

Reference: R20/1026

Site Address: UNITS 1 & 2 TRITAX SYMMETRY SITE - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON

Description: Full planning application for the erection of 2 logistics units development comprising a total of 30,435 sqm (327,599 sq.ft.) (measured GEA) of Class B8 floorspace of which 1,817.2 sq.m (measured GIA) (19,560 sq. ft.) comprises Class E(q)(i) ancillary office floorspace (measured GIA) with associated infrastructure including lorry parking, landscaping including permanent landscaped mounds, sustainable drainage details, sprinkler tank pump houses, gas and electricity substations, temporary construction access from Coventry Road, temporary marketing suite and temporary stockpile area for additional soil disposal.

Recommendation

1. Planning application R20/1026 be granted subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and planning obligations as indicatively outlined in the heads of terms within this report.
2. The Head of Growth and Investment, in consultation with the Planning Committee Chair, be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

1.0 Description of site

1.1 This application relates to a very similar application site to where outline planning permission was previously granted. It includes an area of land to the south west of Rugby which falls within the South West Rugby allocation within the Local Plan. The site is roughly “T-shaped” with a narrower part at the south of the site.

1.2 The narrow part of the site is an agricultural field to the north of the existing M45/A45 roundabout which extends north to Northampton Lane. This part of the site is fairly flat and the east and west boundaries are formed by existing hedgerows. The southern boundary, adjacent to Coventry Road and the adjacent layby also comprises a hedgerow which contains mature trees.

1.3 The wider northern part of the site is to the north of Northampton Lane. This mostly comprises agricultural land, however a dwelling and outbuildings at Station Farm are within the site. The outline planning permission gave consent for these to be demolished, however this does not form part of the current application. The western boundary of this part of the site is formed by the former railway line and there are mature trees on this boundary. Part of the eastern boundary follows an existing field boundary hedge, the other boundaries to this part of the site do not follow existing boundaries.

1.4 The northern part of the site is more undulating and is divided by existing boundary hedges containing trees which run along existing drainage ditches. Towards the west of the site is pond which is surrounded by trees. There is also a hedge with trees running alongside the existing

drive to the north of Station Farm and trees around this property. At the east edge of the site are a range of foundations showing where a building was sited in the past.

1.5 Northampton Lane crosses the site from east to west, although other than at the point where it is crossed by the proposed road this is outside of the site. This is a Restricted Byway, a public right of way which can be used by pedestrians, horse riders, cyclists and non-motorised vehicles. However, it is a fairly narrow earth path enclosed by trees and vegetation. There are hedgerows and mature trees to either side of Northampton Lane and the trees are subject to a Tree Preservation Order.

1.6 There is also a public footpath which crosses the site from south to north. This runs close to the eastern boundary of the narrow part of the site and then crosses the site diagonally towards Station Farm Cottage which is to the north of the site. There is also a small section of public footpath running adjacent to the eastern boundary of the wider part of the site, this continues outside of the site in a north eastern direction.

1.7 There are residential properties close to the site. To the north is Station Farm Cottage and converted barns. To the west Chalon House is located on part of the former railway. The Mill House on the A45 is to the south of the site. There is a group of buildings located on Coventry Road to the south of the site, these include a former garden nursery, former garage and residential dwellings. There are also dwellings on Windmill Lane to the east of the site.

1.8 The village of Thurlaston is located to the south of the M45 and is accessed from Coventry Road. Parts of this village are within a Conservation Area.

2.0 Description of proposals

2.1 Although this application relates to a very similar site area to that granted outline planning permission this is a full application for the erection of 2 units with associated works.

2.2 The application has been submitted as a full application rather than an approval of reserved matters pursuant to the outline as there are elements of the proposals that are not in accordance with the outline planning permission.

2.3 As the development proposed constitutes a similar development to that agreed at the outline stage the outline Environmental Statement and Addendum have been submitted with this application along with a further Addendum detailing changes related to the current proposals.

2.4 The changes from the outline consent comprise:

- Increased building height of 18m (contrary to outline condition 6);
- Proposed PV solar panels to building roofs, 25% of roof space on occupation with possibility to increase to 100%;
- Permanent landscape bund close to Station Farm Cottages and barns;
- Temporary stockpile area for soil disposal;
- Temporary haul road;
- Temporary construction access;
- Development extending outside of the developable areas shown on the outline parameters plan:
 - Unit 1: building extends marginally to the south, 2 van parking bays and edge of the service extend to the north east corner;
 - Unit 2: 16 van parking bays extend to the west, grasscrete access strip to south.

2.5 These changes from the developable areas approved by the outline parameters plan are shown below, with the outline parameters plan boundaries shown in brown.



2.6 The proposals include a new access into the site from the A45/M45 roundabout and the realignment of Coventry Road. Unit 2 will be accessed from the new access road and Unit 1 from the realigned part of Coventry Road.

2.7 The access arrangements reflect those agreed as part of the outline planning application. A new arm to the A45/M45 roundabout is proposed extending into the site, this will have 2 lanes leading to a traffic light junction where a right turn will connect to a revised alignment of Coventry Road, the existing Coventry Road access from the roundabout will be closed.

2.8 The realigned Coventry Road will have 3 lanes approaching this junction and the site road to the north will have 2 lanes approaching this junction. Approaching the roundabout the site road will have 3 lanes.

2.9 The site road as proposed as part of the full application crosses Northampton Lane and ends a small distance to the north of Northampton Lane. A mammal/amphibian tunnel is shown where the access road crosses Northampton Lane.

2.10 Two access/egress points are shown to the south of the realigned Coventry Road leading to the site of the proposed fire station which will be between Coventry Road and the roundabout. This will be subject of a separate application in the future.

2.11 The proposals also include the provision of a temporary construction access from Coventry Road. This will be located in the south western corner of the site and will allow access from Coventry Road on its current alignment. The applicant has advised this will be required for around 9 months and will be removed once the permanent access is completed.

2.12 The majority of the built development proposed as part of this application will be situated in the area to the south of Northampton Lane (which was referred to as Zones A and B at the outline stage.)

2.13 The application proposes the erection of 2 logistics units comprising a total of 30,435 sqm of Class B8 floorspace which includes 1,817.2 sq.m of ancillary office space within Class E(g)(i). This is around 16.3% of the floorspace approved by the outline application.

2.14 Unit 1 will be accessed from Coventry Road close to the south eastern boundary of the site. The access will lead to a parking area to the south of the building and an access road to the east of the building will lead to a service yard and lorry and van parking to the north. A gatehouse was originally proposed but this has been removed from the amended plans.

2.15 Unit 2 will be accessed from the site road to the south of where Northampton Lane crosses the site road. The access will lead to a parking area to the east of the building. An access road to the north of the building will lead to a gatehouse, service yard and lorry and van parking to the west.

2.16 The units will be of similar designs and will have a maximum height of 18m. This will result in heights Above Ordnance Datum (AOD) of 133.59m (Unit 1) and 132.92m (Unit 2) which exceed the restriction of 130m imposed by outline condition 6.

2.17 The buildings will be constructed with barrel top roofs and will be constructed of a range of grey coloured cladding. A lighter grey will be used for the top parts of the walls and vertical areas of lighter cladding and glazing will be used to break up the elevations. The office accommodation will be provided over three floors in corners of the building with horizontal bands of lighter cladding between the windows and the main entrance having a two storey glazed element.

2.18 Planning permission is sought for PV solar panels to be fitted to 100% of the usable roof space, although it is proposed to provide these to 25% of the usable roof space in the first instance.

2.19 The proposed gatehouses will be single storey buildings with asymmetrical roofs built of cladding to match the main units.

2.20 Each unit will also have smaller ancillary buildings such as sprinkler tank pump houses, gas and electricity substations, bin and cycle stores. The sprinkler tanks will be located adjacent to the buildings within the service yards and will be constructed of galvanised steel, covered cycle parking and timber bin stores will be provided close to the building entrances, gas and electricity substations will be provide in GRP enclosures close to the site accesses.

