

General Development Applications

(6) a) Application No: PAP/2015/0679

Land north east of, The Beanstalk, Gypsy Lane, Birch Coppice Distribution Park, Dordon,

Erection of an industrial/warehouse unit (Use classes B1c/B2/B8) with ancillary offices and plant, associated infrastructure including service yard, access, parking, landscaping and associated works, for

IM Properties Development Ltd.

b) Application No: PAP/2015/0745

Land south of Berry House, Gypsy Lane, Dordon.

Residential Development (14 houses) with an improved access and new road for

Mr and Mrs Kerrigan

Introduction

Both of these applications are referred to the Board at the discretion of the Head of Development Control given that they are located on adjoining sites and because given the nature of the different proposals, they will have impacts on each other. Because of the need to cross-reference between the proposals, they are dealt with here in one covering report, but as two separate applications.

In these circumstances, Members will have to determine each application separately but they should be aware of the juxtaposition of the two sites and the planning impacts that will arise in taking each decision.

The Sites

In general terms both sites are located south of the Watling Street – the A5 – in Dordon and west of Gypsy Lane. The plan at Appendix A illustrates the overall position and identifies the two sites.

The application site for housing development is a paddock at the rear – the south – of a residential terrace of properties fronting the Watling Street in Dordon with a larger detached property at its eastern end. It amounts to around half a hectare in area. There is an existing access off Gypsy Lane about 50 metres to the south of its roundabout junction with the A5. This provides access to a hard-standing and parking area for staff cars in connection with the applicant's offices which are located at the eastern end of the ribbon of residential development referred to above. The paddock then extends beyond with a slight upward slope towards the west. The site itself is bounded by mature hedgerows and trees. To the north are the rear gardens of the Watling Street frontage; to the west is a bowling green and playing fields of the Social Club and to the south is Phase Three of the Birch Coppice Distribution Park.

The application site for the new commercial building lies immediately to the south of the above site and this common boundary has tree cover. The site itself amounts to 2.2 hectares in extent and has a frontage with Gypsy Lane which has trees and a hedgerow. To the south and the west is Phase 3 of the Birch Coppice estate and two other large commercial buildings are presently being constructed on these sides. An emergency access into the larger Birch Coppice estate forms its southern boundary. The adjoining land within Phase Three is in the process of being levelled in order to align with the approved Phase Three section of the Birch Coppice estate and top soils are being temporarily stored at the northern end of the application site such that this is visible from the land to the north.

The Proposals

a) The Residential Proposal

In respect of the residential proposal then the existing access would be improved so as to enable the development of the site as a cul-de-sac of fourteen houses – six semi-detached at the far western end and four pairs of semi-detached running parallel to the Watling Street frontage. One pair would front Gypsy Lane. Car parking would be provided such that the provision is for just over 200%. The existing car parking area serving the applicant's current business would be retained as would that business.

It is proposed to remove the lines of conifers along the northern boundary of the site and along the site frontage with Gypsy Lane. Other boundary vegetation would be managed through removing and cutting back and additional landscaping would then be provided.

The applicant proposes to extend the footpath along Gypsy Lane into the site entrance linking with the new road.

A Section 106 Undertaking is proposed with an off-site affordable housing contribution. The value of this is presently not known given that land values are uncertain until the position in respect of the commercial proposal is concluded.

A number of supporting documents are also submitted.

A Design and Access Statement describes the site and its setting explaining how the layout and appearance of the proposed houses has been arrived at.

A Tree Survey concludes that there would be little impact as the majority of the surrounding trees are of low quality with low life expectancy. Trees along the southern boundary should be retained where possible and supplemented by new planting.

An Ecological Study concludes that the site is of low ecological value as it comprises semi-improved mechanically managed grassland. The removal of the conifers along the boundaries is not considered to be a loss in bio-diversity terms. No protected species were recorded in the vicinity of the site and there are no designated or potential designated sites nearby. The report concludes that there would be no loss here but that a selection of bat and bird boxes should be provided.

A Ground Conditions Report concludes that there is little potential here for land contamination and that there is very little risk arising from gas emissions from nearby former landfill sites because of the separation distances and the time periods involved. An intrusive ground investigation is recommended however so as to enable foundations to be designed together with a limited programme of ground gas monitoring undertaken.

A Noise Assessment was provided as a consequence of a request from the Council's Environmental Health Officer. This concludes that with appropriate mitigation there would be no adverse noise impacts sufficient to lead to a refusal.

The proposed layout is shown at Appendix B.

b) The Commercial Building

The proposal here is for a similar building to those on the established Birch Coppice site. It would amount to some 7500 square metres of space including offices. The building would be oriented so as to face east towards Gypsy Lane where the offices would be located. The main unit would then extend westwards running parallel with the common boundary of the application site to the north. The existing ground level of the site would be lowered by a maximum of three metres in the north-west corner so as to align with those of the two plots to be developed as referred to above within Phase 3. In order to create a level base the ground level at the north-east corner would rise by 1.5 metres.

Access would be achieved internally from within the existing Birch Coppice estate partly upgrading the emergency access at its western end. This would provide separate car and HGV access points into the site. Associated parking and turning areas would be to the south and east of the building. The loading and unloading docking bays would all thus be in the south facing elevation. The remaining length of the emergency access would remain as such, but also double as an alternative bus access into the Birch Coppice estate. At present, bus services into the estate both enter and leave via the main access onto the A5. The proposal here is to enable the opportunity of through access if required by the bus companies – entry via Gypsy Lane and exit via the main entrance. A new footpath would be added through the site frontage to Gypsy Lane so as to link with the pavement to the north providing safe pedestrian access to the A5. The building's height to its ridge would be 14 metres and it would be designed such that it appears very similar to the other units on the estate.

