

**Planning Committee:** 19 December 2012

**Item Number: 5**

**Application No:** W 12 / 1143

**Town/Parish Council:** Baginton  
**Case Officer:** Rob Young  
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**Registration Date:** 14/09/12  
**Expiry Date:** 14/12/12

**Land within and to the north, west and south of Coventry Airport and land at the junctions of the A45 with the A46 at Festival and Tollbar Islands and the junctions of the A444 (Stivichall/Cheylesmore By-Pass) with the A4114 (London Rd) and Leaf Lane**

Comprehensive redevelopment comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), general industrial uses (Use Class B2), storage and distribution (Use Class B8), hotel accommodation (Use Class C1), museum accommodation (Use Class D1), model car club facility, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), car showroom accommodation, replacement airport buildings, new countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of highways/junctions on the existing highway network, stopping up/diversion of footpaths, associated parking, servicing and landscaping (Hybrid planning application seeking full planning permission in respect of the replacement airport buildings and their associated parking/servicing/landscaping and outline planning permission, with reserved matters details concerning access only to be discharged, in respect of the remainder of the proposed development). FOR Coventry and Warwickshire Development Partnership LLP

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**INTRODUCTION**

This report relates to planning applications which have been submitted by the Coventry & Warwickshire Development Partnership LLP to Warwick District Council (reference: W/12/1143) and Coventry City Council (reference: OUT/2012/1791) for the site and development as outlined above.

The proposals have been submitted to both local authorities because the application site lies within the administrative areas of both Warwick District Council and Coventry City Council.

In this regard, Warwick District Council and Coventry City Council have authority to approve (subject to the Secretary of State not wishing to intervene) or refuse planning permission only in respect of those parts of the application site within their respective administrative areas. Therefore,

in order for the development proposals to progress the Planning Committees of both authorities would need to resolve that they were minded to grant planning permission for that part of the development in their area. The proposals will be considered by Coventry City Council on 13 December 2012 and by Warwick District Council on 19 December 2012.

Notwithstanding the above, there is a substantial degree of linkage between the elements of the scheme in each of the two local authority areas. As such, whilst each Planning Committee is only able to grant (subject to the Secretary of State not wishing to intervene) or refuse planning permission for that part of the development in its area, the impact of the scheme as a whole is a material consideration in making this decision.

Bearing in mind the above, this report seeks to assess the application in its entirety whilst also advising Members clearly regarding those parts of the application site and proposal over which they have jurisdiction. Advice is also provided on which planning policies apply and are therefore to be considered by Members in determining that part of the scheme in their local authority administrative area.

If the Planning Committees of both Warwick District Council and Coventry City Council resolved that they were minded to grant planning permission, the applications would then need to be referred to the Secretary of State for Communities & Local Government, who would decide whether or not to call in the applications for any decision on them to be made by himself.

Should the Secretary of State decide to call in the applications, there would be a public local inquiry before an Inspector, who would, following that inquiry, make a recommendation to the Secretary of State, who would then make his decision on the applications having regard to the Inspector's recommendation.

If the Secretary of State decided not to call in the applications, they would be referred back to Warwick District Council and Coventry City Council who would then grant planning permission in respect of those parts of the scheme in their respective administrative areas subject to conditions and a Section 106 Agreement being entered into by the developer with the District and County Councils and City Council.

If either of the Planning Committees resolved to refuse planning permission in respect of that part of the scheme in their respective administrative area then the applicant would have a right of appeal to the Planning Inspectorate against such refusal.

Should one of the authorities resolve that they are minded to grant planning permission and the other authority resolved to refuse planning permission then the authority which had resolved that they were minded to approve the application would refer their application to the Secretary of State. Should the applicant decide to lodge an appeal against the decision of the other authority to refuse the application, the Secretary of State

would then need to decide whether or not to arrange a public local inquiry to consider both the referred and refused applications together.

### **RECOMMENDATION**

Planning Committee are recommended to resolve that they are minded to approve those elements of the application within the administrative area of Warwick District Council subject to conditions, a Section 106 Agreement being entered into by the applicant in respect of those matters, including matters where further clarification is awaited, as highlighted in this report which relate directly to those matters under the District Council's jurisdiction, and the Secretary of State not wishing to intervene regarding determination of the application.

### **DETAILS OF THE DEVELOPMENT**

Planning permission is sought for comprehensive redevelopment comprising demolition of existing structures and the erection of new buildings to accommodate offices, research & development facilities and light industrial uses (Use Class B1), general industrial uses (Use Class B2), storage and distribution (Use Class B8), hotel accommodation (Use Class C1), museum accommodation (Use Class D1), model car club facility, small scale retail and catering establishments (Use Classes A1, A3, A4 and/or A5), car showroom accommodation, replacement airport buildings, new countryside park, ground modelling work including the construction of landscaped bunds, construction of new roads/footpaths/cycle routes, remodelling of highways/junctions on the existing highway network, stopping up/diversion of footpaths, associated parking, servicing and landscaping.

The proposed development can be divided into 5 parts with approval sought for total new build floorspace of 439,280 square metres. The first 4 parts listed below are all entirely within Warwick District. The fifth part (highway works) falls largely within Coventry, although there are also some significant highway works within Warwick District (as highlighted below). Nevertheless, it should be noted that the highway works within Coventry are a direct consequence of the proposed development within Warwick District and therefore must be assessed by Warwick District Council as an impact of the proposed development. Following is a description of the 5 parts of the development.

Firstly, on land to the south of Coventry Airport a logistics park is proposed. This part of the site is currently occupied by a redundant Severn Trent sewage treatment works, a vacant former military tank test track facility, agricultural land including some farm buildings and a small existing industrial estate. The proposed logistics park would accommodate up to 343,740 square metres of general industrial (Use Class B2) and storage/distribution (Use Class B8) floorspace. A railway museum and a model car club to the north of the airport on Rowley Road would also be relocated onto the logistics park site.

The height of buildings within this area would be between 10.5m (82.85m AOD) and 20.5m (102.45m AOD). Building sizes would vary substantially from units of as little as 5,000 square metres floorspace up to units of 103,000 square metres.

Secondly, north of Coventry Airport, on land either side of Rowley Road between the airport and the A45 a technology park is proposed. This part of the site currently comprises agricultural land, a railway museum, a former landfill site and land occupied by Trinity Guild Rugby Football Club and a model car racing track. The proposed technology park would accommodate up to 65,032 square metres of business floorspace (Use Class B1). It is envisaged that this would comprise primarily research & development and light industrial uses as opposed to offices. The technology park would also accommodate up to 4,645 square metres of car showroom floorspace, 11,617 square metres of hotel accommodation with up to 350 bedrooms, and up to 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace (Use Classes A1, A3, A4 & A5). Floorspace on the Technology Park would therefore total 83,594 square metres.

Units in this area of the site would have ridge heights of between 8m (94m AOD) and 16.5m (94.5m AOD). Building sizes would also vary substantially from units with a floorspace of 750 square metres up to units of 15,000 square metres.

A new access road would link the technology and logistics parks. This would follow an alignment to the rear of Oak Close in Baginton Village and alongside the western end of the airport runway. This access road would incorporate part of the existing alignment of Bubbenhall Road south of Baginton Village.

Thirdly, a new publicly accessible linear countryside park covering approximately 105.5 hectares is proposed to the immediate west of the technology park; south, west and east of the logistics park and to the immediate east of the existing Middlemarch Business Park. The area is at present largely open countryside but does include parts of the military tank test track and small existing industrial estate referred to above.

Where this countryside park adjoins the technology and logistics parks its topography would be characterised by large mounded areas designed to reduce the visual impact of the proposed built development in terms of views from the Lunt Roman Fort, Baginton Village, Bubbenhall Road and Bubbenhall Village.

The maximum height of those mounded areas visible from the Lunt Roman Fort and Baginton Village would range from 73m AOD (around 3m above the finished floor levels of the proposed adjacent buildings) to 93m AOD (around 8m above adjacent building finished floor levels), whilst those mounded areas visible from Bubbenhall Road and Bubbenhall Village would range in height from 82m AOD (around 10m above the finished floor levels

of the proposed adjacent buildings) to 92.5m AOD (around 15m above adjacent building finished floor levels).

Fourthly, some existing airport buildings/structures would need to be demolished to accommodate the Gateway scheme and it is proposed that these will be replaced elsewhere within the perimeter of the airport with new buildings/structures totalling 11,946 square metres. Such buildings/structures comprise offices, an aircraft hanger, air cadets building, equipment store, fuel farm, fire training compound, fuel point and gatehouse. These existing structures cover 11,173 square metres so an increase in floorspace of 773 square metres is proposed for the replacement buildings/structures.

Lastly, extensive works are proposed to the surrounding highway network to accommodate traffic from the proposed scheme and to facilitate redevelopment of the Whitley Business Park site. Key works are as follows:

- Creation of a new junction on the A45 between the Tollbar and Festival Islands which would include a bridge over the A45 between the Jaguar Whitley Business Park site and the proposed technology park (the A45 Bridge and elements north of this are within Coventry, the element of the new A45 junction to the south of the A45 are within Warwick District).
- Changes to the design of the Festival Island junction to improve its capacity. At pre-application stage these works included closure of the link from Leaf Lane onto the Festival Island junction. This is no longer proposed, although access to and from the Leaf Lane arm may be signalised. Other changes to the Festival Island junction include the introduction of traffic signals on the slip road from the A45 to A46 (including removal of the existing segregated lane from the A45 to the A46), the slip road from the A45 eastbound and the slip road from the southbound Stivichall bypass (the northern half of this junction is within Coventry, the southern half is within Warwick District).
- Extensive redesign of the junction at the northern end of Leaf Lane where it meets traffic crossing over the bridge from the Jaguar Whitley site. Here it is proposed to erect a new bridge across the Stivichall bypass with slip roads either side. The redesigned junction would allow, as at present for 1 way traffic only at the north end of Leaf Lane out onto the bypass and would enable vehicles to approach and leave the Jaguar Whitley site to/from the A46 to the south without having to do a u-turn around the Stivichall bypass/London Road junction to the north (this part of the development is within Coventry).
- Enhancement of the Stivichall bypass/London Road junction which would include signalisation of the approach to the junction from the bypass and widening to 2 lanes of the southbound right turn for those coming onto the roundabout from the eastbound London Road wishing to access the Jaguar Whitley southbound access off the bypass. The arrangement of carriageway lanes between this junction and the junction at the northern end of Leaf Lane would be redesigned to eliminate the extensive weaving between lanes that currently occurs at the north end of the bypass (this part of the development is within Coventry).

- The provision of 2 new roads within the Jaguar Whitley Business Park site to provide firstly a link road from the new A45 bridge to the new bridge over the Stivichall bypass and secondly a road connection from the Festival Island junction to this link road (this part of the development is within Coventry).
- Improvements to the capacity of the St.Martin's roundabout where Leamington Road/St.Martin's Road meet the A45 through some minor changes in the geometry of the junction and the introduction of traffic signals with pedestrian crossings. (this part of the development is within Coventry).
- A contribution towards improvement of the A45/Kenilworth Road junction (this part of the development is within Coventry).
- Minor enhancement of the A46 roundabout junction with the A428 adjacent to the Coked Hat public house (this part of the development is within Coventry).
- Minor improvement works to the junction of London Road/Humber Road/Allard Way next to the Asda Store and to the A46/B4082 junction (i.e the next A46 junction north after the Coked Hat junction) (this part of the development is within Coventry).
- Re-design of the A46/Stoneleigh Road junction between Coventry and Kenilworth including replacement of the existing roundabout junction where Dalehouse Lane and Stoneleigh Road meet with a signals junction (this part of the development is within Warwick District).
- Provision of a new roundabout at the junction of Bubbenhall Road and Stoneleigh Road with the link road between the proposed Technology and Logistics Parks (this part of the development is within Warwick District).

In addition to the above, but not covered by the planning application, are extensive improvement works proposed by the Highways Agency to the Tollbar Island junction. These are scheduled to commence in the spring of 2013. The highway works listed above to be provided for as part of the Gateway scheme dovetail with those proposed for Tollbar Island.

The planning application also proposes extensive improvements in terms of non-car access to the site. These include the provision of a bus route with high quality infrastructure and service frequencies from Coventry railway station and Pool Meadow bus station in Coventry City Centre to the Whitley Business Park site and then into the proposed Technology and Logistics Parks, provision of a bus service from Wood End in Coventry via Coventry City Centre, Willenhall and Middlemarch Business Park to the development, provision of further commuter bus services where demand exists and the enhancement of pedestrian/cyclist routes to and within the site.

Overall, the above improvements to non-car access together with other proposed Green Travel Plan measures aim to ensure that no more than 65% of employees drive to the site alone, 10% car share, 15% use public transport and 10% cycle/walk.

To assist in achieving this target, car parking within the site would be restricted to 5,250 spaces comprising 4,500 for employees and 750 for visitors with access to such spaces being controlled.

The planning application is a 'hybrid' submission. Full planning permission is sought in respect of the replacement airport buildings and their associated parking, servicing and landscaping and for the remainder of the scheme outline planning permission is sought with details of access only being discharged at this stage.

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

### Section 106 Agreement Heads of Terms

The applicant is proposing to enter into a Section 106 Agreement with Warwick District Council, Warwickshire County Council and Coventry City Council. Under this Agreement the applicant would provide the following:

1. Preparation and agreement with the relevant local planning authorities of an Employment & Training Strategy to link local people and businesses within 12 miles of the application site with employment, training and contract opportunities arising from the development during both its construction and operational phases, with an individual/body appointed and funded by the applicant to implement the agreed Strategy.
2. Payment of £40,000 for new or enhanced green space within Cheylesmore or Whitley wards in Coventry as compensation for public open space lost to accommodate the proposed Whitley Junction highway works.
3. Preparation and agreement with the relevant local planning authorities an implementation of a site wide Construction Ecological Protection & Mitigation Strategy.
4. Preparation and agreement with the relevant local planning authorities prior to the commencement of development of a Biodiversity Offsetting Scheme for the off-site compensation as identified in the Biodiversity Offsetting Report forming part of the approved application documentation. The applicant would then deliver the agreed Scheme by funding the offsetting measures and their management/maintenance for at least 25 years from the date on which planning permission was granted.
5. Payment of a contribution for works at the Lunt Roman Fort to open up views of the countryside to the north of the Fort to mitigate harm caused to views from the fort to the east by the development. Negotiations are ongoing regarding the level of this contribution, although it would be at least £100,000.
6. Preparation, agreement with Warwick District Council and implementation of a Site Wide Infrastructure Design, Management and Maintenance Strategy for the Countryside Park and other common

- areas within the site which shall provide for public access to the Countryside Park in perpetuity.
7. Payment of £2,500,000 towards the cost of off-site highway improvement schemes at the junctions of the A45 with St.Martin's Road/Leamington Road and Kenilworth Road (£1,500,000 & £500,000 respectively) and the junction of London Road/Humber Road/Allard Way £500,000).
  8. Payment of a contribution towards the cost of enhancing off-site cycle and pedestrian routes within the vicinity of the site.
  9. Employment of a Travel Plan Co-ordinator to prepare a site wide Framework Travel Plan and individual Workplace Travel Plans to be agreed by the relevant local planning authorities, implement and monitor those agreed Travel Plans with provision made for liaison with the relevant local planning authorities regarding monitoring results and the agreement of remedial measures if the modal shift target of 35% public transport/pedestrian/cyclist/car share use is not being met. The Travel Plans would include provision for Commuter Coach Services to those locations where there was sufficient demand for them. Discussion with the applicant is ongoing regarding provision being made for the payment of contributions to the relevant local planning authorities if agreement could not be reached on remedial measures. Agreement has been reached on the payment of £5,000 to the relevant local planning authorities each time a Travel Plan is submitted to them for approval to cover their costs in assessing that Travel Plan. The Travel Plan Co-ordinator would be employed by the developer for at least 5 years beyond first occupation of the final building plot within the development.
  10. Provision of bus infrastructure to allow for a high quality bus route between Coventry Railway Station, Pool Meadow Bus Station, Whitley Business Park and the development and a commuted sum payment relating to the maintenance of this bus infrastructure. The level of the applicant's financial contribution towards the capital and maintenance costs of the infrastructure and the timescales for its provision are still to be agreed.
  11. Funding to provide a bus service on the above-mentioned high quality bus route for a period of 10 years. Agreement is still to be reached on when this service should commence, service frequencies and the extent of applicant funding for the service.
  12. Funding to provide a bus service between Wood End in Coventry and the development via Coventry City Centre, Willenhall and Middlemarch Business Park for a period of 10 years. Agreement is still to be reached on when this service should commence, service frequencies and the extent of applicant funding for the service.
  13. Contribution of £20,000 to fund Traffic Regulation Orders within the Rowley Road area east of the application site.
  14. Contribution of £7,500 to fund Traffic Regulation Orders within the Rowley Road and Baginton Village area west of the application site
  15. Contribution of £150,000 to fund traffic management works in the Leaf Lane area
  16. Preparation and agreement with Warwick District Council and Warwickshire County of a Rowley Road/Bubbenhall Road Access



- Restriction Strategy utilising ANPR cameras and implementation of that strategy thereafter for the lifetime of the development.
17. Measures to assist the relocation of existing businesses within the site.
  18. Lease arrangements in respect of the relocated Model Car Club and Electric Railway Museum.
  19. Contribution to fund the legal costs of the local planning authorities in drafting the Agreement and the costs of the local planning authorities in monitoring it.

Discussions are ongoing with the applicant regarding those matters highlighted above where detailed matters remain to be agreed. An update will be provided at Planning Committee on these matters.

It is considered that all of the items listed above for inclusion in the Section 106 agreement are relevant to the decision of Warwick District Council. This includes those provisions that relate specifically to parts of the development that are within Coventry since those provisions are required to mitigate impacts of the development as a whole (i.e. the highway works within Coventry are a direct consequence of the proposed development within Warwick District).

In support of their proposals the applicant's Executive Summary to their Planning Statement outlines their analysis of the key benefits of the scheme. This summary is as follows:

On the south side of Coventry is an agglomeration of industrial and commercial land uses alongside regionally strategic highways which combine to provide a critical mass, sufficient to set an unrivalled context for the 'Coventry and Warwickshire Gateway', which, in turn, aims to augment existing provision with new infrastructure and employment floorspace, capable of accommodating up to 10,000 jobs, whilst assisting the delivery of up to 4,000 more.

There is a two-fold national imperative.

Firstly, as expressed by Government in 'The Plan for Growth' (March 2011): *"Our (UK's) share of world exports has fallen from 4.4% in 2000 to 2.8% in 2009. Germany's share of world exports actually rose from 8.5% in 2000 to 9.0% in 2009. Not only do we now export just a third as much as Germany, we even lie behind the Netherlands, a country a third of our size"*.

As Government has said *"we literally cannot afford to go on like this"* and *"we must build a new model of economic growth – where instead of borrowing from the rest of the world, we invest and we save and we export"*.

As an integral part of "The Plan for Growth", Government introduced the "presumption in favour of sustainable development" and it is now demanding the "opening up of more land for development".

Secondly, the Highways Agency is investing more than £100m to reduce congestion on the strategic road network south of the City, but this will only be able to deliver truly widespread benefit through a combination of effort with the Gateway scheme.

The Coventry and Warwickshire Local Enterprise Partnership recognises this; it has stated that:

*"The Gateway is a scheme of major strategic importance for Coventry and Warwickshire. It represents a long-term opportunity to create high-value jobs, attract inward investment and make major improvements to the infrastructure of the area. It is a once in a generation opportunity".*

Consequently, the Vision for The Gateway demands a sustainable, 'flag ship' development of strategic significance, with widespread benefits to match.

The widespread benefits will incorporate not just the expectation of up to 14,000 jobs, but also the remediation of despoiled land; investment in highway and other infrastructure; the creation of public access to over 100ha of (mostly) newly available landscaped open space, where a variety of new habitats will enhance biodiversity; and the intended doubling of the percentage of employees at the existing Middlemarch and Stonebridge Estates travelling to work by non-car means.

These benefits are economic, social and environmental; they are significant and substantial. Whilst we do not underestimate the importance of The Gateway site's Green Belt status, we believe that, having regard to the Government's objectives for economic growth, these benefits amount to very special circumstances which in our view demonstrably outweigh the harm caused by the proposal.

The applicant has stated that a private sector investment of around £250 million would be made on the Gateway site in delivering the proposed development.

## **THE SITE AND ITS LOCATION**

The application relates to a substantial site that adjoins the southern edge of Coventry, covering an area of 308 hectares. The site includes land within and to the north, south and west of Coventry Airport, land within the approved Whitley Business Park to the north of the A45 and land within and adjacent to various highways including the A45, A46, A444, A4114 and Leaf Lane. The site straddles the boundary between Warwick District and Coventry. The majority of the site is within Warwick District, although the majority of the highway works are within Coventry.

The application divides the site into 4 zones. Zone A comprises land to the south of Coventry Airport and to the south and east of Middlemarch Business Park. This area contains a range of existing land uses including sewage sludge lagoons, a vehicle test track and a small industrial estate,

with the remainder of this area being in agricultural use, including the old farmhouse and barns of Rock Farm (which remain occupied). Parts of Zone A have also formerly been used for tipping, as sewage drying beds and as a scrapyards.

Bubbenhall Road forms the south-western boundary of Zone A and there are a small number of dwellings and rural businesses on the opposite side of this road. Agricultural land adjoins the southern boundary of the site and this includes another dwelling and equine business on Bubbenhall Road. The airport and Middlemarch Business Park adjoin the northern boundary of Zone A, while the River Avon forms the eastern boundary, with agricultural land beyond (including a Scheduled Ancient Monument known as "Pit alignment north of Bubbenhall Village". The village of Bubbenhall is to the south-east of Zone A, approximately 310m from the site boundary at the closest point (i.e. as measured from rear wall of the Grade II Listed Church of St. Giles). This part of Bubbenhall is designated as a Conservation Area and the boundary of the Conservation Area is 255m from the boundary of the application site.

Zone B comprises land to the north and west of the airport. This area contains a range of existing land uses including an overgrown former landfill site, areas that currently fall within the airport boundary (including existing hangars and airport buildings), the Trinity Guild Rugby Club (including a model car racing circuit) and the Electric Railway Museum, with the remainder of this area being in agricultural use, including some modern agricultural buildings.

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

Zone C comprises land within and alongside existing and proposed highways, largely within Coventry. Zone C also includes part of Whitley Common and land within Whitley Business Park. Zone C adjoins a number of predominantly residential areas in Coventry.

Zone D comprises various parcels of land within Coventry Airport. These parcels of land are all within the existing operational boundary of the airport.

The majority of the site is situated within the Green Belt, including the whole of Zones A, B and D and parts of Zone C. There are a large number of trees and hedgerows on different parts of the application site. The most

significant of these in terms of individual specimens are a number of oak trees, a horse chestnut and a False Acacia within Zone A and two oak trees within Zone C (on the southern edge of the A45). There are also a number of significant groups of trees. The majority of the site is situated within Flood Zone 1, although parts of the Zones A, B and C are situated within Flood Zones 2 and 3, including the site of the proposed bridges across the River Sowe.

Zone C adjoins the Stonebridge Meadows Nature Reserve. There are also a number of Local Wildlife Sites (LWS) and potential Local Wildlife Sites (pLWS) within Zones A and C (Siskin Drive Bird Sanctuary LWS, River Avon LWS, Lower Sowe and Sherbourne Valleys LWS, Leaf Lane LWS, Lower Sowe and Sherbourne Valleys Extension pLWS and Rock Farm Sludge Lagoons pLWS).

The highway network within the vicinity of the site is under the control of 3 Highway Authorities. The A46 south of the Festival Island Junction and north of Toll Bar Island, the Festival Island and Toll Bar Island junctions themselves and the A45 Stonebridge Highway between these junctions are part of the Strategic Trunk Road network and therefore under the control of the Highways Agency. All other roads within the vicinity are either within the control of Coventry City Council or Warwickshire County Council.

Those elements of the application site within Warwick District Council's administrative area comprise the whole of Zones A, B and D and parts of Zone C. The parts of Zone C that are not within Warwick District are the entirety of the A45 between the Tollbar End and Festival Islands, the section of the A45 to the west of Festival Island, all land north of the A45, the northern half of the Festival Island junction and those existing highways in the application site immediately adjacent to the Stonebridge Trading Estate.

## **PLANNING HISTORY**

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

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

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

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

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

**Alvis site / vehicle test track:** A number of different planning permissions have been granted over the years for the use of the track for the testing of vehicles and machinery and for driver testing. There have also been a number of planning permissions for the construction of new hard surfaces in and around the track and for the erection and extension of industrial and storage buildings within the Alvis site.

**Severn Trent Rock Farm:** Various planning permissions have been granted in relation to the sludge lagoons and associated buildings. A planning application for the reclamation of the southern area of lagoons to low grade agricultural use was refused in 1994 due to concerns about heavy vehicle movements through Baginton (Ref. W397/93CM028).

Planning permission has previously been granted for a car breakers yard on land between the Alvis site and the Severn Trent site (Ref. 5665/1).

**Rock Farm (agricultural holding):** Previous planning permissions have been granted for the erection of agricultural buildings and an extension to the farmhouse.

**Coventry Airport:** The application site covers parts of Coventry Airport that have been subject to a number of previous planning permissions for aviation related buildings and uses. There have also been some notable applications relating to other parts of the airport and Middlemarch Business Park that have implications for the operation of the airport as a whole and, more particularly, for the use of the part of the airport to the rear of the houses in Oak Close. The 1998 planning permission for the Parcelforce building on Middlemarch Business Park was subject to a Section 106 agreement that imposed limitations on the area to the rear of Oak Close (Ref. W96/0454). In 2006 planning permission was granted on appeal for an interim passenger facility on the Siskin Parkway West side of the airport (ACT/467/48/03) and this permission was subject to a number of conditions and a Section 106 agreement that restricted the operation of the interim passenger facility and any associated flights. In 2007 the Secretary of State refused planning permission for a permanent passenger terminal (Ref. W04/1939). The interim passenger facility is not currently in use, but this could be brought back into use under the terms of the 2006 planning permission.

**Whitley Business Park:** Outline planning permission for this business park was granted by the Secretary of State in 2001 following a public inquiry. Reserved Matters approval was granted for the entire site in 2006. A revised outline planning permission was granted in 2008 which allowed minor variations to certain conditions regarding the phasing of various matters and there have been 3 subsequent full planning permissions

granted relating to highway works/car parking and some plots within the site.

### **RELEVANT POLICIES**

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

In terms of assessment of the application proposals it should be noted that Warwick District Council and Warwickshire County Council planning policies apply only to those areas of the site within Warwick District Council's jurisdiction whilst Coventry City Council planning policies apply only to those parts of the application site within Coventry City Council's administrative area.. The West Midlands Regional Spatial Strategy (RSS), The RSS Phase II Revision and the NPPF apply to the entire site.

### **The Development Plan**

The Development Plan for the site includes the saved policies of the Warwick District Local Plan (WDLP) 2007, the Warwickshire Structure Plan 2001 (WSP) and the Coventry Development Plan (CDP) 2001 . All of these Plans cover the period 1996-2011.

The Regional Spatial Strategy for the West Midlands (RSS) 2008 also forms part of the Development Plan. The Coalition Government have confirmed that they intend to revoke the various Regional Spatial Strategies and work is currently ongoing in this regard with Strategic Environmental Assessment of such revocation being undertaken but not as yet having been completed. At the present time therefore the West Midlands RSS remains part of the Development Plan and must therefore be given substantial weight alongside other Development Plan policies in assessing this application, particularly as it was adopted post 2004 (see NPPF commentary below), although the courts have ruled that the intention of the Coalition Government to revoke the various Regional Spatial Strategies is a material consideration.

Relevant Warwick District Local Plan Policies are as follows:

- DP1 - Layout and Design
- DP2 - Amenity
- DP3 - Natural and Historic Environment and Landscape
- DP4 - Archaeology
- DP6 - Access
- DP7 - Traffic Generation
- DP8 - Parking
- DP9 - Pollution Control
- DP11 - Drainage
- DP12 - Energy Efficiency
- DP13 - Renewable Energy Developments
- DP14 - Crime Prevention
- DP15 - Accessibility and Inclusion

- SC4 - Supporting Cycle and Pedestrian Facilities
- SC8 - Protecting Community Facilities
- SC12 - Sustainable Transport Improvements
- SC15 - Public Art
- RAP6 - Directing New Employment
- RAP10 - Safeguarding Rural Roads
- RAP11 – Rural Shops and Services
- RAP13 – Directing New Outdoor Sport and Recreation Development
- RAP16 - Directing New Visitor Accommodation
- DAP3 - Protecting Nature Conservation and Geology
- DAP4 - Protection of Listed Buildings
- DAP8 - Protection of Conservation Areas
- UAP3 – Directing New Retail Development

Relevant Warwickshire Structure Plan Policies are as follows:

- I.2 - Industrial Land Provision
- T.7 - Public Transport
- TS10 - Developer Contributions
- TC2 – Hierarchy of Town Centres

Relevant Coventry Development Plan Policies are as follows:

- OS4 – Creating A More Sustainable City
- OS5 – Achieving A High Quality City
- OS6 – Change Of Land Use
- OS9 – Access By Disabled People
- OS10 – Planning Obligations
- EM2 – Air Quality
- EM3 – Water Resources And Quality
- EM4 – Flood Risk And Development
- EM5 – Pollution Protection Strategy
- EM6 – Contaminated Land
- EM8 – Light Pollution
- E1 – Overall Economy And Employment Strategy
- E2 – Consolidating and strengthening the City’s existing economic base
- E3 – Diversification of the local economy
- E6 – Principal Employment Sites
- E8 – Redevelopment Of Existing Employment Sites
- AM1 – An Integrated, Accessible And Sustainable Transport Strategy
- AM3 – Bus Provision In Major New Developments
- AM8 – Improving Pedestrian Routes
- AM9 – Pedestrians In New Developments
- AM10 – Traffic Calming
- AM12 – Cycling In New Developments
- AM14 - Roads
- AM22 – Road Safety In New Developments
- BE1 – Overall Built Environment Strategy
- BE2 – The Principles of Urban Design
- BE15 – Archaeological Sites
- BE19 - Lighting

- BE20 – Landscape Design And Development
- BE21 – Safety And Security
- GE1 – Green Environment Strategy
- GE3 – Green Space Corridors
- GE6 – Control Over Development In The Green Belt
- GE8 – Control Over Development In Urban Green Space
- GE11 – Protection of SSSI's, Local Nature Reserves and CNCS
- GE12 – Protection of Other Sites of Nature Conservation Value
- GE14 – Protection Of Landscape Features
- GE15 – Designing New Development To Accommodate Wildlife

Relevant Regional Spatial Strategy Policies are as follows:

- CC1 – Climate Change
- UR1 – Implementing urban renaissance – the MUA's
- RR1 – Rural renaissance
- RR4 – Rural services
- PA1 – Prosperity for all
- PA2 – Urban Regeneration Zones
- PA3 – High Technology Corridors
- PA4 – Development related to higher/further education and research establishments and incubator units
- PA5 – Employment areas in need of modernisation and renewal
- PA6 – Portfolio of employment land
- PA7 – Regional Investment Sites
- PA8 – Major Investment Sites
- PA9 – Regional Logistics Sites
- PA13 – Out of Centre retail development
- PA14 – Economic development and the rural economy
- QE1 – Conserving and enhancing the environment
- QE2 – Restoring degraded areas and managing and creating high quality new environments
- QE3 – Creating a high quality built environment for all
- QE4 – Greenery, urban green space and public spaces
- QE5 – Protection and enhancement of the historic environment
- QE6 – The conservation, enhancement and restoration of the Region's landscape
- QE7 – Protecting, managing and enhancing the Region's biodiversity and nature conservation resources
- QE8 – Forestry and woodlands
- QE9 – The Water Environment
- EN1 – Energy generation
- EN2 – Energy conservation
- T1 – Developing accessibility and mobility within the Region to support the Spatial Strategy
- T2 – Reducing the need to travel
- T3 – Walking and cycling
- T4 – Promoting travel awareness
- T5 – Public transport
- T7 – Car parking standards and management



- T9 – The management and development of national and regional transport networks
- T11 - Airports

### **Other Planning Policy Documents**

Other planning policy documents are material considerations in assessing the proposals. These comprise relevant Government Guidance, adopted Coventry City Council and Warwick District Council Supplementary Planning Guidance/Documents (SPG/SPD), the emerging Core Strategies of both Coventry City Council and Warwick District Council and the RSS Phase 2 Revision document together with the Panel report on that document.

Relevant Government Guidance is contained within the recently published National Planning Policy Framework (NPPF) which replaces all previous Government planning guidance relevant to the determination of this application.

The NPPF advises that decision makers may continue to give full weight to Development Plan policies adopted since 2004, such as the RSS and Warwick District Local Plan, even if there is a limited degree of conflict with the NPPF. In respect of other Development Plan policies, such as those in the CDP and WSP which were adopted prior to 2004, due weight may be given to relevant Policies according to their degree of consistency with the NPPF.

Overall the NPPF introduces a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay. Where the development plan is absent, silent or relevant policies are out-of-date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the NPPF indicate development should be restricted. The NPPF also confirms that the Government attaches great importance to the protection of Green Belts.

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

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

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

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

Also of relevance in terms of flood risk is the Government's Technical Guidance document to the NPPF.

With regard to Warwick District Council Supplementary Planning Guidance/Documents those of relevance are documents relating to Open Space (June 2009), Sustainable Buildings (December 2008), Vehicle Parking Standards and the Warwickshire Landscape Guidelines

In terms of Coventry City Council Supplementary Planning Guidance/Documents the 'Delivering a more sustainable city' and 'Green Space Strategy for Coventry' documents are of relevance.

In terms of draft Core Strategy documents, the Warwick District Local Plan Preferred Options were published in May 2012.

At Full Council on 1 December 2011 it was resolved to approve a strategy statement to form the basis of the preparation of a new Local Plan. This strategy statement included supporting a dynamic, flexible, low carbon based, mixed economy that, inter alia, *continues the commitment to the Gateway site*. The planning application must, of course, be considered on its own merits in accordance with the development plan and all material considerations.

Policies of relevance to this application are as follows:

- PO8 – Economy
- PO9 – Retailing & Town Centres
- PO10 – Built Environment
- PO11 – Historic Environment
- PO12 – Climate Change
- PO14 – Transport
- PO15 – Green Infrastructure
- PO16 – Green Belt
- PO18 – Flooding & Water

Coventry City Council have recently submitted their 'Proposed Submission' Core Strategy (October 2012) to the Planning Inspectorate. The following policies are considered to be of relevance to the application:

- EM4 – Climate change adaptation
- EM5 – Green and blue infrastructure
- EM7 – Flood risk management
- EM8 – Sustainable Drainage Systems (SUDS)
- EM9 – Air quality
- JE1 – Overall economy and employment strategy
- JE2 – Provision of employment land and premises
- ACC1 – Accessible transport network
- ACC2 – Network capacity
- ACC3 – Demand management
- ACC4 – Walking and cycling
- ACC5 – Bus and rapid transit
- ACC6 – Rail
- GB1 – Green Belt
- HE1 – Conservation and heritage assets
- DE1 – Ensuring high quality design
- GE1 – Green infrastructure
- GE2 – Parks, open space, outdoor sports and recreation facilities
- GE3 – Biodiversity, geological, landscape and archaeological conservation
- IM1 – Developer contributions for infrastructure

The RSS Phase 2 Revision document was submitted to the Secretary of State in December 2007. The Panel report concerning this document was published in September 2009.

Whilst the RSS Phase 2 Revision document has not and will not be progressed to adoption, it has not been withdrawn. As such, its policies and the evidence base underlying such policies are a material consideration.