2.21 A temporary marketing building with associated parking area is proposed north of Northampton Lane. This is proposed as a two storey flat roofed building constructed of grey cladding.

2.22 A drainage swale is proposed to the north of this. This will be a long narrow shape, will be a maximum of 2m deep and will provide surface water storage for the site.

2.23 The application also includes the erection of 2 landscape bunds close to the northern site boundary to the south and east of Station Farm Cottages and Barns. These will be a permanent features and will be around 3m high and planted with trees and other landscaping. There will be a gap between the bunds to allow the existing Public Right of Way to be retained. The bunds will be constructed using a temporary haul road that is proposed crossing the northern section of the overall site, this also includes a vehicle turning area. It is anticipated that the haul road will be required for around 4 months whilst the bunds are constructed.

2.24 Two temporary soil stockpile mounds are proposed to the north of Northampton Lane, these will be around 1.5m high. The applicants have advised these will be required for 12 – 18 months.

2.25 As with the outline application the proposals will involve the removal of trees on the southern boundary of the site in order to provide the site access and associated works. Protected trees along Northampton Lane will also be removed at the point where the site road crosses Northampton Lane. The originally submitted plans showed 5 protected trees on Northampton Lane as being removed, however amended plans and a revised tree report have been received which propose the removal of 3 protected trees and this reflects the removals agreed by the outline planning permission.

3.0 Planning History

R16/2569 Outline planning application for up to 186,500 sq m of buildings for Use Class B8 (Warehousing and Distribution), with ancillary Use Class B1(a) (Offices), land for a fire station (0.4 hectares) with site infrastructure including energy centre, vehicle parking, landscaping, and sustainable drainage system.

Demolition of Station Farmhouse and outbuildings.

All matters reserved except means of access from A45/M45 junction up to and including the link to the crossing of the Northampton Lane right of way.

Approval 03/11/2020

4.0 Relevant Planning Policies

Rugby Borough Local Plan 2011-2031, June 2019

GP1	Complies	Securing Sustainable Development
GP2	Complies	Settlement Hierarchy
GP4	Complies	Safeguarding Development Potential
GP5	Complies	Parish Level Documents
DS1	Complies	Overall Development Needs
DS4	Complies	Employment Allocations
DS5	Complies	Comprehensive Development of Strategic Sites
DS8	Complies	South West Rugby
DS9	Complies	South West Rugby Spine Road Network
ED1	Complies	Protection of Rugby's Employment Land
ED2	Complies	Employment Development Within Rugby Urban Area
ED3	Complies	Employment Development Outside Rugby Urban Area
HS1	Complies	Healthy, Safe and Inclusive Communities
HS2	Complies	Health Impact Assessments
HS5	Complies	Traffic Generation and Air Quality, Noise and Vibration
NE1	Complies	Protecting Designated Biodiversity and Geodiversity Assets
NE2	Complies	Strategic Green and Blue Infrastructure
NE3	Complies	Landscape Protection and Enhancement
SDC1	Conflicts	Sustainable Design
SDC2	Complies	Landscaping
SDC3	Complies	Protecting and Enhancing the Historic Environment
SDC4	Complies	Sustainable Buildings
SDC5	Complies	Flood Risk Management
SDC6	Complies	Sustainable Drainage
SDC7	Complies	Protection of the Water Environment and Water Supply
SDC8	Complies	Supporting the Provision of Renewable Energy and Low Carbon Technology
SDC9	Complies	Broadband and Mobile Internet
D1	Complies	Transport

D2	Complies	Parking Facilities
D3	Complies	Infrastructure and Implementation
D4	Complies	Planning Obligations

Draft South West Rugby Masterplan Supplementary Planning Document – Further Consultation, October 2020

Draft Air Quality Supplementary Planning Document/Air Quality & Planning Guidance, February 2020

Thurlaston Village Design Statement, 2016

National Planning Policy Framework, 2019 (NPPF)

5.0 Technical consultation responses

British Pipeline Agency	No objection	
Cemex	No objection	
Environment Agency	No objection	Subject to condition and informatives
RBC Environmental Services	Comment	Request conditions and clarifications
Historic England	No comment	
Highways England	No objection	Subject to conditions
National Air Traffic Control	No objection	
Natural England	No objection	
Stagecoach	Comment	Bus stops should be provided on or near site
Tree & Landscape Officer	Comment	Tree removals previously agreed, units set adequate distance from retained trees; additional landscaping required to boundaries
Warwickshire Fire Service Regulations	No objection	Subject to condition and compliance with Building
Warwickshire Police	No objection	Building site should use made security measures
Warwickshire Ramblers	Objection	More details of road crossing of Northampton Lane and any temporary closures of the Right of Way are required
WCC Archaeology	No objection	Subject to condition
WCC Ecology	Comment	Biodiversity Impact Assessment required for this application, additional information required in Landscape Management Plan, if hedgerow removal is required for this part of the development they should be retained, updated Great Crested Newt surveys, bat surveys and further information regarding reptiles and badgers are needed, wildlife tunnel and tree planting for a bat “hop over” are required at Northampton Lane, lighting in this location should be amended or removed, planting also required to provide bat “hop over” on eastern boundary, amphibian friendly kerbs should be used;
WCC Flood Risk	Objection	Require further information regarding surface water drainage
WCC Highways	Objection	Road Safety Audits, vehicle tracking and further details of peak hour HGV Movements, use of temporary access, fire station access and works to Rights of Way required, Coventry Road visibility

splays should be increased, trees should not conflict with street lights or visibility splays, details of hedgerow to be removed on Coventry Road required, high access parking standard used, this should be explained

Additional comments/information

RBC Economic Development Support		Increased heights required to attract companies
RBC Environmental Services	No objection	Subject to conditions and informatives
Stagecoach	No objection	Temporary bus stop is acceptable
Tree & Landscape Officer	No objection	Subject to conditions
Warwickshire Ramblers	No objection	
WCC Ecology	No objection	Subject to conditions and s106
WCC Flood Risk	No objection	Subject to conditions
WCC Highways	Objection	Require further information regarding temporary access, bus stop provision and revised tracking, have concerns about traffic signals and access to unit 2, Coventry Road visibility splay must meet 50mph standard,
WCC Rights of Way	No objection	Subject to condition and informative

Further amended plans

WCC Highway	No objection	Subject to conditions, informatives and s106
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6.0 Third party comments

Councillor Dumbleton Objection

- Application should be determined by Planning Committee;
- Applicant is rejecting outline condition to keep height below 15m;
- As Committee set the height limit they should decide whether to lift it;
- Likely to have an impact on the appearance of the area;
- Will impact on residents using right of way between Coventry Road and Northampton Lane.