The applicant is seeking a flexible permission here as throughout the remainder of the estate, with the use being either in the light, general industrial or warehouse use classes.

The application is supported by other documentation.

A Design and Access Statement describes the setting of the site and sets out how the design of the building and the layout of the plot have been developed.

A Landscape Appraisal concludes that the unit is unlikely to be visible from the A5 east of the Dordon roundabout and when viewed from the south, the site will be seen in the context of the established Birch Coppice estate. With regard to the existing residential properties on the Watling Street frontage then the Appraisal concludes that there will be moderate adverse impact as the building will be visible, although this would depend on the additional landscaping being proposed.

A Tree survey identifies the main trees on the site as being along the northern and eastern boundaries. The northern trees are generally of moderate quality. These are to be retained. Those along the eastern boundary are of poorer quality due to their age. They are however to be retained because of their amenity and screening value.

A Transport Assessment concludes that as all access is to be via the established internal estate layout, the generation from one additional unit would not cause adverse highway impacts on the capacity of the surrounding highway network.

An archaeological report concludes that there is unlikely to be any significant interest given investigatory work already undertaken in connection with the Phase 3 development.

An Ecology Statement concludes that the site is not of high ecological value but that enhancement measures should be incorporated into the landscaping proposals.

A Construction Method and Management Statement sets out a series of measures including proposed construction hours of 0700 to 1900 during the week and 0800 to 1300 on Saturdays. Minimisation of mud on the roads and dust suppression measures are also included.

A Flood Risk Assessment points out that the site was included in the Assessment that was undertaken for the Phase Three development at Birch Coppice. This was approved at that time and therefore there is no additional assessment required. The proposed attenuation measures for Phase 3 feed into the established lakes on the site and thence into the Penmire Brook.

A Noise Assessment concludes that there is unlikely to be adverse noise impacts on the residential amenity of the occupiers of the Watling Street residential property.

A Daylight and Sunlight Impact Assessment is also submitted. This uses the nationally accepted Building Research Establishment's guidance dating from 2011. The assessment concludes that because of the southern aspect of the rear windows in the residential frontage and the separation distances, there would be no adverse impact.

This assessment particularly looked at the closest of these properties - the one at the far eastern end at the road junction – because of the proximity to the proposal and because that building would stand higher here because of the associated ground levels. A Planning Statement draws together all of the matters covered by the supporting documentation. It also concludes that it meets relevant Development Plan policies as well as national planning policy guidance.

The proposed layout is at Appendix C and the elevations are at Appendix D.

The plan used in the light impact assessment is at Appendix E.

Representations Received

a) The Residential Proposal

Dordon Parish Council – The Council has concerns about increased traffic volumes and that the site is not within an allocation of either the Core Strategy or the Site Allocations Plan.

Two letters of objection from local residents in the Watling Street frontage have been received referring to the following matters:

- There is concern about the potential misuse of the extended pavement as cars are likely to be parked on it as this already happens closer to the Watling Street.
- Loss of visibility from other private access points as a consequence
- There will be difficulties for existing residents to access the rear walls of the properties if there are new back gardens adjoining the wall.
- There is a lost opportunity here for off-street car parking and access to be provided to the Watling Street houses.

An objection has also been received from the applicant of the land the subject of the commercial application referring to the following matters:

- Whilst he has shown that his application would not have an adverse noise impact on existing residential occupiers, this does not apply to the occupiers of the proposed houses. Amended plans may be needed.
- The proximity of the closest proposed residential property to the proposed unit is inappropriate and would lead to loss of residential amenity because the commercial building would be too dominant.

b) The Commercial Proposal

Five letters of objection have been received – four from local residents in the nearby residential frontage of Watling Street. The matters referred to are:

- The building is too close to the northern boundary and there will be resultant adverse impacts – drainage; noise, impact on existing trees and overshadowing.
- Loss of view
- Light pollution
- Increased traffic onto Gypsy Lane

Consultations

a) The Residential Proposal

Highways England – No objection

Warwickshire County Council as Highway Authority – A final response is still awaited.

Warwickshire County Council as Local Lead Flood Authority – No objection subject to a standard condition

Environmental Health Officer – A Noise Assessment was requested and upon its receipt there is no objection subject to conditions.

Warwickshire Museum – No objection subject to a standard condition

Warwickshire Police – No objections

b) The Commercial Proposal

Warwickshire County Council as Highway Authority – No objection subject to conditions

Warwickshire County Council as Local Lead Flood Authority – No objection subject to conditions

Environmental Health Officer – No objection subject to the construction hours being reduced to 0800 to 1800 hours on weekdays because of the proximity of housing development and full details being submitted of all of the associated plant prior to occupation. There are no comments in respect of potential contaminated land.

Fire Services Authority – No objection subject to a standard condition

Warwickshire Museum – No objection subject to a standard condition

Severn Trent Water Ltd – No objection subject to a standard condition

Development Plan Policies Relevant to Both Applications

The Core Strategy 2014 – NW1 (Sustainable Development); NW2 (Settlement Hierarchy), NW5 (Split of Housing Numbers), NW6 (Affordable Housing Provision), NW9 (Employment), NW10 (Development Considerations), NW11 (renewable Energy and Energy Efficiency), NW12 (Quality of Development), NW13 (Natural Environment), NW14 (Historic Environment), NW15 (Nature Conservation) and NW17 (Economic Regeneration)

Saved Policies of the North Warwickshire Local Plan 2006 – ENV4 (Trees and Hedgerows); ENV6 (Land Resources); ENV8 (Water Resources), ENV12 (Urban Design), ENV13 (Building Design), ENV14 (Access Design), ECON1 (Industrial Estates) and TPT6 (Vehicle Parking)

Other Material Planning Considerations

The National Planning Policy Framework 2012 – (the “NPPF”)

The Council’s Preferred Options for Site Allocations – Pre-draft Submission 2014.