RSS Phase 2 Revision Policies of relevance to this application are:

- SR1 – Climate Change
- SR3 – Sustainable design and construction
- SR4 – Improving air quality for sensitive ecosystems
- UR1 – Implementing urban renaissance – the MUA's
- UR4 – Social infrastructure

- RR1 – Rural renaissance
- RR4 – Rural services
- PA1 – Prosperity For All
- PA2 – Urban Regeneration Zones
- PA3 – High Technology Corridors
- PA4 – Development related to higher/further education and research establishments and incubator units
- PA5 – Employment areas in need of modernisation and renewal
- PA6 – Portfolio of employment land
- PA6A – Employment Land Provision
- PA7 – Regional Investment Sites
- PA8 – Major Investment Sites
- PA9 – Regional Logistics Sites
- PA13 – Out of Centre retail development
- PA13A – Office Development Requirements 2006-2026
- PA13B – Large scale office development outside the strategic centres
- PA14 – Economic development and the rural economy
- QE1 – Conserving and enhancing the environment
- QE2 – Restoring degraded areas and managing and creating high quality new environments
- QE3 – Creating a high quality built environment for all
- QE4 – Greenery, urban green space and public spaces
- QE5 – Protection and enhancement of the historic environment
- QE6 – The conservation, enhancement and restoration of the Region’s landscape
- QE7 – Protecting, managing and enhancing the Region’s biodiversity and nature conservation resources
- QE8 – Forestry and woodlands
- QE9 – The Water Environment
- EN1 – Energy generation
- EN2 – Energy conservation
- T1 – Developing accessibility and mobility within the Region to support the Spatial Strategy
- T2 – Reducing the need to travel
- T3 – Walking and cycling
- T4 – Promoting travel awareness
- T5 – Public transport
- T7 – Car parking standards and management
- T9 – The management and development of national and regional transport networks

## **SUMMARY OF REPRESENTATIONS**

**Baginton Parish Council:** Object for the following reasons:

- inappropriate development within the Green Belt – no very special circumstances to outweigh the conflict with Green Belt policy and the harm to the openness of the Green Belt;
- urban sprawl, harm to the setting and special character of Baginton, encroachment on previously undeveloped Green Belt fields, loss of openness and detrimental to urban regeneration;

- proposals are unsustainable and fail to comply with fundamental tests in the NPPF;
- there are more suitable sites for the development nearby (e.g. Ansty and the former Peugeot site at Ryton);
- the job claims are inaccurate and misleading;
- there is no need for this development;
- the Savills report is flawed;
- the recent Inspector's report on the emerging Coventry Core Strategy states that there is no current need to allocate any additional land outside the city boundary to meet the economic objectives of the Core Strategy;
- the Warwick District Local Plan Preferred Options propose 23ha of employment land (not including the Gateway) and this is more than sufficient to meet the need for economic growth;
- there is no need for the level of employment land proposed, given the amount of vacant employment land within the sub-region and the amount proposed in the Preferred Options;
- Bubbenhall Road must remain open to protect rural businesses;
- the closure of Bubbenhall Road and lowering of the proposed access road may allow for future runway expansion;
- noise and disturbance from the 24 hour logistics operations and associated traffic, contrary to the Human Rights Act;
- the sections to the properties in Oak Close are unrepresentative;
- the proposals will not facilitate major improvements to the road network not already covered by the Highways Agency proposals for the Toll Bar Island and will only add to the traffic in this area;
- the proposals could put into jeopardy the construction of the Toll Bar Island scheme;
- conflict of interest due to the relationship between the developer, the LEP and the City / District / County Councils;
- the Design Year for the assessment of the highways impact should have been 2032 and not 2022;
- harmful ecological impact;
- the Parish Council fully endorse the views of CPRE;
- this would set a damaging precedent for future development on the Green Belt across the country;
- the Environmental Statement is deficient and is not in accordance with the EIA regulations; and
- if planning permission is granted despite the objections raised, then in order to protect the village from future encroachment it is vital that all buffer/landscaping land is transferred to the ownership of the Parish Council and leased back to the operator on a 999 year lease, to protect the area from further development.

**Bubbenhall Parish Council:** Object for the following reasons:

- inappropriate development within the Green Belt – no very special circumstances to outweigh the conflict with Green Belt policy and the harm to the openness of the Green Belt;
- there is no demonstrable need for this development;
- the job claims are inaccurate and misleading;

- there are more suitable sites for the development nearby (e.g. Ansty, Ryton and Blythe Valley);
- there is no guarantee that the level of investment that has been promised will be forthcoming - only £30 million of the £250 million total investment has been identified;
- the development is likely to remain vacant for years;
- the argument relating to the derelict or substandard nature of a small portion of this site misconstrues the purpose of Green Belt – its aesthetic properties or value as landscape are secondary to its role as an open space which acts as a buffer between the city and the rural communities which it connects;
- the contamination on the site is the responsibility of the current operator of the sewage treatment site and, in the case of landfill, if it is contaminated, local or central government;
- the Environmental Statement does not contain a satisfactory response to the request to consider alternative scenarios;
- noise and light pollution;
- the suggested proportion of single passenger car journeys is unrealistic;
- the closure of Bubbenhall Road will result in the loss of the main route from Bubbenhall to the post office and shops in Baginton and to Coventry;
- the closure of Bubbenhall Road and lowering of the proposed access road may allow for future runway expansion; and
- the high bay warehousing of the logistics park cannot be screened by bunds due to the fact that these would be built on an existing plateau.

Bubbenhall Parish Council have also commissioned a report by an economist and a managing director of a company occupying a logistics park similar to that proposed for the application site. This assesses the claims made by the developers about job numbers and investment volumes. The report refers to recent survey data from Prologis of 28 UK warehouses and concludes that there is a 50% probability of less than 3,000 jobs on the logistics park and a 10% chance of less than 1,000 jobs even if there is 90% take up of the proposed floorspace. The report also refers to employment levels at particular warehouses, including one near Peterborough managed by one of the authors and claims that if this was scaled up to the size of the proposed logistics park then less than 600 people would be employed with 90% floorspace take up.

In terms of the £250 million investment figure the report points to a lack of detail in terms of how the applicant has arrived at this figure and suggests that this is a notional number that has been publicised merely to increase interest in the Gateway project. The report also questions how the development will be financed and suggests that there is likely to be a requirement for an element of public sector financing. The report concludes that there is no evidence that demand exists on a scale necessary to provide 14,000 jobs.

**Stoneleigh & Ashow Joint Parish Council:** Object for the following reasons:

- inappropriate development in the Green Belt and no very special circumstances demonstrated;
- headline jobs claims vastly exaggerated;
- this area already has very many years stock of empty or vastly underutilised / occupied business and technology parks;
- conflict of interest due to the LEP championing the Gateway with Warwick District Council, Coventry City Council, Warwickshire County Council being members of the LEP;
- closure of public roads;
- the Gateway scheme was turned down as an Enterprise Zone by the Government;
- this appears to be an elaborate plan to get the Airport's freight and passenger operations extended;
- the Savill's report is terminally flawed, partisan and skewed in favour of the development;
- the Gateway and Middlemarch sites are both long cul-de-sacs and this has resulted in problems recently on Middlemarch when this sole point of access has been blocked;
- the bunds will not hide the development from view from a number of key points;
- the bunds will look totally artificial and obviously man-made;
- the development will appear as blight on the Warwickshire landscape; and
- there will be noise pollution on an enormous scale 24 hours a day all week long.

A further joint letter of objection has been received from Baginton, Bubbenhall and Stoneleigh & Ashow Parish Councils raising the following concerns:

- both Coventry and Warwick Councils are unable to be objective or independent because, given its relationship with the LEP, the interests of the developer are leading the way in which the local authorities are thinking;
- the Local Plan Preferred Options contain a clear commitment to pursue the potential for a sub-regional employment site at the Gateway, and this indicates that the application has been pre-determined;
- researched, incontrovertible evidence has been lodged by objectors which dismisses the assertion that 14,000 jobs will be provided; and
- the Secretary of State has already thoroughly reviewed this application in its previous form (the application for Enterprise Zone status) and has rejected it.

Baginton, Bubbenhall and Stoneleigh & Ashow Parish Councils have all responded to the highway amendments to confirm that these changes have not addressed their concerns.

**Old Milverton & Blackdown Parish Council:** Object on the following grounds:

- contrary to Green Belt policy – very special circumstances do not exist;

- the development will not create the number of new jobs claimed;
- these will be low paid, low skilled jobs;
- the development proposed will not justify the planned residential development for the accommodation of personnel, since the depots planned will not be sufficiently labour-intensive;
- building on the Green Belt north of Leamington will not, therefore, be justified; and
- the effect on the environment and historical sites in this area cannot be justified.

**Jeremy Wright MP:** Raises a number of concerns regarding encroachment on the Green Belt, amalgamation of settlements, availability of alternative sites, questionable job figures, lack of demand for industrial and commercial development of this scale in this area, increased traffic congestion and noise and disturbance from HGVs. The MP also advises that he is against a return to full-scale passenger operations at the airport.

**Public response:**

Neighbour notification letters were sent to around 4,000 residents and businesses within and adjacent to the application site in late September 2012 and in Mid October 2012. Residents/businesses in Cheylesmore/Whitley and all Warwick District Council neighbours originally notified were re-consulted on amended highways plans in mid and late November 2012 respectively.

Site Notices were displayed within and adjacent to the application site on the 26 September 2012.

Press Notices were published in the Coventry Evening Telegraph on the 27 September 2012 and the Leamington Courier on the 5 October 2012.

A total of 770 responses have been received to date from local residents and businesses. These comprise 6 letters in support of the application (including letters from Jaguar Landrover, Coventry & Warwickshire Local Enterprise Partnership and the long term manager of Stoneleigh Park), 1 letter which both supports and objects, 1 comment and 762 objections.

Those supporting the application refer to the jobs that would be created by the development and the regional benefits in terms of economic growth and infrastructure improvements.

Objectors have raised the following concerns:

- Encroachment into and loss of valuable Green Belt land with the separation between Baginton and Bubbenhall villages and Coventry significantly compromised and no very special circumstances to justify this.
- Harm to the setting of Baginton and Bubbenhall.
- Contrary to the five purposes of the Green Belt.



- Cumulative impact on the Green Belt in this locality from other approved and proposed developments, including HS2, Stoneleigh Park and Abbey Park.
- The government has stated its commitment economic growth should not affect the strong protection of the Green Belt.
- There are many other suitable sites not in the Green Belt within the locality and wider sub-region for the commercial development proposed and therefore there is no need to release Green Belt land to accommodate the development.
- The job creation figures put forward by the applicant are over-exaggerated.
- Highway safety and access concerns regarding proposed highway works in the Leaf Lane locality.
- The proposed highway works in the Leaf Lane locality and new bridge over the Stivichall bypass will reduce safety for school children from Cheylesmore/Stivichall who cross Leaf Lane and the Stivichall by-pass daily to access schools in Whitley.
- Proposals contrary to national and local planning policies.
- Increased traffic and reduced highway safety generally arising as a consequence of the development.
- Adverse impact on local businesses.
- Increased noise/vibration nuisance including noise pollution from HGV's
- Increased greenhouse gas emissions and air pollution
- Impact on and loss of valuable ecological habitats and species, including protected species
- Inconvenience caused to local residents as a result of access restrictions on Bubbenhall Road.
- Access restrictions on Bubbenhall Road will adversely affect local businesses
- Conflicts of interest given Coventry City Council's land ownerships within the application site and the involvement of Coventry City Council, Warwick District Council, Warwickshire County Council and one of the applicants in the Coventry & Warwickshire LEP.
- ANPR camera restrictions would not work in practice.
- Impact on and loss of historic buildings and structures.
- Health issues arising from disturbance of contamination on the site.
- Light pollution
- Infringement on Whitley Common
- Loss of high quality farmland
- Proposals contrary to local Development Plans.
- Logistics Park would be better accessed from Middlemarch Business Park.
- Access to local services disrupted by traffic
- Loss of property value
- Health impact of green space loss
- Loss of raw materials
- Developer is not able to fund the scheme
- Measures need to be put in place to ensure access by local people to jobs created.
- Phasing and operational concerns regarding the relocation of the railway museum.

- Closure and relocation of air museum out of area.
- Jobs created would be low skilled.
- Jaguar Land Rover cannot be used as a catalyst to secure occupation of the proposed development.
- St.Martin's Island highway works not needed.
- Any proposals related to Coventry Airport should be the subject of a separate planning application.
- Loss of model car club
- No need for new retail development
- Personal circumstances of Rock Farm agricultural tenant need to be a material consideration in determining application - loss of home and livelihood.
- Proposed Country Park unsafe due to flood risk.
- Proposed works to Whitley Island unsafe.
- Proposed highway works would restrict access for emergency vehicles.
- Nuisance from contractors' activities and their vehicles during construction works.
- Money from scheme will not benefit tax payers.
- Car parking problems in locality surrounding site will arise.
- Adverse impact on junction of A45 with Kenilworth Road.
- Relocation arrangements for existing businesses within the site.
- Proposed changes to Festival Island junction won't work.
- Increased traffic on Humber Road.
- Highway works in the Leaf Lane area not necessary.
- Overdevelopment.
- Proposed scheme is too close to existing dwellings.
- The technical standard of the proposed highway works is poor.
- Plans show footpaths that do not exist.
- The right turn from Daventry Road onto London Road should be re-opened to general traffic.
- There should be a no right turn out of the BP garage on the A45 onto St.Martin's Road.
- Human rights infringed regarding countryside access and quality of life.
- Need for slip road from Whitley Business Park site onto the Stivichall by-pass southbound as per Whitley Business Park planning permission.
- Full east-west access should be provided at the new A45 junction.
- There should be no left turn onto Leaf Lane from the new Whitley Junction at the top of Leaf Lane.
- Traffic calming needed on Leaf Lane and Black Prince Avenue.
- Noise barrier should be provided adjacent to Stivichall by-pass to shield residents from increased traffic noise.
- Unacceptable loss of trees.
- Investment claims made by developer don't stand up.
- Blight to properties caused by this development.
- Severn Trent promised that sewage lagoons would become a nature reserve.
- Adverse landscape impact of the proposed bund areas.
- Environmental Statement is incomplete in terms of noise, air quality, HGV impact, highways options for Leaf Lane and consideration of alternative development scenarios re the proposals as a whole.

- Environmental Statement does not adequately address all of the issues raised in the Council's Scoping Opinion.
- The scheme generally and the lowering of Bubbenhall Road in particular are designed to facilitate future expansion of Coventry Airport.
- Saville's Report is methodologically flawed.
- Car showroom floorspace is not justified.
- Proposed Logistics Park repeats cul-de-sac problem which already exists at Middlemarch Business Park.
- Claim made in the Transport Assessment that the technology park would not attract any HGV's is flawed.
- Visual intrusion.
- Bubbenhall Road access restrictions unworkable.
- Increased flood risk.
- Increased crime and anti-social behaviour.
- Adequacy of emergency access arrangements from Parcelforce site
- Disruption to Parcelforce operations from increased traffic on the highway network.
- Proposals conflict with Whitley Business Park approval.
- Aircraft safety compromised.
- Better cycle routes needed.
- Application needs to be decided following a public inquiry.
- Access road between technology and logistics parks should run within airport boundary rather than Bubbenhall Road being remodelled and restricted.
- Disruption to traffic during construction works.
- Increased traffic and reduced highway safety in Stoneleigh Village.
- Travel Plan measures won't work in practice.
- Bus Rapid Transit route won't have a significant impact on traffic from the development.
- Detrimental impact on nearby Conservation Areas.
- There are more suitable sites elsewhere for this development.
- Brownfield sites in Coventry should be developed before greenfield development is considered.
- Existing development sites in the sub-region have sufficient capacity to meet any demand.
- Many objectors state that they agree with the objections of the Parish Councils, CPRE and the Roe & Symes report.
- These proposals would undermine urban regeneration and re-use of brownfield land;
- There is no need for this development, with high vacancy rates across existing business premises and vacant plots on other development sites.
- The Highways Agency's Toll Bar improvements have yet to be approved and therefore it would be premature to approve the Gateway development.
- Insufficient time has been given for local residents to comment on this complex application.
- The proposed hotel can only be intended to serve the future expansion of the airport.
- Detrimental impact on viability of Royal British Legion club due to access restrictions.

- Access restrictions will adversely affect the links between local churches (the churches in Baginton, Bubbenhall and Ryton comprise a united benefice).
- The access restrictions would fragment the local community, adversely affecting the social links between local villages.
- The closure of Bubbenhall Road should be the subject of a public inquiry.
- Harm to the rural landscape and the rural character of the area.
- There are a significant number of inaccuracies in the Environmental Statement.
- Concerns about the impact on the requirement for new housing and in particular the allocation of land for housing on the edges of Warwick, Leamington and Kenilworth (including land within the Green Belt).
- Harm to Lunt Fort Scheduled Ancient Monument.
- Harm to the setting of Listed Buildings and other Scheduled Ancient Monuments.
- Increased bus services will cause noise and disturbance in Baginton.
- The Whitley Business Park planning permission only claimed to be creating 2,500 jobs, whereas the Gateway application claims that 4,000 jobs will be created on Whitley Business Park.
- The Council have predetermined the application.
- The Council are not in a position to make an impartial decision, having supported the proposals from the outset.
- The development is purely a speculation to increase land value.
- The developer has not demonstrated that demand exists for the creation of 14,000 jobs – merely building the units will not create jobs unless there is demand.
- There is likely to be significant degree of displacement of jobs from elsewhere.
- Granting permission would set a precedent for further development on Green Belt land.
- Coventry City Council own much of the land and therefore cannot be impartial.
- The logistics park will result in increased freight flights from Coventry Airport.
- Restrictions should be imposed on the operation of the airport.
- The development will not benefit the Regeneration Zone due to the lack of public transport links.
- The traffic predictions overestimate the amount of traffic that will be generated and therefore require unnecessary additional harmful road infrastructure.
- Potential contamination of protected waters.
- The use of contaminated material in the bunds will not be conducive to any landscaping thriving.
- Concerns about the use of public funds to subsidise the development.
- There is no justification for car dealerships, a hotel or retail premises on Green Belt land.
- It is not appropriate for Coventry City Council and Warwick District Council to be working together on assessing the planning application.
- The amendment to provide a roundabout on Bubbenhall Road / Coventry Road with access into the development does not address the

concerns that have been raised about the alterations to Bubbenhall Road and is likely to create an additional problem of development traffic using Bubbenhall Road, Stoneleigh Road and Coventry Road.

- Detrimental impact on archaeological remains.
- Need to consider combined effect of HS2 and Gateway.
- Existing difficulties recruiting staff in hi-tech industries will discourage potential occupiers.
- New A45 bridge an eyesore

Trinity Guild RFC and the Electric Railway Museum have subsequently withdrawn their objections having agreed relocation details with the developer.

Following reconsultation on the amended highway works, only one objector has advised that these changes have addressed their concerns. Many objectors have submitted further comments to confirm that the amendments have not addressed their concerns (these further objections are included in the overall objection numbers quoted above).

Two petitions of objection have been submitted by Coventry City Councillors Foster and Noonan on behalf of residents in the Cheylesmore area of Coventry.

The petition from Councillor Foster bears 771 signatures and objects to the intention to encroach on an area west of the A444 to link traffic to and from the Jaguar Whitley site and the intention to close the junction of Leaf Lane at the Festival Island – A45/A46 junction. Overall the petitioners consider that the proposals are extremely detrimental to, and would impact negatively on Styvechale and Cheylesmore residents and businesses. They respectfully request that the City Council supports and protects the wellbeing and future of their community by rejecting these elements of the scheme.

The petition from Councillor Noonan bears 415 signatures and objects to the proposed development in a residential area of the widening of Black Prince Avenue and Leaf Lane, as this will create a massive increase in road traffic, noise and pollution. The petitioners also consider that this development will reduce parts of Whitley Common, playing fields and the removal of trees and hedges. They continue by stating that the field in Leaf Lane is common land and is frequented by both adults and children alike, with schools losing playing fields, it is very important that this land is not disturbed or developed.

Coventry City Councillor Foster objects to the application on several grounds. He does not believe that the jobs figure quoted in the application is credible. In this regard he refers to increased automation in the logistics industry and the jobs claimed for the technology park being double those claimed for the MIRA technology park site north of Nuneaton and many more than those currently employed at the Warwick University Technology Park. The job claims sound similar to those made for the Whitley Business Park in 2001 which are yet to materialise. It is further submitted that the

Whitley Business Park site was initially billed as a high technology facility supporting Jaguar but has now become an edge of town office park, with other uses such as a dog food factory having also been pursued. There is a concern that a similar situation will arise with the proposed technology park on the Gateway site. Clear evidence is needed that there are users or uses that would only locate to the Gateway site.

In terms of the proposed bus route from Coventry railway station to the development this should run down London Road not through Cheylesmore due to existing provision covering this area and existing congestion issues. A route down London Road would also negate the need for a new bridge across the Stivichall bypass and address detrimental impact on Whitley Common. Large numbers of workers in the development are not likely to live along the route and the monies allocated on it would be better spent removing the bottle neck over the West Coast Mainline on Mile Lane.

Whilst welcoming the retention of the Leaf Lane link to Festival Island concern is expressed about reducing the A45 to one lane eastbound over the Festival Island flyover. It is also considered that the new A45 junction should be a full access/egress junction provided this does not result in the A45 moving closer to properties on the Stonehouse Estate or the removal of tree screening to these properties.

Creation of the new Whitley Junction as proposed by the developer is not supported due to loss of part of the Green Belt and mature woodland barrier between Cheylesmore and the bypass. These works are not needed due to other proposed accesses to the Whitley Business Park site.

Coventry City Councillors Blundell and Sawdon also object to the applications expressing concerns about urban sprawl, coalescence, encroachment on the countryside and removal of the incentive to re-use brown field sites.

**Consultees:**

**CPRE:** Object to the proposals on the following grounds:

- contrary to Green Belt policy;
- the proposals would cause substantial harm to the openness and rural character of this part of the Green Belt;
- the site is significantly higher than surrounding land and therefore the landscaping proposals would not disguise the intrusion into the rural landscape;
- the development would create urban sprawl, dominating adjacent villages;
- the development would undermine urban regeneration;
- the Environmental Statement is inadequate;
- detrimental to the character and appearance of the adjacent village Conservation Areas;
- there is no need for additional employment land;

- neither the Coventry or Warwick Local Plans identify any need for the development of Green Belt land;
- there are good alternative sites in the local area and further afield with available space and / or planning permission to develop facilities for employment;
- the job claims are inaccurate and misleading;
- the LEP is not the voice of the local community and its growth agenda is not a valid justification for development in the Green Belt, particular as there is sufficient land elsewhere to meet the growth agenda;
- the Savills report is unreliable because this contradicts a report they submitted in 2009 in relation to a planning application for reducing employment land at New Century Park in which they concluded that there was a range of attractive, better situated, sites available across the sub-region;
- the methodology chosen for the Savills report is flawed;
- much better located alternative sites are available both locally (e.g. Ansty, Ryton, Lyons Park, Tournament Fields, Friargate, Blythe Valley, MIRA, Birch Coppice, Rugby Gateway) and further afield (e.g. many logistics sites in the "Golden Triangle");
- the 65% limit on single car driver usage is unlikely to be achieved;
- there has been no formal decision on the Highways Agency's Toll Bar End scheme, but the application assumes that this will start in April 2013;
- safety issues with the proposed road scheme;
- the argument that the highway improvements will improve overall highway conditions is rejected – the proposals will make some traffic flows worse;
- the closure of Bubbenhall Road and the potential closure of part of Leaf Lane would require statutory orders and it would be premature to grant planning permission for the overall development until this issue has been resolved;
- the Middlemarch Link Road is a critical part of the overall design of the proposals and should not be left as a reserved matter;
- the on-site and off-site parking restrictions are unworkable;
- the logistics park would have a major detrimental impact on the rolling Warwickshire countryside to the south;
- the technology park would fundamentally change the landscape of the central area;
- the descriptions of the site in the application give the inaccurate impression of an industrial waste landscape, whereas the site is actually predominantly a green and open area with little built development;
- the night-time impact of the development has not been adequately assessed (i.e. light pollution);
- loss of habitat - biodiversity off-setting is unproven and unlikely to achieve its targets;
- the noise modelling is inaccurate and underestimates the likely noise impact;
- the noise mitigation are incompatible with the safeguarding requirements of the airport;

- the assessment of noise at night does not comply with WHO guidelines;
- air quality and ground water assessments have not adequately covered the relocated fuel farm on the airport;
- the Environmental Statement underestimates the impact of the proposals on cultural heritage;
- the air quality assessment is inadequate;
- inconsistency with conditions and S106 obligations on the planning permission for the Whitley Business Park development;
- there is no evidence that demand exists on a scale necessary to provide 14,000 jobs;
- in practice it would not be possible to limit the amount of office floorspace in the technology park;
- the presumption in favour of sustainable development in the NPPF does not apply where specific policies, including Green Belt, restrict development;
- the site is not within the Coventry and Nuneaton Regeneration Zone and therefore the proposals are contrary to the policies of the RSS;
- the Inspector's Report on the Examination in Public into the Coventry Core Strategy concluded that there was no need for further greenfield or Green Belt employment land releases;
- the Coventry & Warwickshire Economic Assessment makes no mention of property or land as a barrier to growth; and
- the LEP have previously stated that job numbers are not deliverable if the Gateway does not have Enterprise Zone status.

**Friends of the Earth (various branches):** Object for the following reasons:

- there is no need for more employment land;
- there are suitable alternative sites;
- there are derelict sites available for development in Coventry;
- contrary to the local plan;
- inappropriate development within the Green Belt and no very special circumstances demonstrated;
- the projected employment figures do not stand up to scrutiny;
- conflict of interest involving the LEP and the Councils involved;
- harm to wildlife;
- there would be cumulative impacts in relation to transport and conflicts with policies; and
- harm to the environment.

**Warwickshire Wildlife Trust:** Initially objected on the grounds that the proposals would result in a net loss of biodiversity from the site and would put a number of statutory and non-statutory wildlife sites at risk, together with a number of species and habitats of principal importance to Nature Conservation. However, WWT have confirmed that the further information submitted by the applicant has addressed a number of their concerns including the impact on Brandon Marsh SSSI and Stonebridge Meadows LNR.



Whilst the biodiversity offsetting proposals mitigate and compensate for the loss of individual habitats within the site, the scheme does not account for the wider impacts on these sites as a whole, in terms of the loss of habitat mosaic, fragmentation, loss of ecological connectivity, increased exposure to disturbance and reduced climate change resilience. The scheme would still result in the degradation of at least two Local Wildlife Sites. The Trust therefore retains their objection on this matter.

The amendments to the scheme go some way to addressing the potential net loss of biodiversity. However, securing no net loss of biodiversity will ultimately depend on the ability of the local authority to secure the effective delivery of the compensation scheme.

With regard to the principle of off-site compensation, the Trust advise that this is the "last resort" for addressing adverse impacts on biodiversity (as advised in the NPPF) and so this should not be applied unless the local authority are certain that such impacts could not be avoided or mitigated in full on site.

**RSPB:** Object on the grounds that the proposals are contrary to Green Belt policy and will lead to a significant net loss of biodiversity. The complex of pools and reed beds around Rock Farm is a wetland habitat which is locally scarce, supports a range of specialised species and will not be replaced through the biodiversity offsetting proposals.

Following the submission of the revised biodiversity offsetting proposals and further ecological information, the RSPB have confirmed that their concerns still stand regarding the protection of Green Belts and the fundamental principle of avoiding damage to biodiversity except where this is thoroughly justified. There would still be a net loss of reed bed and this is not adequately offset by the provision of different compensatory habitat.

**Natural England:** No objection. The provision of new open water habitat within the site to compensate for the loss of open water from Rock Farm will ensure that the proposals do not have an adverse impact on the Brandon Marsh SSSI. Conditions should be imposed to secure the proposed mitigation measures and to ensure that the proposal is implemented in accordance with the Bat Survey Report. The development is likely to affect a number of protected species. However, the proposed mitigation would maintain the populations that have been identified.

Species licences may be required to enable the development and mitigation work to proceed. Natural England's view on this application relates to this application only and does not represent confirmation that a species licence (should one be sought) will be issued. It is for the local planning authority to consider whether the permission would offend against Article 12(1) of the Habitats Directive and, if so, whether the application would be likely to receive a licence. This should be based on the advice Natural England have provided on favourable conservation status and Natural England's guidance on how they apply the three tests of no alternative solutions, imperative

reasons of overriding public interest and maintenance of favourable conservation status.

Natural England are pleased that the applicant has strived to ensure that there is no net loss of biodiversity and indeed there is some enhancement. The off-site compensation will be secured through developer contributions and Natural England would support this approach. Recommend that an off-setting strategy is incorporated into the wider landscape, habitat and biodiversity enhancement plan. Natural England is pleased to see the significant areas of the development site which will be given over to green infrastructure. A comprehensive GI management plans should be prepared.

The local planning authority should assess the other possible impacts in relation to local sites (biodiversity and geodiversity), local landscape character and local or national biodiversity priority habitats and species. The authority should also consider securing measures to enhance the biodiversity of the site.

**Rugby Borough Council:** No objection in principle. It is not considered that the proposed development will have an adverse impact upon employment sites in Rugby Borough (e.g. Ansty and Peugeot). It should be ensured that the development does not damage the Princethorpe Woodland Biodiversity Opportunity Area. If possible, the development should link to this area, to improve the network of green infrastructure assets in the locality. The mounding and landscaping around Zone A should be fully implemented in the early stages of the development.

**Nuneaton & Bedworth Borough Council:** No comments received.

**Coventry & Warwickshire LEP:** Express broad, in principle support for the proposals. The Gateway proposals will make significant strides towards the realisation of the key ambitions of the LEP. By making a substantial amount of attractive, well profiled land available to the market, in a well-connected location adjacent to a skilled labour pool, the Gateway offers a unique opportunity to take maximum advantage of planning highway improvements to generate an impressive 10,000 new jobs. The Gateway scheme also has the potential to unlock a further 4,000 jobs on third part land that is currently constrained by an access problem. This represents significant added value and is welcomed.

The flexibility of sizes and specifications of the business premises that will be provided by Gateway can address the current market perception of a lack of suitable grow-on space for new and expanding local businesses. The proposed links to the two Universities will help to tackle the skills problem, as well a supporting start-up businesses in the identified target sectors to maximise the employment and wealth that they can create.

The proposed new high-frequency public transport linkages between the Gateway and local population centres, notably Coventry, are welcomed as these offer the potential for large numbers of local people to access the new jobs that will be created by the development.

Finally, the flexibility around specifications of the buildings offers the potential for inward investment of footloose large firms, to create mass employment and generate huge local wealth.

The LEP therefore commends the Gateway proposals.

**Coventry Airport:** No objection. They are concerned about some of the comments regarding the future expansion of the airport, and how that will be advanced if the Gateway application is granted.

The airport has significant excess capacity beyond the air traffic using the airport today, we are limited by planning permission to a maximum number of passenger numbers and we also have a night noise quota, but as you will no doubt know from the returns we make to your Council the levels are well below these maximum permitted limits.

The highway along Bubbenhall Road has been designed to a level that is below radar penetration from high sided vehicles. The depth of cutting is insufficient to form a tunnel which means the runway cannot be lengthened and Toll Bar precludes expansion in an easterly direction.

I do not believe that the airport will have any need to consider capacity expansion outside of any current consents, we may wish to replace hangars and ancillary buildings over time which we would discuss with your Council well in advance of any formal proposal.

**Birmingham Airport:** No objection in principle and recognise the potential economic benefits of the scheme. Note that the application boundary largely surrounds Coventry Airport but does not actually include the airport itself. Potentially however the use of the surrounding areas for employment and logistics uses could result in the increased use of the Airport, particularly for freight uses. It would therefore seem advisable to reproduce the limits contained within the IPF planning permission and Section 106 agreement in any legal agreement granted to the current application (airport restricted to 10,700 ATMs, 0.98 million passengers per annum and five flights between 0700 and 0759 peak hour).

**National Air Traffic Services:** No objection. The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria.

**English Heritage:** The proposal would cause substantial harm to the setting of the Lunt Roman Fort Scheduled Ancient Monument and the Bubbenhall Conservation Area. The development would represent a significant intrusion into the currently rural outlook to the north-east of the Fort, the only remaining direction where it is possible to understand the topographical position of the Fort (due to the intrusion of the existing built up elements of Baginton and Coventry intruding into the setting in the other directions). The impact on the setting of the Fort should be reduced. Further modelling of the likely impact of the development on the setting of the Bubbenhall Conservation Area should be provided.

**Sport England:** No objection subject to a condition that the development hereby permitted shall not be commenced on the site occupied by Trinity Guild RFC until the Trinity Guild RFC have moved to a new site which will have the like for like facilities or better on it, and have played their first competitive game on it.

**Rugby Football Union:** No objection, on condition that an appropriate site is found for the Trinity Guild Rugby Club to the satisfaction of the club, Sport England and the RFU.

**Highways Agency:** No objection, but direct that a number of conditions are attached.

**Environment Agency:** No objection, subject to various conditions relating to contamination, surface water drainage / flood risk and ecology.

**Civil Aviation Authority:** There is no requirement to consult CAA on this application. The airport operator should be consulted.

**Coal Authority:** No comment. The application does not fall within the Coal Mining Development Referral Area. The application site is located within the defined Standing Advice Area.

**Warwickshire Police:** No objection. Initially requested a contribution of £42,857 towards the provision of Automatic Number Plate Recognition (ANPR) cameras on highways around the site. However, following discussions with the applicant, the police have agreed that the ANPR cameras that are already proposed as part of the scheme would meet their requirements, subject to conditions to secure an appropriate specification of camera and police access to the live feed from the cameras; to require all new buildings and associated open spaces to be built to Secured by Design standards; and to secure suitable access control and road design measures to prevent illegal road racing or other anti-social use of the roads within the development.

**Ramblers Association:** No concerns raised about the impact on specific rights of way. However, confirm that the Association also has an interest in protecting the countryside through which paths pass as that is essential to the pleasure of walking those paths. In this respect, concerns are raised about the very major detrimental impacts on the Green Belt which would not be mitigated by the landscaping proposals. In view of the significant amount of employment land in the surrounding area that has the benefit of planning permission, there is no justification for the present proposal.

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

**Centro:** Welcome the principles of this development which has the opportunity to create thousands of jobs in the region, providing a significant boost to the local economy. This is a large scale development which, if not

supported by an attractive and effective range of sustainable travel measures, could seriously overwhelm the existing and proposed (Toll Bar End) strategic highway and local road infrastructure. Therefore highlight a number of issues that should be considered to form part of the Section 106 agreement and planning conditions, including detailed comments regarding the public transport proposals and the content of the Travel Plan. Centro confirm that they welcome the discussions that they have had with the developer to date and would welcome the opportunity for further dialogue as the scheme progresses.

**Coventry Green Party:** Object on the grounds that the proposals are contrary to Green Belt policy; the employment figures are inaccurate; the road network is unsuitable for a development of this nature; negative effects on the quality of life of local residents; no need for the development; there are more suitable sites elsewhere; and conflict of interest involving the Councils and the LEP.

**Coventry Trees Group:** Object to the reduction of St. Martins Road island with the loss of its mature trees. This will increase traffic speeds and therefore will bring increased traffic problems. Contrary to Green Belt policy.

**NHS Warwickshire:** The development is a fantastic opportunity for Warwick District and the county of Warwickshire in many ways. Advise that they have some concerns about the impact such a large scale development will have on Public Health. Request that a Health Impact Assessment be carried out prior to, or soon after planning permission has been granted.

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

**West Midlands Fire Service:** Further information is needed on the development before comments can be made on the access and facilities for the Fire Service. The approval of Building Control will be required with regard to Part B of the Building Regulations 2000.

**WCC Rights of Way:** No objection. There are no recorded public rights of way crossing the application site on Warwickshire's Definitive Map. Suggest that any Section 106 agreement includes a contribution towards improvements to public rights of way in the surrounding area.

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

Raise concerns about the impact on the setting of the Lunt Roman Fort Scheduled Ancient Monument and recommend that the applicant should explore options to minimise the impact of the proposal on the setting of the Monument. Advise that significant weight should be given to the negative impact that the proposed development will have upon the setting (and

hence significance) of this Scheduled Monument. The proposed bund and planting would not address this issue because it would form a significant 'barrier' to the views beyond, significantly foreshortening the views from the eastern ramparts of the Lunt.

