continue work with the appellant on finalising and signing the Section 106 Agreement in the terms outlined in the report in order to ensure that in the event that the appeal be allowed, all required infrastructure and contributions are secured.

45. **Planning Appeals Report**

Members received a report from officers outlining the existing enforcement matters and appeals currently taking place.

Resolved that the report be noted.

(The meeting ended at 7.15pm)

CHAIRMAN
17 August 2021