Observations

a) Introduction

As indicated above, both applications should be determined separately on their own merits and Members should therefore avoid expressing preferences. However as the sites neighbour each other, Members will have to be aware of the possible impacts of the proposals on each other. These will need to be taken into account as material planning considerations. In order to guide Members, it is proposed to first look at the planning policy background to each application in principle. If there is found to be general support for both, then the more detailed impacts will need to be explored. If not, then those impacts may not need to be considered.

b) The Principle of the Commercial Proposal

The Birch Coppice Estate has expanded through three phases via the grant of planning permissions. This particular site falls outside the scope of those permissions. However the site is adjacent to Phase 3. The Core Strategy at Policy NW9 says that there is a requirement for a further 60 hectares of employment land in the plan period. With current commitments and allocations, that still leaves a shortfall of 29 hectares. The policy continues by saying that this requirement will be directed towards existing settlements, appropriate to their size and position in the local hierarchy. Policy NW2 identifies Dordon as a suitable settlement for employment growth and that this should be located within or adjacent to it. Indeed the Council's preferred options for such site allocations include this application site as it is adjacent to both the Birch Coppice estate and to Dordon. Members will also be aware of the current on-going studies into employment growth and the expected need to identify further land. In all of these circumstances it is considered that there is support in principle for this proposal.

c) The Principle of the Residential Proposal

This site is outside of the Development boundary for Dordon as defined by the Development Plan but it does adjoin it along the whole length of its northern boundary.

Dordon itself is identified as a Category One settlement in the Core Strategy where new development is to be promoted. Policy NW2 states that the majority of the Borough's growth is expected to take place "in or adjacent to" such settlements. This site is adjacent to the settlement. Policy NW5 states that Dordon with Polesworth, is expected to take a minimum of 440 dwellings in the plan period. Moreover as the applicant points out, the settlement has a wide range of services and facilities and is well linked to public transport routes. The overall view therefore is that this proposal does constitute sustainable development and that it aligns with the Development Plan. The presumption is thus in favour of the grant of a planning permission here.

d) Initial Conclusion

These two assessments therefore point strongly to support for both applications in principle. It is therefore highly likely that two recommendations of approval would follow.

Before this position is reached it is necessary to look at the various development considerations relevant to each of the proposals – highways and drainage etc. It is proposed to do this first for each application, as if it was a stand-alone application irrespective the other. This will establish if there are any adverse impacts arising from the individual applications of sufficient weight to warrant refusal in their own right. If not, it will then be necessary to establish if there are any impacts arising from each of the applications as a consequence of them being neighbours and then finally, there is a need to look at the cumulative impacts of both applications.

e) Details of the Commercial Application

It is significant that the Highway Authority has not raised an objection. All operational movements associated with this unit would use the internal Birch Coppice road layout and not the existing emergency/secondary access onto Gypsy Lane. Comments from objectors that there would be highway and safety concerns about increased traffic in Gypsy Lane are thus misplaced and carry no weight here. It is encouraging that the possibility of using this access as only a bus route has been explored and a resolution found. Whilst the access should not be used as an egress for buses it can be used as an entry point into the estate and this would enable the possibility of a through route. The Highway Authority is supportive of this arrangement provided that the emergency access is properly controlled. This would be achieved by condition and also through the inclusion of a turning area so that any vehicle which enters and cannot continue, can then turn and return to Gypsy Lane. The arrangements as now proposed will enable the bus operators to review their routes allowing for greater linkage to more of the estate.

The relevant Authority too has not raised an objection in respect of drainage. Members are very aware of the flooding issues downstream of Birch Coppice and thus this issue is of significance. However the drainage details are already approved and installed as a consequence of Phase 3 of Birch Coppice which did include allowances for this additional site. The surface water from this additional plot will therefore discharge into a system approved with that capacity. As such the Local Lead Flood Authority has not objected and it would now be unreasonable to consider this matter further.

The design and appearance of the unit follows the approach already approved throughout the three phases of the estate and this is welcome.

The existing boundary trees are to be retained and additional landscaping is included in the proposals. This will benefit both the visual amenities of the area and enhance the bio-diversity of the locality.

The Environmental Health Officer has assessed the noise impacts that might arise from this new unit. He is recommending that construction hours are slightly reduced from between 0700 to 1900 hours to 0800 and 1800 hours on weekdays. Additionally he would wish to see no additional openings in the north elevation given that this faces the rear of the Watling Street residential properties. A safeguarding condition requiring full details and specifications of all fixed plant to be installed is also recommended. With these matters dealt with, he has no objection confirming that the potential noise impact on existing occupiers on the Watling Street would be within the ranges as set out in Government guidance.

The objections received other than those concerned with traffic are to do with potential impacts on residential amenity. Given the full assessment that the Environmental Health Officer has given to the proposal it is not considered that a refusal reason based on adverse noise pollution could be sustained. The conditions recommended reinforce this conclusion. Lighting on the north elevation of the unit is to be provided by “down lit” security lights and light sources would not be visible. In any event, over time, the landscaping would help filter any impact. The new unit will be visible from the rear of the Watling Street properties but as Members are aware the loss of a view is not a planning consideration. However where that loss of view would cause a significant shadowing effect or dominate the setting of a residential is such consideration. The Assessment undertaken by the applicant in this respect concludes that there would not be such an adverse impact to warrant refusal here. This is agreed because that Assessment has been undertaken in full accord with standard accepted national guidance.