Confirm that none of the hedges affected by the development would fulfil the "Archaeology and History" criteria to be considered "important hedgerows" under the Hedgerow Regulations.

**WCC Ecology:** The scheme will have a significant impact on biodiversity. Compensation for the impact has been sought primarily through onsite solutions yet there remains a residual loss. This loss is to be mitigated through offsite provision. It is our opinion that with the appropriate use of obligations, following Biodiversity Offsetting principles, habitats will be created and enhanced so that species will be retained and a net gain should be achieved in accordance with NPPF. With regard to the species that have been recorded on site, the details that have been submitted indicate that with careful and considerate construction principles these can be incorporated into the scheme. Recommend clauses for the Section 106 agreement to secure the implementation of the offsetting proposals and to ensure that species and habitats are protected during the development.

**WCC Highways:** No objection. The results of the traffic modelling show that the impact of the development on the local highway network will not be detrimental to highway safety, subject to infrastructure improvements to mitigate the additional traffic generation. The traffic modelling was based upon existing mode share for the local area and it is anticipated that with the implementation of the public transport proposals, walking and cycling improvements and other green travel plan initiatives, the impact of the development will be reduced and therefore, the modelling presents a robust, worst case scenario.

Whilst the developer has proposed access restrictions, using Automatic Number Plate Recognition (ANPR) systems and physical barriers, the impact of the development on request of WCC has also been tested without these measures in place. The results showed relatively modest increase (between ~150-220 vehicles in the peak hours) especially for the early phases of the site, therefore, it is suggested a monitoring period is introduced prior to implementation of possible access restrictions. The main impact is considered to be on the amenity of local residents, with additional vehicles travelling through residential areas and not highway safety. Therefore, a monitoring period would enable WCC and WDC in consultation with the Parish Councils to review the impact of the traffic in those areas. Should the number of vehicles travelling through Baginton and Bubbenhall be considered unacceptable, the developer would then be required to implement access restrictions in accordance with measures agreed.

WCC have recently been consulted on drawing 237B that shows a roundabout to the south of Baginton, linking the site access road, Stoneleigh Road and Bubbenhall Road. It is considered this access solution is preferable as it allows a more direct connection between Bubbenhall and

Baginton, comparable to the present situation and will also allow access to the site from the south for vehicles (should the ANPR not be in place) without the need for them to travel through Baginton village.

A similar approach for monitoring and delivery is to be adopted for Leaf Lane from its junction at the A45 Festival Island and Black Prince Avenue. The Transport Assessment suggests a number of options including closing the Leaf Lane junction onto the A45, Signalising the junction and other restricted movement arrangements. It has been agreed with CCC and WCC that Leaf Lane will be generally unaltered (with possibly an exception of minor changes to the junction with the A45) and regular monitoring will take place to assess the impact of the development traffic on this route. Should it be considered necessary to discourage traffic from using this route, funding will be secured to allow CCC to implement traffic management measures.

The most significant off-site junction improvement within Warwick District is at the A46, Stoneleigh Junction. The proposals are to remove the roundabout at the Dalehouse Lane junction and replace it with signals and signalise the A46 on and off slips. With the Stoneleigh Park development having recently been grant planning permission, it was classed as committed development. Therefore, the proposed improvements at this junction by C&WG, when combined with the improvements by Stoneleigh Park, will cater for this increase traffic generated by both developments.

It has been agreed with CCC that the developer will contribute towards a scheme at the A45 / Kenilworth Road junction. This junction currently operates at capacity at peak times and it is therefore, accepted that the C&WG development cannot reasonably be requested to solve all of the issues at this location.

All other off-site junction improvements have been agreed. It is likely and expected that minor alterations will be required during the detailed design process to address any issues that arise. For St Martin's Roundabout, it is likely CCC will secure a contribution to deliver a modified scheme, to be agreed with the developer and WCC.

The developer has submitted an outline Travel Plan in support of the development, and if consented, a Travel Plan document would have to be formally submitted and agreed with the LHAs. Following implementation of the measures agreed, this document would also be subject to on-going monitoring, review and revision as the development progressed. The Travel Plan as proposed makes provision for the appointment of a Travel Plan Coordinator, for regular monitoring surveys and reporting, evaluation of the measures implemented and implementing further measures should the challenging mode share targets set out (overall 65% single car driver and 35% sustainable travel) not be achieved.

A key element of the proposed Travel Plan is the provision of high quality public transport in order to achieve the stated mode share target, and a standard and specification for this would need to be agreed with the LHAs

prior to implementation. In addition to the developer providing the required on-site public transport infrastructure as part of the Section 38 Agreements, it has been agreed that the developer would have to provide contributions via the legal agreement for the off-site infrastructure and additional service provisions detailed in the submission.

Another important element of the proposed Travel Plan is that the car parking level to be provided has been set at 65% of the forecast demand. In order to achieve this there would need to be effective management and enforcement, and therefore a Car Park Management Plan would need to be agreed and implemented by the developer in addition to the Access Restrictions outlined earlier, and contributions provided to fund any Road Traffic Orders and enforcement.

Provision of infrastructure and measures to assist with pedestrian and cycle access is also detailed within the Travel Plan and Transportation Assessment Report. The developer proposals include for the provision of footways and shared footway/cycleways within the site, and to make contributions via a legal agreement for the LHAs to provide infrastructure at off-site locations as indicated on the Coventry and Warwickshire Gateway Cycling and Walking Access Infrastructure Requirements Plan.

**WDC Environmental Health:** No objection, Initially requested further information regarding night time noise, traffic data, operational noise from Zone B, the impact of additional traffic on Stoneleigh Road in terms of noise and air quality, the omission of Appendix 9.6, baseline air pollutant concentrations and light pollution. Confirm that they are satisfied with the further information that has been submitted in relation to these issues. Recommend that conditions are imposed regarding plant noise, a Construction Management Plan, a lighting scheme, noise mitigation measures, further site investigation and risk assessment regarding contamination and a scheme for the decommissioning and demolition of the existing airport fuel farm.

**WDC Community Protection:** No objection, subject to conditions.

**WDC Waste Management:** No comment.

**WDC Cultural Services:** The proposed green infrastructure meets WDC quantity standards, but it is not clear how much in area is fully accessible to the public. It would be useful to have further clarification on the offsite habitat enhancements and any identified sites. The use of bunding and planting to shield buildings would seem reasonable. The layout encourages walking, cycling and horse riding through its connectivity. The use of native species would be expected and is identified. The site of the development and its green infrastructure merits a GI management plan. In the Green Infrastructure Summary it would have been useful to have a column showing "Existing Removed / Lost", if relevant.

**WDC/CCC Tree Preservation Officer:** Recommends that certain veteran oak trees and other mature trees alongside the A45 and within Zone A are



retained. Recommends that a condition should be imposed to require details of tree protection measures to be submitted for approval.

**CCC Highways:** No objections subject to a legal agreement being agreed with the local authorities to secure contributions towards transportation improvements and various conditions and informatives.

Detailed modelling work has been undertaken by the developer to address issues raised by the Local Highway Authorities. The results of this concluded that the impact of the development on the local highway network is not considered to be detrimental to highway safety, subject to infrastructure improvements to mitigate the additional traffic generation. The traffic modelling has been based on the existing mode share for the area, and it is anticipated that with the implementation of the public transport proposals, walk and cycle infrastructure and other travel plan initiatives, the impact of the development will be further reduced over the situation that has been modelled, and therefore the modelling presents a robust, worst case scenario.

In terms of the access restrictions proposed, it is considered that the modelling work shows that the local highway network would have the capacity to accommodate the additional vehicles generated by the development without such access restrictions having to be in place. A monitoring period is therefore proposed without the access restrictions and if this shows them to necessary then the developer would be required to provide them in accordance with details agreed with the local highway authorities, such details to be based on the principles set down in the Accessibility Report forming part of the application documentation.

In terms of Leaf Lane it is now proposed to retain the access from Leaf Lane onto Festival Island. Based on the modelling work undertaken it is not anticipated that any changes such as traffic signals or calming works on Leaf Lane would be needed. However, provision should be made in the Section 106 Agreement for payment of a contribution to the City Council to cover the costs of signals and/or traffic calming if rat running as a consequence of the development does become an issue.

The various on-site and off-site junction works are considered acceptable subject to detailed Section 278 Agreements and contributions secured through the Section 106 Agreement for the A45/Kenilworth Road junction and the London Rd/Humber Rd/Allard Way junction. A financial contribution through the Section 106 Agreement is also suggested to allow the City Council to deliver an improvement scheme at the St.Martin's roundabout junction as the developers scheme for this junction is not considered acceptable.

The Travel Plan and the various sustainable travel measures proposed are considered acceptable subject to conditions and a Section 106 Agreement being entered into to secure their provision.

**CCC Landscape Architect:** Make comments regarding the integration between the landscape / green infrastructure and pedestrian / cycle movement networks; space for tree planting within the plots; the provision of a more coherent layout and green structure within Zone B; impact on views from the Lunt Fort; the lack of connection between some of the green spaces; the need to extend the proposed landscape framework beyond the current "green infrastructure perimeter"; landscape principles for the development zones; landscaping for the highways, cycleways and footpaths; and connections between existing and proposed green spaces.

**CCC Climate Change Officer:** It is disappointing that a more strategic, site wide approach to energy efficiency and the sustainability of energy sources has not been taken. The approach taken misses the opportunity to exploit the synergies in energy demand profiles that are likely to exist between the various buildings / uses across the site. The feasibility of incorporating a decentralised heat network does not appear to have been assessed. A more strategic, site-wide approach to water efficiency is needed. The SUDS features should be spread wider through the development.

**CCC Urban Design:** No major comments at this stage due to it being an outline application. The Design and Access Statement is very generic. A Design Code for the entire site would be beneficial.

**CCC Environmental Health:** Agree with the findings and recommendations of the contaminated land reports relevant to the Coventry area. Raise concerns that the proposed design of the Toll Bar Island is likely to increase the background noise level for the adjacent residential properties. Raise queries regarding air quality.

**CCC Flood Risk / Drainage Manager:** Has made comments regarding the need for a pre-construction drainage strategy, adequate working space around the ponds, 'check dams' for the swales, 200mm minimum freeboard for the ponds and to consider Water Framework Directive.

## **ASSESSMENT**

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

1. Economic growth & employment
2. Green Belt
3. Transportation matters
4. Landscape issues
5. Public open space, sport & recreation
6. Heritage impacts
7. Noise pollution
8. Air quality impacts
9. Light pollution
10. Contamination
11. Drainage & flood risk

12. Loss of agricultural land & farm holding
13. Acceptability in principle of retail, hotel & car showroom floorspace
14. Ecology impacts
15. Sustainable buildings
16. Urban design matters
17. Impact on the living conditions of nearby dwellings
18. Proposed airport buildings & relationship with Coventry Airport

## **1. Economic growth & employment**

In assessing economic growth and employment issues, key matters to be considered are the current state of the local economy, the extent to which the proposals accord with overarching planning policy relating to employment development, the significance of the proposals in respect of employment land supply, the merits of alternative sites with regard to supply needs being met and levels of employment arising from the proposed development.

Warwick District Council and Coventry City Council have commissioned consultants GL Hearn to assess the claims made by the applicant in their submitted documentation regarding the economic growth and employment benefits of the scheme and also to analyse the issue of alternative sites. The findings of GL Hearn are referred to in various parts of this section of the report.

### Current state of the local economy

Turning firstly therefore to the current state of the local economy, a key recent evidence document is the March 2011 Coventry & Warwickshire Economic Assessment prepared by Coventry City Council and Warwickshire County Council.

This Assessment has shown that overall growth of the Coventry & Warwickshire economy has been lower than average (+86.5% between 1995-2008, compared to +99.1% for England) and Gross Value Added (GVA) per head of population in 2008 was 5.4% lower than the England average. Sub-regional productivity is likewise below average. In 2008 it was 9.3% lower than the England average, which translates to a productivity gap of £1.7 billion.

A significant element of this poor performance derives from the areas of Coventry, Nuneaton & Bedworth and Rugby which continue to perform less well than the Warwick and Stratford-upon-Avon areas in the south of the sub-region. In this regard the Assessment notes that GVA in Coventry is 8.5% below the England average with GVA in Nuneaton & Bedworth being 35% below average whilst Warwick District has a GVA 17% above the England average.

The Assessment identifies 3 key factors underlying poor performance in the north of the sub-region.

Firstly, in terms of economic structure and clustering, the poorly performing areas have a high proportion of lower value manufacturing industries, personal services and public sector employment than the national average. This sectoral mix constrains growth. In contrast the better performing south of the sub-region has seen significant growth in higher value industries over the last 10 years, namely professional business services, computing & software and high value engineering and manufacturing.

Secondly, economic growth in the poorly performing areas is further constrained by high unemployment and an over concentration of persons in low paid, low skill employment. In Coventry for example, unemployment is currently estimated at around 10,000 with 40% of those claiming out of work benefits concentrated in the Willenhall, Wood End and Bell Green areas of the City.

Finally, growth is also harmed by relatively high levels of out-commuting from Nuneaton & Bedworth and Rugby and whilst Coventry does experience net in-commuting it is considered that the level of such in-commuting is not as great as would be expected for a City of its size. Warwick District in contrast experiences significant in-commuting from the sub-region.

Whilst the sub-region has reasonable presence in higher value, knowledge intensive businesses and sectors these have not been growing at the same rate as the rest of the national economy. We have started in a relatively strong position but have failed to keep pace with the national economy.

As the country looks to rebalance the national economy away from financial services and more towards a production and manufacturing based economy the sub-region has the potential to generate significant growth in these areas given the existing presence of research and development, high value engineering and niche specialised and applied manufacturing companies in the sub-region.

The Assessment recognises that a number of factors affect the potential for growth in the sub-region. In this regard it identifies the role that investment in new employment development can play in achieving growth, with reference being made to North Warwickshire where the development of two large employment sites at Birch Coppice and Hams Hall has driven significant new business and employment growth. Other factors referred to include business and enterprise support, access to finance, sector and skills development activities and wider infrastructure such as transport.

Following abolition by the Coalition Government of the Regional Development Agencies economic development at the sub-regional level is now being facilitated by Local Economic Partnerships (LEP's) which comprise a mix of public and private sector partners.

The Coventry & Warwickshire LEP is seeking to drive growth within the sub-region. Its 5 Year Strategy published in April 2011 has 3 key ambitions – create an environment where it is easy for businesses to start, locate and

thrive; accelerate growth through support targeted at key strategic sectors and tackling skills problems by aligning supply and demand.

Key sectors for the sub-region which can accelerate growth are identified as advanced engineering and high value manufacturing, automotive and low carbon mobility, business and professional services, computing and gaming, creative and cultural industries, low carbon technologies, sustainable construction and tourism.

The Strategy emphasises the importance of ensuring that sites, premises and infrastructure are available to support the growth of these sectors and the application site has been identified by the LEP as a key location in which to foster such growth.

Bearing in mind the above, it is considered that the location of the application site at the interface between the contrasting north and south areas of the sub-region - to the immediate south of Coventry but in relatively closer proximity to the greater concentration of growth industries in the south of the sub-region compared to north Coventry and Nuneaton & Bedworth - does increase the attractiveness of the site to potential occupiers in those sectors whilst also providing linkage opportunities with Coventry and areas of the sub-region further north to tackle the issues of economic structure, unemployment/skills and out commuting referred to above.

The attractiveness of the site to growth sector occupiers is considered to be further enhanced by its proximity to Coventry Airport, the Jaguar Landrover world headquarters and research & development site at Whitley, Coventry and Warwick Universities and the existing Middlemarch Business Park.

#### Overarching planning policy relating to employment development

Bearing in mind the large scale employment floorspace proposed and the Regional market which the applicant is primarily seeking to target, it is considered appropriate to look firstly at the West Midlands RSS policy concerning economic matters.

Regional Spatial Strategy (RSS) Policy UR1 concerning implementation of urban renaissance in the Major Urban Areas (MUA's) refers to partnership working in achieving certain specified objectives. Those of particular relevance to the economic development/employment aspect of the proposals include the re-structuring of land use and transport networks to create employment growth and increasing accessibility for those currently disadvantaged in accessing jobs.

Policy RR1 related to rural renaissance refers to diversification of the rural economy and better transport links as drivers of regeneration.

Policy PA1 states that economic growth should, wherever possible, be focused on the MUA's. However, the Policy does acknowledge that growth opportunities may arise outside of the MUA's and in this regard states that

emphasis should be given to locating development where it can help meet the needs of the MUA's and promote positive economic linkages with them in areas accessible by sustainable forms of transport which can serve the needs of the local regeneration areas. Any development proposed on the edge of MUA's should meet 3 criteria – there are no suitable alternatives available on previously developed land and buildings within built up areas; the development is capable of being served by rail or high quality public transport within easy access of centres/facilities and the development respects the environment (natural, built & historic heritage).

In terms of the local regeneration areas referred to in Policy PA1, Policies PA2 and PA3 define Urban Regeneration Zones and High Technology Corridors.

The Coventry & Nuneaton Regeneration Zone is one of 5 Urban Regeneration Zones identified under Policy PA2. The Policy states that in order to encourage urban renaissance and help reverse long-standing trends of decentralisation of economic activity and population and to encourage the regeneration of economies, policies and programmes of local authorities, AWM, local economic partnerships and other agencies should focus investment within these Zones.

The application site is not within this Regeneration Zone but does lie immediately south and west of it.

In this regard, the supporting text to the Policy states that where adequate employment opportunities to meet the needs of the Regeneration Zones within the MUAs cannot be provided within these Zones, emphasis should be given to encouraging development in locations accessible to them by public transport.

Objectors to the application raise concern that because the application site is not within a Regeneration Zone or a defined Major Urban Area that this damages the intent of RSS Policies which seek to focus development within such areas to promote urban regeneration. However, it is apparent that neither Policy PA2 or Policy PA1 covered above, which states that 'wherever possible' economic growth should be focused on the MUA's, preclude development serving the Regeneration Zones or MUA's being located outside but linked to them. In this regard many objectors refer to Ansty (which is defined as a Regional Investment Site in the RSS Phase 2 Revision) and the former Peugeot site at Ryton as being suitable alternatives to the Gateway site, yet these sites, like the Gateway site, are not within the Coventry & Nuneaton Regeneration Zone or the Coventry MUA but in close proximity to them.

The Coventry, Solihull and Warwickshire High Technology Corridor (CSWHTC) is one of 3 such corridors identified under Policy PA3 with new development in such corridors to be focused on the MUA's. The application site lies within the CSWHTC.

Policy PA4 promotes development related to higher/further education, research establishments and incubator units. In this regard, the application site's proximity to Coventry and Warwick Universities has been referred to above. Furthermore the applicant has submitted with their proposals a letter of strong support for the Gateway scheme from Coventry University as it is intended that an element of the scheme will have an association with the University's Technology Park at Parkside in Coventry by providing grow-on space and combined office, light industrial and product development facilities.

Policy PA5 seeks to secure the improvement of the physical and business environment of the Region's established employment areas. Such areas within the application site are the Alvis site with its buildings and test track and the Severn Trent Rock Farm sewage works site. These parts of the site, although in the Green Belt, are considered to be previously developed land, falling within the definition of such land set down in the NPPF.

Policy PA14 seeks to support the sustainable diversification and development of the rural economy through the growth of existing businesses and the creation of new enterprise. This should be undertaken in ways that meet local employment needs, maintain viable and sustainable local communities, conserve and enhance environmental assets and respect local character and distinctiveness.

RSS Phase 2 Revision Policies PA1, PA2, PA3, PA4, PA5 and PA14 re-iterate those matters referred to in the adopted RSS.

The RSS Phase 2 Revision does contain a new Policy PA13B relating to large scale office development outside Strategic Centres, large scale offices being those of 5000 square metres gross floorspace and above. This policy applies to the application site. The Policy states that proposals for large-scale office developments outside the strategic centres will be permissible only where certain conditions are all satisfied these being; a clear need for the proposal has been demonstrated, and this need could not be satisfied within a strategic centre; there would be no adverse impact on the prospects of committed office development schemes proceeding within a strategic centre; adequate public transport access exists to all of the intended catchment or will be provided as part of the proposal and there would be no unacceptable adverse environmental effects. Where the first two of these conditions are met, consideration should first be given to sites in or on the edge of town or District centres outside the strategic network and secondly to other locations enjoying high levels of public transport accessibility.

At present it is considered that large scale office development on the application site would not accord with this Policy as there are planning permissions for new large scale office development in nearby strategic centres. For example, in Coventry City Centre, the Friargate scheme has outline planning approval for 150,000-270,000sqm of new office development. A condition is therefore suggested prohibiting single unit B1

office developments of 5000 square metres or more within the proposed scheme.

Whilst, as stated above, the Government has signalled its intention to abolish Regional Spatial Strategies and this is a material consideration, it is nevertheless the case that the West Midlands RSS remains part of the development plan. Furthermore whilst the RSS Phase 2 Revision is not being progressed it, together with its evidence base, remains a material consideration. In this regard it is submitted in terms of economic growth matters that the sub-regional issues which the RSS policies seek to address remain current, as is evidenced by the recent Coventry & Warwickshire Economic Assessment and LEP 5 Year Strategy. Indeed, a key purpose of the LEP's nationally is to promote partnership working at the sub-regional level to encourage economic growth. Whilst there is some uncertainty at the present time as to how the Government will further seek to promote growth at the sub-regional level it is noteworthy that Lord Heseltine, who was commissioned by the Government to look at ways in which the national economy could be stimulated, has recommended in his recently published report that greater resources and power should be given to the LEP's to promote growth at the sub-regional level in place of the former Regional Development Agencies in order to improve the nation's economic performance and competitiveness.

Warwick District Local Plan (WDLP) Policy RAP6 sets out principles to guide new employment development in the District's rural areas which include those parts of the application site within Warwick District Council's jurisdiction. The proposed development does not fall into any of the 6 circumstances identified where new employment development would be permitted, these being rural building conversions, farm diversification schemes, identified major development sites in the Green Belt, previously developed land in limited growth villages, redevelopment or limited expansion of existing employment sites outside the Green Belt and committed employment land within Middlemarch Business Park.

Policy PO8 of Warwick District Council's emerging Core Strategy states that it is the Council's preferred option to ensure the availability of a wide range of employment land and buildings to meet the needs of businesses into the future by supporting the delivery of priorities set out in the Council's emerging Economic Development and Regeneration Strategy and supporting the continued growth of knowledge industries and the low carbon economy within the district whilst maintaining a diverse broad based economy to ensure all sectors of employment are provided for. In terms of the overall objective of distributing employment development across the District, reference is made to the allocation of land at 3 strategic sites for employment use, support for appropriate development at Major Developed Sites within the Green Belt, enabling the regeneration and enhancement of existing employment areas through the potential identification of dedicated *Employment Regeneration Zones* and enabling the growth of appropriate rural businesses and diversification of the rural economy



This Policy also refers to working with partners in the Coventry and Warwickshire sub-region to explore the case for land within the District at the Coventry and Warwickshire Gateway Site being identified as a site of regional importance for employment to serve the regeneration needs of the Coventry and Warwickshire sub region.

The emerging Plan continues by stating that the Council is supportive in principle of the LEP's aspirations for the Gateway site but considers that further work is needed to justify the identification of this site - to demonstrate that there are not any other preferable and suitable sites within the sub-region, to understand the local impacts of a major development at the Gateway in relation to housing and employment need and the District's transport infrastructure and to explore the case for releasing land in the green belt.

In terms of the potential of the proposals to impact upon the economy of Coventry and facilitate redevelopment of the Whitley Business Park site Coventry Development Plan (CDP) Policies E1, E2 and E3 set out the City's overall economic and employment strategy which is to consolidate, strengthen and diversify the economic base of the City in the sub-region by supporting existing employers whilst also seeking to attract new industries particularly those related to new technologies and maximising employment and skill levels particularly in respect of areas with high unemployment. The policies identify the need for a sufficient range of employment land of appropriate size and quality to be available to facilitate this strategy.

Also in this regard Policy JE1 of Coventry City Council's emerging Core Strategy sets out overall economy and employment strategy. The strategy is similar to that outlined in CDP Policies E1, E2 & E3 with emphasis placed on maintaining a balanced local economy, maximising employment opportunities and skill levels and ensuring that businesses have a range and choice of sites and premises.

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

Paragraph 21 sets out key criteria for local planning authorities in promoting economic growth through their development plans. Those criteria of particular relevance to the proposals are:

- Setting out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth;
- Identification of strategic sites for local and inward investment to match the strategy and to meet anticipated need;
- Support existing business sectors and identify/plan for new or emerging sectors likely to locate in their area;

- Plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries; and
- Identify priority areas for economic regeneration, infrastructure provision and environmental enhancement.

#### Employment land supply and need

Policy PA6 of the adopted RSS places supply into 2 broad categories; 1<sup>st</sup> tier sites of regional significance which will generally be in excess of 20 hectares and 2<sup>nd</sup> tier sites of local significance up to 20 hectares in size. The Policy states that 1<sup>st</sup> tier sites include Regional Investment Sites (RIS), Major Investment Sites (MIS) and Regional Logistics Sites (RLS).

This categorisation is carried over into Policy PA6 of the RSS Phase 2 Revision but a further Policy PA6A on employment land provision is included in the Phase 2 Revision which identifies a need in respect of Coventry for an 82 hectare reservoir of employment land to be maintained in order to meet a rolling 5 years supply for employment land with an indicative long term requirement of 246 hectares. The figures specified for Warwick District are 30 and 90 hectares respectively. This approach was endorsed in the subsequent Panel Report following the Examination-in-Public.

Policy PA7 of the adopted RSS states that the purpose of RIS will be to support the diversification and modernisation of the Region's economy; and in particular the development of the Region's cluster priorities as identified in the Regional Economic Strategy.

RIS should generally be between 25-50 hectares, high-quality sites attractive to national and international investors, served or capable of being served by multi-modal transport facilities and broadband IT infrastructure, well related to the motorway and trunk road network, located within, or close to, the areas of greatest need and accessible to effective education and training opportunities to ensure that the employment benefits are available to the local workforce.

The Policy further states that at least 1 RIS should be made available within or linked by public transport to each Regeneration Zone and High Technology Corridor. Furthermore, new RIS will be required to meet the needs of the Coventry & Nuneaton Regeneration Zone and may be required in the Coventry Solihull & Warwickshire High Technology Corridor.

The potential for bringing forward proposals within the Regeneration Zones should be considered first. Development proposed on the edge of MUAs or on other greenfield sites should meet the criteria set out in Policy PA1.

RSS Phase 2 Revision Policy PA7 adds one further RIS criterion - that sites should possess good quality public transport links, or be capable of having such links provided. The Policy continues by stating that there may be a need for a further RIS, in addition to Ansty, to serve the Coventry & Nuneaton Regeneration Zone with the subsequent Panel report

recommending a stronger commitment to such a RIS by its inclusion in the part E list of Policy PA7 which comprises locations where new RIS will be required. A new RIS to serve the Coventry, Solihull and Warwickshire HTC is no longer considered a requirement.

Whilst the Panel Report states that the reason for their stronger commitment to a new RIS for the Coventry & Nuneaton Regeneration Zone related to consideration being given at that time by Nuneaton & Bedworth Borough Council to designation of a new RIS within their area, a RIS in the Nuneaton & Bedworth area has not been identified or designated despite that local authority consulting on an Issues & Options Core Strategy document since publication of the RSS Phase 2 Revision Panel Report in 2009. Notwithstanding this, in the alternative sites analysis later in this report consideration has been given to the suitability of sites in Nuneaton & Bedworth for a RIS and that analysis concludes that such sites would not be suitable due to constraints. It is considered that the Gateway site could contribute to addressing the economic needs of Nuneaton & Bedworth as well as Coventry with regard to the Regeneration Zone and that the NUCKLE rail project which is progressing and will provide enhanced rail services between Nuneaton, Bedworth and Coventry would assist in this regard, with employees able to access a proposed bus route which is planned under the Gateway scheme from Coventry Station to the Gateway site.

The supporting text to Policy PA7 identifies current RIS for the purposes of the RSS Phase 2 Revision document and one of these, as stated above is the Ansty site which is identified as serving the Coventry, Solihull & Warwickshire HTC and the Coventry & Nuneaton RZ.

Policy PA8 of the adopted RSS states that the purpose of MIS will be to meet the need for accommodating very large-scale investment by single users with an international choice of locations in order to help diversify and restructure the Regional economy.

MIS should generally be in the order of 50 hectares, high-quality sites, served or capable of being served by multi-modal transport facilities and broadband IT infrastructure, well related to motorway and trunk road network, but avoiding sites immediately adjacent to motorway junctions where this is likely to exacerbate congestion problems, located in areas close to a large pool of labour with employment needs, accessible to effective education and training opportunities to ensure that the employment benefits are available to the local workforce and supported by the Regional Planning Body

The Policy states that the Region at any one time should have two MIS available. In terms of the Coventry & Nuneaton Regeneration Zone, the Ansty site was identified as an MIS but it was re-allocated as an RIS under the RSS Phase 2 Revision and Policy PA8 of the Phase 2 Revision now only identifies a single MIS at Wobaston Road north of Wolverhampton.

Policy PA9 of the adopted RSS states that the purpose of RLS will be to provide opportunities for the concentrated development of warehousing and distribution uses.

RLS should generally be in the order of 50 hectares or more, possess good quality access to the Regional rail and highway networks and public transport links or be capable of having such links provided, be served or proposed to be served by multi-modal transport facilities and broadband IT infrastructure, have easy access to an appropriate labour supply and education and training opportunities and aim to minimise compromise to the local environment. Priority should be given to bringing forward previously developed sites in North Staffordshire and Telford. Development proposed on the edge of MUAs or on other greenfield sites should meet the criteria set out in policy PA1.

Policy PA9 of the RSS Phase 2 Revision adds further criteria related to large scale high bay warehousing, intermodal terminal facilities and location away from incompatible neighbours to allow for 24 hour operation with no restrictions on vehicle movements.

In addition, based on a study of the future demand for logistics within the Region the Phase 2 Revision estimates that at least 150 hectares of land could be required on RLS-type locations to serve the West Midlands in the period up to 2021. The 150 hectare figure was revised upwards to 200-250 hectares in the RSS Phase 2 Panel Report.

The above-mentioned logistics study identified a gross land requirement for RLS type development for large B8 units of 414 hectares for the period up to 2026 in the West Midlands region. It was envisaged that 307 hectares could be provided for on sites designated as RLS (providing for 1,226,000 square metres of floorspace), the implication being that the remaining 107 hectare requirement (providing 426,000 square metres of floorspace) would be provided on sites not designated as RLS.

Notwithstanding the above details regarding figures, the RSS Phase 2 Revision evidence base shows a need for a substantial amount of employment land to meet the projected need for large scale warehousing.

Furthermore, there is recent market evidence that demand for industrial floorspace has improved in the Coventry & Warwickshire sub-region with local manufacturers struggling to acquire high quality accommodation. This in part is a result of the recent expansion of Jaguar Land Rover operations in the region.

Policy I2 of the Warwickshire Structure Plan stated that within Warwick District 132 hectares of employment land should be provided for during the Plan period up to 2011.

The adopted Warwick District Local Plan states that at the time of its adoption in 2007 around 122 hectares of this requirement had already been

provided for and therefore the Plan allocates 9 hectares of additional land to make up the shortfall.

Moving onto Warwick District's emerging Core Strategy, a need for around 66 hectares of employment land during the Plan period 2011-2026 is identified based on the level of new housing proposed. Current supply is around 43 hectares and therefore an additional 23 hectares of land would need to be allocated for employment purposes. Sites within both the urban and rural areas of the District are currently being considered in terms of meeting this need.

Coventry Development Plan Policy E6 allocated around 156 hectares of employment land which when added to 45 hectares of recycled employment land and 9 hectares of smaller sites provided for a predicted average requirement of 16 hectares per annum over the Plan period in line with previous trends for the take up of employment land.

Policy JE2 of the Coventry City Council emerging Core Strategy seeks to ensure that a minimum reservoir of 30 hectares of employment land is maintained on a rolling basis throughout the Plan period based on the level of new housing proposed. This reservoir will be maintained through the use of recycled land and a balanced portfolio of employment land supply offering a choice of sites will be maintained. Allocations to provide for such a reservoir would be identified in due course.

In terms of the local employment land needs of Warwick District and Coventry related to proposed housing numbers as identified in the emerging Core Strategies, it is considered that Warwick District Council would be able to accommodate the 23 hectares they require within their boundaries without the Gateway site. Coventry also has a sufficient supply of employment sites within its boundaries at present to provide for its 30 hectare reservoir in terms of meeting its local employment land need related to its proposed housing numbers.

Overall, with regard to the local employment land needs of Coventry and Warwick District related to their projected housing numbers, the scheme is not needed to top up an existing, solely numerical, deficiency in employment land supply. However, there is considered to be a need in terms of employment land supply for high quality regional employment land to support economic growth and employment for the Coventry & Nuneaton Regeneration Zone in the form of an additional Regional Investment Site, floorspace for large scale B2 users in the growth manufacturing sectors referred to above and the projected demand for large scale B8 floorspace across the West Midlands region as a whole.

In terms of an additional RIS, the adopted RSS identifies a requirement for Regional Investment Sites (RIS) to meet the needs of the Coventry & Nuneaton Regeneration Zone with the Phase 2 Revision stating that a further RIS in addition to Ansty may be required and the Phase 2 Panel Report stating that it will be required.

It is considered that the proposed technology park of around 34 hectares which forms part of the Gateway scheme meets the criteria for designation as a RIS. It is in the order of 25-50 hectares, is well related to the motorway/trunk road network being immediately adjacent to the A45, is capable of being accessed by public transport, cycling and pedestrians from Coventry and by public transport from the wider sub-region including Nuneaton & Bedworth in the north of the Coventry & Nuneaton Regeneration Zone. Overall its location adjacent to the Coventry & Nuneaton Regeneration Zone provides excellent opportunities for the residents of deprived areas within the Zone to access employment and training opportunities generated by the development.

Furthermore the predominant research and development and light industrial uses proposed for the technology park accord with the objectives of both the NPPF and the LEP 5 Year Strategy which seek to secure growth from the attraction of knowledge driven, creative or high technology industries. In this regard it is understood that the Technology Park floorspace will be targeted at the automotive, aerospace and low carbon technology sectors.

In addition, there is little capacity remaining at the existing Warwick and Coventry University Science Parks to meet demand for grow on accommodation and this is evidenced by the letter of support for the Gateway scheme from Coventry University referred to above.

It is further considered that the proposed logistics park of around 88 hectares is capable of accommodating large scale B2 manufacturing users in the identified growth sectors and some of the likely demand and associated land supply need for large scale B8 floorspace as it meets all of the RLS criteria in Policy PA9 of both the RSS and RSS Phase 2 Revision with the exception of not having access to rail facilities, although the Regional Logistics Study forming part of the RSS Phase 2 Revision evidence base implies that around 30% of demand in respect of large scale B8 floorspace is likely to be met by non RLS sites which do not have rail facilities.

Whilst there are other existing and pipeline sites within the Coventry & Warwickshire sub-region and in neighbouring Leicestershire and Northamptonshire capable of meeting in theory a significant percentage of the projected need for large scale B8 floorspace and remaining need may be met by other sites within the wider West Midlands region it also needs to be acknowledged that the availability of employment land can change over the course of any Plan period with for example pipeline sites not coming forward as envisaged and employment sites being released for other forms of development such as housing, as has happened for example recently at New Century Park in Coventry which was previously a site allocated for substantial employment development.

In addition, with large scale units, it needs to be borne in mind that a small number of deals can have a significant effect on the availability of floorspace to potential occupiers.

There is also evidence that take-up is in part driven by the supply of deliverable sites with for example the East Midlands, having a greater supply of high quality sites, experiencing higher levels of take up compared to the West Midlands. GL Hearn in their assessment concur with this in stating that demand is to a large extent driven by site and building availability and this is constrained in the region.