Local residents (43) Objection

Residential/Visual amenity

- Object to overall development, is a disgrace that permission was granted;
- Getting outline permission for warehouses then proposing increased heights a month later is a total disregard for planning;
- Photomontages under estimate the impact of the increased height, buildings will be 50% higher than existing lampposts;
- Planning department must protect the landscape, not side with developers who are interested in financial gain;
- Although COVID has increased demand for warehouses this should not take place to the detriment of residents;
- Applicants may have always intended to increase the heights, dates on plans show they were developed whilst seeking consent for lower buildings;
- Believe applicants expect this to be accepted without objection, this is unacceptable;
- Height limits were imposed by Local Plan Inspector;
- Condition restricting heights was imposed to make development acceptable, increased height is therefore unacceptable;
- If large warehouses need increased heights these should be built elsewhere with smaller units on this site;
- Units have been advertised at approved heights and companies have expressed interest;

- Submitted report does not give a true picture of demand for units;
- No consideration given to appearance of the warehouses;
- Changes in colours and green roofs should be used to reduce impact;
- Policy DS8 requires design to limit impact on landscape, heritage and Green Infrastructure assets;
- Policy SDC1 requires scale and height of development and impact on quality of area to be assessed;
- Increased heights will increase visual impact, affect the landscape and dominate Thurlaston this is unacceptable and should be rejected;
- Will blight the lives of local residents, both existing and residents of new housing;
- Will reduce recreational nature of the area;
- Building design should reflect green rural setting, proposed materials better suited to an industrial complex;
- Understand additional buildings are proposed;
- Hoped fields between A45 and development would remain as a natural barrier;
- Loss of countryside views;
- Thurlaston is an ancient English rural village, people pay a premium and high Council Tax to live there and the character will be destroyed;
- Unit 1 proposed closer to Thurlaston Conservation Area;
- Increased heights will affect Conservation Area;
- Building works within the village have respected the character, these building will clash with the essence of the village;
- Submitted independent landscape assessment:
 - o Development is contrary to Local Plan and outline conditions;
 - o Building heights breach outline condition;
 - o Failure to provide structural landscaping;
 - o Standards for extensive car parking areas set out at outline stage not met;
 - o Significant additional woodland planting' should be provided along the central spine road;
 - o Questions assessment of visual impact, there would be a significant long term impact on people using the footpaths in the SW Rugby SUE;
 - o Proposals remove more trees than at outline stage;
 - o Developers propose Italian alder rather more appropriate large stature native trees.

Highways & Transport

- Live in a village to be away from traffic;
- Increased building heights will increase traffic generation;
- Surrounding roads and roundabouts will be congested and full of large vehicles;
- Proposed layout gives priority to industrial traffic to detriment of all other flows;
- Vehicles travelling north will have to use bypass or via Coventry using congested junctions at Toll Bar and Junction 1 Retail Park, this is not the case for other sites;
- Not a suitable location for logistics development;
- Increased traffic will make access to Thurlaston difficult;
- Access onto Coventry Road will cause congestion and delays should not be permitted, unit 1 should be accessed opposite unit 2;
- Access will conflict with proposed fire station;
- Statement says site traffic will be segregated from local traffic, this is not true;
- HGVs which miss junction may turn in Thurlaston junction, this will be dangerous;
- Increased traffic and speeds on Coventry Road make walking dangerous;
- Coventry Road should be 30mph and wider pavements and speed cameras should be provided;
- Historic trees along Coventry Road have not been well maintained by WCC;

- Construction access to Coventry Road will be dangerous, access through existing layby would be more suitable;
- Proposed access to roundabout will be dangerous, this is increased by having 3 lanes;
- Roundabout should not be changed, a new roundabout further west should provide access to the site, with a way for pedestrians to cross the A45;
- Potsford Dam link required at this stage;
- Traffic will overwhelm Dunchurch crossroads and local roads;
- Lorry movements must be restricted through the village;
- HGV routing plan not provided;
- A detailed traffic survey should be provided including lorry and car movements and other developments;
- Transport vehicles should be separated from public vehicles, pedestrians and cyclists;
- Access road will require widening in future and this should be accommodated;
- Access road will be crossed by Northampton Lane right of way, features such as a pedestrian refuge, narrowing or change of surfacing should be incorporated to make drivers aware of the crossing;
- No access to Unit 1 from Sustainable Transport Corridor;
- Public Rights of Way must be maintained or improved with suitable buffers and crossings, should link to Cawston Greenway and SUSTRANS routes;
- S106 contributions should be sought to upgrade Rights of Way;
- There is no safe route between Rights of Way 168d to east of site & 185a to south of roundabout;
- Satisfactory cycle and pedestrian access must be provided before occupation;
- Traffic calming should be provided;
- Proposed bypass should join Coventry Road after houses, should go from Cock Robin island into the site;
- Existing bus stop should be retained;
- Traffic assumptions are unrealistic to assume occupiers of new houses will work on site;
- What happens if Highways England's suggested condition is not met;
- Roads and paths may be blocked during construction;

Environmental

- Development should be on brownfield land;
- Will affect Thurlaston village and Conservation Area;
- Already suffer noise pollution from the M45 & A45;
- Vehicles travelling north will pass Avon Valley School;
- Will lead to visual, light and noise pollution;
- Traffic related, noise, air and dust pollution will increase with stop start traffic at new junctions;
- Position of unit 1 gatehouse will lead to noise, air and light pollution close to residential properties;
- Hours of operation are not specified, may be 24/7;
- New houses are being built close to proposed road works;
- Press Article regarding Air Quality provided;
- Residents are currently able to walk in the fields;
- Local Plan refers to Warwickshire Landscape Guidelines, these require at least 10% of a site to be tree and woodland planting with oaks as the major species, this is not complied with;
- Additional trees are to be removed;
- Proposed landscaping is insufficient and includes non-native species;
- Only 19 trees proposed to Coventry Road frontage;
- Consider landscape buffers of 20m between the byway and the development and 30m between the development and rural surroundings should be provided;

- Lack of landscaping on western boundary will lead to service yard and parking causing noise, air and light pollution affecting the residential amenity of Mill House, bund should be provided;
- Woodland should be planted between Coventry Road and M45;
- Rural tranquillity is necessary for mental wellbeing;
- Noise and light pollution will affect residents health;
- Litter and fly tipping during construction;
- Facilities should be provided for lorry drivers to prevent issues of parking, litter etc;
- Flooding and standing water have increased in the area, this will be worsened by the development and does not appear to have been considered;
- Development cannot be carbon neutral due to HGV use, tree planting is a token gesture;
- UK relies on food imports and this will lead to a permanent loss of farmland, food security is paramount due to climate change and increased populations;
- Construction and operation will lead to substantial greenhouse gas emissions;
- Even with power plant and solar is likely to be a reliance on fossil fuels;
- Even if vehicles are converted to battery or hydrogen power suitable wind and solar infrastructure not currently available;
- Government should restrict air freight, restore local shops and jobs and focus on local deliveries to reduce car travel;
- CO2 levels must be reduced to prevent increased temperatures, raised sea levels, melting glaciers and species extinction;
- Government must protect citizens from these threats to humanity;

Ecology

- Wildlife tunnel has been omitted;
- Tree line along Northampton Lane provides an ecological link between the Lias Line, Cock Robin Wood and Cawston Spinney;
- Bats and a wide range of other species have been recorded in this area;
- Plans show street lights where access road crosses Northampton Lane this should be a dark area;
- Light pollution will affect wildlife;
- Gap in canopy exceeds that proposed in the SPD;
- All hedgerows and trees must be protected and improved on;
- Additional trees should be closer together to improve habitat;
- Information not provided regarding bat and bird boxes;
- Wildlife surveys are not referred to, these must be done by an independent professional;

Employment

- No warehouses have been built so how are new units justified;
- No need for more warehouses so they will remain empty;
- Will have poor shift patterns for people with no other employment options;
- Employment creation is reduced due to increasing use of robots;
- If occupiers are known why is a marketing suite needed;
- If occupiers are not known employment figures cannot be relied upon;

Other

- Application should not be determined before the SPD is adopted;
- Loss of Green Belt land;
- Planning document refers to “productivity” companies interested in the site do not produce anything;
- Increased heights may affect airline flight paths;
- Increased on-line shopping increases consumption and will harm the town centre;
- Is underhand to consider proposals during lockdown without face to face consultation;
- Workers may come into Thurlaston to use proposed shop and go to Draycote Water;
- Local community should be rewarded if development is allowed;
- Council must take the lead and manage the behaviour of the developers;

- If this is approved is there any justification for a planning department?
- Developers are the driving planning process not the Council;
- Insufficient time given to comment on application.