As such therefore it is considered that the matters raised here would not alter the initial conclusion reached above, that the application is capable of support.

f) Details of the Residential Application

Looking at the development considerations here, then neither the County Highway Authority nor Highways England has objected to the proposal in respect of the design of the access and road layout; the visibility at the junction or the capacity of the highway network. Given this position it would be difficult to advance a refusal when the National Planning Policy Framework states that a highway refusal should only be used when traffic and highway impacts are likely to be “severe”. The objections received refer to highway issues. The general concern about increased traffic generation using the access close to the roundabout would carry little weight here, given that both relevant Highway Authorities have raised no objections. The inclusion of a completed footpath extending from the A5 to the new improved access is a benefit that is welcomed. One representor supports this but queries whether or not cars will end up parking on the new pavement thus restricting visibility and obstructing the path. This would be a matter for the Highway Authority to follow through. The Council’s remit here goes as far as ensuring that the path is provided.

Similarly with looking at the impact from surface water disposal, neither the Local Lead Flooding Authority nor Severn Trent Water Ltd has raised an objection subject to a planning condition requiring the design of the disposal system to be first agreed by them. There is concern on this issue as the natural land drainage from this site is into the Penmire Brook which is known to flood at times of heavy and sustained rainfall. The relevant Authorities are satisfied that the site can be self-contained in respect of surface water discharge. The County Council is very aware of the flooding issues of the Penmire Brook further down-stream from here and the need to assess all new developments within its catchment. It however is satisfied that the site can be sustainably drained and thus it has no objection.

It is agreed that there is unlikely to be any adverse bio-diversity impact given the conclusions of the Ecological Survey and it is also agreed that many of the trees here are poor in quality and that with new planting and the removal of much of the overgrown and poor quality areas, there would be a significant improvement. The loss of the conifers along the northern boundary is not considered to be material as it would lead to more appropriate landscaping being added and indeed to less overshadowing of existing rear gardens.

The design of the houses is appropriate and not of such poor quality to lead to a refusal.

The one area that does require further assessment is the likely impact of the new houses on the residential amenity of existing neighbouring occupiers. However this is unlikely to cause adverse impacts because the separation distances are on average 25 metres, within normal guidance. The closest new house would have a gable at the end of an existing rear garden – plot 9. Again the separation distance is 15 metres within normal guidance.

In respect of the other matters raised by objectors then there is no evidence submitted that the applicant is under any obligation to provide rear vehicular access or parking provision for the existing Watling Street residents. Whilst this might be desirable, it is not a matter that can be required. Similarly the maintenance of walls along the common boundary is a private matter between respective owners. It is not a material planning consideration. There is no evidence submitted to show that the existing owner has to provide access for maintenance purposes such that this would need to be replicated in the current proposals.

As a consequence of all of these matters it is concluded that the application is still capable of support.

g) Interim Conclusions

As a consequence of these assessments, it would appear that there should not be a case for refusal of either of the applications on consideration of their detailed impacts.

As stand-alone applications therefore, they should both be recommended for approval.

It is now necessary to consider the relationship between the two applications to see if there might be adverse impacts on either arising from the other. In this regard and given the assessments described above it is considered that there are two issues to review – noise impacts from the commercial unit on the proposed residential development and the loss of light arising from the proposed unit on the new houses. These two however clearly assume that there would be no impacts arising from the residential development on the commercial unit. This will need to be addressed too.

h) The relationship between the two proposals

The first issue to assess here is whether there is likely to be an adverse noise impact on the occupiers of the proposed houses. It has been concluded that there is unlikely to be such an impact on existing houses, but the proposed houses lie between the existing houses and the commercial unit. The Environmental Health Officer's advice on this has been sought. He concludes that there should be no material adverse impact, but that he would recommend additional specifications for the windows and openings of the

proposed houses in terms of acoustic glazing as a precaution. He bases this overall conclusion very largely on the grounds that the commercial unit itself acts a barrier to the service yard on its southern side with no adjoining circulation or operative use on its northern side; that its north elevation has no openings other than emergency doors and that the building itself would be insulated. His recommendation that any additional fixed plant associated with the building is reserved for assessment is also material here as the specification for that, can take account of the new houses if a planning permission is granted. As a consequence on the basis of the evidence available and subject to conditions, it is concluded that from a noise impact perspective both applications can still be supported.

The next issue is to assess whether there is likely to be an adverse impact in terms of over-shadowing and loss of light to the occupiers of the proposed houses. The conclusion in respect of this matter on existing buildings was that there would not be. However the proposed houses would lie between these and the new commercial unit. Whilst there are no openings proposed in the gables of the proposed houses that are closest to the new unit, the main concern is that the many of the proposed houses would lose sunlight in the winter months particularly in the early morning and late afternoon. To some extent this would happen in any event if houses were constructed here without the new unit, because of the existing boundary tree cover. The introduction of the unit would however increase the shadow effect because it would extend along the whole of the site boundary and this would tend to mask the filtering effect of tree cover. The houses most affected would be the ones closest to this boundary, as the majority are to be on the slightly higher ground to the north-west of the site. On balance it is considered that whilst the relationship here is not ideal, the overall impact is not significantly harmful. Moreover prospective occupiers will have the opportunity to make their own decisions. This issue has led to discussions with the applicant of the commercial unit throughout the process. The proposed building has as a consequence, been reduced in height and the roof slope reduced too. The ground levels cannot really be altered further because of the infrastructure constraints on Phase Three. As such there is no further room for re-design of this unit. The applicant for the proposed houses is aware of this and has agreed that the relationship between the two proposals is acceptable.