In addition, there is a need for qualitative factors to be considered such as the need to provide a range of employment sites to meet the differing locational and unit specification needs of occupiers. In this regard certain sites may have constraints which would reduce their attractiveness to occupiers. Examples of such constraints are the requirement at DIRFT in Northamptonshire for B8 units to be served by rail and certain sites where large scale B8 occupiers cannot be accommodated due to space constraints or restrictive planning conditions. For example, no more than 10,211 square metres of B8 floorspace is allowed on the Whitley Business Park site to the north of the Gateway site and at Magna Park in Lutterworth and Bermuda Park in Nuneaton there is only space left for 9,700 and 19,000 square metres respectively of B8 floorspace.

Some objectors have expressed the view that constraints related to restrictive planning conditions concerning particular employment uses would not be insurmountable with developers being open to apply for variation of these conditions to reflect market demands. However, it needs to be borne in mind that any decisions to relax such conditions would rest with the relevant Local Planning Authority and the approval of such relaxations may be problematical bearing in mind local circumstances. For example, on one of the alternative sites referred to by objectors – Lyons Park in north west Coventry – a request by Peugeot for B8 use on this consented employment site, was refused by Coventry City Council in late 2011 following substantial objection from local residents who expressed concern around the differing impacts of storage and distribution as opposed to industrial uses.

Objectors also contend that the distinction between B1 office and B1 research and development uses is blurred. However, these uses remain differentiated in planning law and as stated earlier in this report Local Planning Authorities may wish to vigorously enforce restrictive conditions allowing B1 research and development uses but restricting B1 office floorspace given the existence of substantial consents for B1 office development tied to wider urban regeneration objectives (e.g the Friargate scheme referred to by objectors and its significance in terms of the regeneration of Coventry City Centre).

Finally, as detailed above, it is submitted that there is a need in respect of the Coventry & Nuneaton Regeneration Zone for a new RIS accommodating primarily B1 research & development and light industrial uses and land suitable for large scale B2 and B8 occupiers. Whilst the Government may have indicated its intention to revoke the RSS in due course, it remains part of the Development Plan at the present time. Notwithstanding the

Government's intentions with regard to the RSS, the recent Coventry & Warwickshire Economic Assessment clearly demonstrates that economic problems remain a significant issue in the Regeneration Zone area and therefore it is considered that significant weight should be afforded to the RSS and RSS Phase 2 Revision Policies referred to above regarding regional employment land supply.

#### Alternative sites

Notwithstanding the above, consideration must be given to the question of whether or not there are other suitable and preferable sites in the sub-region which can better meet the above-mentioned need with regard to the Coventry & Nuneaton Regeneration Zone than the Gateway site.

Turning firstly to possible alternative technology park Regional Investment Sites that have been considered/suggested by the applicant/objectors. These are Whitley Business Park, Ansty, Ryton, Friargate, Tournament Fields Warwick, Abbey Park Stoneleigh, NAC Stoneleigh, Opus 40 Warwick, Honiley Aerodrome, Warwick University Science Park, Blythe Valley Business Park, Coventry University Technology Park, the MIRA Technology Park north of Nuneaton, Whitmore Park Holbrooks Coventry, Land adjacent to Bermuda Park Nuneaton and land south east of M6 Junction 3.

Whitley Business Park has reserved matters approval for 102,000 square metres of B1/B2/B8 floorspace on around 25 hectares. However, the approved B1 floorspace is B1 offices rather than B1 research and development or light industrial floorspace and as such the developer has been seeking to attract local small scale office market occupiers, although the site remains largely undeveloped due in part to access constraints which the Gateway scheme seeks to address.

The Ansty site to the north east of Coventry covers around 40 hectares and has planning permission for around 130,000 square metres of B1 research and development floorspace, with around 15,000 square metres of this having been built and occupied. The site is designated as a RIS in the RSS Phase 2 Revision. However GL Hearn in their assessment for the local authorities concur that in terms of linkage with Coventry and Warwick Universities the Gateway site is physically closer (4.5 and 6.8 miles respectively) compared to 7.1 miles and 13.6 miles respectively for Ansty. As stated above the Gateway site is also considered to be more closely related to the South Warwickshire area which has generally been more successful in attracting higher value growth sector industries and it is considered that Ansty will not be aimed at companies seeking a hybrid environment combining production activities with R&D and office use as is proposed for the Gateway Technology Park. Notwithstanding the above, the RSS Phase 2 Revision and Panel Report both promote a further RIS in addition to Ansty.

The former Peugeot site at Ryton has planning permission for predominantly B2 and B8 uses and therefore is not being progressed as a technology park for B1 uses.



Friargate, a site in Coventry City Centre, has outline planning permission for up to 275,000 square metres of B1 office floorspace and is targeted at both the local and regional office market not at technology park occupiers.

Tournament Fields Warwick, Abbey Park Stoneleigh, NAC Stoneleigh, Opus 40 Warwick and Honiley Aerodrome are not as close physically and in terms of the potential for viable public transport access to the Coventry & Nuneaton Regeneration Zone as the Gateway site. The Stoneleigh and Honiley Aerodrome sites are also less accessible to the strategic highway network than the Gateway site. Other constraints are that the Stoneleigh sites have relatively small amounts of floorspace available (5,800 square metres for B1 b & c at the NAC site and 14,000 square metres B1 a & b at Abbey Park) which limits the potential of these sites in terms of critical mass/clustering benefits. The Honiley site is also restricted to automotive activities only.

Warwick University Science Park has only 2 plots remaining which total 0.78 hectares. The University are looking at expanding the Science Park but no formal planning permission has been sought as yet and the land earmarked for expansion is in the Green Belt as is the case with the Gateway site. The Gateway site is considered to have better access to the strategic road network.

Blythe Valley Business Park adjacent to the M42 near Solihull is considered too distant from the Coventry & Nuneaton Regeneration Zone to significantly contribute to its growth and employment objectives.

Coventry University Technology Park is 94% occupied and does not have sufficient remaining space to accommodate a RIS.

The proposed MIRA Technology Park north of Nuneaton is like the Gateway adjacent to the Coventry & Nuneaton Regeneration Zone. However, it is being promoted by MIRA as a specialist park targeted at the transport sector unlike the Gateway site which seeks to attract the broader base of growth industries identified by the LEP.

The Whitmore Park site Holbrooks in north Coventry is currently occupied by historic general industrial buildings some of which are still in use but has been promoted as an employment site for redevelopment. However, its surroundings which include a mix of suburban housing estates and older industrial areas do not offer the high quality environment which the Gateway site is proposing.

Land adjacent to Bermuda Park Nuneaton and land to the south east of M6 junction 3 have been suggested as possible business park sites by Nuneaton & Bedworth Borough Council in their Core Strategy Issues & Options document. However, like Gateway, both sites are in the Green Belt but in addition both sites are considered to have more substantive environmental constraints than Gateway. The Bermuda Park site contains part of a SSSI, a further designated site of local nature conservation

importance, a regionally important geological site and areas at risk of flooding. The site south east of M6 junction 3 contains areas at risk of flooding. Furthermore, these sites are not considered to be as attractive to occupiers as the Gateway site, which whilst being easily accessible from the Regeneration Zone, is also, as stated above, in closer proximity to the southern part of the sub-region which has proven to be a more attractive location for growth sector businesses. Furthermore, the Gateway site lies in close proximity to significant neighbouring occupiers such as Coventry Airport, the headquarters of Jaguar Land Rover and Middlemarch Business Park and is closer to Coventry & Warwick Universities than the 2 Nuneaton & Bedworth sites.

Overall it is submitted that there are no preferable and suitable technology park RIS sites within the sub-region which would be more attractive to potential occupiers and would overall better meet the growth and employment needs of the Coventry & Nuneaton Regeneration Zone than the Gateway site.

Moving on now to possible alternatives with regard to large scale B2 and B8 occupiers. These are Ryton, Whitley Business Park, Lyons Park, Prologis Park Keresley, DIRFT, Birch Coppice, Hams Hall, Midpoint Park Minworth, Prologis Central Park Rugby, Rugby Gateway, Magna Park Lutterworth, Bermuda Park Hinckley Logistics Park, Land to the south east of M6 junction 3, Tournament Fields Warwick, Prologis Apex Park Daventry. Banbury Cross and i54 in South Staffordshire.

The former Peugeot Ryton site has planning approval for 110,000 square metres of B2/B8 floorspace with approval being sought for a further 30,000 square metres. This site occupies a more physically isolated location than the Gateway site, being further from the Regeneration Zone and not having the potential clustering advantages of the Gateway site with its close proximity to high profile neighbours such as Coventry Airport, Jaguar Land Rover and Middlemarch Business Park. Around 28,000 square metres of the Ryton site is already committed with construction of a building for Network Rail underway.

The Whitley Business Park site has much more limited capacity for large scale B2/B8 users than the Gateway with only around a third of its consented 102,000 square metres of floorspace earmarked for B2/B8 and a condition restricting B8 floorspace to a maximum of 10211 square metres.

Lyons Park, the former Jaguar Browns Lane site in north west Coventry, does not have approval for B8 development. A planning application by Peugeot for a 30,000 square metre warehouse was refused in late 2011. B2/B8 use is also constrained by residential development on Browns Lane adjacent to the site and the site is not as accessible to the motorway and trunk road network as Gateway.

Prologis Park Keresley has only 3.7 hectares of land left for development.

Daventry International Rail Freight Terminal (DIRFT) in Northamptonshire has only 1 plot left which is capable of accommodating 38,971 square metres of B8 floorspace. A planning application has just been submitted in respect of Phase 3 to accommodate a further 714,000 square metres of B8 floorspace. However, it is not considered that DIRFT has the potential to benefit the Coventry & Nuneaton Regeneration Zone significantly, it is also restricted to B8 only and B8 units must also be rail linked so it would not appeal to those occupiers not wishing to use rail transport. It is also likely to be attractive primarily to occupiers serving the national rather than the regional market given the premium payable to locate on rail linked sites such as this.

Birch Coppice in North Warwickshire is a Regional Logistics Site (RLS) but has only 20.9 hectares available for B8 use on 2 plots, although a phase 3 for a further 100,000 square metres is being progressed. However, again it is not considered that this site has the potential to benefit the Coventry & Nuneaton Regeneration Zone significantly due to its distance from it and as with DIRFT, given its rail links it is also likely to be more attractive to occupiers serving a national market given the premium payable to locate there.

Hams Hall, another RLS in North Warwickshire, has no remaining capacity.

Midpoint Park Minworth, Prologis Central Park Rugby, Rugby Gateway and Hinckley Logistics Park all have planning approval for B2/B8 units and together these sites could accommodate around 255,000 square metres of development. However, they are all a considerable distance from the Regeneration Zone. The physical configuration of Prologis Central Park Rugby also means that a unit size of 12,000 square metres is probably the maximum that can be accommodated.

Bermuda Park near Nuneaton has land available only for around 19,000 square metres of new floorspace whilst Magna Park at Lutterworth has only 1 plot left capable of accommodating around 10,000 square metres of B8 floorspace.

The land south east of M6 junction 3 has been discussed above in respect of Technology Park alternative sites. In addition to the constraints highlighted above, this site is also in closer proximity than the Gateway site to a greater concentration of residential properties and a substantial new housing scheme off Wilsons Lane, Coventry granted planning approval on appeal earlier this year which may limit the site's attractiveness to certain B2/B8 occupiers.

Tournament Fields Warwick is being marketed primarily at the office market and therefore it is not considered that B2/B8 occupiers would be sought by the developer for this site as B2/B8 development would not sit well in visual and environmental impact terms alongside existing and proposed B1 office uses on this site.

Prologis Apex Park Daventry has planning permission for around 66,000 square metres of B8 floorspace. However, being in Northamptonshire it does not have the same potential to benefit the Coventry & Nuneaton Regeneration Zone and wider sub-region to the same extent as the Gateway site does.

GL Hearn in their assessment consider Banbury Cross and i54 would serve different market areas given their significant distance from the application site.

Overall it is submitted that there are no preferable and suitable B2/B8 sites within the sub-region which would better meet the growth and employment needs of the Coventry & Nuneaton Regeneration Zone than the Gateway site. As stated above, whilst these sites could in theory accommodate a significant percentage of the projected requirement up to 2026 for new B8 floorspace across the West Midlands Region as a whole, there is nevertheless merit in providing a range of suitable sites to meet the particular needs of occupiers and promote growth.

#### Levels of employment arising from the proposed development

The applicant, in the socio-economic section of the Environmental Statement which accompanies the application, seeks to provide an estimate regarding the levels of employment likely to be generated by the proposed development. They conclude that the proposed scheme has the potential to deliver up to 10,000 jobs comprising up to 6,000 jobs on the proposed logistics park and 4,000 on the technology park. It is also estimated that up to 4,000 jobs could be created on the Whitley Business Park site to north as a consequence of highways works proposed under the Gateway scheme that would unlock the development potential of this consented site.

These job numbers are derived using the employment density data for the various proposed uses in a recent 2010 publication of the Homes & Communities Agency entitled 'Employment Densities Guide – 2<sup>nd</sup> Edition'.

There has been much objection from those who have made representations on the application as to the accuracy of these figures. Bubbenhall Parish Council have submitted a report commissioned by them and written by an economist and the managing director of Wills & Gambier (UK) Ltd which challenges the applicant's figures. Utilising recent 2011 survey data from Prologis of 28 UK warehouses they submit that there is a 50% probability of less than 3,000 jobs on the logistics park and a 10% chance of less than 1,000 jobs even if there is 90% take up of the proposed floorspace.

They also refer to employment levels at a warehouse near Peterborough managed by one of the authors and claim that if this was scaled up to the size of the logistics park then less than 600 people would be employed with 90% floorspace take up.

They also state that there are large variations between B8 occupiers as to employment levels. As such there is in their view a high degree of uncertainty and risk in giving overly much weight to job creation figures.

They also contend that technological advances are resulting in employers generally having fewer workers than would have been the case previously and point out that only 3 organisations in Coventry currently employ more than 6000 persons. In terms of the technology park they refer to the existing Warwick University Science Park which after almost 30 years still only employs 1800 people.

Reference is also made in terms of the Prologis data to the greater number of occupiers surveyed having employment levels less than the average.

Finally, they question the actual current demand from occupiers for the development. Without substantive demand the financial viability and deliverability of the scheme would appear questionable.

However, it is the view of officers that the HCA guide provides a more accurate estimate of employment densities than the Bubbenhall Parish Council report. This is because the HCA guide is based on a larger evidence base having drawn its conclusions from 40 source documents, including surveys of actual unit job densities and also consultations with leading consultants and occupiers. It also covers the full range of uses proposed.

In contrast the Bubbenhall Parish Council report is based on only two documents prepared by Prologis which relate only to B8 floorspace (which it is proposed could occupy as little as 55% of the floorspace sought on the Gateway site) not the full range of uses proposed. One of the Prologis documents is one of the source documents used by the HCA guide. It is also apparent that the Prologis documents appear to contradict the claim made by the authors of the Bubbenhall Parish Council report that technological advances are reducing employment densities as the later of the two Prologis documents dated 2011 states that employment densities have actually increased in terms of B8 units from the earlier 2006 Prologis document with job densities increasing on average from 1 employee per 95 square metres to 1 per 77 square metres.

The comparison made between the proposed technology park and the Warwick University Science Park is flawed in that the proposed technology park with a total floorspace of around 83,600 square metres is around 5.5 times larger than the Warwick University Science Park which has a floorspace of around 15,000 square metres.

Notwithstanding the above, it is accepted that there can be wide variation between employers, particularly in certain sectors such as large scale warehousing, as to employment densities based on a number of factors and the HCA guide does acknowledge this. Whilst objectors refer to those occupiers with low employment densities there are also examples of occupiers with high employment densities. For example, there are occupiers in the Prologis study with employment densities of 1 employee per 12, 23

and 38 square metres. Within area around the application site there are other examples of such occupiers. National Packaging at Middlemarch Business Park have an employment density of 1 employee per 58 square metres and the Co-Operative Food warehouse at Crosspoint in Coventry has an employment density of 1 employee per 42 square metres. As such the HCA guide uses average employment density figures which it is considered is a reasonable basis for assessing likely employment levels.

It is also accepted that it can take many years before large sites such as the Gateway are fully occupied and that therefore it may take some time before any claimed employment benefits are realised.

In terms of the matter of occupier demand, it has been detailed earlier in this report that there is considered to be substantive current and predicted future demand for the development types proposed on the Gateway site. In terms of particular occupiers, the applicant has confirmed that no end users have signed up to date for the development. However, this is not considered unusual because such parties would not normally sign up to occupy floorspace until planning permission had been granted and terms have been agreed.

However, Coventry University have confirmed in writing that they strongly support the proposals as it is intended that an element of the scheme will have an association with the University's existing technology park at Parkside through the provision within the scheme of grow-on space and combined office/light industry/product development facilities. The applicant has also advised that they are in regular contact with a number of potential occupiers, including B8 occupiers with premises outside of the sub-region looking to expand who typically have high employment densities.

In terms of the related matter of financial viability, objectors refer to this being given a higher profile in the National Planning Policy Framework. This is indeed the case, but the NPPF refers to financial viability primarily in the context of local authorities having regard to market factors in formulating planning policy and in respect of planning obligation/condition requirements.

Furthermore, Warwick District Council and Coventry City Council have commissioned GL Hearn to scrutinise the employment figures predicted by the applicant against the HCA guide and consider that the applicant's prediction of up to 10,000 jobs within the Technology and Logistics Park is achievable.

GL Hearn consider that a range of 4,000 – 6,000 jobs is reasonable for the logistics park. In terms of the Technology Park they consider a jobs total of around 2,500-4,500 to be reasonable, although it is considered that the higher figure for the Technology Park is only likely to be achieved with relatively high levels of B1 office floorspace.

Overall therefore GL Hearn consider a jobs total of 6,500 – 10,500 to be reasonable for the proposed development.

In terms of the Whitley Business Park site, it is apparent that when the original planning application for this site was being considered in the late 1990's 2,500 jobs were predicted. However, an officer assessment using the HCA guide indicates that employment levels could be as high as 7,900 for this site rather than the 4,000 predicted by the applicant if the business park is built out in accordance with the reserved matters approval granted in 2006 with the B1 floorspace approved all provided as offices. The floorspace figures approved in 2006 were 72,073 square metres B1, 20,060 square metres B2 and 9975 square metres B8. Even if only half of the B1 floorspace is built out as offices and the rest as research & development or light industrial floorspace this still gives an employment figure for the site of around 5,000 using the HCA data.

Coventry City Councillor Foster refers to the predicted employment levels at the MIRA Technology Park north of Nuneaton where around 2,000 jobs are envisaged. This is based on a scheme comprising primarily B1 research and development floorspace and is not dissimilar to the lower end of GL Hearn's predicted range for the Technology Park which appears to be based on a similar scenario of primarily B1 research and development occupiers, although it is unclear as how the MIRA figures have been arrived at and it must be borne in mind that MIRA is focused on the automotive sector.

CPRE in one of their objection letters to the scheme refer to the LEP's 2011 Enterprise Zone application form and state that this refers to a projected employment figure of 5,554 jobs without Enterprise Zone status. However, it would appear from the preceding text on this part of the application form that a view had been taken at that time by the LEP that only those parts of the land earmarked for Enterprise Zone status with planning approvals in place (e.g Whitley Business Park) would be progressed if the Enterprise Zone application was unsuccessful. As such the 5,554 jobs figure would appear to relate only to those areas and not the Enterprise Zone site as a whole which corresponds to the present application site, where the LEP's application predicted employment of up to 14,000.

Furthermore, it needs to be borne in mind that both the applicants and GL Hearn figures for the logistics park are based on single shift working only. It seems likely that many B8 occupiers would have several shifts as many such occupiers operate 24/7 and if this were the case more employment would be created.

It is acknowledged that a percentage of the employment generated may be as a result of companies already present in the sub-region re-locating to the Gateway site. However, this in itself is not necessarily problematical as certain companies in relocating may be looking to expand their operations resulting in a net increase in employment. There is also the difficulty that if suitable sites are not available companies may decide to move out of the sub-region altogether which would be harmful to the sub-regional economy.

A related issue is that of displacement, the concern that if planning permission were to be granted for the Gateway scheme that other

consented employment sites in the sub-region would be disadvantaged as businesses that may have built premises on these sites go to the Gateway site instead. GL Hearn in their report estimate that displacement in respect of the Technology Park could be up to 50% on a floorspace basis but is realistically more likely to fall within the 20-30% range. For the Logistics Park they consider it would be minimal. In terms of the Technology Park they refer to displacement impacts on Ansty in particular and smaller sites in Coventry and Warwick. The applicant's consultants consider that displacement across the scheme as a whole would be around 25% with a further 10% of employees travelling from outside the sub-region also being classed as leakage from the scheme.

However, officers also consider that it cannot be necessarily assumed that if the Gateway proposals were not progressed that businesses would locate to other sites in the sub-region. Ansty is evidence for this, as even during the boom years preceding the current recession when considerable occupier demand existed for sites, it failed to attract a significant level of development. Overall, as stated above, it is considered that the Gateway site has significant locational advantages for occupiers compared to other sites locally in terms of such matters as its proximity to Coventry and Warwick Universities, its close relationship to Coventry Airport, Jaguar Land Rover and the Middlemarch Business Park and its close proximity to the strategic highway network. The site also has the advantage of being at the interface between the prosperous south part of the sub-region and the relatively deprived areas of Coventry and Nuneaton/Bedworth to the north. As such, whilst it would be attractive to occupiers seeking accommodation close to the concentration of higher value/skilled businesses/employees in south Warwickshire, as would a number of available sites in Warwick District's area, it would have the added advantage of being more accessible also from the Coventry and Nuneaton Regeneration Zone and could therefore contribute to a greater extent than other sites in addressing regional economic inequalities.

A measure of the economic impact which the employment created by the Gateway development (excluding the Whitley Business Park scheme) would have is the Gross Value Added (GVA) that would be created which can be estimated using Office for National Statistics (ONS) data.

Based on the prediction of around 10,000 jobs, a GVA of £442 million would be generated. The most recently available statistics show that in 2009 the GVA for Coventry as a whole was £5.64 billion and therefore the Gateway scheme has the potential to increase GVA in close proximity to the City by 7.8%. It is noteworthy, as stated earlier in this report, that these most recent figures show that Coventry's GVA was 8.5% below the England average and therefore it is apparent that the Gateway scheme could contribute significantly to redressing this imbalance.

In an effort to maximise the take-up of jobs and contracts by local people and businesses, it is proposed through the Section 106 Agreement that the developer prepares an Employment and Training Strategy which actively seeks to promote links between companies on site and local



people/businesses with an individual/body being appointed to proactively implement this strategy. The Agreement also provides for monitoring of the strategy's effectiveness in consultation with the local authorities.

### £250 Million Investment & Risk Issues

Concern has been expressed regarding the likelihood of the £250 million investment value assigned to the site by the applicant being realised. In this regard the applicant has confirmed that they have already committed £2 million in progressing the scheme to date and that they have £150 million available through equity partners for the provision of infrastructure. The remaining investment of around £100 million would be generated by occupiers or the applicant – on a pre-let basis - building out individual plots.

GL Hearn, consider this investment figure not to be unreasonable given the scale of development proposed.

Furthermore, it should be noted that all of this investment is private sector monies and that a significant sum is earmarked for the provision of infrastructure. As such there would be a clear incentive for the applicant to attract occupiers in order to generate revenue.

Notwithstanding the above, it must also be borne in mind that were planning permission to be granted, such permission runs with the land not with the developer. As such, if the developer acquired the application site following the grant of planning permission then they could choose to sell it on to another developer in full or part at a later date.

As such it is not considered that concerns around whether or not a particular developer has the financial means to progress the development are a material planning consideration given the lack of control which the local planning authorities have in this regard which means that it would not be legitimate to refuse planning permission for such reasons.

### Other Economic Issues

A number of other economic issues have been raised by objectors.

Reference has been made to the LEP's unsuccessful Enterprise Zone bid in 2011 as justification for refusing this planning application. However, the fact that the Enterprise Zone bid was unsuccessful is not in itself a reflection necessarily of the merits of that bid. Rather, the Government on the basis of their assessment criteria came to a view that other potential Enterprise Zone sites throughout the country were more suited to receiving such a designation. The current planning applications are to be judged against other criteria, namely the relevant material planning considerations, and a decision is to be arrived at on the basis of these.

Concern has also been raised regarding the impact of the proposals on existing local businesses. Some of these concerns related to the original proposal to restrict access on Bubbenhall Road but this is not now proposed

as detailed below. Whilst access for employee vehicles to Baginton Village would be restricted under the ANPR camera system proposed to minimise traffic and parking impacts on the village, it is nevertheless considered that some economic benefits would arise for businesses in the village due to increased patronage from visitors to the Gateway development. Some businesses would also be accessible on foot by employees given the proposal to provide a car park adjacent to the link road between the Logistics and Technology Parks with a pedestrian route through to the Baginton Oak PH and the wider village.

There are 3 existing small businesses which operate from the former Alvis Works on Bubbenhall Road. These lie within the site of the proposed Logistics Park. A clause is proposed within the Section 106 Agreement regarding assistance from the developer to these businesses concerning their relocation, although as these businesses operate under short term leases from the landowner financial assistance with relocation is not proposed.

Overall in terms of economic growth and employment matters it is apparent that the Coventry & Warwickshire sub-region as a whole is under performing compared to the national average but that there is also a north-south divide within the sub-region in terms of economic performance. In this regard the Gateway site sits at the interface between the north and south of the sub-region and as such is considered to be an attractive location for occupiers in the higher value industries being targeted by the LEP whilst also having the potential to contribute significantly to economic development objectives in respect of the Coventry & Nuneaton Regeneration Zone. As such the proposals are considered to accord with national, regional and local planning policies which seek to promote growth within the sub-region's poorly performing areas. Detailed consideration has been given to alternative sites suggested by both the applicant and objectors. It is submitted that these other sites are not as suitable or preferable in respect of the above-mentioned objectives as the Gateway site. Notwithstanding this, it is not considered that the Gateway site would necessarily compromise the redevelopment of those other sites. It is also considered that the proposals would assist significantly in unlocking the economic development potential of the Whitley Business Park site. In terms of the sub-region and in particular its more deprived areas, there is considered to be a need for the development. In terms of occupiers substantive demand is considered to exist at present and is predicted to exist for the projected timescales of the project and it is considered that there is a reasonable likelihood of the development generating 6,500-10,500 jobs. In conclusion, it is considered that the Gateway scheme has the potential to deliver significant economic growth and employment benefits and should be supported in this regard.

## **2. Green Belt**

The majority of the application site is situated within the Green Belt, including the whole of Zones A, B and D and parts of Zone C. The proposed new buildings and extensive road infrastructure within Zones A, B and D

constitute inappropriate development within the Green Belt (NB. the new roads and junctions in Zone C are not considered to be inappropriate development, for the reasons stated in the following paragraph). The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 goes on to state that "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations". This is reflected in Policy GE6 of the Coventry Development Plan 2001, Preferred Option PO16 of the emerging Warwick District Local Plan and Policy GB1 of Coventry's emerging Core Strategy.

Paragraph 90 of the NPPF identifies certain forms of development that are not inappropriate in Green Belt, provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. This includes engineering operations and local transport infrastructure which can demonstrate a requirement for a Green Belt location. The proposed highway works within Zone C and the proposed bunds within Zones A and B are considered to meet this definition and consequently do not constitute inappropriate development within the Green Belt. The reasons for reaching this conclusion are included in the more detailed analysis of the impact of these elements of the proposals on the five purposes of Green Belt under the headings below. In summary, the impact of the new roads and junctions within Zone C would be limited by the fact that they would be closely related to the existing roads and junctions that dominate this part of the Green Belt. A Green Belt location is required for this infrastructure because it is necessary to connect with the existing road network in this location. Significant re-grading of land is required for some of the highway works and the bunds, but these embankments would be soft landscaped and would blend into the surrounding landscape. Therefore it has been concluded that these elements of the proposals would preserve the openness of the Green Belt, in accordance with the requirements of Paragraph 90 of the NPPF.

The NPPF states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Paragraph 80 of the NPPF states that the Green Belt serves five purposes:

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

#### Joint Green Belt Study

The applicant has referred to the Joint Green Belt Study (JGBS) that was carried out in 2009 on behalf of Coventry, Warwick, Nuneaton and Bedworth and Rugby Council's. However, it should be noted that this is perhaps more useful as a tool for deciding on the location of large scale allocations of land for development through the Local Plan process, rather than as a tool for assessing individual sites. The usefulness of the JGBS is further limited by the fact that it divides the Green Belt up into parcels of land that are larger than the current application site. Furthermore, the current application site covers parts of 4 different land parcels in the study (C10a, C11b, C23d and C23e). Nevertheless, the JGBS does include some useful conclusions that assist in the assessment of the function of the Green Belt around the application site.

The conclusions of the JGBS vary for each of the land parcels that the site falls within, with the recommendation for two of the parcels being "Retain in Green Belt" (C11b and C23e), while the recommendation for the other two parcels is "Consider for Detailed Study" (C10a and C23d). The study goes on to conclude that parcel C10a is one of the least constrained parcels of Green Belt land around Coventry. It is notable that all of Zone A and part of Zone B fall within this parcel. The parts of the site that are outside of this parcel comprise the part of Zone B that would cover the fields to the north of Rowley Road (within parcel C11B) and the new roads and junctions (within parcels C23d and C23e). The JGBS concludes that parcel C11B as a whole meets all five of the purposes for including land within the Green Belt. However, the application site only accounts for one small corner of this land parcel, with the remainder of the parcel extending some distance across to the opposite side of Baginton village to include the Coventry Golf Club and land on the opposite side of St. Martin's Road. Similarly, the proposed roads and junctions would only take up small parts of the other two parcels. The JGBS concludes that these two parcels as a whole meet three (C23d) and four (C23e) of the purposes of Green Belt respectively. For completeness it is noted that, whilst the JGBS did conclude that parcel C10a was one of the least constrained areas of Green Belt, this was despite the fact that it concluded that this parcel meets three of the purposes of Green Belt. Indeed, all of the Green Belt areas included in the study were judged to meet at least one of the purposes of Green Belt and all but a few land parcels were judged to meet more than one of these purposes. Therefore, while the conclusions of the JGBS are relevant, it is necessary to carry out a further assessment of the particular parts of the Green Belt that are affected by the development proposed in the current planning application. This will be undertaken by assessing the different parts of the site and development against the five purposes of Green Belt.

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

It is considered that the majority of the site contributes towards the purpose of preventing urban sprawl. This includes guarding against the potential for sprawl from the built up area of Coventry onto the area around Whitley Common, from the built up area of Coventry onto the fields north of Rowley Road and from the airport and adjacent industrial areas onto land to the north, south and east of the airport and Middlemarch Business Park.

The development of the buildings in Zones A, B and D would harm this objective of Green Belt because these buildings would extend the built area of Coventry across a large area of Green Belt. The provision of a substantial bund around the edges of the development that would adjoin open countryside would provide a physical barrier to further sprawl. Nevertheless, the development would undoubtedly cause significant harm to the Green Belt purpose of restricting urban sprawl.

The impact of the new roads and junctions to the north of the A45 and around Whitley Common would cause less harm in terms of urban sprawl. These parts of the Green Belt are already dominated by roads and junctions and the works here would be closely associated with this existing road infrastructure. Furthermore, no buildings are proposed on this part of the site.

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

The part of the Green Belt that is situated within Zone A does not contribute to the purpose of preventing neighbouring towns from merging because this part of the site is separated from the built up areas of Coventry and Baginton by Coventry Airport and is 300m from the built up area of Bubbenhall (as measured from the edge of the proposed countryside park, with the nearest development plot being 600m from Bubbenhall). Similarly the area around Zone D is closely related to the existing buildings and infrastructure of the airport and positioned well away from the edges of Baginton and Coventry. However, the parts of the Green Belt that are situated within Zones B and C do meet this purpose to some extent because these areas prevent the merging of Baginton with the built up parts of Coventry around Whitley Business Park / Stonebridge Trading Estate (Zone B) and the merging of the Cheylesmore and Whitley areas of Coventry (Zone C). The exception to this is the area of Zone C where the new A45 Junction is proposed to be located. This relates to a narrow strip of Green Belt that is contained between the Whitley Business Park site and the A45 and therefore it does not serve the purpose of preventing neighbouring towns from merging into one another.

The development of Zone B would reduce the existing gap between Coventry and Baginton and therefore would harm this purpose of the Green Belt. However, it is noted that the development on this part of the site would not fill the whole of the existing gap between the settlements. A substantial landscaped area is proposed to be retained adjacent to Baginton, leaving an undeveloped gap that would mostly be more than 240m wide. Nevertheless, a small part of Zone B would extend closer than this to Baginton (to within 60m of the dwellings in Oak Close), and the access road to Zone A would run along the rear of the dwellings in Oak Close. However, the area to the rear of Oak Close is a part of the Green Belt that is already intruded upon by urban features, with this part of the development either replacing existing airport buildings or being situated on open land alongside existing airport buildings.

With regard to the new roads and junctions between Cheylesmore and Whitley, an element of this infrastructure has already been approved as part of the Whitley Business Park development. The new Whitley Junction and associated roads would be the main additional infrastructure that the current application proposes for this area. No buildings are proposed in this area and the new roads and junctions would be closely related to the significant existing road infrastructure in this locality and the majority of the gap between Cheylesmore and Whitley would remain undeveloped.

For the above reasons it has been concluded that the majority of the proposed development would not undermine the Green Belt purpose of preventing neighbouring towns from merging into one another, with the exception of Zone B which would reduce the gap between Coventry and Baginton and would therefore cause some harm in this respect.

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

The parts of the Green Belt that are situated within Zones C and D do not contribute to the purpose of safeguarding the countryside from encroachment because these areas are either separated from open countryside by the existing road infrastructure (Zone C) or are situated within the curtilage of an existing developed site (Zone D).

There has already been a certain degree of encroachment into the part of the Green Belt that is situated within Zone A due to the presence of the airport, sludge lagoons, test track and Alvis industrial buildings. There is also a degree of existing encroachment into the area of Green Belt that is situated within Zone B due to the presence of a former landfill site, Rugby Club, railway museum and the surrounding transport infrastructure (including the A45 and the airport). Nevertheless, the remaining areas of Green Belt within Zones A and B do make some contribution towards safeguarding the countryside from encroachment, although this contribution is limited due to the existing degree of encroachment. Furthermore, the impact of the development on the wider countryside would be limited by the screening that would be provided by the bunds (as concluded in the "Landscape Issues" section later in this report). However, notwithstanding these mitigating factors, the proposals would undoubtedly represent a significant additional urban encroachment into the countryside and this would cause a significant degree of harm to this purpose of the Green Belt.

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

The parts of the Green Belt that are situated within Zone A do not contribute to the setting and special character of the Coventry or the village of Baginton. Zone A is separated from Coventry and Baginton by Coventry Airport. It might be argued that some parts of Zone A make a contribution to the wider setting of the village of Bubbenhall because this part of the site

is visible across the river valley from Bubbenhall. However, the countryside park would be 250m from the Bubbenhall Conservation Area and 300m from the built up area of Bubbenhall (and the proposed buildings would be at least 600m from Bubbenhall). Furthermore, the proposed bund around Zone A would largely screen the development from Bubbenhall. Therefore it has been concluded that the development would not harm the setting and special character of Bubbenhall.

The parts of the Green Belt that are situated within Zone B contribute to the setting of Baginton. However, a substantial landscaped area is proposed to be retained adjacent to Baginton, incorporating bunds to provide a degree of screening of the proposed buildings. The gap between the edge of Baginton and the buildings in Zone B would mostly be at least 240m wide, although a small strip of land earmarked for new buildings would extend to within 60m of Baginton. In addition, the new access road for Zone A would run along the eastern edge of the village, although this would be screened by a bund. These elements of the proposals would create a degree of intrusion into the setting of Baginton. However, the existing airport buildings in this area already impact on the setting of this edge of the village. Taking into account the proposed landscaped buffer between the development and Baginton and the existing intrusion of the airport, it has been concluded that the proposals would only cause a limited degree of harm to the setting of Baginton.