Neighbours (1) Comment

- Existing dangerous slip road from A45 provides access to 5 properties;
- Slip road is marked “emergencies only” but this will be impossible to enforce;
- New access has been approved from A45 but in the current proposals this stops short of the houses;
- Access will become very dangerous and will be used by construction vehicles.
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Dunchurch Parish Council Objection

- Proposals would form an extremely obtrusive, conspicuous and prominent blight on the local landscape;
- Buildings would be extremely intrusive and degrade the character and appearance of the local landscapes in Dunchurch and Thurlaston and Conservation Areas;
- Height restriction has been ignored;
- Footprint and size of site have increased significantly and development appears cramped;
- HGVs must not use Dunchurch crossroads and there must be severe penalties, this should be controlled by s106 not condition;
- Access roads should be provided prior to operations commencing;
- Employee bus services should be operated;
- Highways England suggested conditions must be included;
- Sustainable Transport Strategy has not been taken into account contrary to D1;
- Consider unacceptable impact on highway safety and application should be refused;
- Air quality impacts will be significant;
- Additional traffic will lead to dangerous deterioration in air quality, particularly at Dunchurch crossroads which already has unacceptable pollutant levels;
- Robust air quality measures must be put in place;
- Other largescale developments will also generate traffic congestion and pollution in Dunchurch;
- Development should be in sustainable locations with reduced needs to travel;
- Council have a responsibility and duty to demonstrate that they are accountable in respect of air purity in the area as they are failing to meet the legal limits for annual concentrations of nitrogen dioxide;
- Up to date sound survey should be carried out;
- Developers need to demonstrate biodiversity net gain and cannot rely on Green Infrastructure off site;
- Very limited structural landscaping proposed and very little habitat creation;
- Level of landscaping inadequate, narrow strips do not tie in with wider area;
- Proposed hedgerow and grassland will not adequately mitigate for the landscape and visual effects of the proposed large-scale units;
- Proposed bunds could cause loss of light and overshadowing;
- New access to Station Farm Cottages should be provided prior to removal of the existing access and should not be hindered by gatehouses etc.

Thurlaston Parish Council Objection

- Premature to consider application before SPD is adopted;
- Building design is not sympathetic to the locality;

- Height increases of 20% and 23% will irretrievably harm the landscape;
- Change is required for commercial reasons, nothing is materially different;
- Proposed materials not suitable for rural green landscape;
- Traffic volumes stated are questionable particularly when considering HGVs, LDVs and staff vehicles;
- Access will lead to congestion and vehicles may spill onto nearby roads causing safety issues and annoyance to residents;
- Light spill must be controlled and dark sky landscape maintained for residents and wildlife;
- Access to unit 1 could lead to HGVs stacking on Coventry Road;
- Will lead to congestion, potential danger and nuisance;
- Access to Coventry Road close to junctions to fire station, nearby housing scheme and Main Street, Thurlaston, this with chicane design of road will make area unsafe;
- Little scope to amend road design if required by future modelling;
- No link between units and Sustainable Transport link or north of site;
- Drivers may seek overnight parking;
- HGV routing strategy required;
- Rerouting of Rights of Way across whole site should be addressed at this stage;
- Rights of Way should link towards Cawston and with SUSTRANS routes – holistic approach should be taken including the application;
- S106 contributions should be sought to improve Right of Way network;
- Proposals conflict with draft SPD;
- Detailed project plans will be required to support the SPD;
- No detailed phasing plan for highways as required by SPD;
- Travel plan will be aspirational and without resources for enforcement;
- Traffic modelling is outdated;
- Air pollution measures must be recorded at Thurlaston before and after development;
- No Rugby wide HGV routing plan;
- Traffic modelling does not assess proposals in relation to other developments;
- Sustainable Transport Link excluded from proposals;
- SPD does not include building standards for commercial properties;
- RBC should employ an experienced and skilled Programme Manager to oversee the SPD developments planned for SW Rugby.

Save Dunchurch Action Group Objection

- It is unacceptable that Tritax are proposing more, larger buildings on green fields;
- Applicants are ignoring the Council's height restriction;
- 15m buildings will be a blight to the landscape with no significant green mitigation for some decades, additional 3m screening will take a further 10 years;
- Tritax do not care about the community or the environment;
- Thurlaston and Dunchurch are Conservation Areas;
- Warehouses are often big, ugly, grey slabs of buildings;
- Warehouses demean the character and appearance of the areas in which they obtrude;
- Noise pollution, especially at night from engines, reversing lorries, brakes, doors, fork lifts;
- More deadly diesel pollution will be created;
- Increased traffic and pollution;
- Will affect crossroads which is above legitimate traffic levels and has unacceptable levels of air pollution;
- Increased traffic vibration will damage buildings;
- Additional warehouses will lead to additional journeys, what routes will they take, what guarantees will there be that lorries will not be allowed through Dunchurch Village Centre;
- Have there been traffic calculations for the link road, when will it be completed, this will do nothing to alleviate problems on the Daventry or Southam routes;
- Screening trees, which should be oaks, take decades to mature;

- Quicker growing non-native trees would affect local flora and fauna;
- Proposals not in accordance with Public Inquiry findings;
- Increased impact on the rural landscape;
- Provided article re: toxic air risk of lung damage.

7.0 Assessment of proposals

7.1 Although outline planning permission has been granted for the development of the overall Tritax site the current application is a full application, rather than an approval of reserved matters, so all matters must be considered. However, the existing outline planning permission is a significant material consideration which must be taken into account.

7.2 The key issue to assess in relation to this application is whether the principle of the proposed development is acceptable. The impact in terms of visual amenity, landscape and heritage assets, particularly linked to the increased heights, highway safety, air quality, and impacts on neighbouring residents, protected species and biodiversity must also be assessed.

8.0 Principle of Development

8.1 Policy DS1 of the Local Plan sets out the proposed levels of housing and employment development for the borough between 2011 and 2031. In relation to employment development this states that 208 hectares of employment land, including 98 hectares to contribute to Coventry's unmet need, will be required.

8.2 The application site falls within an area to the South West of Rugby which is allocated for development by the Local Plan. Policy DS4 details sites allocated for employment development including 35 hectares at South West Rugby and additional detail regarding South West Rugby is included within policy DS8.

8.3 Policy GP2 sets out the settlement hierarchy for development throughout the borough and states that Rugby town and allocated Sustainable Urban Extensions, such as this, are the main focus for development.

8.4 Policy ED1 states that proposals for new employment development will be permitted on employment sites, including Local Plan allocations and policy ED2 states that new employment development will be permitted within the urban area, including land included in allocations, subject to the impacts on neighbouring land uses being avoided or mitigated. Policy ED3 states that employment development will be permitted on allocated sites outside of the urban area.

8.5 Policy ED1 states that provision should be made to accommodate small and medium size enterprises within employment allocations with the supporting text referring to smaller units between 5000 square foot (462 square metres) and 50,000 square foot (4620 square metres). The proposed buildings are significantly larger than this, however smaller units could be provided elsewhere on the overall site, if there is a demand for these at the time of future applications.

8.6 Policy DS8 sets out the requirements for the development of South West Rugby and states that land for on-site fire and rescue provision must be made within the allocation and this is shown on the submitted plans.

8.7 It is considered that the overall principle of the development of the site for B8 (storage and distribution) use with ancillary E(g)(i) offices is acceptable in accordance with the relevant policies.

9.0 Wider South West Allocation & Draft Supplementary Planning Document

9.1 Policy DS8 sets out the requirements for the development of South West Rugby and explains that the development must be in accordance with the details set out within the South West Rugby Masterplan Supplementary Planning Document (SPD).

9.2 This policy also states that development proposals within the South West Rugby allocation must come forward comprehensively, informed by the SPD and relevant policies. This policy also states that the Council will not support ad hoc or piecemeal development which is contrary to the aims of the policy.

9.3 A draft South West Rugby SPD was produced by the Council in October 2019 and subject to public consultation. A revised Draft South West Rugby Masterplan, SPD was published in October 2020 and subject to further public consultation. However, this has not yet been adopted by the Council. Although not formally adopted it is considered the draft SPD carries some weight in the determination of the application.

9.4 The draft SPD includes a masterplan which shows the employment development in the area that is subject of this application and includes details regarding the design and treatment of this aspect of the development.