In these respects it is concluded that there is still support for both applications

It is unlikely that there would be impacts arising from the residential proposals on the commercial unit. However there is the possibility that the occupier of that unit might receive complaints concerning noise or other matters as a consequence of operations in the unit. This cannot be prevented, but in terms of the Council's remit then clearly it has considered this through assessment of these two applications together by the relevant officers and been advised of the need for conditions to be attached to any approval of the unit. The Council also has powers under the Environmental Protection Act that it can follow if needed. Prospective occupiers of the residential properties too will be fully aware of the proposal on the adjoining site. As a consequence there is not considered to be an issue here.

i) Cumulative Impacts

It is still necessary to look at the cumulative impacts of these proposals particularly on existing residential occupiers. As indicated above there is no adverse highway or drainage impact arising from either development and there is no cumulative impact because they are both self-contained in these respects. There is also unlikely to be a cumulative noise issue as only one of the proposals is likely to generate noise and this has been addressed as indicated above. The one cumulative impact that does combine both proposals is that of their combined visual impact. The two sites however are largely not in open land because of the local topography and surrounding tree cover. The most impact will be on the outlook from existing occupiers of the Watling Street frontage. That will change but the existing conifer trees along here will be replaced by other planting and thus this impact will be mitigated. Overall therefore there is unlikely to be a significant adverse cumulative impact if both applications are granted consents.

j) Overall Conclusions

The situation described in this report is unusual, not because the two sites adjoin each other, but more significantly because the proposed uses are different with one likely to have greater impacts outside of its site, than the other. Moreover the two applications were submitted almost together and as such one could not really be dealt with in advance of the other and thus be treated as a commitment. The report does however conclude that on balance, it is possible to support both applications. Both applicants have worked with officers in this respect. The proposals for the commercial unit have been amended so as to reduce the building's height and the roof slope and the proposals for the residential development have involved re-design of the layout so as to move the proposed houses further away from the common boundary. It is this working relationship that has very much led to the balance of the issues as described above in this report.

As a consequence recommendations are set out below. Members should be mindful that if alternatives are moved they should be aware of the consequences on each application because of the relationship between the two cases and because both are still outstanding.

Recommendations

A) PAP/2015/0679 – The Commercial Unit

That planning permission be **GRANTED** subject to the following conditions:

1. Standard Three year condition
2. Standard Plan numbers condition – plan numbers 15/25/01B; 15/062/03(00)01B, 15/062/03(GF) 01B, 15/062/04(ML)01A, 15/062/04(RF)01, 15/062/05(ML)02, 15/06(00)01B, 15/105/03RevC, 15/105/04, 15/105/14, 15/105/15, 15/105/16, 15/6326/002cGA, 15/6326/SK006p4, 17356/03a, E502/P2, E601/P2 and ME/002/P2 all received on 4/4/16 together with the Flood Risk Assessment reference PCB/JWH/12371/3.3 – Issue 2 of June 2012 and the Construction Method Statement received on 3/11/15.

Defining Conditions

3. For the avoidance of doubt the building hereby approved shall not be taller than 14 metres as measured from the ground levels as shown on the approved plan.

REASON

In order to minimise the visual and amenity impacts arising from the building

4. For the avoidance of doubt there shall be no additional openings or new ventilation measures installed within the north elevation beyond those shown on the approved plan.

REASON

In order to minimise any adverse noise impacts arising from the building.

5. Notwithstanding the Construction Method Statement as approved above, the construction hours shall be between 0800 and 1800 hours on weekdays, that is Mondays to Fridays inclusive

REASON

In the interests of the residential amenity of neighbouring occupiers

Pre-Commencement Conditions

6. No development shall take place until a Written Scheme of Investigation for a programme of archaeological evaluation work has been submitted to and approved in writing by the Local Planning Authority and that programme, together with post-excavation analysis, report production and archive deposition has been fully undertaken again to the written satisfaction of the Local Planning Authority

REASON

In the interests of the likely archaeological potential of the site.

7. No development shall commence on site until a scheme for the provision of adequate water supplies and fire hydrants necessary fire-fighting purposes at the site has been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be installed on the site.

REASON

In the interests of public safety

8. No development shall commence on site until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- a) Infiltration testing in accordance with BRE 365 guidance;
 - b) Evidence to demonstrate compliance with the Suds Manual; CIRIA Reports C753, C697 and 687 together with the National SUDS Standards,
 - c) Evidence to show that the discharge rate generated by all rainfall events up to and including the 100 year plus 30% critical rain storm is limited to green field run off rates.
 - d) Evidence to demonstrate the provision of surface water run-off attenuation storage in accordance with the requirements of "Science Report SC030219 Rainfall Management for Developments",
 - e) Evidence to demonstrate detailed design in support of the surface water drainage scheme including the attenuation system and outfall arrangements. Calculations should demonstrate the performance of the design for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 100 year and 1 in 100 year plus climate change return periods,
 - f) Confirmation of how the on-site surface water drainage systems will be adopted and maintained in perpetuity.

REASON

To reduce the risks of flooding and pollution; to protect water quality and to ensure the long term maintenance of the sustainable drainage structures.

Pre-Occupation Conditions

9. The development hereby approved shall not be occupied for business purposes until a visibility splay has been provided adjacent to the bus access in accordance with drawing number 17356/01A in Appendix A of the Transport Statement. No structure, tree or shrub shall be erected, planted or retained within this splay impinging the vertical plane of this splay

REASON

In the interests of highway safety

10. The development hereby approved shall not be occupied for business purposes until the public highway, C7 Gypsy Lane, has been improved so as to provide a footway between the site and the existing footway adjacent to the property known as Coppice Corner in accordance with a scheme to be approved in writing by the Local Planning Authority.