The parts of the Green Belt that are situated within Zone C contribute to the setting of Coventry. However, the new roads and junctions that are proposed for this area would be closely related to the significant existing road infrastructure in this locality and no new buildings are proposed for this area. The majority of this part of the Green Belt would remain undeveloped and therefore it has been concluded that the development within Zone C would not harm the setting of Coventry.

The parts of the Green Belt that are situated within Zone D are situated away from the edge of Baginton, Coventry and Bubbenhall and consequently the development on this part of the site would not harm the setting of those surrounding settlements.

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

All of the Green Belt within the application site contributes towards this objective. However, for the reasons stated in the preceding "Economic Growth and Employment" section of this report, it is not considered that there are suitable urban sites for the proposed technology park or logistics park. Also, there are no suitable urban sites for the proposed replacement airport buildings, which are operational buildings and therefore must be located on the airport. Consequently, if planning permission is refused for the current proposals it is unlikely that the development would take place on an urban site instead. Therefore it has been concluded that the development would not harm the Green Belt purpose of assisting urban regeneration.

### Summary of harm to the Green Belt

In summary, it is considered that the proposals would cause significant harm to the openness of the Green Belt. In particular, the development would cause significant harm in respect of two of the five purposes of the Green Belt (restricting urban sprawl and protecting the countryside from encroachment) and a lesser degree of harm to two others (preventing Coventry and Baginton from merging into one another and preserving the setting of Baginton). Nevertheless, the NPPF permits such development within the Green Belt if the applicant can demonstrate very special circumstances to clearly outweigh the potential harm by reason of inappropriateness, and any other harm.

### Very special circumstances

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

- the need and demand for additional high quality employment land;
- the development will help address the economic and growth requirements of the sub-region;
- the development has the potential to deliver up to 10,000 jobs (plus an additional 4,000 jobs on the Whitley Business Park development as a consequence of the highways works);
- there are no suitable alternative sites for the development, particularly which meet the criteria for Regional Investment Sites and Regional Logistics sites;
- the implementation of significant and extreme strategic highway improvements which will have the effect of relieving congestion across the wider network;
- the reclamation and improvement of despoiled and derelict land;
- creation of large areas of publicly accessible open space;
- enhancement and creation of new habitats;
- formation of 9,500m of new public footpaths / cycleways; and
- planting of around 12ha of new native woodland and trees and over 5,000m of new native hedgerows.

In assessing the benefits of the proposals, regard should be had to Paragraph 81 of the NPPF. This states that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged or derelict land. It is considered that the proposed development would meet a number of these objectives, including the provision of public access to an area of Green Belt with limited existing accessibility, providing opportunities for outdoor sport and recreation (cycleways and footpaths), remediating large areas of contaminated land and enhancing biodiversity. These are considered to be significant benefits that weigh in favour of granting planning permission.



Perhaps the most compelling consideration in favour of the proposals is the substantial economic benefits. This has been disputed by objectors, but the economic case has been assessed in detail in the "Economic Growth and Employment" section of this report. In summary, this assessment concludes that there is a strong economic case in favour of the proposals and that there are no suitable and preferable alternative sites to accommodate the development. If it is accepted that there is a need for a development of this size and form in close proximity to the Coventry and Nuneaton Regeneration Zone, it is unlikely that a suitable site would be found outside of the Green Belt. Potential alternative sites have been considered in the "Economic Growth and Employment" section of this report, but it is considered that there are no suitable and preferable sites available.

It is not considered that the highways improvements which comprise part of the proposed scheme can be considered as part of the very special circumstances in favour of the development. This is because Warwickshire County Council and Coventry City Council's Highway Engineers have advised that the proposed highway improvements would not result in a significant net enhancement of the highway network (over and above the improvements that are required to accommodate traffic from the proposed development). It is however considered, in terms of those very special circumstances related to economic issues, that the highway improvements would improve the attractiveness of the Whitley Business Park site to occupiers.

Objectors have disputed how much weight can be attached to the remediation of contaminated land, since the existing landowners would have legal obligations to undertake this work. However, having investigated whether the existing landowners have any statutory obligations to remediate the site, it is apparent that this is far from clear. There may well be statutory requirements for the existing landowners to remediate the land, but it is likely that this would only be triggered when they cease using the site. It is also unclear whether this would apply to all contamination on the site, since this is from a variety of sources.

Nevertheless, as the existing landowners' obligations to remediate the site are unclear, it is accepted that this limits the weight that can be attached to this as a benefit of the proposals. It is notable, however, that a planning application for the reclamation of part of the Severn Trent site to low grade agricultural use was refused in 1994 due to concerns about heavy vehicle movements through Baginton (it had been proposed to remove the contaminated material from the site). The remediation proposals in the current application would address this concern by retaining the material on site. Notwithstanding this refusal, it may still be that the existing owners would remediate the site at some point in the future, but without the current proposals there is no guarantee when that might take place or whether it could be achieved in as sustainable a manner as is currently proposed.

Nevertheless, even if only limited or no weight can be attached to the remediation and highway benefits, it has been concluded that the other benefits of the proposals, taken as a whole, amount to very special circumstances sufficient to outweigh the conflict with Green Belt policy and the harm to the Green Belt that has been identified above.

### **3. Transportation matters**

In assessing the transportation impact of the proposed development a number of areas require consideration. These are the level of vehicle traffic generated by the proposals, where this would go on the surrounding highway network and the effect of such traffic on key junctions within the vicinity of the site; the proposals in respect of estate roads within the development itself and access restrictions associated with them and the issue of access to the proposed logistics park from Middlemarch Business Park including emergency access arrangements. Other transportation matters which require assessment are the proposed levels of car parking and the manner in which car parking will be controlled both within and outside the application site, bus services, provision for pedestrians and cyclists, footpath closures/diversions, green travel measures and phasing arrangements.

However, before moving onto a detailed assessment of the above matters regard must be had to existing traffic conditions in the locality surrounding the application site and to overarching planning policy relating to transportation matters.

In terms of existing traffic conditions, the strategic highway network in the vicinity of the application site is generally operating above capacity at present during the weekday peak periods. As a consequence of this there is extensive peak time queuing on the A46 and A45 approaches to Toll Bar Island with long queues on the A46 south bound and A45 London Road west bound during the morning peak hour and on the A45 Stonebridge Highway east bound during the afternoon peak hour. In addition, the A46 roundabout junction with the A428 adjacent to the Cocked Hat public house has northbound queues during the afternoon peak hour and less significant queuing takes place at the Festival island and Stivichall Bypass/London Road flyover junctions.

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

Coventry Development Plan (CDP) Policy AM1 states that the safe, efficient and easy movement of people and goods throughout the City will be

promoted and encouraged through an integrated and accessible network and in sustainable ways.

RSS Policy T1 states that access within and across the Region will be improved in a way that supports the RPG's Spatial Strategy, reduces the need for travel, expands travel choice, tackles congestion, improves safety and protects the environment.

Policy T2 states that local authorities, developers and other agencies should work together to reduce the need to travel, especially by car, and to reduce the length of journeys through encouraging those developments which generate significant travel demands to be located where their accessibility by public transport, walking and cycling is maximised, promoting patterns of development which reduce the need for travel including a more balanced provision of different uses in larger settlements including the sub-regional foci and encouraging those developments which generate significant freight and commercial movements to locate close to suitable inter-modal freight terminals, rail freight facilities, or roads designed and managed as traffic distributors.

Policies T1 and T2 of the RSS Phase 2 Revision Draft re-iterate the above RSS Policies.

Policy ACC1 of Coventry City Council's emerging Core Strategy states that to create an environment which encourages sustainable and active transport choices for local journeys, proposals for new development should be focused within the Hub and Spokes and other accessible locations which have good existing transport links by a range of sustainable and active travel modes. Major developments should contain a mix of uses to help minimise the need for, and distance that, people travel. New development must achieve high levels of transport accessibility and integration across the city and into the wider sub region. This will be achieved through the development of a high quality and integrated transport network which links together the Hub, Spokes and other major trip attractors on radial and orbital routes.

Finally Policy PO14 of Warwick District Council's emerging Core Strategy states that the preferred option is to minimise the need to travel and promote sustainable forms of transport by, inter alia, locating new employment areas to enable inclusive and sustainable access to jobs from residential areas and to ensure mitigation against the negative transport impacts of new development by requiring developers to contribute to transport infrastructure improvements (for example road junction improvements, cycle networks and bus services), ensuring this infrastructure improves safety, is convenient and affordable and minimises the impact of transport on climate change.

#### Traffic generation, distribution & impacts on key junctions

Warwick District Local Plan Policy DP7 states that development will not be permitted which generates significant road traffic movements unless

practicable and effective measures are taken to avoid adverse impact from traffic generation.

CDP Policy AM14 states that the City Council will promote and encourage new roads and road improvements where they will assist economic regeneration, improve safety, enhance transport efficiency and satisfactorily address environmental impacts.

Policy AM10 advises that developers will be expected to incorporate or fund traffic calming measures if the traffic movements associated with the development would otherwise have a materially harmful effect on road safety or on the environmental quality of local communities. Where such effects cannot be satisfactorily ameliorated, development will not be permitted.

In terms of transport networks RSS Policy T9 states that Local Authorities, the Highways Agency, transport operators and other agencies should work together to provide and maintain a strategic transport system which enhances the competitiveness of the Region, provides improved links and accessibility within the Region and beyond and supports the Spatial Strategy particularly by providing improved accessibility to those parts of the Region in greatest need of regeneration.

In bringing forward detailed policies, proposals and programmes, consideration should be given to optimising the use of existing infrastructure across all modes; ensuring capacity is safeguarded by appropriate selection of development location, minimising the need for local movements to use the strategic network; adopting the priorities for investment in strategic networks to support the objectives and policies of RPG, and ensuring the investments are not undermined by inappropriate development and ensuring that motorways and trunk roads are managed and improved to operate effectively as part of the national transport network, including the use of appropriate demand management techniques to improve journey time reliability.

Such Policy is re-iterated in PSS Phase 2 Revision Policy T9.

Policy ACC2 of Coventry City Council's emerging Core Strategy states in respect of network capacity issues that development proposals which have a significant negative impact on the transport network in the immediate vicinity of a development will be required to mitigate those impacts; firstly through demand management measures; and secondly through appropriate Section 106 or/and Section 278 funded schemes

The Transport Assessment (TA) which accompanies the application predicts that the proposed development would generate 1700 inbound and 450 outbound vehicle movements during the AM peak period and 500 inbound and 1500 outbound movements during the PM peak period. This is a worst case scenario based on current statistics which show that 81% of trips in south Coventry are made by car and does not include any reductions that

would arise as a result of the improvements proposed in terms of bus services, pedestrian/cyclist routes and other green travel measures.

These figures represent an increase in terms of existing movements associated with the airport and Middlemarch Business Park of 147% and 128% for inbound and outbound movements in the AM peak period and of 125% and 171% for inbound and outbound movements in the PM peak period.

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

In modelling the impact of traffic from the proposed development at key junctions within the surrounding highway network a design year of 2022 is used. This is in line with Government Guidance which states that for TA's relating to proposals which affect the strategic road network that the future assessment year should normally be 10 years after the date of registration of a planning application for the development, in line with the forward horizon of the Regional Transport Study.

The Regional Transport Study (RTS) is contained within the adopted West Midlands RSS which covers the period up to 2021.

The CPRE in their objection consider that the Design Year for the purposes of the TA should be 2029 which they state was the Design Year used in respect of assessment work undertaken by the Highways Agency on their Toll Bar End scheme. However, the Government guidance on Transport Assessments referred to above, in talking about those circumstances when it would not be appropriate for the Design Year to be only 10 years after registration of the relevant planning application refers only to a situation where development is likely to take place over a longer period than the horizon of the wider planning framework, which in this case is the RTS. As stated above the RTS covers the period up to 2021 and even the CPRE in their objection acknowledge that the proposed development could be completed by 2018 if approved. Even if it isn't, there is still a further period of 3 years up to 2021 before a situation would arise where the development was taking place over a longer period than the horizon of the RTS. Given the above, it is considered that the Design Year of 2022 that has been adopted is appropriate.

Moving on therefore to an assessment of impacts arising from the development on the surrounding highway network, the TA examines closely the impact of the proposed development on a number of junctions within the highway network covering the locality around the application site where improvements are proposed. A worst case scenario is adopted in assessing impact with it being assumed that there would be no reductions in modal shift from public transport or pedestrian/cyclist infrastructure

improvements. The TA concludes that traffic flows elsewhere on the highway network associated with the development would not be materially greater than base traffic flows in the 2022 Design Year and therefore no highway works are proposed other than at the junctions referred to above. This is accepted.

The first of the junctions assessed is the Toll Bar Island junction. This junction is earmarked for substantial improvement works which will be undertaken by the Highways Agency (HA). The Secretary of State's decision, following a public inquiry into the improvement scheme in 2010, is still awaited but subject to approval being granted the HA are looking to start work on site in the Spring of 2013 with construction works projected to last for up to 3.5 years.

The proposed improvement scheme involves the construction of a dual carriageway underpass to connect the A45 Stonebridge Highway directly with the A46 north of Toll Bar Island. A roundabout junction would then be constructed above this underpass with connecting slip roads to service London Road, the Middlemarch Business Park/Rowley Road and the A45 eastbound. The A45 Stonebridge Highway between Toll Bar End and Festival Island would also be widened from 2-3 lanes in both directions.

The only alteration to this HA scheme proposed as part of the Gateway development is the addition of a fourth lane on the A45 Stonebridge Highway westbound to allow traffic to access the new junction on the A45 between Toll Bar End and Festival island also proposed as part of the Gateway scheme.

The TA predicts that the impact of the Gateway scheme on the improved Toll Bar Island junction would be minimal as only 10% of traffic from the development to/from the A45 eastbound would need to negotiate the roundabout junction with the 23% of traffic to/from the A46 Eastern Bypass likely to use the underpass to access the new A45 junction for the development between Toll Bar End and Festival Island as this is the shortest route to/from the site for them. To reduce further the likelihood of drivers to/from the development using the Toll Bar Island roundabout to access the A46 Eastern Bypass via Rowley Road, signage and traffic signal controls are proposed to reduce the awareness and attractiveness of this route. Although objectors question the effectiveness of the above measures they are considered acceptable. It should also be borne in mind that the Siskin Drive arm and roundabout itself within the improved Toll Bar Island junction are predicted to operate well within capacity in the Design Year and therefore even if a small percentage of traffic from the development did access the A46 Eastern Bypass via Rowley Road this is unlikely to significantly impact on the junction.

Overall it is considered that the improved Toll Bar End junction would operate within capacity even with the Gateway scheme fully developed.

The CPRE in their objection contend that the planning applications for the Gateway scheme must not be determined before the Secretary of State's

decision on the Toll Bar End scheme has been issued. This is not accepted, although it is acknowledged that it would not be appropriate for development of the Gateway scheme to commence unless and until the Secretary of State has approved the Toll Bar End scheme and work on that scheme has commenced on site. The Highways Agency in their Direction require a condition in this regard were the applications to be approved.

Moving on to the Festival Island junction, as stated above, it is envisaged that around 44% of traffic to/from the development would pass through this junction. Notwithstanding this, the TA predicts that the improvements at this junction, as detailed earlier in this report, would ensure that it continued to operate largely within capacity with the additional traffic to/from the development.

The only difficulty arises in respect of the Leaf Lane arm of the junction. The TA predicts that significant queuing would arise on Leaf Lane in terms of vehicles waiting to access the Festival Island from Leaf Lane. However, significant queuing would occur by the Design Year irrespective of the Gateway scheme and the local highway authority do not consider that, based on modelling that has been undertaken, that significant highway safety or capacity problems would arise on Leaf Lane as a consequence of the development. Nevertheless, should rat-running as a result of development traffic become an issue, a contribution is proposed under the Section 106 Agreement payable to Coventry City Council to allow for the installation of signals, traffic calming or such other measures that they consider would be most appropriate.

A solution to predicted queuing problems on Leaf Lane would be to close the Leaf Lane arm to the Festival Island but this has been strongly opposed by local residents and is therefore not proposed.

CPRE object to removal of the free flowing segregated lane at the Festival Island junction which provides access for traffic travelling west along the A45 onto the A46 southbound. Whilst the revised junction design which removes this segregated lane would clearly make this movement less straightforward, the TA predicts that the junction would remain within capacity as a result of this change with no significant queuing on the A45 westbound approach to the junction. As such this change is considered acceptable.

The next junction to be considered is the junction of Leaf Lane at its northern end with the Stivichall Bypass. As described earlier in this report, this junction will be extensively remodelled with a new bridge built across the bypass to the immediate south of the existing bridge and slip roads constructed either side of this new bridge.

As originally submitted the application proposed that this junction provided for two way traffic at the north end of Leaf Lane to/from this junction and also a slip road to allow traffic to exit the bypass directly onto Leaf Lane. Following objection to these elements from local residents, amended plans

have now been submitted deleting these elements and re-instating the current one-way traffic arrangement.

Overall, the TA predicts that the remodelled junction will operate within capacity with the proposed traffic from the development.

As such, the proposed junction design is considered acceptable in terms of traffic flows and capacity. The revised design also incorporates signalised pedestrian crossing facilities to allow for school children and others to cross from Cheylesmore to Whitley. The proposed crossing facilities are considered acceptable, although a condition is suggested requiring further details in respect of measures at the junction to ensure that the crossing facilities are used and that short cuts are not taken across the junction, particularly in respect of those pedestrians approaching it from Leaf Lane.

Turning now to the Stivichall Bypass/London Road junction, this too would be remodelled as described earlier in this report. Congestion at this junction would also be significantly reduced as a result of the new junction at the north end of Leaf Lane which will remove u-turning traffic currently using the Stivichall Bypass/London Road junction to get to/from the Jaguar Whitley site. Again the TA predicts that this junction will operate within capacity.

CPRE raise concerns about safety relating to weaving movements between this junction and the southbound bypass slip road to the Jaguar Whitley site but this is an existing situation. Furthermore, the removal of u-turning traffic described above should reduce traffic on this part of the bypass thus improving safety.

Other existing junctions subject to improvement works to accommodate traffic from the Gateway development are all outside the application site. As detailed earlier in this report they comprise the A46/A428 'Cocked Hat' junction, the A46/Stoneleigh Road junction and the A46/B4082 to the north of the 'Cocked Hat' junction where the applicant has submitted details of their proposed works which are considered acceptable.

It is proposed as part of the Section 106 Agreement that contributions would be payable to Coventry City Council in respect of improvements to the London Rd/Humber Rd/Allard Way 'Asda' junction and the junctions of the A45 with St.Martin's Road/Leamington Road and Kenilworth Road.

The TA predicts that all of these junctions with the exception of the London Rd/Humber Rd/Allard Way 'Asda' junction would operate within capacity. However, the over capacity at the above junction would be confined to one arm and would not be significantly greater as a consequence of the Gateway scheme than the base scenario in 2022.

Finally, the only completely new junction on the strategic highway network proposed as part of the development is the junction to be provided on the A45 between the Toll Bar and Festival Islands which includes a new bridge across the A45. Again the TA predicts that the various elements of this new



junction would all operate within capacity taking account of traffic flows from the development.

From a highway safety point of view, the various slip roads associated with this junction would introduce additional weaving/merging movements onto the A45. However, it is considered that such additional movements would not significantly compromise highway safety and the Highways Agency have confirmed that they have no objections to the principle of the proposed works by directing that certain specified conditions be attached to any planning permission that may be granted.

The construction of this junction also provides an opportunity to enhance highway safety by providing an indirect access to the A45 via the east bound slip road for the King Henry VIII playing fields rather than the very poor existing access to this site directly from the A45.

Various modifications are proposed along the A45 between the Toll Bar and Festival Islands as part of the scheme which would be departures from usual highway standards. One example is a proposal to reduce traffic from two lanes into one lane where the A45 eastbound carriageway crosses the Festival Island. However, this departure is justified on the grounds that it would be sufficient to handle the volume of traffic predicted to be crossing over the Island in the Design Year and would reduce congestion further east on the A45 as it approaches Toll Bar Island through the better management of traffic flows entering this area. Overall, although the CPRE raise concerns regarding departures, these are not uncommon with for example a large number of departures being proposed by the Highways Agency themselves in connection with their Toll Bar Island improvements. However, notwithstanding this the departures associated with the Gateway scheme are considered acceptable in highway safety terms and the Highways Agency, the Highway Authority for the roads to which the departures relate, have not objected to them.

Overall the various highway authorities – namely the Highways Agency, Warwickshire County Council and Coventry City Council – consider the impact of the development on the surrounding highway network to be acceptable subject to the various proposed improvement works being undertaken by the developer or through Section 106 agreement contributions by the highway authority.

#### Estate roads within the development and associated access restrictions

As stated earlier in this report estate roads are proposed north of the A45 within the Whitley Business Park site and south of the A45 within the technology and logistics parks.

North of the A45 a new road is proposed, known as the Jaguar Link Road, connecting the new A45 junction with the Whitley junction at the north end of Leaf Lane. Within the Whitley Business Park site this follows a similar line to the access road approved as part of the Whitley Business Park (WBP) development. South of the WBP the road cuts through the floodplain of the

River Sowe with extensive embankments either side in order for it to bridge the substantial change in levels between the WBP site and the A45. The road crosses the River Sowe via 2 bridges and then cuts through an area of existing tree planting to connect with the new bridge over the A45.

The siting and design of this new road is considered acceptable and as stated elsewhere in this report the road is considered acceptable in terms of its environmental impact as it would preserve the openness of the Green Belt and the purposes of including land within it, trees removed to accommodate it are not considered to be of significant value, the alignment of the road lies outside the Stonebridge Meadows LNR and floodplain compensation measures are provided for.

Also following a similar line to the approved WBP scheme is a new road, known as the Jaguar Expansion Road which provides a route through the south of WBP for traffic coming off the Festival Island junction to connect with the Link Road and from there to access the Gateway scheme.

Overall the siting and design of this road is again considered acceptable although a roundabout in the south west corner of the WBP site which forms part of this new road is proposed to be sited further south than under the approved WBP scheme which results in land set aside under that scheme for a car park to serve the Stonebridge Meadows LNR no longer being available. However, this car park does not have to be provided at the present time by the WBP developer – its provision only being required within 12 months of the commencement of development in respect of Area 1000 of the WBP site which currently remains undeveloped.

CPRE have raised objection that the Gateway highways proposals within the area north of the A45 would conflict with the approved WBP scheme, in particular the conditions and Section 106 Agreement.

There are conflicts as highlighted above related to changes in the alignment of access roads and the encroachment of a roundabout into an area set aside as a car park. It is not accepted that encroachment of the Link Road into the WBP 'Floodplain Landscape Reserve' contravenes the WBP Section 106 Agreement as this only requires that a conservation strategy for this reserve should 'show consideration' regarding no development taking place within the river corridor. The Agreement doesn't say that no development can take place.

However, given the conflicts that do arise it is apparent that the current WBP permission could not be implemented in respect of those areas where conflicts exist and therefore fresh planning approval(s) would need to be sought from Coventry City Council. In this regard it needs to be understood that the Gateway proposals have been drawn up in consultation with the developer of WBP and they have been consulted by officers on the application and have not submitted any representations objecting to the scheme. As such, were the Gateway scheme to secure approval, it is likely that revised planning submissions would be progressed in respect of WBP to address the above conflicts.

Estate roads within the proposed Technology Park to the south of the A45 comprise a new road west of the new A45 junction serving development plots north of Rowley Road which also links through to Rowley Road itself at the western edge of the application site.

A new roundabout junction is also proposed on Rowley Road connected to and a short distance to the south of the A45 junction. South of this roundabout is a further new road which services plots within the Technology Park to the south of Rowley Road and then provides a link between the Technology and Logistics Parks following an alignment between the rear of properties on the edge of Baginton village and the airport. There is an additional new road proposed which provides a dedicated bus route connecting this link road with Rowley Road at the western edge of the application site and from there the link road serving the plots north of Rowley Road.

Unrestricted car access along Rowley Road between Baginton village and Middlemarch Business Park would be maintained for all vehicles except those of Gateway employees (excepting those with a special dispensation such as for example an employee who may live in Baginton Village), who would not be permitted to access the development from Coventry Road/Mill Hill to the west of the site. In this regard all employees within the Gateway site would be required to register their vehicle and personal details with the site management company and would be advised of the above restriction. Automatic Number Plate Recognition (ANPR) cameras would then be sited on Mill Hill and Coventry Road at the edge of Baginton Village and sanctions put in place to enforce breaches of this access restriction including fines for persistent offenders. It is proposed that monies obtained through fines are paid if possible to Baginton Parish Council via Warwick District Council. This system of control has been employed elsewhere, would be enforced by the estate management company funded by the developer and would be secured through the Section 106 Agreement.

It is considered that HGV access to the development from Mill Hill could be restricted given the existing 7.5 tonne weight restriction on Mill Hill, with the ANPR cameras referred to above again being used to secure enforcement of any restrictions with fines being payable by employers served by the offending vehicle. Again these restrictions would be secured through the Section 106 Agreement.

As stated earlier in this report the road linking the Technology and Logistics Parks south of Baginton would incorporate part of the existing alignment of Bubbenhall Road. At this point the level of the link road would be around 2m lower than the current level of Bubbenhall Road to allow for safe use of the airport runway due to the increased traffic predicted along this link road compared to existing low levels of traffic on Bubbenhall Road.

When the application was first submitted it was proposed that access on Bubbenhall Road would be restricted. However, following objections, amended plans have been submitted which show unrestricted access to

Bubbenhall Road, with a new roundabout now proposed at the junction of Bubbenhall Road and Stoneleigh Road. Whilst this change does allow for vehicle access from the development onto Coventry Road, Stoneleigh Road and Bubbenhall Road access for Gateway employees and HGV traffic serving the development would be restricted and enforced using the ANPR camera system referred to above for Rowley Road, secured through the Section 106 Agreement.

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

Objectors have queried the need for a section of Bubbenhall Road to be subsumed within the new link road, suggesting instead that Bubbenhall Road could be retained as it is now and that the link road could run immediately to the east on a separate alignment. However, this is not technically feasible as it would require the relocation of aircraft control equipment. This matter is dealt with in more detail in the section of this report covering airport-related issues.

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

#### Access via Middlemarch Business Park including emergency access

A number of objectors have suggested that access to the Logistics Park should be provided via Middlemarch Business Park rather than the proposed link road connecting the Logistics and Technology Parks.

It is considered that this would not be achievable or appropriate for two reasons. Firstly, the provision of such access would involve encroachment onto land which is not within the control of the applicant or any Local Authority and the applicant has not been able to secure approval for an access from that third party owner.

Secondly, allowing access to the Logistics Park from Middlemarch Business Park would result in the substantial volumes of traffic from the Logistics Park using the roundabout on the proposed Toll Bar Island junction rather than the A45/A46 underpass beneath the junction, which is the likely route that would be taken by the vast majority of Logistics Park traffic under the currently proposed access arrangements. It is considered that this would give rise to capacity problems at the Toll Bar Island roundabout.

In terms of emergency access arrangements, there are currently two recognised emergency access routes from Middlemarch Business Park to Bubbenhall Road – a northern route for all traffic via the parcelforce site

and another route from the southern end of Middlemarch Business Park for emergency vehicles and cars only. Both of these cross the site of the proposed Logistics Park. These have been considered in the applicant's Design & Access Statement and it is proposed that these routes would be retained as part of the Gateway scheme and also used to provide emergency access from the Logistics Park into Middlemarch Business Park in the event that the link road from the Technology Park to the Logistics Park was not available. It is considered that these emergency access arrangements could be secured by condition.

#### Car parking levels and management

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

West Midlands RSS Policy T7 states that maximum standards in line with those in PPG13 should be used as a basis for determining levels of car parking and that local authorities should work together to manage car parking in a way that reduces congestion and encourages more sustainable forms of transport.

RSS Phase 2 Revision Policy T7 states that local authorities, working together, should develop sub-regional maximum standards for car parking associated with new developments that support sustainable economic growth, whilst minimising the demand for travel by car and reducing congestion.

Paragraph 39 of the NPPF states that if setting local car parking standards local planning authorities should take into account the accessibility of the development; the type, mix and use of development; the availability of and opportunities for public transport; local car ownership levels and an overall need to reduce the use of high emission vehicles.

The applicant's calculation is that in order to assist in achieving the modal share targets for employees of 65% sole car use, 10% car share, 15% public transport and 10% walking/cycling that car parking within the site should be restricted to 5250 spaces overall comprising 4500 spaces for employees and 750 spaces for visitors. This takes account of shift working patterns likely to be associated with B2/B8 units on the Logistics Park. The 750 spaces for visitors comprises 10% of the overall spaces for employees for the B1/B2/B8 units plus 300 spaces for the Park Centre which would incorporate the non B1/B2/B8 uses.

These figures are broadly in line with those in Warwick District Council's Vehicle Parking Standards SPD. For development in a Low Accessibility Zone (which comprises all non town centre locations in the District) the

maximum number of car parking spaces that would be required for the mix of uses in the Gateway scheme would be 7570. This figure covers both employee and visitor parking but discounting the figure by 10% to remove the visitor parking element would give a figure for employees of 6813. 65% of this figure is 4428 spaces and it can therefore be seen that the applicant's figure of 4500 employee spaces is broadly in line with the WDC standards, taking into account the modal share targets of the development.

The applicant has proposed that 3% of the total number of spaces provided would be designated as disabled parking bays. It is proposed however that disabled parking should be in accord with the 2% figure plus 6 required by the Warwick District Council SPD as this would provide for more disabled parking for the majority of units within the development.

Whilst the restriction of car parking to 65% of the maximum car parking that would normally be sought reflects RSS Policy T7 and the NPPF which seek to promote sustainable transport choices there is also clearly a need to ensure that the restriction of car parking does not result in the emergence of car parking problems on the estate roads within the site and on roads in the surrounding locality.

In this regard the applicant is proposing that all car parking spaces within the development would be under the control of the management company for the scheme and that this company would be responsible for the allocation of available car parking spaces to employees based on need criteria that would be developed. As stated above employees given a car parking space would be required to disclose their personal and vehicle details to the management company.

Access to car parks would then be controlled by smart card barriers and ANPR cameras with enforcement sanctions in place to deal with breaches and parking restrictions to prevent vehicles parking on estate roads within the site.

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

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

Overall, the highway authorities consider the car parking proposals to be acceptable subject to conditions and Section 106 Agreement provisions.

## Bus Services

Coventry Development Plan (CDP) Policy AM3 states that major new developments and highway schemes must facilitate the provision of safe, convenient and efficient bus services. To achieve this, developers will be expected to include or fund physical works and, in most cases, contribute to enhanced bus services.

West Midlands RSS Policy T5 states that the development of an integrated public transport network where all people have access to high quality and affordable public transport services across the Region is a key element of the Regional vision. Local authorities, transport operators and other agencies should work together towards achieving this vision thereby providing attractive and reliable alternatives to the use of the private car. An integrated hierarchy of public transport services will be developed with the highest priority being given to investment in infrastructure and services to support the regeneration of the MUAs.

This is re-iterated in RSS Phase 2 Revision Policy T5.

Warwickshire Structure Plan Policy T7 relating to public transport states that local authorities should ensure that the needs of public transport services and facilities, to serve both new and existing developments, are fully addressed in part through the determination of planning applications.

Policy ACC5 of Coventry City Council's emerging Core Strategy regarding bus and rapid transit states that all new developments must have safe and convenient access to the existing bus network. Where required this should include the provision of appropriate bus infrastructure to support this. The level of need and expected provision will be informed through Transport Assessments and Travel Plans. Where deemed appropriate, the development of a mass rapid transit network will be supported to improve accessibility to major trip attractors, support regeneration proposals, and help unlock new development potential.

In terms of public transport the developer proposes to fund the infrastructure and revenue costs of a new high quality bus route and service between Coventry Railway Station and Pool Meadow Bus Station in the City Centre and the development for up to 10 years. It is envisaged that this service would have a frequency of 10 minutes between 0530 and 2200 hours Monday – Friday and 15 minutes between 0700 and 1900 on Saturdays and Sundays. The service would also serve Whitley Business Park and the Jaguar Land Rover site. Dedicated bus lanes are proposed at the junctions of the Stivichall bypass with London Road and Leaf Lane, within the Whitley Business Park site and within the proposed technology park to minimise journey times on this route. There is no encroachment onto Whitley Common in order to provide these dedicated bus routes, although a small area of grass verge at the junction of Daventry Road/London Road would be lost to facilitate a minor re-alignment of this junction to accommodate buses as part of the proposed Whitley

Roundabout works. The route that would be taken by this service between Coventry Station/City Centre and the Stivichall bypass/London Road junction would be decided at a later date following further consultation with stakeholders. This service would provide access for longer distance commuters from Coventry Railway Station to the development.

In addition to the above service, the developer would also fund the revenue costs of a bus service with a scheduled frequency of 30 minutes from 0700 to 1900 Monday to Friday between Wood End/Bell Green and the development via Coventry City Centre, London Road, Willenhall and Middlemarch Business Park, again for 10 years. This service would provide access to jobs in the development from deprived communities in the north and east of the City.

Discussions are ongoing with the applicant regarding the extent of their financial liabilities and phasing arrangements in respect of the above bus services and an update on this will be provided at Planning Committee.

Finally, provision would be made as part of the Green Travel Plan for the development, for commuter coach services to be funded by the developer where demand for these existed and also for subsidised bus passes, again funded by the developer, to encourage employees to travel to work by bus.

Destinations likely to be considered for such services highlighted in the draft Framework Travel Plan submitted with the application are Leamington Spa, Warwick Parkway Railway Station, Warwick Town Centre, Warwick University, Kenilworth, Banbury, Tamworth, Solihull, Atherstone, Stratford-upon-Avon, Leicester, Rugby, Nuneaton, Bedworth and Hinckley.

It is considered that the above interventions have the potential to significantly improve public transport access, not only to the development, but also to Jaguar Whitley, Whitley Business Park, Coventry Airport, and the Middlemarch and Stonebridge Trading Estates. These measures would be secured through the Section 106 Agreement and are acceptable to the highway authorities.

Overall, subject to certain matters as detailed above being resolved and Section 106 provisions, the local highway authorities consider the proposed bus services to be acceptable.

#### Provision for Pedestrians and Cyclists

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



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

Coventry Development Plan (CDP) Policy AM22 states that new developments will be required to have safe and appropriate access to the highway system, together with satisfactory on-site arrangements for vehicle manoeuvring, by means which avoid danger or inconvenience to pedestrians, cyclists or drivers.

CDP Policy AM8 states that a network of convenient pedestrian routes made safer by design will be promoted and encouraged. Policy AM9 further states that such routes must be incorporated in the design of new developments and highway schemes.

CDP Policy AM12 states that convenient cycle routes, made safer by design, must generally be incorporated in the design of new developments and highway schemes.

West Midlands RSS Policy T3 states that development plans should ensure that new developments and infrastructure proposals improve walking and cycling access.

Such an objective is re-stated in Policy T3 of the RSS Phase 2 Revision.

Coventry City Council emerging Core Strategy Policy ACC4 advises that all development must incorporate safe and convenient access to appropriate walking and cycling routes. Where these links do not exist, new routes will be required within new developments and these must link into existing established networks to ensure that routes are convenient and continuous.

In terms of estate roads within the application site, a combined footpath & cycleway would be provided adjacent to vehicle highways from Whitley Common, through the Whitley Business Park site, across the new A45 bridge, through the proposed Technology Park and along the full length of the link road through to the Logistics Park. All other estate roads would have footways.

Improvements for pedestrians and cyclists are proposed at certain key junctions within and adjacent to the application site.