9.5 In relation to transport infrastructure the draft SPD sets out the requirements for the South West allocation. This shows the Homestead link to the north west of Dunchurch as the first element of the spine road network to be provided. The draft SPD details the infrastructure requirements for the overall allocation and sets out how contributions will be sought in order to provide suitable mitigation across the allocation for the development as a whole.

9.6 The draft SPD includes draft phasing plans for the overall development and details of the phasing of required infrastructure. However, whilst the residential parts of the development are divided into different phases the employment development forms a single phase of its own and it does not specify when this will be provided.

9.7 In relation to spine road infrastructure the draft SPD states that the Homestead link will be within the phase 2021-2026 with the Potsford Dam link between the A45/M45 roundabout and Cawston area within the phase 2026-2031.

9.8 Although the SPD has not yet been adopted by the Council this does not prevent the determination of the application prior to the adoption of the SPD. The NPPF is clear that arguments that an application is premature are unlikely to be sufficient to justify a refusal of planning permission, except in limited circumstances where the plan making process of an emerging plan would be undermined.

9.9 An assessment must be made as to whether the determination of this application in isolation would be in accordance with the relevant policies, suitably mitigate the impacts of the proposals and allow the provision of infrastructure which would allow the delivery of the wider South West allocation.

9.10 The application does not include the whole of the South West site or the whole of the area approved for employment development. It was previously considered that the determination of the application for the employment part of the allocation was in accordance with the phasing contained within the draft SPD and allowed the employment requirements to be assessed separately from the residential aspects which will have differing infrastructure requirements, for example for education, health and public open space facilities. Although the current application includes part of the employment allocation it is not considered to prejudice the submission of proposals for the other parts of the employment site.

9.11 Policy DS8 and the draft SPD refer to the requirement to provide land for fire and rescue provision within the South West Rugby allocation. This application shows the provision of land for a fire station in accordance with these requirements. The requirement to make this land available can be included within the s106 agreement to ensure this can be provided.

9.12 The transport impacts of the development and the requirements to provide suitable mitigation and infrastructure are assessed later in this report. However, it is considered that the determination of this employment application, prior to the adoption of the SPD will not prevent the development of the wider South West Allocation in accordance with the relevant policies or draft SPD.

9.13 Policy GP4 states development will not be permitted if it would prevent the development of other land, the comprehensive development of allocated sites or the provision of necessary infrastructure. It is considered the proposed development will not prevent the development of the wider South West Allocation or the remainder of the employment site in accordance with this policy.

10.0 Visual Amenity and Landscape

10.1 The impact of the proposals on the visual amenity and character of the area are a key consideration in relation to this application given the proposal to increase the building heights above the previously approved heights. Concerns relating to the increased heights have been raised in objections received from local residents, groups and Parish Councils. An independent landscape assessment was also submitted on behalf of an objector and this referred to the development not according with the outline conditions and Local Plan, the significant visual impact of the proposals on users of Rights of Way, and that significant native, structural landscaping was not included.

10.2 Policy SDC1 refers to design and states that development must demonstrate high quality design and must be of a scale, density and design which responds to the character of the area where they are situated. Factors such as massing, height, landscape, layout and materials are key considerations in the determination of applications.

10.3 Policy DS8 refers to the employment part of the South West Rugby Allocation and states that design and landscaping measures, including structural landscaping, must be incorporated to mitigate the impacts on the surrounding landscape and nearby heritage assets, including Thurlaston Conservation Area.

10.4 The 2019 draft SPD referred to the employment development and stated building heights should be restricted to an overall maximum of 18m and 15m for units to the south of Northampton Lane.

10.5 However, the 2020 draft SPD does not include a specific height restriction and states, *“Reducing building heights of employment units within the allocated area and on the boundary of the allocation will play a key part in limiting the impact of the development on the surrounding countryside and also Thurlaston Conservation Area.”* This also refers to the design of the employment buildings and states that extensive planting of large native trees will assist in screening the units with the objective being to mitigate negative views from the surrounding locations, including the countryside, neighbours and Thurlaston Conservation Area. The draft SPD also states that maximum building heights will be determined through a Landscape and Visual Impact Assessment (LVIA) which will need to consider the proximity to residential areas, impacts on Thurlaston Conservation Area and the topography of the site.

10.6 Policy SDC2 refers to landscaping and states landscaping should form an integral part of the overall design and that a high standard of landscaping, including native species of ecological value should be used. Policy NE2 states landscape planning should be integrated into the design of development and consider the landscape context.

10.7 As detailed earlier in the report this site is allocated for employment development which will necessitate the provision of large buildings. In allocating the site the Local Plan Inspector referred to concerns about the impact on the surrounding landscape and Thurlaston and stated, *“I am satisfied the visual impact of large buildings could be mitigated by appropriate design measures, such as building height limitations and recessive colour palettes for external materials, together with structural landscaping.”*

10.8 The outline application originally proposed buildings with a maximum height of 18m on the southern part of the site and the Environmental Statement submitted with the outline application included a LVIA based on this height. This original Environmental Statement has been submitted as part of the current application with an addendum to refer specifically to the current proposals. The original LVIA assessed the impact of the proposed development on the landscape character of the area and the visual amenity of receptors in the surrounding area and the addendum refers to updates to the NPPF and the revised draft South West Rugby SPD.

10.9 The site is located within the Dunsmore: Plateau Farmlands landscape character type in the Landscape Assessment of the Borough of Rugby, 2006. This landscape is defined as comprising a gently rolling, low plateau with few roads and little settlement; a regular, geometric field pattern defined by hedges with mature hedgerow oaks, blocks of ancient woodland and the remnants of heathy vegetation in woodlands and verges. The assessment defines this character type as moderate sensitivity. In relation to condition this is described as varied but the assessment states that the area between Cawston Spinney and Coventry Road is in decline.

10.10 As detailed above, and as defined by the Landscape Character Assessment, boundaries within the site are formed by hedgerows containing mature trees. The part of the site to the south of Northampton Lane where the units are proposed has hedgerows to the east and west boundaries and a hedgerow and mature trees on the southern boundary. Northampton Lane crossing the site also comprises a hedgerow and mature trees. The submitted arboricultural report details the heights of these trees which range from 9m to 15m.

10.11 In relation to landscape character the LVIA detailed that the overall site is gently undulating with 10m difference between the lowest part of the site close to Station Farm (107m AOD) and the highest close to the south eastern corner (117m AOD). The LVIA detailed that there are limited medium range views out to the surrounding area due to the undulating nature of the site and the screening effects of Cawston Spinney and other lines of mature trees. In relation to more distant visibility the plateau landscape and trees and woodland planting result in views in the wider landscape being limited. The LVIA also refers to the location of the site in relation to the M45/A45 and A4071 resulting in it being seen in association with visible traffic and highway infrastructure such as lighting and signage. In addition, the Dunchurch trading estate to the south west of the site is also of an urban character.

10.12 Notwithstanding the above it is accepted that the development will be visible outside of the site and will alter the character of the area and impact on visual amenity. The LVIA assessed the impact of the proposals on 23 viewpoints public areas such as roads and rights of way surrounding the site. These mostly included locations within 1km radius of the site, however more distant locations to the south of Draycote Water and in the vicinity of Leamington Hastings were included at the request of the Council. Photomontages were also provided at 4 viewpoints close to the site: from the junction of Northampton Lane and Windmill Lane to the east, from the bridge

over the M45 to the north of Thurlaston to the south of the site, from the A4071 bridge over the A45 at the Blue Boar junction to the west of the site and from A4071 to the north west at the entrance to Potford Dam Farm. These showed the anticipated visual impact 1 and 15 years after the development.

10.13 During the processing of the current application additional montages were provided showing the buildings as proposed, when compared with the approved parameters, as viewed from the Public Right of Way to the north of Thurlaston, Biggin Hall Lane and the bridge over the M45 to the north of Thurlaston.