REASON

In the interests of highway safety

11. There shall be no vehicular access or egress between the completed development and the public highway, C7 Gypsy Lane, until a Vehicular Access Strategy has been submitted to and approved in writing by the Local Planning Authority. Vehicular access or egress between the completed development and the public highway, C7 Gypsy Lane, shall thereafter only take place in accordance with the approved Strategy.

REASON

In the interests of highway safety

12. No vehicular access or egress shall be permitted between the completed development and the public highway, C7 Gypsy Lane, unto gates or barriers to control access and egress have been installed in accordance with a scheme approved in writing by the Local Planning Authority. The gates or barriers shall thereafter be maintained at all times in accordance with the approved scheme.

REASON

In the interests of highway safety

13. There shall be no occupation of the building hereby approved for business purposes until a Noise Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan as approved shall remain in operation at all times.

REASON

In the interests of reducing the risk of noise emissions

On-Going Conditions

14. There shall be no refrigeration, air conditioning, or other fixed plant installed until such time as full details of the location of this plant and detailed specifications of noise emissions are first submitted to and approved in writing by the Local Planning Authority. Only the approved plant shall then be installed at the site.

REASON

In the interests of reducing the risk of noise emissions

15. The Root Protection Measures as set out in the approved plan shall be installed prior to commencement of the development and shall only be removed on completion of the development

REASON

In the interests of securing retention of the surrounding tree cover

Notes

1. The Local Planning Authority has worked positively with the applicant in this case to address the planning issues arising from this development through seeking amended plans and requesting additional impact studies thus meeting the requirements of the National Planning Framework
2. Attention is drawn to Section 278 of the Highways Act 1980 in respect of conditions (ix) and (x) together with the Traffic Management Act 2004; the New Roads and Street Works Act 1991 and all relevant Codes of Practice.
3. Warwickshire County Council as Lead Local Flood Authority does not recognise oversized pipes or box culverts to be sustainable drainage. Surface water run-off should be controlled as near to its source as possible. Advice on sustainable drainage systems can be sought from the Flood Authority
4. Standard UK Coal Advice
5. Standard Radon Advice

B) PAP/2015/0745 – The Residential Development

That subject to there being no further objection from the Highway Authority, planning permission be **GRANTED** subject to the following conditions and others as may be recommended by that Authority and completion of a Section 106 Agreement for an off-site affordable housing contribution:

1. Standard Three year condition
2. Standard Plan Numbers – the location plan 2116/01 received on 7/12/15; the site layout plan 2116/03/10/Refuse received on 10/3/16 and plan numbers 2116/D Type 01; E Type 01, C Type 01, C Type 02 and AB Type 01 received on 7/12/15.

Defining Conditions

3. All construction work shall take place only between 0800 and 1800 hours on weekdays (Mondays to Fridays inclusive); 0800 to 1300 hours on Saturdays and with no work at all Sundays and Bank Holidays

REASON

In the interests of the amenities of the area

4. There shall be no openings whatsoever made in the side south facing gables to plot number 14 or plot numbers 1 and 2 as shown on the approved plan.

REASON

In the interests of the amenities of the area.

Pre-commencement Conditions

5. No development shall commence on site until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Infiltration testing in accordance with BRE 365 guidance;
- b) Evidence to demonstrate compliance with the Suds Manual; CIRIA Reports C753, C697 and 687 together with the National SUDS Standards,
- c) Evidence to show that the discharge rate generated by all rainfall events up to and including the 100 year plus 30% critical rain storm is limited to green field run off rates.

- d) Evidence to demonstrate the provision of surface water run-off attenuation storage in accordance with the requirements of “Science Report SC030219 Rainfall Management for Developments”,
- e) Evidence to demonstrate detailed design in support of the surface water drainage scheme including the attenuation system and outfall arrangements. Calculations should demonstrate the performance of the design for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 100 year and 1 in 100 year plus climate change return periods,
- f) Confirmation of how the on-site surface water drainage systems will be adopted and maintained in perpetuity.

REASON

To reduce the risks of flooding and pollution; to protect water quality and to ensure the long term maintenance of the sustainable drainage structures.

- 6. No development shall take place until a Written Scheme of Investigation for a programme of archaeological evaluation work has been submitted to and approved in writing by the Local Planning Authority and that programme, together with post-excavation analysis, report production and archive deposition has been fully undertaken again to the written satisfaction of the Local Planning Authority

REASON

In the interests of the likely archaeological potential of the site.

- 7. No development shall commence on site until full details of acoustically treated glazing and ventilation for all of the windows in the front elevations of plots 3 to 14 inclusive have first been submitted to and approved in writing by the Local Planning Authority. Only the approved glazing and ventilation shall then be installed.

REASON

In the interests of reducing the likelihood of noise ingress.

8. No development shall commence on site until full details of all of the facing and surface materials to be used and all of the boundary treatments to be installed have all been submitted to and approved in writing by the Local Planning Authority. Only the approved materials and treatments shall be used on the site.

REASON

In the interests of the visual amenities of the area.

9. No development shall commence on site until full details of the landscaping for the site have first been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall then be implemented on site.

REASON

In the interests of the visual amenities of the area

10. No development shall take place until full details of the root protection measures to be installed during construction have first been submitted to and approved in writing by the Local Planning Authority. Only the approved measures shall then be installed on site. These shall be provided prior to development commencing and only removed on completion of the development.

REASON

In the interests of the retaining existing tree cover

11. No development shall commence on site until full details of the location and specification for new bird and bat nesting boxes have been submitted to and approved in writing by the Local Planning Authority. The boxes as approved shall then be installed prior to first occupation of any of the houses hereby approved.