Firstly, at the Festival Island, a new east-west footpath/cycleway would be provided linking with the footpath/cycleway adjacent to the northernmost carriageway of the A45 along to Toll Bar Island.

Secondly, at the St.Martin's Roundabout at Finham, signalised pedestrian crossings would be provided on the Kenpas Highway, Stonebridge Highway and St.Martin's Road arms of this junction.

Some footpath diversions are proposed in connection with the various highway and junction works.

Firstly, footpath links at the north end of Leaf Lane connecting with the existing bridge over the Stivichall bypass would be diverted. The new footpath route would follow the existing footway on the Cheylesmore side of Leaf Lane up to the point where it meets the existing segregated footpath/cycleway which crosses Whitley Common from The Park Paling. A signal controlled pedestrian crossing would provide access from here across Leaf Lane onto the new Stivichall bypass bridge. Once over the bridge two further signal controlled crossings would be provided to link with the existing final signal controlled crossing adjacent to the Jaguar Landrover site which would be extended and which would continue to provide pedestrian access through to the Whitley area.

A number of objectors have raised concerns about the potential for conflicts between pedestrians and vehicles in terms of this route across the bypass from Cheylesmore to Whitley – a route which is used extensively by school children.

The proposed changes would result in pedestrians travelling from Leaf Lane to the south having to walk up to the proposed pedestrian crossing at the north end of Leaf Lane and in two further crossing points having to be negotiated than is the case at present.

However, the actual extra distance they would have to travel in getting from Leaf Lane to Abbey Road amounts to around 70m which is not considered a significant diversion. Furthermore, whilst there would be 2 further crossing points it should be noted that all crossing points would incorporate signals and the existing signalised pedestrian crossing adjacent to the Jaguar Landrover site would be extended. At present the existing crossing points over Leaf Lane at its north end are not signalised which means that pedestrians have to wait for a break in traffic before they can cross. Barriers could be used between the footways and vehicle carriageways to minimise the likelihood of pedestrians taking short cuts across this new junction.

Another footpath diversion relates to the footpath which runs adjacent to the northernmost carriageway of the A45 between the Festival Island and Toll Bar End junctions. This would continue to be provided but a small diversion is proposed to accommodate the new A45 bridge. It is not considered that this diversion would cause significant inconvenience.

An existing footpath which runs adjacent to the southernmost carriageway of the A45 between the Festival Island and Toll Bar End junctions would be removed altogether to accommodate a slip road which would feed traffic off the westbound A45 into the Gateway site. The loss of this footpath is not considered a major inconvenience as the footpath adjacent to the northernmost A45 carriageway would be retained. Those wishing to access the Gateway site or areas beyond this south of the A45 could use this

remaining footpath and then cross over the A45 via the new bridge to access these areas.

Finally, where part of Bubbenhall Road south of Baginton village is to be incorporated into the link road between the Technology and Logistics Parks access along Bubbenhall Road would continue to be provided for cyclists and pedestrians, although it is not considered that there would be significant pedestrian movements as a large section of Bubbenhall Road does not at present have footways.

In addition to all of the works for pedestrians and cyclists described above, the developer would also provide a contribution through the Section 106 Agreement to fund the provision of enhanced pedestrian routes in the locality around the application site aimed at encouraging employees and visitors to access the Gateway site on foot or by bicycle. Routes identified for enhancement include Daventry Road, London Road, Allard Way, sections of the Sowe Valley footpath, Siskin Drive, Stoneleigh Road, Howes Lane and Crew Lane.

Discussions are ongoing with the applicant regarding the extent of their financial liabilities and phasing arrangements in respect of these routes and an update on this will be provided at Planning Committee.

Cycle and motorcycle parking would be provided for each plot at reserved matters stage if outline planning permission was granted. Warwick District Council's Vehicle Parking Standards SPD generates a need for around 950 cycle parking spaces and 300 motorcycle parking bays. It is also proposed that all units over 1,000 square metres within the development incorporate changing and showering facilities for employees. These matters may be secured by conditions.

Subject to those matters highlighted above regarding off-site pedestrian/cycle links being resolved and conditions the local highway authorities consider the pedestrian and cyclist proposals to be acceptable.

#### Green Travel Measures

West Midlands RSS Policy T4 states that all planning applications involving significant travel demands should provide proposals for Travel Plans. This is re-iterated in RSS Phase 2 Revision Policy T4.

Policy ACC3 of Coventry City Council's emerging Core Strategy advises that Travel Plans will be required for new developments that generate additional traffic movements.

A Draft Framework Travel Plan accompanies the planning application and it is proposed that a more detailed Framework Travel Plan would be prepared for the site as a whole prior to the occupation of any building within the development. Subsequently, individual Travel Plans would be prepared for each unit within the development, these to be in accordance with the principles laid down in the detailed Framework Travel Plan for the site.

These Travel Plans would all be secured through the Section 106 Agreement.

The Section 106 Agreement would also provide for the appointment and funding of a Travel Plan Co-ordinator at the developers expense, who would have responsibility for preparing and implementing the detailed Framework Travel Plan for the site as a whole and working with occupiers on the Travel Plans for their individual units. The Travel Plan Co-ordinator would also be responsible for carrying out surveys to monitor the effectiveness of the Travel Plans in achieving the modal split target of 35% of employee journeys being made by car sharers, cycle, walking or public transport. They would also manage day to day various Green Travel measures such as car parking within the site, car sharing, commuter coach services and other initiatives aimed at promoting sustainable transport choices such as subsidised bus passes.

The Section 106 Agreement includes mechanisms requiring the Travel Plan Co-ordinator to report back periodically to the Local Authorities on the effectiveness of the Travel Plans in achieving the modal split targets. If there is persistent failure to meet these targets the Section 106 Agreement provides for agreement between the Local Authorities and developer on remedial measures to be progressed by the developer aimed at addressing such failure. Discussion is ongoing with the applicant on clause which requires that if agreement cannot be reached then provision is made for financial payments from the developer to the Local Authorities to take action themselves to promote sustainable transport choices. An update on this will be provided at Planning Committee.

Overall, the highway authorities consider that the Travel Plan proposals are robust, although as stated above the detail of Travel Plans would be agreed at a later date having regard to the travel patterns of those employed within individual companies in the development.

#### Phasing Arrangements

Given the scale of development proposed and the relationship of the proposals to Highways Agency Toll Bar End scheme it will be necessary for the construction of highways and buildings within the development to be phased.

Subject to planning permission being forthcoming, it is envisaged that the various highway works would be phased over a period of around 4 years with work due to start on site in the Spring of 2013 in line with the Highways Agency who are planning to commence work on their Toll Bar End scheme at that time.

In Years 1 and 2 in tandem with the Highways Agency works, the Technology Park estate roads, the link road from the Technology Park to the Logistics Park the Whitley Business Park estate roads and works at the Stivichall bypass junctions with Leaf Lane and London Road would be

constructed. The off-site works at the A46/Stoneleigh Road junction would also be completed.

The extensive earthworks proposed for the Logistics Park to decontaminate this part of the site and construct its extensive screen mound areas would commence in year 2 following completion of the link road between the Technology and Logistics Parks.

In Years 3 and 4 estate roads within the Logistics Park would be laid out whilst the new bridge over the A45 between the Festival and Toll Bar Islands together with the Festival Island works would be completed towards the end of the construction period on the Highways Agency Toll Bar End scheme.

Off site works to the St.Martin's Road/Leamington Road junction with the A45, the A46/A428 'Cocked Hat' junction, and the junction of the A46/B4082 to the north of the 'Cocked Hat' junction would be completed in Year 4.

Works to the London Rd/Humber Rd/Allard Way 'Asda' junction and the A45/Kenilworth Road junction would be undertaken Year 4 onwards dependent upon the speed with which individual development plots within the scheme are built out.

It is proposed that no more than 9,290 square metres (100,000 square feet) of floorspace within the development should be occupied prior to completion of the new A45 junction between the Festival and Toll Bar Islands.

In terms of construction traffic, it is predicted that up to 500 HGV's could visit the site daily. However, it is proposed that all HGV traffic will enter and leave the site via Rowley Road and Toll Bar Island. In terms of the Logistics Park, the link road between this and the Technology Park will be completed prior to the commencement of construction works on this part of the site to ensure that HGV's do not use Coventry Road, Bubbenhall Road or Stoneleigh Road to access the site.

It is predicted that construction traffic (HGV's and the cars of construction workers), together with the traffic associated with the 9,290 square metres of new build floorspace where occupation is proposed prior to completion of the new A45 junction, would add around 1% extra traffic onto the Toll Bar Island junction at peak times which is not considered significant given the 3% daily variation currently in traffic levels at this junction.

All of the above phasing arrangements are considered acceptable and would be secured through conditions and the Section 106 Agreement.

#### Other Transportation Issues

A number of further Transportation issues have been raised by those making representations on the applications. In terms of the local highway

network within Coventry concern has been expressed about increased traffic on Humber Road. However, the traffic modelling work undertaken does not predict a significant increase in vehicle movements on Humber Road associated with the development.

It has been suggested that the right turn from Daventry Road into London Road should be re-instated. However, the traffic modelling work undertaken suggests that this would have an unacceptable impact on the capacity of the adjacent Stivichall Bypass/London Road junction.

The imposition of a 'no right turn' restriction onto St.Martin's Road in Finham from traffic exiting the BP garage at the junction of the A45 with St.Martin's Road has been suggested. However, such a restriction is not considered justifiable in relation to the proposed development, although it may be a matter which the City Council wishes to look at separately as part of the developer funded improvements which the City Council would be undertaking to the adjacent St.Martin's roundabout junction were planning permission to be granted.

Objectors have queried why there is a need for the substantial changes proposed to the Whitley Junction at the northern end of Leaf Lane bearing in mind that egress from the Whitley Business Park site could be provided adjacent to the Festival Island as per the approved Whitley Business Park scheme. However, the traffic modelling work undertaken shows that the provision of such an access would impact significantly upon the capacity of the Festival Island junction whilst there is also a need in terms of highway capacity issues to improve access to Whitley Business Park from both the north and south as is proposed.

Concern has been expressed that no slip road is being provided directly from the A45 up onto the new bridge across the A45 between the Festival and Toll Bar Islands. However, it would not be possible to provide such a slip road without impinging upon the Stonebridge Meadows Local Nature Reserve.

Objectors have referred to the potential for increased traffic from the development travelling through Stoneleigh village which is already congested at certain times of the day. However, it is not considered that there would be a significant impact on Stoneleigh in terms of traffic from the development. Firstly, only 5% of development traffic is predicted to use the minor roads to the south of Baginton village and secondly, now that no access restrictions are proposed in terms of Bubbenhall Road it is considered that an element of this development traffic and existing traffic would access the wider area to the south of the site via Bubbenhall rather than travelling through Stoneleigh. Were the ANPR restrictions to be introduced this would further reduce development traffic using local roads south of the site.

Another issue raised has been that of access for emergency vehicles. Warwickshire Fire and Rescue Service and West Midlands Fire Service raise no objections in principle, although clearly they would need to be consulted

in respect of detailed reserved matters were outline planning permission to be granted. The proposed ANPR access restrictions would relate only to employees on the development site and not to general traffic including emergency vehicles. Overall, it is considered that acceptable access arrangements exist for emergency vehicles.

Overall in terms of transportation matters, it is considered that the proposed development would deliver improvements to the strategic road network adjacent to the site which currently experiences capacity problems which inhibit the competitiveness of businesses in the locality and cause substantial inconvenience to local residents. In this regard it is noteworthy that one of the reasons given by Jaguar Land Rover in their letter of support for the scheme are the substantial infrastructure improvements that would be provided for. The proposed improvements would also unlock the development potential of the consented Whitley Business Park site which has been constrained by access problems. Traffic levels are predicted to increase further in coming years and in the current economic climate the local highway authorities may not be able to secure the resources necessary to address themselves the capacity problems which would be tackled and developer funded as part of the Gateway scheme. The scheme also provides an opportunity to significantly improve public transport between Coventry City Centre and key employment areas such as Whitley Business Park, Middlemarch Business Park and Coventry Airport.

#### **4. Landscape issues**

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

Coventry Development Plan Policy GE14 states that important landscape features of value to the amenity or history of a locality, including mature woodlands, trees, hedgerows, ridge and furrow meadows and ponds, will be protected against unnecessary loss or damage.

In terms of assessing the local landscape, the Warwickshire Landscape Guidelines have been adopted by the District Council as Supplementary Planning Guidance. These divide the County into different landscape types. The site crosses the boundary between a number of these landscape types, but the main proposed development zones largely fall within the Plateau Farmlands Landscape Type. The Landscape Guidelines define the overall character and quality of this landscape type as a simple, often heavily wooded, farmed landscape, typically confined to low plateau summits, and characterised by sandy soils and remnant healthy vegetation. The Guidelines identify the following characteristic features of this landscape type: a gently rolling topography of low glacial plateaus; an 'empty'

landscape of former waste with few roads and little settlement; a regular geometric field pattern defined by closely cropped hawthorn hedges; many mature hedgerow oaks; large blocks of ancient woodland; a historic land use pattern reflected in the local abundance of 'Heath' names; and remnant healthy vegetation in woodlands and roadside verges.

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

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

The site is currently largely open, with the exception of some small groups of buildings and the large number of trees and shrubs that exist across the site. However, there has been significant previous development involving engineering operations and the deposition of waste affecting large parts of the two main proposed development zones. This includes the vehicle test track, sewage sludge lagoons (which have included significant ground remodelling), a former landfill site and a former scrapyards within the area covered by Zone A, and a former landfill site within the area covered by Zone B. The landscape quality of the site is also affected by the close proximity to the surrounding transport infrastructure and to the large scale buildings of Middlemarch Business Park and the airport. In this context, the parts of the site that are to be developed are not of such landscape quality that would render the development unacceptable in principle, subject to the incorporation of suitable mitigation measures.

The area covered by Zone A is situated on a plateau above the River Avon and this part of the site is therefore visible across some distance from the south and east, with the land falling away steeply on those edges of the site. However, the application proposes to construct a landscaped bund around the western, southern and eastern edges of Zone A. This would



largely screen the development from the surrounding countryside (any views would be limited to the very highest parts of the units) and this would provide an added benefit of screening parts of the existing Middlemarch Business Park.

The bund around Zone A would be a substantial feature, being between 5m and 21m above existing ground levels, and this would change the character of the landscape, as would the proposed bund to the east of Zone B (which would be between 3m and 7m above existing ground levels). However, the bunds have been designed to incorporate varying heights, slope gradients and profiles which will help to give the appearance of natural features within the landscape. In the context of a local landscape that is characterised by varying ground levels, including some steeply sloping areas, it is considered that the bunds will be in keeping with the character of the landscape and will not appear out of place, particularly once the proposed landscaping has matured.

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

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

The creation of the bunds is proposed to be phased over a period of 3 years. This time period is necessary due to the extent of material that is proposed to be moved and due to the extent of remediation that needs to be carried out. The construction of the buildings in different areas of the development zones is proposed to be phased to follow the completion of the adjacent parts of the bund. During this construction phase the first buildings in Zone A are likely to be visible when viewed from the east of the site since the eastern phases of the bund are proposed to be created after works commence on the buildings in Zones A1 and A2. However, this would only be a temporary impact since the whole of the bund would be completed before any of the buildings are occupied. A condition is recommended to ensure that this would be the case.

The District Council appointed Richard Morrish Associates in March 2012 to undertake a study to assess the likely landscape impact of development in certain areas of Warwick District. This included the area around the Coventry and Warwickshire Gateway site, although this assessment only considered an early draft of the Gateway proposals. Therefore the assessment did not consider the detailed mitigation measures that have been included in the planning application, nor the detailed assessment of the landscape impact (taking account of the mitigation measures) that is included in the Environmental Statement. The Richard Morrish landscape study concludes that considerably more work will be required to ascertain how the Gateway scheme can be environmentally acceptable. For the reasons stated in the preceding paragraphs, it is considered that the mitigation measures that have now been proposed in the current planning application will ensure that the development will have an acceptable landscape impact.

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

A significant number of trees and hedgerows are proposed to be removed to make way for the development, primarily within the areas to be covered by the logistics park and technology park and associated bunds within Zones A and B, but also including areas affected by the highway works, in particular alongside the Whitley Junction, Whitley Roundabout, St. Martins Roundabout and the A45. The tree survey that was submitted with the application identifies 41 individual trees that are to be removed, together with the partial removal of 26 groups of trees and the total removal of another 70 groups of trees. A total of 3,050m of hedgerows are to be removed.

The hedgerows that are to be removed are of variable quality and intactness and the majority of the trees to be removed are not of individual significance, although many have a degree of group value. In terms of individual trees, there is concern regarding a number of significant Oak trees that are earmarked for removal. Options for retaining these trees have been explored with the applicant. However, for the trees that are within the development plots retention is not possible because the likely layout of the plots and the proposed ground remodelling to create the development plateaus make this impractical. The two most significant trees that are earmarked for removal (two oak trees, T9 and T38) are outside of the development plots but within the area of the proposed bund. With regard to T9, this would be towards the centre of the bund and in a location where the bund narrows due to the constraints imposed by the retention of Rock Spinney immediately to the east. Consequently there would have to be a break in the bund to enable this tree to be retained and this is not considered to be desirable because this would create a break in the screening of the development from the east. With regard to T38, this is the most significant of the trees that are earmarked for removal. There is more

space in this part of the site which may enable the bund to be redesigned around the tree, but this will not be known until the detailed design stage due to uncertainties over the impact of any amended bund design on the adjacent floodplain. Therefore the most appropriate solution to this issue is considered to be a condition to require the submission of a scheme to examine options for the retention of this tree prior to work commencing on site. This will enable the Council to assess whether the detailed design of the scheme would allow for the tree to be retained, or whether the detailed designs clearly show that this is not possible or desirable.

In assessing whether the removal of these trees and hedgerows is appropriate, regard must be had to the compensatory planting that is proposed. It is proposed that 25 hectares of new native woodland, scrub and trees will be planted, together with 7.5km of new native hedgerows. This is considered to amount to a significant package of compensatory planting which, considered together with the significant economic, environmental and recreational benefits of the proposals, is considered to outweigh the loss of trees and hedgerows.

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

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

For the above reasons it has been concluded that the proposals meet the requirements of Warwick District Local Plan Policy DP3 and Coventry Development Plan Policy GE14. Landscape issues relating to light pollution are dealt with in the Light Pollution section of this report.

## **5. Public open space, sport & recreation**

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

Trinity Guild Rugby Football Club

The Rugby Club currently occupy a site between Rowley Road and Coventry Airport to the immediate west of the Electric Railway Museum. Their current facilities comprise 2 full size pitches, a floodlit training pitch and a small club house. The club site lies within that part of the site earmarked for the proposed Technology Park.

West Midlands RSS Policy QE4 states that emphasis should be placed upon maintaining and enhancing sports, playing fields and recreation grounds. This is re-iterated in RSS Phase 2

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

The Club initially objected to the planning application. However, following further discussions with the developers regarding the relocation proposals, the club have now withdrawn their objection, provided that a condition is imposed to prohibit any development from taking place on the club's site until the club have been relocated.

Sport England initially also objected to the application. They were concerned at the loss of the existing pitches/facilities given that relocation of the club to a new site had not as yet been secured and the uncertainty as to whether or not the replacement provision was of equivalent or better quantity and quality to that which the club currently have. They also expressed concern around cumulative effect as the proposed replacement site appeared to include existing playing pitches and if the relocation was to go ahead, there could be a cumulative effect on the loss of playing field area from both the existing Trinity Guild RFC site and the replacement site. They advised that Sport England policy does not allow for the intensification of use on an existing playing field site to compensate for playing field land which is being lost through development.

Notwithstanding the above concerns, discussions between the club, Sport England, the applicant and Coventry City Council have taken place regarding relocation of the club to the site off Clifford Bridge Road in Coventry. It has been agreed that the relocation proposals could provide the club with 3 pitches, a car park and a larger club house with a function room which they lack at present and which is considered necessary to provide for income generation sufficient to maintain the club's financial viability whilst also accommodating the existing two pitches on this site used for junior football.

As such both the needs of the club and the existing users of the relocation site could be met with no quantitative or qualitative loss of provision arising. Given this, Sport England have withdrawn their objection subject to

a condition to prohibit any development on the site occupied by Trinity Guild RFC until the Trinity Guild RFC have moved to a new site which will have like for like facilities or better on it, and have played their first competitive game on it. The Rugby Football Union have also withdrawn their objection on this basis.

Whether or not the Clifford Bridge Road site can be progressed remains to be seen but the condition suggested by Sport England allows for alternative sites provided that like for like facilities have been provided and the club has begun using these before any development takes place on their existing site. The applicant is willing to accept such a condition.

Subject to this condition, the proposals are considered acceptable in respect of their impact on the Trinity Guild RFC.

#### Coventry Model Car Club

Coventry Model Car Club occupy part of the Trinity Guild RFC site and have laid out on this site a track which is used for the racing of miniature remote controlled model cars.

The applicant is proposing to relocate the club to a 0.56 hectare site in the south east corner of the Logistics Park. In size terms this is equivalent to the club's existing site. No details have been provided as part of the application as to how the new site would be laid out.

Overall, it is considered that as the alternative site which has been identified for the club is within the application site, that the provision of this site and also its detailed layout could be secured by condition were planning permission to be granted. This condition would need to specify that development could not commence in respect of the land currently occupied by the club unless and until a replacement facility of at least equivalent quantity and quality to the club's existing facilities, had been provided on the alternative site to the satisfaction of Warwick District Council in consultation with the club.

#### Museums within or adjacent to the application site

There are 3 museums in or adjacent to the application site. These are the Electric Railway Museum, the Midland Air Museum and the Classic Aircraft Trust Airbase Museum.

Warwick District Local Plan Policy SC8 states that redevelopment of community facilities that serve local needs will not be permitted unless there are other similar facilities accessible to the local community by means other than the car; and either the facility is redundant and no other user is willing to acquire and manage it; or there is an assessment demonstrating a lack of need for the facility within the local community.

The Electric Railway Museum lies on Rowley Road within the application site. It's collection of electric locomotives are housed in the open air, the

museum site not having any buildings on it. The site occupied by the museum is earmarked for redevelopment as part of the Technology Park and also includes part of the route of the link road proposed between the Technology and Logistics Parks.

The application proposes to relocate the Electric Railway Museum to a site in the south east corner of the Logistics Park adjacent to the Middlemarch Business Park. The museum initially objected to the application, raising concerns regarding the phasing of the development, and in particular the impact of the proposed link road between the Technology and Logistics Park which cuts through their site, in terms of their operational requirements during construction works. They also express various detailed concerns regarding the replacement site.

Further consideration has been given by the applicant to the museum's phasing concerns, and they are now proposing to postpone completion of the final section of the link road through the museum site until the museum have relocated to the replacement site, which will now be provided for them prior to the occupation of any buildings within the Logistics Park. The remainder of the link road from the Logistics Park to the Technology Park site will be constructed in the early phases of development to provide access for construction vehicles to undertake remediation and site preparation work on the Logistics Park site but access from the link road to Rowley Road will be provided via the proposed bus route road, with all construction vehicles then accessing the strategic road network via Toll Bar Island. Given the above, the museum's on-site operations will not be compromised during construction works. Such phasing arrangements could be secured by condition. As a result of these changes and further discussions with the applicant, the Electric Railway Museum have withdrawn their objection to the application.

The detailed layout of the replacement site can be dealt with at Reserved Matters stage. It is not proposed that any bus routes would run through the museum's new site and it is envisaged that their new site would remain within Flood Zone 1 as at present and thus not be susceptible to significant risk of flooding.

Relocation of the museum to the Logistics Park could be secured by condition were planning permission to be granted.

The Classic Aircraft Trust Airbase Museum, which is sited within Coventry Airport, specialises in maintaining and operating a collection of air worthy classic aircraft. It is currently in the process of relocating to a new site at Newquay Airport in Cornwall and will therefore not be affected by the development proposals were planning permission to be granted.

The Midland Air Museum is sited on Rowley Road to the immediate east of the application site. It's on-site operations and access would not be significantly affected by the proposals, although access to the museum site from Rowley Road would need to be maintained in respect of both the construction and operational phases of the development in respect of

improvement works to Rowley Road adjacent to the site. This could be secured by condition.

### Countryside Park

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

West Midlands RSS Policy QE4 in respect of green space seeks to secure the protection of existing landscape features, the provision of new physical linkages and the linkage of new urban green space with the wider countryside.

Policy PO15 of Warwick District Council's Preferred Options Core Strategy states that development will only be permitted which protects and enhances important green infrastructure assets and positively contributes to the character and quality of its natural and historic environment through good habitat/landscape design and management. The Policy also refers to enhancement of the River Avon corridor as an objective.

The development proposals include the provision of a substantial Countryside Park which would wrap around the Technology and Logistics Parks and the existing Middlemarch Business Park providing a continuous, publicly accessible open space from the A45 north of the Technology Park to the A45 south of Tollbar Island. Areas of land including open countryside currently occupying the land earmarked for the Countryside Park are not at present publicly accessible.

This Countryside Park would contain two distinct areas. Firstly, there would be an area of around 23 hectares adjacent to the Technology Park, airport and Baginton Village. Key features within this area would be a circular heritage walk beginning/ending at the Lunt Roman Fort car park and including a viewing platform offering views from the Country Park back to the fort, earthworks and tree planting to soften the impact of the Technology Park in terms of views from the fort, pond areas adjacent to the A45 to promote biodiversity and mounding/tree planting to the rear of Oak Close in Baginton to provide screening between existing dwellings and the Technology/Logistics Park link road and airport.

Secondly, there would be an area of around 82.5 hectares adjacent to the Logistics Park and Middlemarch Business Park. Key features would be the preservation of woodland and wetland habitats adjacent to the River Avon, landscaped mounds adjacent to the Logistics Park, new pond areas, new habitat provision for protected species displaced from the Logistics Park site and over 6km of footpaths/cycleways/bridleways including a route between Bubbenhall Road and the A45 south of Tollbar Island and links to the existing public footpath network south of the River Avon.

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

Overall, it is considered that the new Countryside Park would enhance the landscape character and biodiversity of the areas adjacent to the proposed Technology and Logistics Parks whilst also providing public access to those areas. The works would include enhancement of the River Avon Corridor. The proposals are therefore considered to accord with the planning policy referred to above in this regard.

Baginton Parish Council have requested that if planning permission were granted then the landscaped buffer areas between the development and village should be transferred to the Parish Council to prevent further encroachment onto the Green Belt. However, it is considered that the provisions of the Section 106 Agreement would safeguard those buffer areas.

## **6. Heritage impacts**

### Archaeology

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

The impact on Scheduled Ancient Monuments is considered separately in the following section of this report. With regard to other archaeological remains, a programme of archaeological trial trenching has been undertaken across those parts of the site that have not been subject to extensive past disturbance and a report detailing the results of the fieldwork has been submitted to the County Archaeologist. The trial trenching established that archaeological deposits dating to the Middle Iron Age, Roman, medieval and post-medieval periods survive across the site. A number of undated features were also identified.

The County Archaeologist has advised that the proposed development will have a negative impact upon the archaeological deposits which survive across the application site. However, the County Archaeologist has advised



that this impact could be mitigated by the implementation of an appropriate programme of archaeological fieldwork, which can be secured by condition. Therefore, subject to this condition, it has been concluded that the proposals would have an acceptable impact on these other archaeological remains and in this respect the proposals would be in accordance with Policy DP4. This has been reinforced by CCC archaeological advice.

#### Impact on the setting of the Lunt Fort Scheduled Ancient Monument

English Heritage and the County Archaeologist have raised concerns about the proposals on the grounds that the development of Zone B would cause substantial harm to the setting of the Lunt Fort Scheduled Ancient Monument. Paragraph 132 of the NPPF states that substantial harm to or loss of designated heritage assets of the highest significance (including scheduled monuments) should be wholly exceptional. Paragraph 134 of the NPPF states that, where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Therefore in assessing the proposals against the policies in the NPPF, it is first necessary to assess whether the development would cause substantial harm to the setting of the Lunt Fort.

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

The proposed buildings within Zone B and the new bridge over the A45 would intrude into these rural views to the north-east of the Fort. As this would comprise a substantial development of large buildings on rising ground, providing screening is particularly difficult. The proposed bund to the west of Zone B would provide a degree of screening, but the buildings would be situated on higher ground behind the bund and so would not be completely screened. There are also concerns about the bund foreshortening views from the Fort and this would be made worse if the bund was increased in size to completely screen the buildings.

For the above reasons, it is accepted that the development would cause harm to the setting of the Lunt Fort. The key issue to consider is whether this would amount to "substantial harm" as advised by English Heritage and the County Archaeologist. Clearly the rural view to the north-east of the Fort is one of the key elements of its setting. However, this view is already

intruded into by the A45, the parts of Coventry beyond the A45 (albeit at some distance) and the buildings of the Stonebridge Industrial Estate. The development of Zone B would introduce buildings a lot closer to the Fort, covering approximately two thirds of the existing stretch of fields between the Fort and the Stonebridge Industrial Estate. Nevertheless, the nearest buildings would still be some distance from the ramparts of the Fort (420m), with the intervening land proposed to remain undeveloped. Furthermore, the proposed bund and associated landscaping would soften views of the buildings. The visual impact would be further limited by aligning the buildings so that the narrowest elevations face west (towards the Fort) and so that less attractive features such as service areas are avoided alongside the western boundary. A clause within the proposed Masterplan condition (Condition no. 8) will Therefore, having carefully considered all of these factors, it has been concluded that the proposed development would cause less than substantial harm to the setting of the Lunt Fort. Whilst there would undoubtedly be a degree of harm, it would still be possible to get a reasonable appreciation of the original landscape setting of the Fort, even though additional buildings would be present in this setting, and therefore it is not considered that this harm would be "substantial" in the context of Paragraph 132 of the NPPF.

Notwithstanding the above conclusions, planning permission should still be refused on the grounds of this less than substantial harm to the setting of the Lunt Fort, unless this harm is outweighed by the public benefits of the proposals (Paragraph 134 of the NPPF). In the Green Belt section of this report a number of significant public benefits of the proposed development have been identified, including significant economic benefits. In addition, the applicant has agreed to make a contribution of £50,000 towards the enhancement of the Fort. Furthermore, the provision of a countryside park between the Fort and Zone B would provide the added benefit of allowing public views back to the Fort. Taken as a whole, it is considered that these public benefits outweigh the less than substantial harm to the setting of the Lunt Fort Scheduled Ancient Monument. Therefore it has been concluded that the proposals would be in accordance with Policy DP4 of the Warwick District Local Plan and the NPPF.

#### Loss of traditional farmhouse and barns

The application includes the demolition of the Victorian farmhouse and traditional barns at Rock Farm. Whilst this is regrettable, these buildings are not worthy of being Listed and the site is not situated within a Conservation Area. Consequently there are no statutory or policy grounds to support the retention of these buildings. Furthermore, given the location of these buildings alongside the existing Parcelforce building and at the heart of the proposed logistics park, the retention of these buildings within the proposed scheme is not feasible.

#### Impact on the setting of the Baginton and Bubbenhall Conservation Areas

Warwick District Local Plan Policy DAP8 states that development will be expected to respect the setting of Conservation Areas and important views

both in and out of them. English Heritage have raised concerns about the impact of the proposals on the setting of the Bubbenhall Conservation Area. English Heritage have been seeking further evidence from the applicant to demonstrate that the proposals would not adversely affect the setting of the Conservation Area. However, following a meeting with the developer and a review of the computer modelling that the developer has commissioned, English Heritage have maintained their concerns in this respect.

The application site is currently visible from the Bubbenhall Conservation Area across the Avon valley. However, the Conservation Area is 250m from the boundary of the proposed countryside park and the nearest of the proposed buildings in Zone A would be significantly further away (550m). Furthermore, the proposed landscaped bund would largely screen the development from the Conservation Area, with only the highest parts of the units potentially being visible above the bund. Taking these factors into account, notwithstanding the concerns of English Heritage, it has been concluded that the proposals would not harm the setting of the Bubbenhall Conservation Area.

The Baginton Conservation Area is a lot closer to the site. However, the main development zones (A and B) would be separated from the Conservation Area by existing development, including Coventry Airport and the dwellings in Oak Close, Rowley Road and Coventry Road. The development zones would also be separated from the Conservation Area by the bund alongside the proposed access road to Zone A and by the open space and bund between Baginton and Zone B. Furthermore, the part of the site that is closest to the Conservation Area currently forms part of Coventry Airport and includes various airport buildings and infrastructure. Therefore, considering the separation from the Conservation Area and the intervening development and screening, it has been concluded that the proposals would not harm the setting of the Baginton Conservation Area. English Heritage have raised no concerns about the impact on the Baginton Conservation Area.

For the above reasons it is considered that the proposals would be in accordance with Policy DAP8.

#### Impact on other heritage assets

In addition to the assets referred to above, the Environmental Statement identifies a number of other heritage assets in the surrounding area that could potentially be affected by the proposed development. The closest / most affected of these are the "Pit Alignment North of Bubbenhall Village" Scheduled Ancient Monument, the London Road Conservation Area, the Listed Buildings at Bubbenhall Bridge, Ryton Bridge, the Lunt Cottages, the Church of St. Giles and various other assets alongside the proposed highway works. The Environmental Statement includes a detailed assessment of the impact of the development on each of these assets as well as all other heritage assets that might be affected by the proposed development. This concludes that the impact of the completed development

on these other heritage assets would be negligible. Taking into account the comments of English Heritage and the Council's Conservation Architect, these conclusions are accepted and it is considered that the proposals would have an acceptable impact on these other heritage assets.

## **7. Noise pollution**

Warwick District Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, noise pollution that could cause harm to sensitive receptors.

Coventry Development Plan Policy EM5 states that proposals which could result in noise pollution will only be permitted if the health, safety and amenity of the users of the land and neighbouring land and the quality and enjoyment of the environment are assured.

The Environmental Statement includes an assessment of the likely significant effects of the development in terms of noise and vibration. This includes a baseline noise survey at 14 positions representative of existing noise sensitive receptors. The assessment considers the impact of construction noise, road traffic noise and industrial and operational noise. Following queries from Environmental Health and objectors, further noise information has been submitted to support the Environmental Statement.

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

In assessing the impact of the operational phase of the development, it is important to note that the proposed bund to the east of Zone B and to the east, south and west of Zone A and its associated access road would serve as a barrier to noise from the development.

The noise assessment has used IMMI software and the methodology in "Calculation of Road Traffic Noise, 1988" to predict traffic noise levels. The results show that traffic noise would have a negligible impact on the majority of sensitive receptors, with a minor positive, moderate positive or major positive impact on others.

The assessment indicates that the residential properties in Baginton that have rear facades close to the Zone A access road would benefit from further mitigation measures (in addition to the fact that the road would be approximately 80m from the rear facades of the dwellings in Oak Close, behind the 5m high bund). A 1.5m high acoustic fence has been proposed on top of the proposed bund in this location. Objectors have queried whether this would breach the height restrictions in relation to development adjacent to the airport. However, there has been no objection from Coventry Airport and therefore the proposals are considered to be

acceptable from an airport safeguarding point of view. In any case, the applicant's noise consultant has confirmed that there is scope to reduce or remove the acoustic fence whilst still achieving noise levels at nearby residential locations that do not alter the significance categories within which they fall compared with the scenario with the acoustic fence included. Nevertheless, the acoustic fence is included in the proposed development as desirable additional mitigation for neighbours.

WDC Environmental Health have raised queries about the assessment of noise from traffic using the Zone A access road at night, particularly from single noisy events associated with HGVs passing. Environmental Health have advised that these queries can be addressed at the detailed design stage when full details of all necessary bunds and acoustic fences will be available. A condition is recommended to require full details of all noise mitigation measures to be submitted for approval prior to the occupation of any phase of the development.

It has been suggested by some objectors that a noise barrier should be provided alongside the A444. However, the predicted noise levels from changes in traffic levels on that road that would be attributable to the proposed development are negligible. Consequently there is no justification for requiring the current development to provide a noise barrier in that location.