10.14 The LVIA details that the site will be most visible to road users on Coventry Road (B4429), the M45 and A45 to the south of the site, from the A4071 bridge over the A45 and in the vicinity of Potford Dam Farm. In some of these locations views of the site will be filtered by existing trees and buildings. There will be limited views of the site from Coventry Road, Cawston to the north and Cawston Lane.

10.15 There are public rights of way within the site itself and within areas surrounding the site and the development will be visible to the users of these and dependant on proximity to the site will in some cases be very prominent.

10.16 The LVIA also refers to the development being visible from residential properties surrounding the site, some of which are in close proximity, although views from private property are not a matter that can be taken into account in determining planning applications. This includes properties immediately adjacent to the site and others such as those located on Coventry Road to the south and on the northern edge of Thurlaston.

10.17 As detailed above the outline application originally proposed the buildings within the southern part of the site with maximum heights of 18m, this would have resulted in maximum heights AOD of 133.5m in the south eastern part of the site (Zone A) and 133m in the south western part of the site (Zone B).

10.18 However, during the processing of the outline application Officers expressed concern regarding the proposed building heights and their potential prominence within the wider landscape. The applicants were therefore asked to reduce the heights in the southern part of the site to 15m. The applicants addressed this at the outline stage by amending the maximum heights AOD in the southern part of the site to 130m and this height restriction was included in outline condition 6.

10.19 As detailed above the current application proposes 18m high buildings resulting in heights AOD of 133.59m, Unit 1 (0.09m higher than initially proposed in Zone A) and 132.92m, Unit 2 (0.08m lower than originally proposed in Zone B).

10.20 The applicants advised that the increased height is required to meet the changing needs of logistics operators since the outline application was submitted. The increased heights result in increased internal working heights which allow the installation of racking systems which are increasingly automated. The applicants also advise that increased efficiency is required to address increased demand for on-line shopping resulting from Covid-19 and to address the relocation of logistics space from outside of the UK.

10.21 The issue to assess in this full application is, therefore, whether these increased heights AOD are so significant as to warrant refusal of the application.

10.22 Officers expressed concerns regarding the increased building heights, the prominence of these and the impact on the wider landscape.

10.23 The applicants provided additional photomontages which compared the building heights approved at the outline stage with those current proposed. These showed the impact of the increased heights when viewed from 3 locations to the south of the site, as viewed from the Public Right of Way to the north of Thurlaston, Biggin Hall Lane and the bridge over the M45 to the north of Thurlaston.

10.24 These showed that the increased building heights will be seen in association with the larger building heights approved in the northern part of the site. However, the increased ridge heights are more prominent within the surrounding area and result in the buildings projecting above the existing tree line in places. It is considered that this will have an adverse impact on visual amenity and the character and appearance of the surrounding area contrary to policy SDC1 and the draft South West Rugby SPD. This therefore carries weight against the current proposals.

10.25 The impact of the development on specific trees and hedgerows within the site is assessed later in the report. However, existing trees and hedgerows to the site boundaries and along Northampton Lane are to be retained, except where removal is necessary in order to provide access to the site.

10.26 Policy DS8 refers to the need to provide structural landscaping to mitigate the impacts of the buildings and the draft SPD also refers to the need for natural screening to the allocation boundaries to create an attractive and natural setting for the development and to mitigate views from surrounding locations. The SPD goes on to state that native species should be used where appropriate and that structural landscaping can comprise a mix of retained and proposed planting.

10.27 The proposed plans include landscaping areas to the boundaries of the proposed units, including adjacent to the site access road and Northampton Lane.

10.28 Objections were received from the Council's Tree and Landscape Officer, and third parties, regarding the level of structural landscaping proposed. The Tree and Landscape Officer commented that the additional tree planting should be provided to adjacent to the western boundary, alongside the southern boundary (carrying on from the proposed trees in the south western corner), to the right of the entrance in the south eastern corner and on the verge opposite the entrance to unit 1.

10.29 Amended plans were provided which include additional tree planting to the south of unit 2, additional trees are also proposed to the south of unit 1, adjacent to Coventry Road, and to the east of the access from Coventry Road.

10.30 The applicants advised that additional tree planting cannot be provided close to the western boundary due to the easement for a water main. However, the existing hedge to this boundary is to remain with any gaps infilled. The amended plans do not include tree planting in the verge opposite the entrance to unit 1, the applicants have advised that this is not proposed at present as the required visibility splays for the fire station are not yet known and this will affect where trees can be provided. It is considered that landscaping in this area can be addressed as part of future proposals.

10.31 The proposed trees to be planted are to be "Heavy Standard" with girths of 12-14cm, or 16-18cm and clear stem heights of 175-200mm. The submitted landscape plans show that the majority of planting will comprise native species. Although Italian Alder are proposed to the south

of the buildings the Tree and Landscape Officer has confirmed they have no objection to the inclusion of these.

10.32 The County Ecologist commented on the revised landscaping plans and advised these show detail of proposed planting of benefit to biodiversity including native species, planting of trees, scrub and wildflower grassland creation.

10.33 The Council's Tree and Landscape Officer raised no objection to the revised landscape plans or species proposed. Whilst the landscaping will not block views of the proposed buildings in their entirety, it is considered that these will reduce the visual impact of the buildings to some extent. It is considered that the proposals include structural landscaping as required by policy DS8 and the draft SPD.

10.34 As this is a full application the design of the buildings is to be considered. The proposed buildings are to be constructed with barrel top roofs and will be constructed of a range of grey coloured cladding. A lighter grey will be used for the top parts of the walls and vertical areas of lighter cladding and glazing will be used to break up the elevations. The office accommodation will be provided over three floors in corners of the building with horizontal bands of lighter cladding between the windows and the main entrance having a two storey glazed element.

10.35 The draft SPD states that proposals should avoid the use of one solid colour block on the buildings to minimise landscape impacts and the proposed variations in colour and areas of glazing are in accordance with this. The draft SPD also states that front elevations to buildings should be visible from public areas. The proposals include the front elevations with the main entrance and office areas of unit 1 close to the junction of the access road and Coventry Road with the front elevation, entrance and offices of unit 2 facing the access road. The offices also extend to the side elevation of unit 1 adjacent to the access road and unit 2 facing towards the A45/M45 roundabout. The front and side elevations also have glazed elements breaking up the elevations and this is considered in accordance with the SPD requirement. It is also considered that the grey colour scheme reflects the Local Plan Inspector's comments regarding the use of a recessive colour palette.

10.36 As detailed above the proposals include the provision of a range of ancillary buildings and structures. These will be a significantly smaller scale than the main buildings which reduces the visual impact. The proposed gatehouses and marketing suite have been designed to reflect the material used on the main buildings and this is considered acceptable.

10.37 The proposed bunds, drainage basin and haul road will not be prominent in the wider area and it is considered these will not have an adverse impact on visual amenity.

10.38 Notwithstanding the earlier comments regarding the height of the buildings it is considered that the general design proposed is acceptable, subject to conditions relating to the submission of materials samples and the provision of the structural landscaping (condition 6, 17).

10.39 However, it is considered that the building heights would have an adverse impact on the visual amenity and character of the area and landscape and this carries some weight against the proposals.

11.0 Heritage Assets

11.1 Policy SDC3 refers to protecting and enhancing the historic environment. This states development will be supported that sustains and enhances the significance of the Borough's

heritage assets, which include Listed Buildings, Conservation Areas and archaeology. The policy goes on to state that development affecting the significance of a designated or non-designated heritage asset will be expected to preserve or enhance its significance.

11.2 With regards the NPPF, chapter 16 sets out the government's advice on conserving and enhancing the historic environment. Paragraph 190 requires that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). Paragraph 193 advises great weight should be given to the assets conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 194 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) requires clear and convincing justification.

11.3 The Setting of a heritage asset is defined by the glossary of the NPPF as:
“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of the asset, may affect the ability to appreciate that significance or may be neutral.”