REASON

In the interests of enhancing bio-diversity in the area

Pre-Occupation Conditions

12. None of the plots numbered 3 to 14 inclusive as shown on the approved plan shall be occupied for residential purposes until each has first been fitted with the glazing and ventilation measures approved under condition (7) above.

REASON

In the interests of residential amenity

Notes

1. The Council has worked positively with the applicant in this case to address the planning issues arising from the proposal through seeking amended plans and through the request for further assessments thus meeting the requirements of the National Planning Policy Framework
2. Attention is drawn to Section 278 of the Highways Act 1980 together with the Traffic Management Act 2004, the New Roads and Street Works Act 1991 and all relevant Codes of Practice.
3. Warwickshire County Council as the Flood Authority does not recognise oversized pipes or box culverts as sustainable drainage solutions. Surface water run-off should be controlled as near to its source as possible. The Flood Authority can offer advice and guidance on best practice in respect of sustainable drainage systems.
4. Standard UK Coal Authority advice
5. Standard Radon gas advice

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0745

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	7/12/15
2	Highways England	Consultation	11/12/15
3	Warwickshire Police	Consultation	22/12/15
4	Turley	Letter	23/12/15
5	WCC Flooding	Consultation	29/12/15
6	Mr & Mrs Taylor	Representation	3/1/16
7	Case Officer	Letter	4/1/16
8	R George	Objection	4/1/16
9	Warwickshire Museum	Consultation	5/1/16
10	Environmental Health Officer	Consultation	6/1/16
11	Agent	E-mail	14/1/16
12	WCC Highways	Consultation	22/1/16
13	Dordon Parish Council	Representation	15/1/16
14	Agent	E-mail	3/2/16
15	Case Officer	E-mail	3/2/16
16	Agent	E-mail	8/2/16
17	Environmental Health Officer	Consultation	9/2/16
18	Case Officer	E-mail	10/2/16
19	Turley	Representation	19/2/16
20	Environmental Health Officer	Consultation	23/2/16
21	Agent	E-mail	23/2/16
22	WCC Highways	Consultation	25/2/16
23	Agent	E-mail	8/3/16
24	Agent	E-mail	29/3/16

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2015/0679

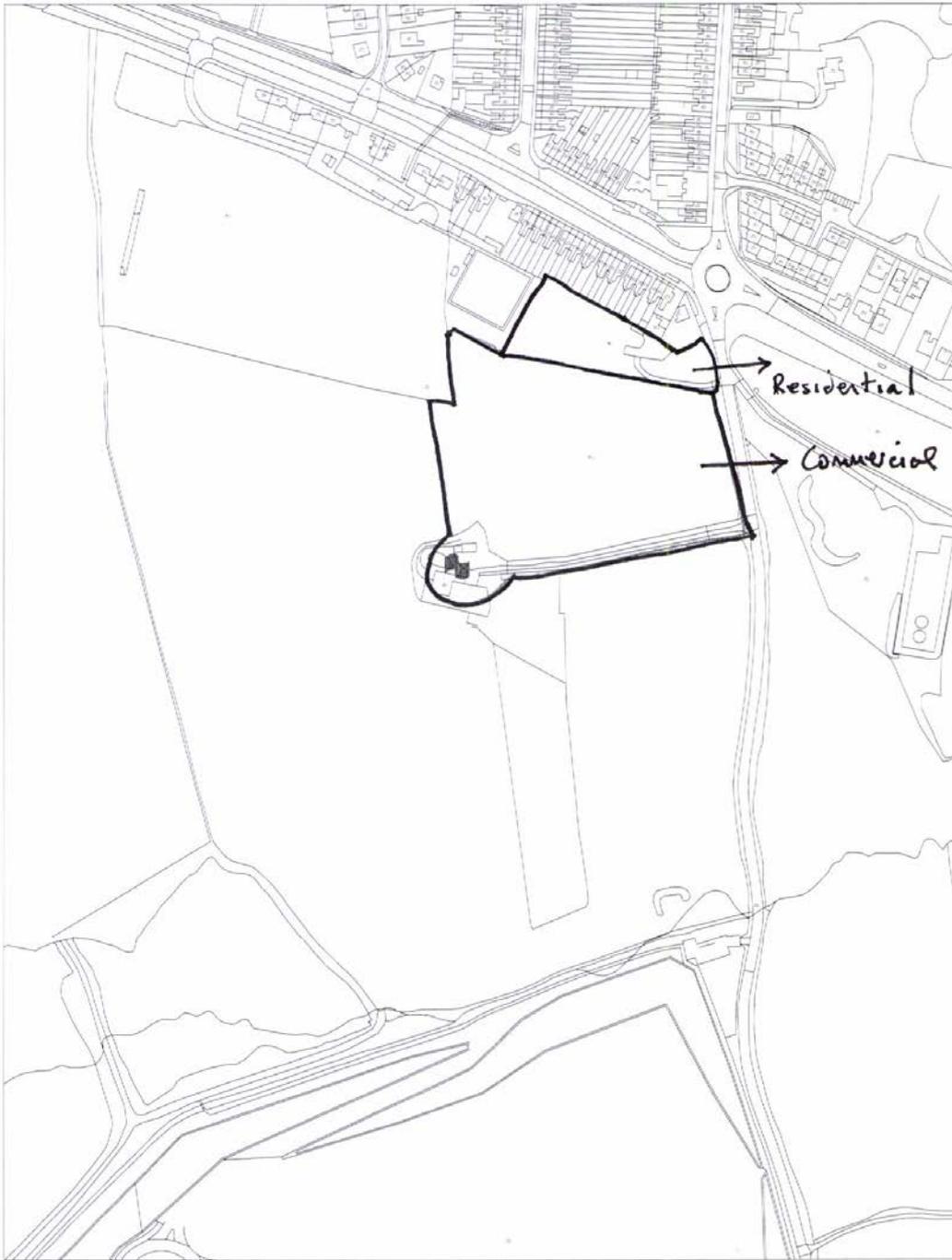
Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	11/11/15
2	L Carter	Objection	14/11/15
3	D Kerrigan	Objection	16/11/15
4	J Kerrigan	Objection	27/1/15
5	Mr & Mrs Taylor	Objection	27/11/15
6	Environmental Health Officer	Consultation	24/11/15
7	Environmental Health Officer	Consultation	26/11/15
8	Agent	E-mail	1/12/15
9	Agent	E-mail	21/12/15
10	Agent	E-mail	8/1/16
11	Agent	E-mail	11/1/16
12	Warwickshire Museum	Consultation	5/1/16
13	Mr & Mrs Taylor	Objection	20/1/16
14	Severn Trent Water Ltd	Consultation	27/1/16
15	D Savage	Objection	9/3/16
16	Agent	E-mail	7/3/16
17	Agent	E-mail	10/3/16
18	WCC Highways	Consultation	18/3/16
19	WCC Flooding	Consultation	22/2/16
20	Agent	E-mail	24/3/16
21	WCC Highways	Consultation	31/3/16
22	Agent	E-mail	1/4/16

Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

Map Title

APPENDIX A.



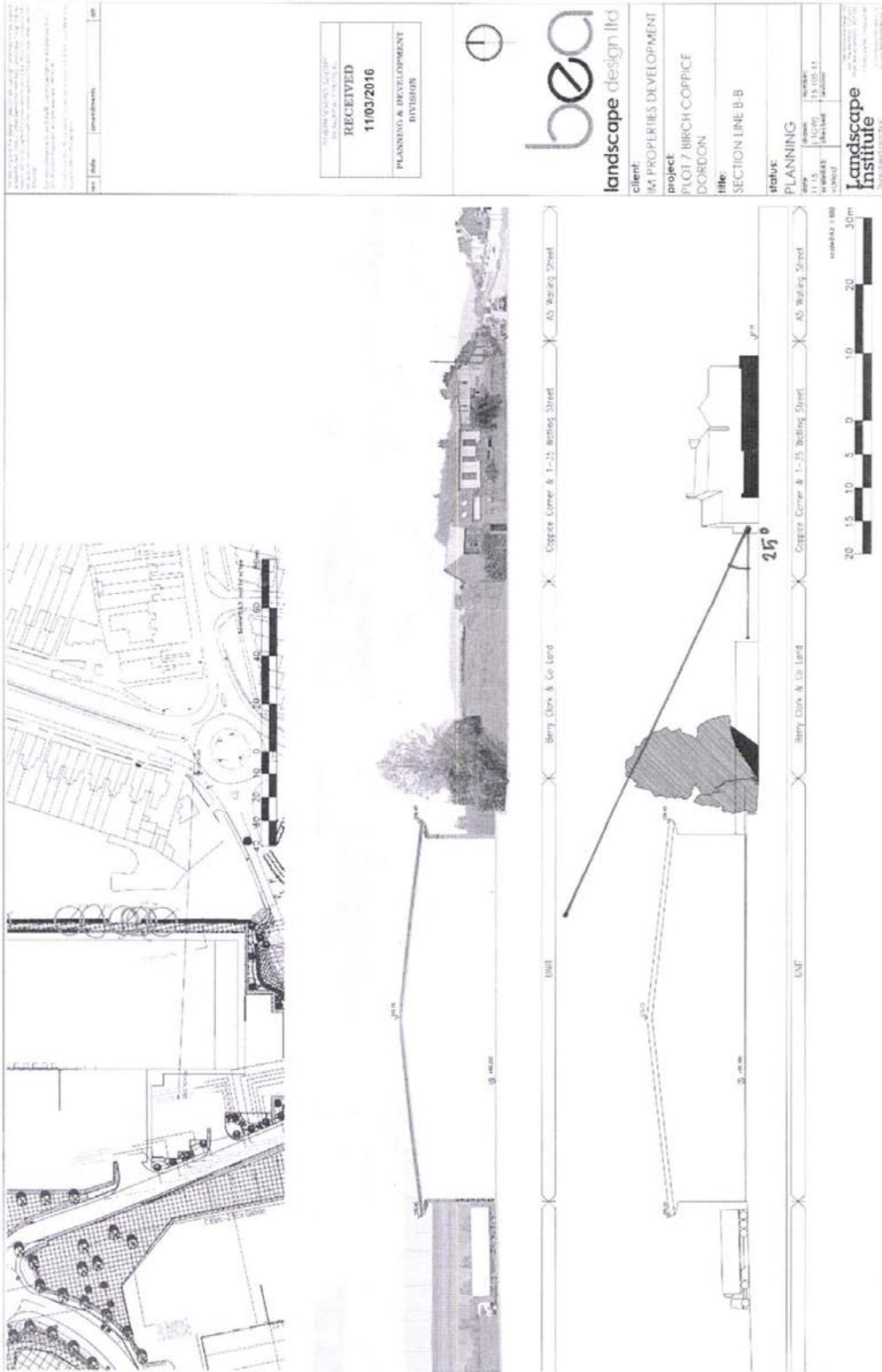
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PAP/2015/0679



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PLANNING & DEVELOPMENT
DIVISION



landscape design ltd

client: IM PROPERTIES DEVELOPMENT
project: PLOT 7 BIRCH COPPICE
DORDON
title: SECTION LINE B-B

status: PLANNING
date: 11/03/2016
scale: 1:500
drawing: 15/105/13

landscape
institute
Professional Institute
of Landscape Architects

Appendix E