With regard to operational noise from the development in Zone A, it is proposed that acoustic fencing will be provided along the north-western boundary of this part of the site. This is only shown on an illustrative plan at present and therefore it is recommended that a condition is imposed to require further details. The proposed bund around Zone A will also provide sound attenuation. If this attenuation is taken into account, the noise assessment states that the development will have a negligible or minor adverse impact on noise sensitive receivers during the day and at night. The noise assessment also considers the effect of maximum noise levels from individual events at night and this concludes that the predicted noise levels would be 8dB below the maximum noise level recommended in the WHO Guidelines for Community Noise, for people sleeping in rooms with windows open.

Operational noise from the development in Zone B would be less of an issue. Taking account of the nature of the proposed uses for this zone, the distance from noise sensitive receivers and the attenuation that would be provided by the proposed bunds, it is not considered that the proposals for Zone B would result in unacceptable noise levels. In particular, the employment element of Zone B would fall within Use Class B1, which by definition must be capable of being undertaken "in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit".

With regard to plant noise, as this is an outline application, the exact location, orientation and specification of any plant is not known at this stage. As a result it is not possible to assess the precise impact that any plant may

have. Therefore it is considered that a condition should be imposed to deal with this issue, specifying a maximum noise level for any plant.

Objectors have raised a number of other queries in relation to the noise assessment. Further information has been submitted by the applicant's noise consultant on a number of issues. In consultation with Environmental Health, it has been concluded that the Environmental Statement, together with the supplementary information that has been submitted, is sufficient to demonstrate that the proposals would not have an unacceptable impact in terms of noise, subject to appropriate conditions.

CCC Environmental Health have commented that the proposed design of the Toll Bar Island is likely to increase the background noise level for the adjacent residential properties. However, the major changes to the Toll Bar Island form part of the separate Highways Agency scheme that is independent of the current proposals. The only alteration to the Highways Agency scheme proposed as part of the Gateway development is the addition of a fourth lane on the A45 Stonebridge Highway westbound to allow traffic to access the new Gateway junction on the A45. This new lane would be well away from the dwellings referred to by Environmental Health (on the opposite side of the new junction). Furthermore, the Transport Assessment submitted with the application predicts that, in terms of increased traffic, the impact of the Gateway development on the improved Toll Bar Island in terms of traffic flows would be minimal (only 10% of the traffic generated by the development would use the roundabout to access the A45 eastbound, with the 23% of traffic to / from the A46 Eastern Bypass using the new underpass). Therefore it has been concluded that the proposed development would not result in an unacceptable increase in noise and disturbance for the dwellings adjacent to the Toll Bar Island. The impact of the works to Toll Bar Island would have been considered separately in the assessment of the Highways Agency scheme.

With the exception of the particular issue covered in the preceding paragraph, WDC and CCC Environmental Health have accepted the conclusions of the noise assessment. Therefore it is considered that the proposals would not give rise to unacceptable noise pollution for any dwellings or other sensitive receptors and that the proposals would be in accordance with Policy DP9 of the Warwick District Local Plan and Policy EM5 of the Coventry Development Plan in relation to noise.

## **8. Air quality**

Warwick District Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, air pollution where the level of discharge or emissions could cause harm to sensitive receptors.

Coventry Development Plan Policy EM2 states that, where likely damage to air quality cannot be satisfactorily mitigated, development will not be permitted.

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

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

With regard to emissions caused by traffic associated with the development, the Assessment concludes that there would be a negligible impact on annual mean concentrations of NO<sub>2</sub> and PM<sub>10</sub>. The number of days exceeding the daily mean PM<sub>10</sub> Air Quality Standards has also been determined to be negligible at all receptor locations except for one, the rear facade of a residential property along The Stoop in Coventry, where the impact was determined to be minor adverse. However, this did not cause the exceedance daily allowance to be approached.

Further information in relation to air quality has been submitted in response to queries that have been raised by WDC and CCC Environmental Health. The Environmental Health Officers have now accepted the findings of the Air Quality Assessment, subject to conditions. Therefore it has been concluded that the development would not give rise to unacceptable air pollution and that the proposals would be in accordance with Warwick District Local Plan Policy DP9 and Coventry Development Plan Policy EM2 in relation to air quality.

## **9. Light pollution**

Warwick District Local Plan Policy DP9 states that development will only be permitted which does not give rise to, amongst other issues, light pollution that could cause harm to sensitive receptors.

Coventry Development Plan Policy EM8 states that development proposals which incorporate external lighting will be considered having regard to nuisance to road users, harm to the amenity of residents and detriment to the rural character or local distinctiveness of an area.

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

receptors or the rural character of the area, if the development incorporates appropriate lighting design and mitigation.

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

With regard to the impact of the main development zones, there is already a degree of light pollution in the surrounding area caused by Middlemarch Business Park, the airport, the surrounding road lighting, the built up parts of Coventry and, to a lesser extent, Baginton. Furthermore, the bund around the development zones would largely screen any direct views of the lighting from the countryside and the nearest dwellings. In terms of views from the surrounding countryside, the proposed development would be viewed in association with the existing light pollution caused by the Middlemarch development. The proposals may have some beneficial effect in terms of providing a degree of screening of the existing lighting on Middlemarch Business Park from the countryside to the west, south and south-east. Improvements in technology and careful design of the lighting should ensure that the proposed development has less impact in lighting terms than the existing Middlemarch development.

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

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

WDC and CCC Environmental Health have not objected to the proposals on the grounds of light pollution, subject to the imposition of a condition to require details of lighting to be submitted for approval. Therefore, for the reasons stated above, subject to appropriate lighting design and mitigation, it has been concluded that the proposals would not cause unacceptable light pollution and would not harm sensitive receptors. There would be some adverse impact on the rural character of the area but this can be mitigated. Therefore the proposals would be in accordance with Policy DP9 and Coventry Development Plan Policy EM8 in terms of the impact of lighting.

## **10. Contamination**



Warwick District Local Plan Policy DP9 states that, where there is evidence of existing land contamination, it will be necessary to ensure that the land is made fit for its intended purpose and does not pose an unacceptable risk to sensitive receptors.

Coventry Development Plan Policy EM6 states that development on or adjacent to contaminated land will be permitted only if any measures for remediation and protection required to ensure the health and safety of the development proposed and its users are identified and implemented.

The application site includes significant areas of contaminated land, including existing and former sewage treatment works, landfill sites, refuse tips and industrial operations. The site is situated in an area that is highly vulnerable to contamination as the area is underlain by principal and secondary aquifers and is situated adjacent to rivers.

The Environmental Statement includes a preliminary assessment of contamination that exists across the site and includes outline remediation proposals. This is based on limited ground investigation data and therefore further investigation is required before a detailed remediation scheme can be developed.

The basic remediation strategy outlined in the Environmental Statement is to remove or excavate all contaminated made ground materials down to natural soils, and possibly also some natural ground if it is polluting. These materials will then be recovered and treated as necessary. It is anticipated that recovered materials will be used within the earthworks to prepare the development plateau areas or to construct the landscape screening bunds. The anticipated very small quantities of materials that are not suitable for either of these uses, nor any other appropriate use on site, will be removed from the site.

The actual recovery and treatment techniques that will be used are not defined at this stage. However, it is envisaged that a combination of techniques is likely to be required, including:

- Selective excavation.
- Screening of soils to separate topsoils, suitable soils, and to remove biodegradable material e.g. sewage.
- Screening of soils to remove plastics and metals and removal of these from the site.
- Treatment of hydrocarbon contaminated material by using natural soil microbes which effectively digest oil substance (bioremediation).
- Dewatering of poor quality materials from sewage sludge beds including collection and treatment of extracted contaminated waters.
- Stabilising of poor quality soil materials, using lime, pfa, cement mixes and possibly special additives to help lock in contaminants and improve geotechnical properties sufficiently to allow them to be reused.

The Environment Agency, WDC Environmental Health and CCC Environmental Health are satisfied that sufficient information has been submitted to demonstrate that the proposals are acceptable from a contaminated land perspective, subject to conditions to require further site investigation and the submission of detailed remediation proposals. Subject to these conditions, it has been concluded that the proposals would not cause harm to sensitive receptors (e.g. controlled waters or human health) and therefore it is considered that the proposals meet the requirements of WDC Local Plan Policy DP9 and Coventry Development Plan Policy EM6 in relation to land contamination.

### **11. Drainage & flood risk**

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

Coventry Development Plan Policy EM3 seeks to ensure that development proposals do not harm water resources such as watercourses, ponds and groundwater.

Policy EM4 relating to flood risk advises that development should be designed and located to minimise the risk of flooding and to maximise the absorption of surface water run-off by the ground.

Policy QE9 of the West Midlands RSS and RSS Phase 2 Revision re-iterate the overall themes referred to in the above-mentioned local policies.

Emerging Warwick District Council Core Strategy Policy PO18 refers to the need for new development to take place outside of flood risk zones wherever practicable and again promotes the use of SUDS.

Policy EM7 of Coventry City Council's Proposed Submission Core Strategy relating to flood risk management states that development will be directed to locations with the least risk of flooding and impact on water quality. All major developments sites must be assessed for their contribution to overall flood risk, taking into account climate change predictions. Reference is also made to the need for robust Flood Risk Assessments to be undertaken in appropriate circumstances.

Policy EM8 states that all development should utilise SUDS unless it can be clearly demonstrated there are practical reasons for not doing so and should ensure that surface water runoff is managed as close to its source as possible in line with a specified drainage hierarchy.

Paragraph 103 of the NPPF advises that when determining planning applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where, informed by a site-specific flood risk assessment following the Sequential Test, and if required the Exception Test, it can be demonstrated that within the site, the most vulnerable development is

located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and development is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed, including by emergency planning; and it gives priority to the use of sustainable drainage systems.

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

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

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

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

The vast majority of the application site lies within Flood Zone 1 including all of the areas where new buildings are proposed. The floodplain of the River Avon runs to the south of the site but the bunds surrounding the Logistics Park are sited outside of this floodplain area. These elements therefore satisfy the Sequential Test.

However, proposed new bridge/bridge extensions and their associated infrastructure are within the Flood Zone 3 functional floodplains of the Rivers Sowe and Sherbourne. Specifically, part of a new bridge and its abutments are within the floodplain of the River Sowe whilst bridge extensions over the Stivichall bypass and part of the slip road into the Whitley Business Park site from Festival Island are within the River Sherbourne floodplain.

Given the smaller scale of the bridge extension works and their relationship to existing bridge structures it is not considered that these would have a significant adverse impact on the floodplain of the River Sherbourne and it is considered that any small scale mitigation required could be secured by condition. It should also be noted that the slip road bridge extension from

Festival Island crosses the River Sherbourne in the same location as previously consented on the Whitley Business Park scheme.

The new bridge across the A45 has a more significant impact on the floodplain of the River Sowe and mitigation is proposed in the form of a floodplain compensation area within the application site to the north east of the bridge. Whilst 4247 cubic metres of floodplain would be lost to the bridge, the compensation area would provide 7199 cubic metres of replacement floodplain volume. In addition, flood culverts would be provided through the bridge embankment to prevent a reduction of the conveyance capacity of the river in this location. Overall it is considered that the mitigation measures would reduce flood levels up and downstream of the bridge by up to 40mm.

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

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

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

In terms of surface water drainage across the development as a whole, the application documentation contains detail regarding a surface water drainage strategy including related drawings which makes extensive use of SUDS. A series of balancing ponds are proposed to serve both the Technology and Logistics Parks as well as sections of highway on the Whitley Business Park site with a series of below ground pipes and swales connecting these ponds to the various development plots and estate roads.

Swales, together with reed beds are also proposed where the margins of the site lie close to river corridors to ensure that surface water from the Countryside Park, including the bunds adjacent to the Logistics Park, is discharged in an acceptable manner into adjoining rivers.

Overall surface water run-off rates from each zone would be restricted to green field run off rates in line with Environment Agency requirements.

Surface water drainage in respect of the replacement airport buildings would be to soakaways as is the case at present.

Appropriate measures would also be provided to prevent pollutants entering watercourses with measures also proposed regarding drainage impacts

arising during construction works, with the details of these to be conditioned.

There has been extensive pre-application consultation with the Environment Agency, Severn Trent and drainage officers from the local planning authorities and these bodies raise no objection to the proposals subject to detailed matters being resolved which they consider can be dealt with by means of conditions.

## **12. Loss of agricultural land and farm holding**

Objectors have raised concerns about the loss of productive agricultural land. The only parts of the site that are currently in agricultural use are Rock Farm (excluding the sludge lagoons and test track) and the fields to the north of Rowley Road. The application was accompanied by an assessment of the agricultural quality of this land. The assessment classifies the agricultural quality of this land as a mixture of Grades 2, 3a, 3b and 4 and states that the intricate soil pattern prevents much of the best and most versatile land from being used to its full potential.

Paragraph 112 of the NPPF states that local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. The NPPF goes on to state that, where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality. This is reflected in Warwick District Local Plan Policy DP3. In this case it has been accepted that development in this location is necessary (as assessed earlier in this report). The amount of high quality agricultural land that is proposed to be built on only amounts to a relatively small proportion of the overall site, with the remainder of the site either comprising non-agricultural land (e.g. the sludge lagoons, test track, Rugby Club, railway museum etc.) or is being proposed for recreational use (i.e. the parts of Rock Farm to the east of Middlemarch Business Park and adjoining the north-eastern side of Bubbenhall Road). It is considered that the limited harm that would arise from the loss of relatively small areas of best and most versatile agricultural land would be outweighed by the significant economic, environmental and recreational benefits of the proposals. Furthermore, if it is accepted that there is a need for this type of development on the edge of Coventry, any alternative site is likely to result in the loss of a similar or greater amount of the best and most versatile agricultural land.

The agricultural tenants of Rock Farm have objected to the application and have raised concerns about the loss of their homes and their livelihood. However, no national or local planning policies seek to preserve individual agricultural holdings. Therefore, whilst it is unfortunate that the existing tenants will be required to vacate the agricultural holding to make way for the proposed development, there are no agricultural grounds for refusing planning permission (as assessed in the preceding paragraphs).

With regard to the loss of the agricultural tenants' home, again this is an unfortunate consequence of the proposed development. However, no national or local planning policies seek to preserve isolated rural dwellings in residential use. The tenants could rent alternative accommodation and therefore the proposals would not make them homeless.

### **13. Acceptability in principle of retail, hotel and car showroom floorspace**

As detailed at the beginning of this report, the proposed Technology Park area includes up to 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace; up to 4,645 square metres of car showroom floorspace and up to 11,617 square metres of floorspace to provide a hotel with up to 350 bedrooms. Annex 2 of the NPPF identifies all of these uses, except car showrooms as 'Main Town Centre Uses'.

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

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

Government Policy is re-iterated in Warwick District Council Preferred Options Core Strategy Policy PO9 and West Midlands RSS Policy PA13.

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

Policy RAP16 regarding visitor accommodation in the rural areas states that development of new buildings for visitor accommodation will not be permitted.

Warwickshire Structure Plan Policy TC2 re town centres states that all major shopping, entertainment and leisure developments should be located in town centres.

This is carried through into Warwick District Local Plan Policy UAP3, which states that retail development will not be permitted outside the town centres in unless there is a proven retail need for the proposal; there are no available, suitable and viable sequentially preferable sites or buildings; it would reduce the need to travel by private car; the development is, or can be made, genuinely accessible and well served by a choice of means of transport; it can be demonstrated that the proposal would not have a

significant adverse impact on the vitality and viability of centres nor on the development plan retail strategy.

In respect of the above policy the applicant has advised that all of the above accommodation (with the exception of the car showroom floorspace) would serve primarily employees/visitors to the Gateway development and employees/visitors to existing immediately adjoining sites such as Whitley Business Park, Middlemarch Business Park and Coventry Airport. As such this accommodation is considered to be ancillary to the above.

The 2,300 square metres of small scale retail, restaurant, public house and hot food takeaway floorspace would be provided in small units given the primarily local catchment that it would serve. This could be secured by conditions to ensure that the retail element in particular was not occupied by large units selling goods that would not ordinarily have a primarily local customer catchment. In this regard it is proposed that the maximum floorspace of any retail unit is limited to 250 square metres.

In respect of the hotel and car showroom accommodation it is not considered that these would primarily serve a local catchment. However, such uses are commonly found on large employment developments and are often characterised themselves as quasi-employment uses. Such uses can assist in attracting occupiers to large sites and hotel accommodation in particular, can help to serve the needs of local businesses by providing overnight accommodation for business visitors and venue space for conferences/meetings. There are two existing hotels immediately adjacent to the application site – the Holiday Inn on the A45 London Road east of Tollbar Island and the Ibis hotel on Abbey Road north of the Whitley Business Park site. However, given the scale of the development proposals it is considered that a further hotel would assist in continuing to ensure that the needs of local businesses for such accommodation are met.

For those uses where the sequential approach applies (i.e all of the uses except the car showroom) it is not considered that there are suitable alternative sites that would be sequentially preferable bearing in mind the local needs that would be met by such uses.

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

Overall, subject to conditions, the proposed retail, hotel and car showroom floorspace is considered acceptable.

#### **14. Ecology impacts**

Warwick District Local Plan Policy DP3 states that development will only be permitted which protects important natural features and positively

contributes to the character and quality of its natural and historic environment through good habitat / landscape design and management. Policy DP3 goes on to state that development proposals will be expected to demonstrate that, amongst other requirements, they protect and / or enhance local ecology, including existing site features of nature conservation value and secure the long term management and maintenance of habitat / landscape features. Meanwhile, Policy DAP3 states that development will be strongly resisted that will destroy or adversely affect the following locally important sites / features: Local Nature Reserves; any other sites subject to a local ecological designation unless the applicant can demonstrate that the benefits of the proposal significantly outweigh the ecological importance of the area; and protected, rare, endangered or other wildlife species of conservation importance.

Coventry Development Plan Policy GE11 states that proposals which would have an adverse impact on local nature reserves and local wildlife sites will not be permitted. Coventry Development Plan Policy GE15 states that the design and maintenance of new development should preserve and enhance existing elements of nature conservation importance and add new habitat.

In terms of designated sites, the application site includes a number of Local Wildlife Sites (LWS) and potential Local Wildlife Sites (pLWS). This includes the Rock Farm Sludge Lagoons pLWS within Zone A, the Lower Sowe and Sherbourne Valleys LWS, Leaf Lane LWS and Lower Sowe and Sherbourne Valleys Extension pLWS within Zone C, and the Siskin Drive Bird Sanctuary LWS and River Avon LWS within the proposed countryside park along the eastern side of the site. Zone C also adjoins the Stonebridge Meadows Local Nature Reserve.

Species surveys have been carried out in relation to great crested newts, bats, badgers, breeding birds, wintering birds, reptiles, otters, water voles and invertebrates. These surveys have identified two small populations of great crested newts (one within Zone A and one outside of the site, within Middlemarch Business Park); small populations of smooth newts within all Zones; low levels of bat activity in Zones B and C and higher levels in Zone A; bat roosts within two existing buildings; extensive badger activity and setts across all of Zone A; more limited evidence of badgers within Zones B and C; two main badger setts within the area of the proposed countryside park; a significant number of species of breeding and wintering birds across the whole site; otters; a small population of grass snake within Zones A and C; and a number of important species of invertebrate. A number of the species that have been recorded in these surveys are protected species.

The application site includes a range of existing habitats. A significant amount of this existing habitat would be retained within the proposed countryside park. However, a significant amount of the existing habitat elsewhere on the site would be lost as part of the proposed development. Whilst large areas of the habitat that will be lost are of negligible / low nature conservation value (e.g. arable, amenity grassland, improved grassland), there would also be a loss of areas of moderate / high nature conservation value (e.g. reedbed, hedgerows, plantation woodland, mature



trees, veteran trees, dense scrub, grassland / short ephemeral mosaic habitat, tall ruderal, river and open water). This would include the complete loss of the existing habitat within the Rock Farm pLWS and partial loss of habitat within the River Sowe and Sherbourne Valleys LWS, the Leaf Lane LWS, the Siskin Drive Bird Sanctuary LWS and the River Sowe and Sherbourne Valleys Extension pLWS. There is also potentially a very minor adverse impact on the edge of the Stonebridge Meadows LNR due to the construction of the retaining wall of the bridge over the A45 on the boundary with the reserve.

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

The Brandon Marsh SSSI is 1.2km to the east of the application site. The Rock Farm pLWS is likely to have close associations with the SSSI, with the areas of reed bed and open water providing supplementary habitat for a number of important species within the SSSI. Furthermore, the displacement of the overwintering birds from the Rock Farm site could have adverse implications for the overwintering bird assemblage within the SSSI. Therefore the complete loss of the Rock Farm pLWS is likely to harm the Brandon Marsh SSSI.

For the above reasons, unless suitable mitigation is provided, the proposals would have an unacceptable ecological impact due to the loss of habitat and the harm that would be caused to the fauna recorded on site (including protected species). The applicant proposes to use biodiversity off-setting to mitigate the impacts of the proposed development. This approach has been agreed with the County Ecologist and Natural England. This forms part of the Warwickshire, Coventry and Solihull Biodiversity Offsetting Pilot (one of 6 DEFRA pilot areas for Biodiversity Offsetting).

The biodiversity off-setting proposals that were originally submitted with the application were not considered to be suitable because the compensatory habitats that were proposed to be created did not directly compensate for the types of habitat that will be lost. In particular, there was no provision for recreating open water habitats which are considered to be particularly important in this location due to the relationship with the Brandon Marsh SSSI. Revised off-setting proposals have now been submitted to include significant new areas of open water within the application site to compensate for those that will be lost within the Rock Farm pLWS.

The amended off-setting scheme includes proposals for the creation and enhancement of habitats within the application site. This would include the creation of new habitat in the form of ponds (0.8ha), reedbeds (7ha), mixed woodland (17ha), scrub (8ha), species rich meadows (31ha),

amenity grassland (23ha), semi-improved grassland (8ha), open water (8ha) and hedgerows (7.5km). This would also include the restoration / enhancement of the following habitats: neutral grassland – species rich meadow (8ha); and improved grassland – species rich meadow (29ha). The total area of structural landscape, retained habitats and the green corridor around the south, east and west of Zones A and B would amount to 139ha (45% of the total area of the site). However, the value of the on site mitigation proposals would not fully mitigate the loss of habitat. The biodiversity offsetting calculations indicate that a small proportion of the potential impacts (3%) would have to be mitigated off site.

The application proposes a number of potential options for off site mitigation with the focus on species rich grassland and wet grassland habitats. Five potential sites have been identified where the landowner is willing for the offsetting proposals to be provided and it is proposed that the Section 106 agreement will secure full details of all of the on and off site offsetting proposals.

With regard to the protected species that have been identified within the parts of the site that are to be developed (bats, badgers and great crested newts), the application includes proposals for these to be relocated to new habitats within the countryside park. This would have to be carried out under a licence from Natural England. The relocation of the great crested newts will serve a dual purpose of also relocating grass snake and reptiles. For the purposes of the current planning application, sufficient information has been submitted to demonstrate that the development would not harm any of these protected species.

Natural England have advised that a protected species licence may be required to enable the development to go ahead (and the species surveys submitted with the application confirm that licenses will indeed be required). Therefore, in determining this planning application, the Council must assess whether the development is likely to receive a licence (Natural England are not able to give confirmation as to whether a licence will be issued). Nevertheless, it is important to note that Natural England have not objected to the application and will have considered the impact on protected species in their assessment.

Paragraph 118 of the NPPF and the various legislation relating to protected species require local planning authorities to consider whether the impact on protected species can be avoided (by locating the development on an alternative site), whether there are imperative reasons of overriding public interest that support the development and whether the mitigation proposals would maintain the favourable conservation status of the species. This indicates that the strategy for protected species that has been adopted in the proposed development (translocation, replacement habitat and displacement) should be a last resort. Therefore it is important to assess whether all options to avoid these impacts have been considered.

The proposals have been assessed against the three tests specified above. Firstly, it is noted that the protected species in question were recorded in

parts of the site where it would not be possible to retain the habitats as part of the proposed scheme, particularly considering the extensive ground remodelling that is required. Even if this were possible, it would not be desirable for such retained habitats to be largely enclosed by the significant development that is proposed. Secondly, for the reasons stated in the "Green Belt" section of this report, it is considered that the very special circumstances for allowing this development within the Green Belt also amount to imperative reasons of overriding public interest that support the development and justify relocating the protected species (including the lack of alternative sites for the proposed development). Thirdly, it is considered that the relocation and biodiversity off-setting proposals meet the final test, i.e. maintaining the favourable conservation status of the species. Therefore it has been concluded that the impact of the proposal on protected species would be in accordance with the tests set out in the NPPF and the various legislation relating to protected species.

It should be noted that Paragraph 118 of the NPPF applies to biodiversity generally and not just to protected species. Therefore, the stipulation that compensation should be a last resort also applies to the general loss of habitat that would be caused by the proposed development, i.e. compensation should only be considered where the loss of habitat cannot be avoided (e.g. through locating on an alternative site with less harmful impacts) or adequately mitigated. Considering the location of the relevant habitats within the site and the need for significant ground remodelling, it is not considered practical or viable for these habitats to be retained within the proposed development zones. Furthermore, for the same reasons as stated in relation to protected species, it is considered that there significant benefits associated with the proposed development and that there are no suitable alternative sites. Therefore it has been concluded that the proposals to compensate for the loss of habitat would be in accordance with Paragraph 118 of the NPPF. In reaching this conclusion it is important to note that the majority of the compensation would be provided on site.

The loss of three veteran trees would result in a loss of biodiversity that is not possible to directly replace in the short or medium-term. Therefore this is an adverse effect of the development that it is not possible to directly mitigate. Options for the retention of these trees have been explored with the applicant but this has not proved possible, with the possible exception of oak tree no. T38 (a condition is recommended to require options for the retention of this tree to be assessed at the detailed design stage - see the Landscape section of this report for further details). Nevertheless, the application does include significant new planting and habitat creation that would provide indirect mitigation for the loss of these trees. Taking this into account, together with the other significant benefits of the proposals as outlined in the Green Belt section of this report, it is considered that the benefits of the proposed development outweigh the ecological harm that would arise from the loss of these veteran trees.

Objectors have raised concerns about the impact on a proposed extension to the Sowe Valley Footpath to the north of the Stonebridge Meadows LNR. As a result, revised plans have been submitted to show minor amendments

to the proposed footpath running along the River Sowe to ensure that this proposed extension to the Sowe Valley Footpath can be implemented and is usable.

In conclusion on this issue, it is considered that the proposals to create and enhance on and off site habitats will ensure that there is no net loss of biodiversity as a result of the proposed development. In fact there is likely to be a net gain in biodiversity. The biodiversity offsetting proposals will also ensure that the development does not have an adverse effect on wider ecological networks or on the Brandon Marsh SSSI. It is proposed that a Construction Ecological Protection and Mitigation Strategy be secured through a Section 106 agreement. This will ensure that the habitats retained and created provide maximum biodiversity benefits in the long-term. This will also ensure that species currently using the site are adequately protected during development. Therefore, taking all of the above issues into account, including the concerns raised by Warwickshire Wildlife Trust and the RSPB, it has been concluded that the proposals would have an acceptable ecological impact and that the proposals would be in accordance with Policies DP3 and DAP3 of the Warwick District Local Plan and Policies GE11 and GE15 of the Coventry Development Plan.

### **15. Sustainable buildings**

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

The application indicates that the new buildings within Zones A and B are intended to be constructed to a BREEAM rating of 'Excellent' and 10% of the predicted energy requirements of these buildings are proposed to be provided through low and zero carbon technologies. The precise details of the sustainability measures and the low and zero carbon technologies to be incorporated into each building are proposed to be provided as part of any subsequent reserved matters applications.

The City Council's Climate Change Officer has suggested that a more strategic, site-wide approach could have been taken to sustainability. However, as this is an outline application, there is no way of knowing at this stage the type and form of energy demand across the different buildings. Furthermore, the detailed design and layout of the buildings is unknown and the different plots are likely to be developed over different timescales. Therefore it is considered reasonable to leave the full details of the sustainability measures to be decided at the reserved matters stage.

The current local plan policy on this issue (WDC Local Plan Policy DP13) specifically requires 10% renewable energy production, rather than 10% low and zero carbon energy production. Therefore this is reflected in the condition that has been recommended to deal with this issue.

The application does, however, include full details of the replacement airport buildings within Zone D. The application does not propose to install any renewable energy technologies on these buildings. In assessing whether it would be appropriate to require renewable energy production to be incorporated on these buildings, it is important to note that these buildings could be erected without the need for planning permission under permitted development rights (as discussed in the section of this report that relates specifically to the airport), without any requirement for renewable energy production. Furthermore, the majority of these buildings are unlikely to have a significant energy demand because they are likely to be largely unheated. In addition, it has to be borne in mind that the new buildings replace existing buildings and therefore the energy requirements are unlikely to be significantly greater than existing. Therefore it has been concluded that it would not be appropriate to require the replacement airport buildings to incorporate on site renewable energy production.

For the above reasons, it has been concluded that the proposals would be in accordance with Local Plan Policy DP13.

## **16. Urban design matters**

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

Turning firstly to general planning policy, the National Planning Policy Framework (NPPF) states that the Government places great importance on the design of the built environment. Good design is a key aspect of sustainable development and should contribute to making places better for people. Development proposals should improve the character and quality of the area to which they relate.

Warwick District Local Plan Policy DP1 states that development will only be permitted which positively contributes to the character and quality of its environment through good layout and design. Inter alia development proposals will be expected to demonstrate that they relate well to local topography and landscape features, including prominent ridge lines; reflect, respect and reinforce local architectural and historical distinctiveness; enhance and incorporate important existing features into the development; respect surrounding buildings in terms of scale, height, form and massing; adopt appropriate materials and details; integrate with existing paths, streets, circulation networks and patterns of activity; provide adequate open space for the development in terms of both quantity and quality; incorporate necessary services and drainage infrastructure without causing unacceptable harm to retained features and ensure all components, e.g. buildings, landscaping, access routes, parking and open spaces are well related to each other and provide a safe and attractive environment.

West Midlands RSS Policy QE3 likewise seeks to promote the creation of high quality built environments and this objective is re-iterated in RSS Phase 2 Revision Policy QE3.

Policy PO10 of the Warwick District Council Preferred Options Core Strategy also seeks to promote and deliver high quality design.

#### Layout, Scale, Appearance & Landscaping Reserved Matters

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

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

Within the Logistics Park and also along those parts of the link road between the Technology and Logistics Parks adjacent to existing properties substantial mounded areas would be located at the edges of those areas occupied by highway and built development to provide screening in terms of views of these parts of the development from the surrounding area. SUDS balancing ponds are also proposed adjacent to these mounded areas to add visual interest.

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

Moving on to matters of scale, details regarding building sizes are provided in the Parameters Plan and Design & Access Statement accompanying the application. The Technology Park is characterised by relatively small scale

commercial buildings as detailed at the beginning of this report. It is proposed that building heights would decrease from east to west with the lowest buildings in height terms being adjacent to the more sensitive west boundary overlooking the Lunt Fort.

Within the Logistics Park much larger commercial buildings are proposed, again as detailed at the beginning of this report, although views of these from the surrounding locality would be screened by substantial mounded areas in the Countryside Park.

In terms of appearance it is proposed that buildings within the Technology Park, in particular those on its more sensitive west boundary, would make extensive use of more natural external facing materials such as timber cladding to ensure that where proposed buildings are more visible from the surrounding locality that they are assimilated better into the landscape. It is considered that the use of less natural cladding materials would be appropriate on the Logistics Park site given the greater extent to which it would be screened from the surrounding locality, although it is considered that a variety of materials and colours should be utilised to provide for visual interest in respect of the larger buildings proposed here.

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

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

Finally in terms of landscaping, Policy PO15 of the Warwick District Council Preferred Options Core Strategy states that development will only be permitted which protects and enhances important green infrastructure assets and positively contributes to the character and quality of its natural and historic environment through good habitat/landscape design and management. Development proposals should take a positive, integrated approach to designing green infrastructure on site.

The visual impact of the Technology Park on the Lunt Fort and countryside to the west would be minimised through ground re-profiling works and substantial tree planting to screen and filter views of the development. Substantial planting is also proposed within the mounded areas bordering the Logistics Park.

Notwithstanding the above, there is a need at Reserved Matters stage to ensure that the areas occupied by the proposed Countryside Park are satisfactorily integrated in landscape terms with the developed areas of the scheme. It will also be necessary to ensure that within the developed areas there is a coherent landscape structure, with for example the main spine road through the Technology and Logistics Parks having landscaping of sufficient stature to reflect its importance in the site infrastructure hierarchy.

In addition, on those parts of the site where highway works only are proposed such as north of the A45 within the Whitley Business Park site, on the link road between the Technology and Logistics Parks and where works are proposed on the existing highway network landscape proposals will need to be designed so that these elements of the scheme integrate satisfactorily with existing features, for example the Stonebridge Meadows Nature Reserve and the Sowe Valley corridor.

It is considered that these matters could be secured by condition.

#### Disabled access

Warwick District Local Plan Policy DP15 states that the layout and design of development will be encouraged to meet the highest standards of accessibility and inclusion for all potential users, regardless of disability, age or gender. Development proposals will be expected to demonstrate that they provide safe, easy and inclusive access to, into and within buildings and facilities.

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

Disabled access within buildings would be provided for under the Building Regulations.

#### Crime prevention

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

Warwickshire Police initially requested a financial contribution towards the provision of ANPR cameras on the surrounding highway network. However, following discussions between the police and the applicant, it is apparent that the police would be able to utilise the ANPR cameras that are proposed as part of the development (i.e. those that are proposed to enforce the access restrictions). The police have agreed that this would meet their requirements, subject to conditions to secure appropriate cameras and



police access to the live feed from the cameras, to require all new buildings and associated open spaces to be built to Secured by Design standards and to secure suitable access control and road design measures to prevent illegal road racing or other anti-social use of the roads within the development.

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

### Public art

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

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

### **17. Impact on the living conditions of nearby dwellings**

Warwick District Local Plan Policy DP2 states that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents.

The siting of the proposed buildings within Zones A and B is a reserved matter. Nevertheless, the parameters plan shows that the buildings within Zone A would be no closer than 120m from the nearest dwellings on Bubbenhall Road and would be separated from those dwellings by the proposed bund. In view of this separation distance and the screening that would be provided by the bund, it has been concluded that the proposed buildings within Zone A would not cause unacceptable loss of light, loss of outlook or loss of privacy for the nearest dwellings. The part of the proposed bund that would be closest to the dwellings in Bubbenhall Road would be approximately 7m above the existing ground level and the highest point of the bund would be approximately 70m from the nearest of those dwellings. Where the bund rises up to approximately 20m in height, the centre of the bund would be 140m from the nearest dwelling on Bubbenhall Road. Therefore it has been concluded that the bund would not cause unacceptable loss of light or loss of outlook for neighbours.

The parameters plan shows that the buildings in Zone B would be no closer than 90m from the rear boundaries of the nearest dwellings in Coventry

Road. The majority of Zone B would be considerably further away from the nearest dwellings (no closer than 160m from the nearest dwellings in Rowley Road). Furthermore Zone B would be separated from the nearest dwellings by a bund. In view of this distance separation and the screening that would be provided by the proposed bund, it has been concluded that the proposed buildings within Zone B would not cause unacceptable loss of light, loss of outlook or loss of privacy for the nearest dwellings. The part of the proposed bund that would be closest to the dwellings in Oak Close would be approximately 5.5m above the existing ground level and the highest point of the bund would be approximately 30m from the rear boundary of the nearest of those dwellings. Therefore it has been concluded that the bund would not cause unacceptable loss of light or loss of outlook for neighbours.

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

The site of the proposed relocated airport buildings in Zone D is well away from the nearest dwellings. This element of the proposals would represent a significant improvement compared with the existing situation because these new buildings would replace existing buildings that are close to the dwellings in Oak Close.