11.4 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to the need to preserve and enhance the character or appearance of a conservation area. In addition the Council is required by section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving a listed building or any of its features of special architectural or historic interest.

11.5 There are no designated heritage assets within the application site itself. The Thurlaston Conservation Area is around 370m to the south, there are 7 Grade II Listed Buildings within 1km of the site, 5 within Thurlaston which are more than 500m from the site, 1 around 800m to the north and 1 nearly 800m south east. There are no Scheduled Ancient Monuments within 1km of the site.

11.6 The Thurlaston Conservation Area is located to the south of the site and objections refer to the impact of the proposals on this heritage asset.

11.7 As detailed above the current application proposes buildings which will have an overall height of 3.59m (Unit 1) and 2.92m (Unit 2) higher AOD than the restriction imposed at by the condition attached to the outline planning permission.

11.8 The proposed development may be visible from locations within the Conservation Area or from nearby Listed Buildings and the prominence of the development will increase due to the increased building heights. It is therefore considered that the development will cause harm to the setting of these designated heritage assets and it is therefore necessary to determine the level of harm to these assets.

11.9 Buildings within the Conservation Area and Listed Buildings themselves will not be impacted or lost by the development, although there will be changes to the settings. It is therefore considered that the development will not lead to substantial harm to these heritage assets. Given the distance of these heritage assets from the site and the existing intervening features such as Coventry Road, which includes a footpath, street lighting and signage, and boundary hedgerows it is considered that the level of less than substantial harm is minor.

11.10 Paragraph 196 of the NPPF and policy SDC3 state that where there would be to less than substantial harm to the significance of designated heritage assets this harm must be weighed against the public benefits of the proposal.

11.11 The less than substantial harm to the heritage asset must be given considerable importance and weight and this will be weighed against the public benefits later in the report.

11.12 Although there are no Scheduled Ancient Monuments within the vicinity of the site a number of areas of archaeological potential within the site comprise non-designated heritage assets.

11.13 A geophysical survey of the site was submitted with the outline Environmental Statement. This identified anomalies which could be archaeological remains in the form of enclosures, ditches and other anomalies. These were generally located in the north of the site and extending outside of it. It was considered that these are likely to be prehistoric, and/or Roman or possibly medieval. The geophysical survey was followed by a programme trial trenching the results of which were included in the Addendum to the outline Environmental Statement.

11.14 The County Archaeologist commented on the application and advised that the evaluation identified three groups of rectangular and sub-circular enclosures. These were interpreted as representing the site of a linear farmstead or settlement and the proposed development will have a significant impact on the archaeological features that survive across this site.

11.15 The County Archaeologist advised they did not object to the application, subject to a condition (condition 39) requiring the submission of an Archaeological Mitigation Strategy.

11.16 Subject to this condition the impact on non-designated archaeological heritage assets is considered acceptable.

12.0 Trees & Hedgerows

12.1 Policy NE3 refers to landscape and states development should aim to conserve, enhance or restore important landscape features. Policy SDC2 also states that important landscape features should be identified for retention.

12.2 As detailed above there are trees and hedgerows on the site boundaries and within the site itself. These include trees and hedgerows to the boundaries of the southern part of the site and the western boundary of the northern part of the site, trees and hedgerows to either side of Northampton Lane and existing hedgerows, with trees, which cross the northern parts of the site. The trees along Northampton Lane are covered by a Tree Preservation Order.

12.3 The provision of the access from the existing roundabout will involve the removal of an area of hedgerow and 3 trees, these comprise 2 pine and 1 horse chestnut which are all category B trees. An area of hedgerow and 2 category B trees, an oak and a sycamore will also be removed to allow the realignment of Coventry Road and the access to the fire station to be provided. These removals reflect those agreed at the outline stage. A category C pine is also identified for removal to allow the realignment of Coventry Road.

12.4 The proposed site access road will involve crossing Northampton Lane which has trees covered by a Tree Protection Order to either side. To minimise tree losses the access is proposed where there is an existing gap within the row of trees, however the removal of trees and hedgerow remains necessary in order to provide a suitable width for the access.

12.5 This full application originally included an arboricultural report which showed 5 trees being removed to cross Northampton Lane, however an amended report was received which shows 2 of these, an ash and an oak which are both category B, to be retained.

12.6 The revised report shows the 3 trees to be removed to provide the access which are covered by a Tree Preservation Order and comprise an ash which is category A and an oak and an ash which are category B. The removal of these trees was agreed by the outline planning permission.

12.7 The northern part of the site is crossed by existing hedgerows which include a range of trees and there also trees in the vicinity of Station Farm. The revised tree report shows that these are not to be removed as part of the current application.

12.8 This full application proposes the loss of 9 trees, these comprise 1 category A, 7 category B and 1 category C. Of these 3 are covered by a Tree Preservation Order as detailed above.

12.9 The provision of the access into the site from the roundabout will result in the loss of 3 trees. However, this has been designed to provide the most suitable access into this allocated site in terms of highway safety and it is not considered the loss of these trees can be avoided.

12.10 The access road crossing Northampton Lane is proposed at a point where there is a gap in the row of protected trees. This minimises the number of protected trees which are to be removed in order to provide the required access road.

12.11 The Tree and Landscape Officer commented that tree removals were agreed by the outline planning permission and advised that the proposed development will be set a sufficient distance from retained trees around the boundary, including protected trees adjacent to Northampton Lane. A condition regarding the protection of retained trees during construction was requested (condition 18).

12.12 As detailed earlier in the report amended landscape plans were provided. The applicants advised that species were selected on a multi-functional basis including landscape and visual amenity issues and species selected for their carbon sequestering benefits. The submitted landscape plans show that the majority of planting will comprise native species. Although Italian Alder are proposed to the south of the proposed buildings the Tree and Landscape Officer has confirmed they have no objection to the inclusion of these.

12.13 Whilst the removal of trees in order to provide the site access and access road carries weight against the proposals this must be weighed against the provision of the accesses and overall development as well as the proposals for the provision of on site landscaping.

13.0 Protected Species and Biodiversity

13.1 Policy NE1 refers to biodiversity and states that designated species will be protected and that significant harm to biodiversity should be avoided, mitigated or compensated for.

13.2 Policy NE2 states existing the Green and Blue Infrastructure should be protected and retained and new Green and Blue Infrastructure corridors should be provided to link into the existing network. The provision of an on-site Green Infrastructure network linking to the wider area is also required by policy DS5.

13.3 Guidance within the NPPF also refers to the need to minimise impacts on and provide gains for biodiversity, including by establishing ecological networks. This goes on to state that where significant harm to biodiversity resulting from a development cannot be avoided, mitigated for or as a last resort, compensated for, then planning permission should be refused.

13.4 The Environmental Statement submitted with the outline application included information regarding biodiversity and a range of ecological surveys and assessments of the site were carried out and the Addendum to the outline Environmental Statement advised an updated phase 1 ecological survey was carried out in May 2019.

13.5 The Environmental Statement Addendum relating to this full application details that a further updated phase 1 ecological survey of the site was carried out in August 2020 and an updated desk study was also produced. These confirmed there had been no material changes to the extent of quality of habitats on site and no material changes to the management regime on the site. However, the 2020 survey identified the presence of a disused outlier badger sett in the vicinity of the site.

13.6 The closest Site of Special Scientific Interest is Draycote Meadows located 1.2km to the south west of the site. This comprises 2 ridge and furrow meadows which support 17 species of butterfly. The Environmental Statement concludes there will be no significant adverse impact on the SSSI and this was not disputed by the statutory consultees.

13.7 Natural England advised they had no objection to the proposals and consider that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

13.8 The County Ecologist commented on the current application and advised that a Biodiversity Impact Assessment was required, they also requested additional information be included in the Landscape Management Plan and advised that updated Great Crested Newt surveys, bat surveys and further information regarding reptiles and badgers was needed. They also advised that a wildlife tunnel and tree planting forming a bat “hop over” are required at Northampton Lane, that the lighting in this location should be amended or removed, that planting should be provided to form a bat “hop over” on the south eastern boundary and that amphibian friendly kerbs should be used.