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

### **18. Proposed airport buildings and relationship with Coventry Airport**

All of the proposed airport buildings would be permitted development under Schedule 2, Part 18, Class A of the Town and Country Planning (General Permitted Development) Order 1995. Consequently, these buildings do not require planning permission. However, the applicant has decided to include these in the planning application for the avoidance of doubt. Nevertheless, the fact that these buildings could be erected without planning permission under permitted development rights represents a realistic fall-back position that weighs in favour of granting planning permission for this element of the proposals. Given that this fall-back position would enable the buildings to be erected even if the current planning application were to be refused, it is not considered that a refusal of planning permission could be justified in relation to the airport buildings.

The proposed development would not affect the enforcement of the existing conditions and Section 106 agreements that restrict the operation of the airport (i.e. those conditions and agreements associated with the 1998 permission for Parcelforce and the 2006 permission for the Interim Passenger Facility (IPF)). These existing conditions and agreements impose

restrictions on the use of certain buildings and land to the rear of Oak Close and on operation of the IPF (and flights associated with the IPF). Part of the land to the rear of Oak Close would cease to be part of the airport site following the construction of the access road to Zone A. However, the Section 106 restrictions on this area would remain in place and unaffected by the proposed development.

Objectors have raised concerns about the changes to Bubbenhall Road allowing for future runway expansion. However, the current application does not propose any changes to the runway and therefore this cannot be a reason for refusing planning permission. Any proposals to extend the runway in the future would require planning permission and therefore the impact of any such proposals would be assessed if and when an application were to be submitted for such a development.

Objectors have queried the applicant's assertion that the access road to Zone A cannot be repositioned closer to the runway due to the position of the Instrument Landing System (ILS) for the airport. Objectors have suggested that the ILS is closer to the runway at other airports (referring to Guernsey in particular) and that repositioning the ILS would enable the access road to be repositioned away from Bubbenhall Road. In response, Coventry Airport have advised that each airport is totally independent and that the Instrument Landing Systems are unique to each airport, the local geography and physical infrastructure surrounding the airport. The Airport go on to advise that the ILS is positioned to provide the maximum safety and characteristics required for an instrument landing, as determined by the Civil Aviation Authority and that any relocation would be an extremely complex and costly undertaking, if possible at all. Taking this into account, and following the highway amendments that have been secured to retain unrestricted access for local residents along Bubbenhall Road, it is not considered that it would be appropriate or desirable to insist upon the access road being repositioned closer to the runway.

Objectors have raised concerns about the relationship between the development and Coventry Airport and the potential for the development to lead to increased flights from the airport and in particular freight flights associated with the proposed logistics park. The applicant has responded by advising that *"the Logistics Park does not have a direct link or relationship with the airport. Indeed access to the airport would be some distance, via Rowley Road and through Middlemarch Estate. In this regard it is no different to other logistic sites or buildings in the general area. Furthermore the nature of the logistics industry is that very little freight is moved by air and it is unlikely that much if any freight from the gateway scheme will be transferred by air. The Logistics Park is therefore not considered to have a direct relationship with the Airport and will not have a significant effect on flights."*

Whilst there can be no guarantee that no goods or materials that pass through the logistics park would arrive via the airport, the same is true for the significant number of existing B2 / B8 units on nearby business parks and industrial estates. In order to refuse planning permission on these

grounds the Council would have to be able to clearly demonstrate that the proposed development would result in a significant increase in flights from the airport and that this increase in flights would result in unacceptable harmful impacts. The fact that the development would be located adjacent to the airport is not considered to be sufficient evidence to clearly demonstrate that there would be a significant increase in flight as a result of the development. A refusal of planning permission on such a point of principle might logically extend to other land in the surrounding area and this would preclude a significant area from being developed for B2 / B8 purposes. As such, the significant economic benefits of the proposed development, or other similar development in the locality, would be lost. For the same reasons, it has been concluded that there is no justification for imposing any restrictions on the operation of the airport as a condition of any planning permission for the proposed development on the application site.

Birmingham Airport have suggested that the limits contained within the IPF planning permission and Section 106 agreement should be reproduced for the current planning application. However, those conditions and Section 106 agreement relate specifically to the operation of the IPF and do not impose any restrictions on the wider operation of the Airport. The IPF is not included in the current application site and the application does not propose any changes to the IPF and nor does it propose any new passenger facilities. Therefore it is not considered that there is any justification for reproducing the restrictions that relate to the operation of the IPF as part of any planning permission for the development currently proposed. In any case, the existing restrictions relating to the IPF would remain in place and unaffected by the current proposals.

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

## **19. Other Issues**

A number of other issues have been raised by objectors which are not covered in the preceding sections of this report.

Many objectors express concerns about conflicts of interest given the Coventry City Council land ownerships within the application site and the involvement of both Coventry City Council, Warwick District Council and Warwickshire County Council in the Coventry & Warwickshire LEP. However, the respective Planning Committees that will be making decisions on the applications are quasi-judicial bodies and as such safeguards operate to ensure that those Committees consider the proposals with an open mind having regard to all of the relevant issues and the representations that have been submitted by various individuals and organisations. Notwithstanding this, the local planning authorities, were they minded to approve the applications would have to refer them to the Secretary of State who would then need to decide whether or not to call in the applications for his determination through a public local inquiry. As such there would be

consideration by the Secretary of State of the proposals and the representations of objectors, which include representations that the applications should be called in, before any grant of planning permissions by the local planning authorities.

Several objectors refer to impingement upon their human rights were planning permission to be granted for the development. However, the human rights of individual residents need to be balanced against the substantial wider public benefits arising from the scheme which have been referred to in respect of the very special circumstances case advanced in respect of development in the Green Belt. Overall it is considered for the reasons detailed in this report regarding those very special circumstances that greater weight should be given to the wider public benefits of the scheme in this instance, although it is considered that the proposals do provide for impacts from the development upon local residents to be satisfactorily mitigated subject to the conditions and Section 106 Agreement measures proposed.

Concern is also expressed regarding the adequacy of the Environmental Statement which accompanies the application. Reference is made to the need to re-assess the entire Whitley Business Park proposals as part of the ES and alleged inadequacy as to the assessment of alternative scenarios. It is considered that due regard has been given to the impact of the Gateway scheme individually and cumulatively with the Whitley Business Park proposals and this matter is covered in detail earlier in this report particularly in assessing the economic, transportation, ecological and flood risk aspects of the proposed development. Likewise it is considered that sufficient regard has been given to alternative scenarios and again these are examined earlier in the report, particularly in assessing economic, transportation and ecological matters. Other concerns relating to the ES concerning Bubbenhall Road access restrictions, Leaf Lane options and other transportation issues, noise, air, light pollution and HGV impacts, green belt and landscape issues, ecological impacts, economic impacts, and airport matters have been addressed satisfactorily, in some cases through submission of amended plans and further information, all as detailed in this report.

Several objectors have raised concerns around the loss of common land in the Whitley area. However, no common land would be lost as a consequence of the development.

Concerns related to the impact of the development on property values are not a material planning consideration.

The proposals due to their scale are likely to have some impact on demands for housing within the surrounding area from those that would be employed in the development

G L Hearn were asked to assess the likely impact of the development on scenarios for future economic growth and housing within the two authority areas in terms of the potential for the scheme to create an additional

demand for housing. As a starting point revised baseline demographic projections were provided updating those contained in the Strategic Housing Market Assessments (SHMA) of both authorities to establish the up to date position without the scheme and to inform the development of the emerging local plan.

In order to assess the net impact of job creation on housing needs different scenarios were modelled to reflect a range in the level of potential displacement which could occur from other employment sites together with an assessment of where those taking up jobs on the gateway site would be likely to live. It was identified that whilst the direct economic impacts of the scheme in terms of GVA would be experienced within Warwick District the majority of the jobs are likely to be provided principally for residents residing in Coventry. The impact of the scheme on overall housing requirements within Warwick District is therefore likely to be minimal potentially increasing population growth by 0.6% and the overall housing requirement by just 332 dwellings in the period 2011 to 2029 above that set out in the revised baseline projection. If an element of displacement is taken into account the impact could be to reduce the requirement to below that set out in the revised baseline position. This is because the housing associated with the displaced jobs will be accommodated elsewhere in the sub region.

Whilst the scheme is unlikely to have a significant impact on housing requirements the displacement of other employment land within the district could affect choices for the location of future housing and the amount and location of employment land within the emerging local Plan.

NHS Warwickshire have requested that a Health Impact Assessment be carried out prior to, or soon after planning permission has been granted. However, the Council has no policy to require such an assessment to be carried out. In any case, the health impacts of the development are covered in the Environmental Statement that has been submitted with the application, including issues relating to noise, air quality, contamination, the countryside park, recreation, walking and cycling. Furthermore, it is evident that the development would have significant public health benefits, including the provision of extensive footpaths and cycleways and a large publicly accessible countryside park. Therefore it is not considered that there are grounds for requiring a separate Health Impact Assessment to be submitted.

Notwithstanding the above, it is not considered that planning permission could be refused on such grounds were Members to have concerns in this regard. Rather, such impacts would need to be addressed by the local planning authorities through further work in respect of their emerging Core Strategies.

### **CONCLUSIONS/SUMMARY OF DECISION**

Overall it is considered that the proposed development would have significant economic and employment benefits for the sub-region as a

whole and the Coventry & Nuneaton Regeneration Zone in particular and it is not considered that there are other suitable and preferable sites that could accommodate the development.

Whilst the proposals constitute inappropriate development in the Green Belt there are considered to be very special circumstances which are of sufficient weight to override the harm by way of inappropriateness and the other harm identified. These very special circumstances and the weight that it is considered can be attached to them are outlined in the Green Belt section of this report. These relate to the economic and employment benefits of the proposals to the sub-region bearing in mind the absence of suitable and preferable alternative sites for the development, the increased public access to countryside within the application site for outdoor sport and recreation arising as a consequence of the development, the biodiversity enhancement envisaged and the environmental benefits arising from the sustainable decontamination of substantial areas of land within the development.

Subject to conditions and a Section 106 Agreement it is considered that the proposals are acceptable in terms of such matters as transportation; landscape impact; public open space, sport and recreation; heritage impacts; noise, air and light pollution; contamination; flood risk/drainage; loss of agricultural land; sequential and other locational issues related to the retail, catering, hotel and car showroom uses proposed; ecology; sustainable building measures; urban design; neighbour amenity impacts and the relationship with Coventry Airport. All of these issues are relevant to the consideration of the part of the development that is within Warwick District.

Overall it is considered that the proposals accord with Development Plan policies, Government Guidance in the NPPF and other planning policy which is a material consideration.

Planning Committee are therefore recommended to resolve that:

- i) they are minded to approve those elements of the application within the administrative area of Warwick District Council subject to conditions, a Section 106 Agreement being entered into by the applicant in respect of those matters, including matters where further clarification is awaited, as highlighted in this report which relate directly to those matters under the District Council's jurisdiction, and the Secretary of State not wishing to intervene regarding determination of the application.
- ii) they are supportive of the application proposals as a whole for the reasons highlighted in this report.

### **SCHEDULE OF CONDITIONS**

**In respect of the replacement airport buildings and their associated parking/servicing/landscaping as detailed on drawing nos. 3924.024-P13, 3924-A001-P5, 3924-B001-P4, 3924-C001-P4,**

**3924-D001-P5, 3924-E001-P3, 3924-F001-P3 & 3924-H001-P2  
planning permission is granted subject to the following conditions:**

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 in accordance with the details shown on the approved drawing(s) 3924.024-P13, 3924-A001-P5, 3924-B001-P4, 3924-C001-P4, 3924-D001-P5, 3924-E001-P3, 3924-F001-P3 & 3924-H001-P2, and specification contained therein, submitted on 12 September 2012.

REASON :

For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

**In respect of the remainder of the development planning  
permission is granted subject to the following conditions:**

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

REASON:

To comply with Article 4(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2010

4. Application for approval of the matters referred to in Condition 3 above must be made within 5 years of the date of this permission.

REASON:

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

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

REASON:



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

6. Prior to the commencement of development, details regarding the phasing of the development, in accordance with Conditions 25, 26 and 61, shall be submitted to and approved in writing by the local planning authority and such details shall include:
  - i) a plan(s) showing the boundaries of each phase, the extent and use of building development in each phase, the phasing of works within the proposed Countryside Park and arrangements in respect of the phasing of all transportation infrastructure;
  - ii) temporary access arrangements for vehicles and pedestrians in respect of each phase;
  - iii) car parking arrangements in respect of each phase;
  - iv) any interim surface, boundary treatment, external lighting or landscaping measures;
  - v) a report to demonstrate that the phasing proposals do not affect the conclusions of the noise and air quality assessments included in the Environmental Statement (including supplementary noise and air quality assessments and details of further mitigation measures, if necessary); and
  - vi) a temporary drainage strategy in respect of each phase.Once approved the development of each phase shall be carried out in full accordance with such approved details or any subsequent amendments so approved.

REASON:

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

7. In respect of the Reserved Matters to be submitted in accordance with Condition 3 for each development zone, as shown on approved pHp Architects Parameters Plan drawing no.3924 029 RevP19 the building ridge heights and footprints and the overall Gross Internal Area of all building floorspace within each zone shall be within the minimum and maximum limits set down in that Parameters Plan.

REASON:

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

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

- i) Accord with the pHp Architects Parameters Plan Drawing No.3924 029 RevP19 and the principles set down in the Design & Access Statement forming part of the approved application documentation;
- ii) Define principles regarding building design, materials, elevational detailing and public realm hard/soft landscaping in respect of Zones A, B and C as identified on the above-mentioned Parameters Plan;
- iii) Identify those trees to be retained or removed as part of the development and the number and location of new trees to be provided as compensation;
- iv) Identify locations for public art features;
- v) Show the location of each pond;
- vi) Include design principles in respect of layout, scale, appearance and landscaping for the Technology Park aimed at minimising its visual impact on the Lunt Roman Fort;
- vii) Contain details on how permeability will be achieved in respect of the network of estate roads within the Technology and Logistics Parks;
- viii) Detail principles on how legibility will be achieved within the Technology and Logistics Parks including design principles in respect of the new A45 bridge and land to the immediate south of it comprising the gateway into the development.
- ix) Include landscape design principles in respect of Zones A, B and C as identified on the above-mentioned Parameters Plan, aimed at ensuring that soft landscaping within these areas is satisfactorily integrated with the Countryside Park and neighbouring land.
- x) Contain principles in respect of disabled access throughout the development and to/from buildings.
- xi) Detail principles on how crime prevention matters will be addressed in respect of the development.

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

**REASON:**

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

9. The reserved matters to be submitted in accordance with Condition 3 for each phase shall include details of all earthworks, mounding and the finished floor levels of all buildings, together with details of existing and proposed site levels in that phase and the relationship with adjacent land and buildings and such details shall accord with pHp Architects Parameters Plan drawing no.3924 029 RevP19 forming part of the approved application documentation.

**REASON:**

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

10. The reserved matters to be submitted in accordance with Condition 3 for each phase shall include sample details of facing, roofing and hard surfacing materials for that phase, such details to include information on the recycled/reclaimed content of such materials. Thereafter the development shall be constructed in full accordance with such approved details or any amendment of these subsequently approved in writing by the local planning authority.

REASON:

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

11. Any soft landscaping referred to in condition 3 in respect of each phase shall be completed in all respects within 6 months of the substantial completion of development in that phase. Any such landscaping removed, dying or becoming seriously damaged, defective or diseased within 5 years from the substantial completion of development in that phase shall be replaced within the next planting season with landscaping of a similar size and species to that which they replace. Any replacement hedging, trees or shrubs shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

REASON:

To ensure a satisfactory standard of appearance of the development in the interests of visual amenity in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

12. No demolition or construction works shall commence in any phase (including any ground remodelling works), until a Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment in respect of those trees earmarked for retention under Condition 8 above have been submitted to and approved in writing by the local planning authority. Thereafter, all demolition and construction works (including any ground remodelling works) in that phase shall be undertaken in strict accordance with the approved Tree Protection Plan, Arboricultural Method Statement and Arboricultural Implications Assessment.

REASON:

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

13. Floorspace falling with Class B1(a) of the Town & Country Planning (Use Classes) Order 1987 as amended in units where such floorspace constitutes the primary use shall not exceed the threshold set down in condition 17 and such B1 office units shall be sited only within Zone B as defined on pHp Architects Illustrative Masterplan Drawing Number 020 Rev.P23.

REASON:

To ensure that the Technology Park is developed in a manner which maximises regeneration benefit to the Coventry & Nuneaton Regeneration Zone in accordance with Policies PA1 and PA2 of the West Midlands RSS 2008.

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

REASON:

To ensure that the development does not prejudice the provision of large scale office accommodation in Strategic Centres in accordance with Policy PA13B of the West Midlands RSS Phase 2 Revision.

15. No unit the primary use of which falls within Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be located within the Technology Park unless otherwise approved in writing by the local planning authority.

REASON:

To ensure that the Technology Park is developed in a manner which maximises regeneration benefit to the Coventry & Nuneaton Regeneration Zone in accordance with Policies PA1 and PA2 of the West Midlands RSS 2008.

16. The development shall be implemented in accordance with the Transport Assessment forming part of the submitted Environmental Statement (as amended by the revised Zone A access arrangements shown on drawing no.237 Rev.B submitted on 22 November 2012), including the quantum, general layout of development, the proposed means of access and associated highway infrastructure. Such development shall not exceed the following thresholds in respect of the specified uses as defined in the Town & Country Planning (Use Classes) Order 1987 as amended:
  - i) 65,032 square metres (GFA) of B1 floorspace in Zone B
  - ii) 343,740 square metres (GFA) of B2/B8 floorspace in Zone A
  - iii) 11,617 square metres (GFA) of hotel floorspace in Zone B

REASON:

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

17. No more than 10% of the total B1 floorspace within buildings in Zone B as defined on pHp Architects Illustrative Masterplan Drawing Number 020 Rev.P23 shall be occupied for purposes falling within Class B1a of the Town & Country Planning (Use Classes) Order 1987 as amended.

REASON:

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

18. No more than 30% of the total floorspace within Zone A as defined on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be occupied for purposes falling within Use Class B2 of the Town & Country Planning (Use Classes) Order 1987 as amended.

REASON:

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

19. Prior to the commencement of any works on the site full details of how the site access provisions, generally as illustrated on TH:DA Drawings 11-0540 200 and 201 General Arrangement Whole Scheme – Sheets 1 of 2 and 2 of 2 (August 2012), will align with the Highways Agency's Tollbar End Improvement scheme as illustrated on those drawings shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. The full details to be submitted and approved shall include:
- i) How the development scheme interfaces with the A45/A46 Strategic Road Network highway alignment, including details of highway surface water drainage, the carriageway markings and lane destinations.
  - ii) Full direction and traffic signing, lining, lane markings and lighting details.
  - iii) Provision for Non-Motorised Users (NMUs).
  - iv) Confirmation of full compliance with the current Design Manual for Roads and Bridges (DRMB) and Departmental Policies and Advice Notes, and the necessary relaxations/departures from those standards approved by the Highways Agency.
  - v) Independent Stages One and Two Road Safety Audits carried out in accordance with the current Design Manual for Roads and Bridges (DRMB) and related Advice Notes.

Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance

with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

20. Where the proposals in Condition 19 above affect the design and/or access to the proposed surface water run-off balancing ponds, under the provisions generally as illustrated on TH:DA Drawings 11-0540 200 and 201 General Arrangement Whole Scheme – Sheets 1 of 2 and 2 of 2 (August 2012), details of the proposed modifications to the balancing ponds shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency prior to the commencement of works on the site. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

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

21. Full details, as defined in condition 19, of the proposed alterations to the A46/ Stoneleigh Road/ Dalehouse Lane junction generally as illustrated on TH:DA General Arrangement Drawing Number 212 (Revision A) (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and Warwickshire County Council, prior to the commencement of construction at this junction under the Phase 2 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

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

22. Full details, as defined in condition 19, of the proposed alterations to the A46/ Binley Roundabout generally as illustrated on TH:DA General Arrangement Drawing Number 213 (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities, prior to the commencement of construction at this junction under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

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

23. Full details, as defined in condition 19, of the proposed alterations to the A46/ A45/ A444 Stivichall Interchange (also known as Festival Island) as generally illustrated on TH:DA General Arrangement Drawing Number 208 Rev A (August 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities, prior to the commencement of construction at this interchange under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

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

24. Full details, as defined in condition 19, of the proposed alterations to the A46 Walsgrave junction as generally illustrated on TH:DA General Arrangement Drawing Number 238 (October 2012) shall be submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highway authorities prior to the commencement of construction at this junction under the Phase 3 highway works defined in condition 25. Thereafter the development shall be undertaken in full accordance with these approved details or any amendments subsequently approved in writing by the local planning authorities in consultation with the Highways Agency.

REASON:

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

25. No construction shall commence on site until a detailed Highway Improvement Works Phasing Plan generally in accordance with Lawrence Walker Ltd Site Access Proposed Improvements Phasing; Figure 2 Rev P21 (July 2012) and pHp Architects Construction Highways Sequence Plan Drawing Number 041 Rev P5 (August 2012) has been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. Thereafter the phasing of development shall be undertaken in full accordance with

these approved details or any amendments subsequently approved in writing by the local planning authority in consultation with the Highways Agency.

REASON:

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

26. The phasing of development hereby approved shall be generally in accordance with pHp Architects Construction Highways Sequence Plan Drawing Number 041 Rev P5 (August 2012).

REASON:

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

27. No more than 9,290 square metres (GFA) of development falling within Use Classes B1a, B1b or B1c of the Town & Country Planning (Use Classes) Order 1987 as amended within the proposed Technology Park forming development Zone B as illustrated on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be brought into use and occupied until the Phase 2 site access highway works as illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P21 (July 2012) have been constructed to the written satisfaction of the local planning authority in consultation with the Highways Agency and local highway authorities and opened to traffic.

REASON:

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

28. No part of the development hereby approved within Zone A as identified on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 falling within Use Classes B2 and/or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be brought into use and occupied until Phases 1 to 4 inclusive of the site access highway works illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P21 have been constructed to the written satisfaction of the local planning authority, in consultation with the Highways Agency and opened to traffic.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance



with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

29. No construction shall commence on site until a detailed Construction Management Plan incorporating permitted construction traffic arrival and departure times and a Construction Vehicle Routing Plan have been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency. Thereafter all construction activity in respect of the development shall be undertaken in full accordance with such approved details unless otherwise approved in writing by the local planning authority, in consultation with the Highways Agency.

REASON:

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

30. Access to and departure from the development site by construction workers and construction delivery vehicles shall not be permitted between 8:00 and 9:00 AM and between 5:00 and 6:00 PM until either the Highways Agency's A45 Tollbar End Improvement scheme is complete and open to traffic, or the Phase 2 access highways works, as defined in condition 25 are complete and open to traffic whichever is the sooner.

REASON:

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

31. No part of the development shall be occupied or brought into use until a detailed Travel Plan in accordance with the outline Travel Plan and outline Travel Monitoring Strategy forming part of the Environmental Statement, both dated August 2012, has been submitted to and approved in writing by the local planning authority in consultation with the Highways Agency and local highways authorities. This Framework Travel Plan shall include the following:

- i) Modal share targets
- ii) The methods to be employed to meet the agreed targets
- iii) The mechanisms for monitoring, review and updates
- iv) The measures to be applied in the event that the agreed targets are not met; and
- v) Timescales of implementation and operation thereafter.

REASON:

To enable the A46 and A45 Trunk Roads to continue to be an effective part of the national system of routes for through traffic, in accordance

with Section 10(2) of the Highways Act 1980 and to protect the interest of road safety.

32. The number of car parking spaces to be provided within the application site in respect of the development hereby permitted shall not exceed 5,250, of which a maximum of 750 shall be allocated for visitors and no more than 2,700 for the employees of the developments falling within either Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended in Zone A.

REASON:

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

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

REASON:

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

34. The development shall not commence until the Highways Agency's Tollbar End Improvement scheme has been approved by the Secretary of State for Transport and those improvement works have commenced.

REASON:

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

35. No more than 9,290 square metres (GFA) of development falling within Use Classes B1a, B1b or B1c of the Town & Country Planning (Use Classes) Order 1987 as amended within the proposed Technology Park forming development Zone B as illustrated on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 shall be brought into use and occupied until the Phase 2 site access highway works as illustrated on Lawrence Walker Ltd Site Access Proposed

Improvements Phasing Figure 2 Rev P21 (July 2012) have been constructed in accordance with the detailed highways drawings in respect of such phase 2 works forming part of the approved application documentation to the written satisfaction of the local planning authority in consultation with the Highways Agency and Local Highway Authorities and opened to traffic.

REASON:

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

36. No part of the development hereby approved within Zone A as identified on pHp Architects Illustrative Masterplan Drawing No.3924 020 RevP23 falling within Use Classes B2 or B8 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be brought into use and occupied until:
- i) Phases 1 to 4 inclusive of the site access highway works illustrated on Lawrence Walker Ltd Site Access Proposed Improvements Phasing Figure 2 Rev P21 (with the exception of the St. Martin's roundabout) have been constructed in accordance with the detailed drawings in respect of these phases forming part of the approved application documentation to the written satisfaction of the Local Planning Authority, in consultation with the Highways Agency and opened to traffic unless
  - ii) In respect of Condition 25 above an alternative highway works phasing scheme has been submitted to and agreed in writing by the Local planning authority in consultation with the Highways Agency and local Highway Authorities to secure the construction, and completion of the entirety of these highway works including alternative phasing arrangements within which such works will be constructed and completed in relation to the occupation of floorspace within the development, in which case the phasing requirements of condition 28 above shall not apply and completion and opening to traffic of these highway works in general accordance with the above-mentioned detailed drawings to the written satisfaction of the Local Planning Authority, in consultation with the Highways Agency and Local Highway Authorities shall be undertaken in accordance with the revised phasing arrangements agreed under Condition 25.

REASON:

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

37. The Construction Management Plan to be submitted under Condition 29 above shall also include detail in respect of those matters set out in Sections 4, 5 & 6 of the Construction Sequence and Programme report forming part of the approved application documentation and shall include details of measures to control dust and noise from construction activities.

REASON:

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

38. Car parking shall not exceed the following maximum ratios on individual development plots in respect of the uses specified, as defined in the Town & Country Planning (Use Classes) Order 1987 as amended, unless otherwise agreed in writing by the Local Planning Authority, in consultation with the Highways Agency and the Local Highway Authorities:

- i) B1 – 1 space per 35 square metres GFA
- ii) B2 – 1 space per 125 square metres GFA
- iii) B8 – 1 space per 125 square metres GFA
- iv) A1/A3/A4/A5 – 1 space per 23 square metres GFA
- v) C1 – 1 space per 0.8 bedrooms
- vi) Car showroom(s) – 1 space per 21 square metres GFA

REASON:

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

39. No more than 18,581 square metres (GFA) of the development hereby approved within Zone B as identified on pHp Architects Drawing No.3924 029 RevP18 (Parameters Plan) shall be brought into use prior to completion of the:

- i) Phase 3 and 4 site access highway works illustrated on Lawrence Walker Ltd Drawing No. Figure 2 Rev P21 (Site Access Proposed Improvements Phasing) with the exception of the St. Martin's roundabout and in accordance with the detailed drawings in respect of these phases forming part of the approved application documentation; and
- ii) the highway works at the junction of the A45 with Baginton Road as illustrated on TH:DA Drawing No.11-0540 200 (General Arrangement Whole Scheme – Sheet 1 of 2) in general accordance with that drawing and;
- iii) the highway works at the junction of the A46 with the B4082 as illustrated on TH:DA Drawing No.11-0540 238 (General Arrangement Walsgrave Roundabout) in general accordance with that drawing;

unless in respect of Condition 25 above an alternative highway phasing scheme has been submitted to and agreed in writing by the local planning authority in consultation with the Local Highway Authorities to secure the construction and completion of the entirety of these highway works including alternative phasing arrangements within which such works will be constructed and completed in relation to the occupation of floorspace within the development, in which case completion of these highway works in general accordance with the

drawings referred to in i), ii) and iii) above shall be undertaken in accordance with those alternative phasing arrangements agreed under Condition 25.

REASON:

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

40. The construction of any highway structure as identified on TH:DA Drawing No. 11-0540 202 Rev.A (Structures Location Plan) shall be undertaken only in full accordance with details, which shall include an approval in principle report, which have previously been submitted to and approved in writing by the Local Planning Authority in consultation with the relevant Highway Authority.

REASON:

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

41. No more than 18,581 square metres (GFA) of building floorspace within the development shall be occupied unless and until the footway and cycleway improvements shown in Red and Purple on the Coventry and Warwickshire Gateway Cycling and Walking Access Infrastructure Requirements Plan, in Appendix G of the Travel Plan (August 2012) forming part of the approved application documentation have been constructed in full accordance with details submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authorities.

REASON:

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

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

in respect of those highway works, have been submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authority

REASON:

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

43. No development shall commence within Zone A as illustrated on pHp Architects Drawing No.3924 029 RevP19 (Parameters Plan) unless and until a link road has been constructed between Rowley Road and Zone A in accordance with TH:DA drawing nos. 11-0540 203 Rev.A and/or 11-0540-210 and 11-0540 237 Rev.B forming part of the approved application documentation.

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

44. Unless otherwise approved in writing by the Local Planning Authority, street lighting shall be provided in respect of each phase of the development hereby permitted which involves the construction of highways, footpaths or cycleways in full accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authority.

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

45. At all times following the completion and opening to traffic of the phase 3 highway works in respect of the new A45 junction between the Festival and Toll Bar Islands, as illustrated on Lawrence Walker Ltd Drawing No. Figure 2 Rev P21 (Site Access Proposed Improvements Phasing) signage, traffic signal or other traffic management arrangements shall be in place on Rowley Road in accordance with details previously submitted to and approved in writing by the Local Planning Authority, in consultation with the relevant Highway Authorities, to discourage vehicles exiting the development from utilising the roundabout element of the completed Highways Agency Tollbar End Improvement Scheme in order to access the strategic highway network.

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

46. No development shall commence in respect of Zone A as identified on pHp Architects Drawing No.3924 029 RevP18 (Parameters Plan) unless and until a scheme for the provision of emergency access from Middlemarch Business Park to Bubbenhall Road both during the construction and operational phases of development with respect to that zone has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Highway Authority. At all times following the commencement of development in respect of Zone A such emergency access shall be provided in full accordance with the approved scheme.

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

47. No building within the development hereby permitted shall be occupied unless and until the following transportation infrastructure has been provided in respect of that building in accordance with Reserved Matters details submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority:
- i) Motor vehicle, pedestrian and cyclist access to that building from the boundary of the application site;
  - ii) All the Car parking approved for that building which shall include disabled car parking comprising at least 2% of the total number of car parking spaces provided for that building plus 6 further spaces;
  - iii) Covered cycle and motorcycle parking; and
  - iv) Servicing arrangements in respect of that building.

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

REASON:

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

48. The reserved matters to be submitted in accordance with condition 3 in respect of any single unit exceeding 1000 square metres (GFA) shall be accompanied by details of showering and changing facilities for employees working in or visiting that unit. Thereafter such approved facilities shall be provided in the construction of that unit and at all times following the first occupation of that unit those facilities shall remain in place and be available for use by persons employed in that unit.

REASON:

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

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

REASON:

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

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

REASON:

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

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

REASON:

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

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

REASON:

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



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

REASON:

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

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

REASON:

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

55. The reserved matters submitted under Condition 3 above in respect of any phase of the development shall include details for the disposal of foul sewage associated with any development in that phase. Thereafter infrastructure for the disposal of foul sewage in respect of that phase of the development shall be provided in accordance with the approved details before the development in that phase is first brought into use.

REASON:

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

56. No development shall commence in respect of the land within the application site occupied by the Coventry Model Car Club unless and until the club have been relocated to the site shown on approved pHp Architects drawing no.3924 049 RevP1 and that site has been laid out with replacement facilities of at least equal quality for the club in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

57. No development shall commence in respect of land within the application site occupied by the Electric Railway Museum, including

development in respect of that part of the proposed link road between the Technology and Logistics Parks which lies within that land, unless and until that museum has been relocated to the site shown on approved pHp Architects drawing no.3924 049 RevP1 and that site has been laid out with replacement facilities for the museum in accordance with details submitted to and approved in writing by the local planning authority.

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

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

REASON:

To safeguard a community facility in accordance with Policies SC8 and SC14 of the Warwick District Local Plan 1996-2011.

59. The existing trees, shrubs hedges indicated under condition 8 to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any trees, shrubs or hedges removed without such consent or dying, or being severely damaged or diseased or becoming, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s), hedge(s) or shrub(s) of such size and species as have been approved in writing by the local planning authority. All tree(s), hedge(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces).

REASON:

To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

60. The mounds alongside Zones A and B shall be constructed in accordance with details regarding their ground levels and gradients previously submitted to and approved in writing by the local planning authority.

REASON:

To ensure the mounds are in keeping with surrounding landscape and to ensure that the proposals do not harm the living conditions of

nearby dwellings, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

61. The construction of buildings within Zones A and B shall be phased in strict accordance with the earthworks and sequence plan (drawing no. 3924/048 P2). None of the buildings within Zone A shall be occupied until all of the proposed mounds have been completed in strict accordance with the approved plans.

REASON:

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

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

REASON: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.

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

REASON:

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

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

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

65. No development shall commence until:
- (i) a scheme to consider options for the retention of the oak tree marked as T38 on the tree survey has been submitted to and approved in writing by the local planning authority;
  - (ii) if the scheme approved under (i) demonstrates to the satisfaction of the local planning authority that it is not feasible or practical to retain the tree, details of compensatory measures shall be submitted to an approved in writing by the local planning authority.

If retention of the tree is approved under (i), the tree shall be retained in accordance with the approved scheme. If removal of the tree is approved under (i), the compensatory measures approved under (ii) shall be implemented in strict accordance with the approved details.

REASON:

To ensure that all options to retain this tree which is of significant amenity and ecological value to the area are assessed, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

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

REASON:

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

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

REASON:

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

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

REASON:

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

69. Prior to the commencement of development, including demolition works, a Site Waste Management Plan covering both the construction and operational phases of the development shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be constructed and operated in full accordance with the approved Site Waste Management Plan or any amendments to it subsequently approved in writing by the local planning authority.

REASON:

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

70. Construction work shall not begin on any phase of the development hereby permitted until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. No part of any phase of the development shall be occupied until the approved scheme has been implemented to the satisfaction of the District Planning Authority for that phase of the development.

REASON:

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

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

(bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level.

REASON:

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

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

The approved noise mitigation measures shall be maintained in a manner that achieves the noise attenuation specified in the report approved under (i) at all times thereafter. For the purposes of this condition, Zone A shall include the new access road from the A45 that runs to the east of Baginton village.

REASON:

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

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

REASON:

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

74. No development shall take place on any phase of the development until:
- i) a preliminary risk assessment has been carried out (to include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information) and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced;

- ii) a site investigation has been undertaken in accordance with details approved by the local planning authority using the information obtained from the preliminary risk assessment;
- iii) a method statement detailing the remediation requirements (including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation) has been submitted to and approved in writing by the local planning authority.

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

REASON :

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

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

REASON:

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

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

REASON:

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

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

REASON :

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

78. No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the local planning authority has been submitted to and approved in writing by the local planning authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the local planning authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the local planning authority.

REASON:

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

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

REASON:

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

80. No work shall commence on any of the buildings permitted under this outline planning permission and any subsequent reserved matters approval unless and until a scheme showing how 10% of the predicted energy requirement of the building will be produced on or near to the site, from renewable energy resources, has been submitted to and



approved in writing by the local planning authority. The building shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

**REASON:**

To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

81. No car showroom floorspace or floorspace falling within Classes A1, A3, A4, A5 or C1 of the Town & Country Planning (Use Classes) Order 1987 as amended shall be occupied unless and until at least 9,290 square metres (GFA) of floorspace falling within Use Class B1 of the said Order has been occupied within Zone B as identified on pHp Architects Drawing No.3924 029 Rev P18 (Parameters Plan) forming part of the approved application documentation.

**REASON:**

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