13.9 In response to these comments a Biodiversity Impact Assessment was provided which showed that the current application would result in a biodiversity loss of 4.19 units although discussions are on-going between the applicants and the County Ecologist regarding the finer detail of the BIA score. The County Ecologist confirmed a Biodiversity Offsetting Scheme would be required to mitigate for any loss which cannot be accommodated on the development site. If a suitable scheme can be secured it is recommended that this offsetting be carried out within the wider South West Rugby allocation, for example at Cawston Spinney. This would be secured by a s106 agreement.

13.10 The County Ecologist commented on the revised landscaping plans and advised these show detail of proposed planting of benefit to biodiversity including native species, planting of trees, scrub and wildflower grassland creation. They recommend that a detailed Landscape and Ecological Management Plan (LEMP) be secured by condition to provide details of the long-term management of the habitats on site (condition 13).

13.11 In relation to Northampton Lane crossing the site, as detailed earlier in the report 2 trees initially shown to be removed are to be retained. A wildlife tunnel, designed to allow access by badgers and other species, will be provided beneath the proposed access road and this is

welcomed by the County Ecologist. The County Ecologist recommends that additional tree planting is carried out in this area to reduce the gap between canopies but accepts this may not be possible due to highway visibility requirements and service easements. In relation to the proposed lighting this has been amended through reduced column heights and reduced light output to reduce the lighting levels. The County Ecologist commented that further light reductions could be achieved through light shielding and recommended a condition (condition 16) requiring an updated lighting strategy for bats.

13.12 The relation to the south eastern boundary the applicants have advised it is not possible to provide planting to secure a full hop-over due to the highway visibility splay requirements. However, tree loss on the northern side of the road has been kept to a minimum and the hedgerow to the south will remain, lighting positions and shields have been designed in order to reduce the impact of light in this area and the County Ecologist welcomes these measures.

13.13 Additional species surveys and information were provided. The applicants confirmed that an updated Great Crested Newt survey will be carried out, the County Ecologist considers that this is acceptable and that the results of the survey and any required mitigation should be included within a Protected Species Mitigation Strategy (PSMS) and Construction Environmental Management Plan (CEMP) which can be secured by condition (condition 14).

13.14 An updated badger survey was carried out in February 2021 and the County Ecologist recommended further pre-commencement surveys be carried out and that this can be secured through the proposed conditions.

13.15 The County Ecologist advised that these conditions could also be used to secure details of a grass snake method statement and updated bat surveys and mitigation if required.

13.16 The applicant has confirmed that an amphibian friendly kerb design will be used and the County Ecologist advised this can be secured within the Protected Species Mitigation Strategy.

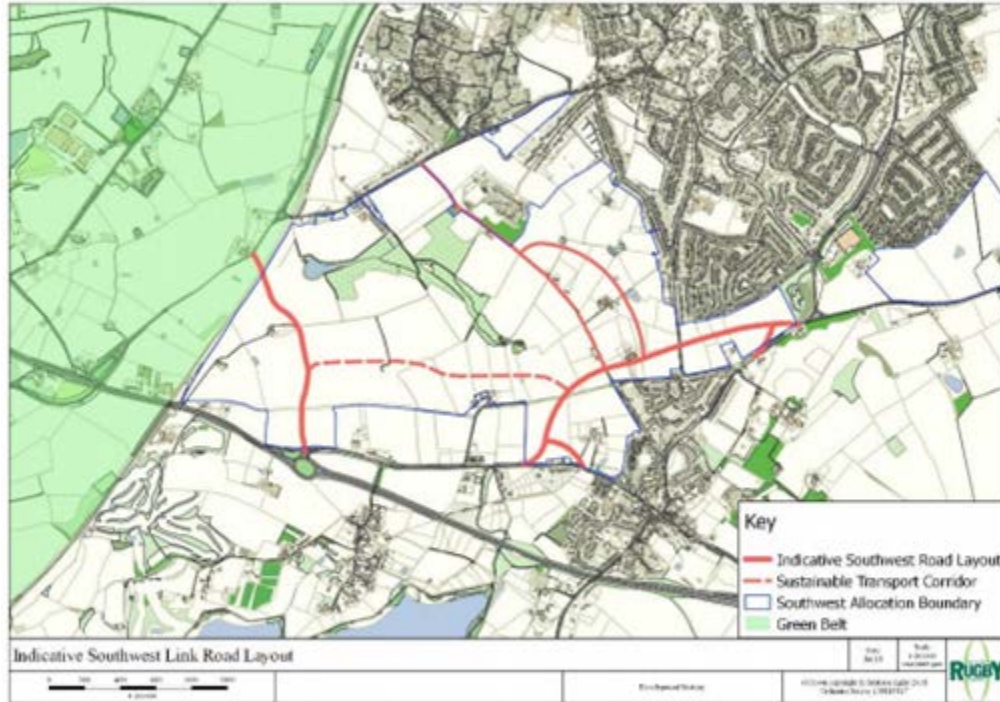
13.17 Subject to the proposed s106 and conditions it is considered that the impact on protected species will be mitigated and the loss of biodiversity on the site will be compensated for through off-setting. This is in accordance with policy NE1 and the NPPF.

13.18 The western part of the overall site and the former railway to the west form part of the Strategic Green Infrastructure Network referred to in policy NE2. The proposed landscape bunds adjacent to Station Farm Cottage and barns will connect to this network and the landscaping around the units will connect to the network along Northampton Lane in accordance with this policy and DS5.

14.0 Transport, Highways and Parking Facilities

14.1 As detailed above policy DS8 sets out the requirements for development within South West Rugby. In relation to transport and highways this refers to the need for an all traffic spine road network, a comprehensive walking and cycling network, high quality public transport services and other measures to mitigate transport impacts as deemed necessary.

14.2 Policy DS9 provides further information regarding the spine road network necessary to deliver the South West Rugby allocation. Key elements of this network are a north south link known as the Potsford Dam link from the M45/A45 roundabout to the A4071 close to the roundabout with the Western Relief Road, an east west link, known as the Homestead link between the A426 and B4429 to the north and west of Dunchurch and a sustainable transport corridor linking these.



14.3 This policy states that development which would prejudice the delivery of this infrastructure will not be permitted and that development proposals for the South West must enable delivery of the full spine road network as early as possible.

14.4 DS9 also states that development proposals that are shown to have a severe impact on the local road network, before or after the implementation of the Dunchurch Crossroads Mitigation scheme (approved as part of the Ashlawn Road residential development), must demonstrate how they will contribute to the delivery of the spine road network and ensure that it is delivered.

14.5 The policy also states that development proposals will not be granted ahead of the delivery of the Homestead link unless it is demonstrated that any residual impacts on the highway network are not severe.

14.6 Policy HS5 states developments should promote a shift to sustainable transport modes and low emission vehicles and that proposals should be located where the use of public transport, walking and cycling can be optimised.

14.7 Policy DS5 refers to the comprehensive development of strategic sites and states these must include high quality public transport links, links to cycle networks and other measures to mitigate transport impacts.

14.8 Policy D1 states that development will be permitted where sustainable transport modes of transport are prioritised and measures designed to mitigate transport impacts are provided. This policy states that large scale developments should be supported by a Transport Assessment and Travel Plan. A Transport Assessment and Framework Travel Plan were included in the Environmental Statement when the application was originally submitted.

14.9 The Addendum to the outline Environmental Statement detailed measures proposed to mitigate the transport impacts of the development. These included the provision of land to allow the delivery of the Potsford Dam north south link, the submission of a HGV routing strategy to prevent HGVs travelling through Dunchurch and Travel Plans to reduce vehicle movements to

the site. The HGV routing strategy would reduce traffic through Dunchurch and along the Coventry Road link.

14.10 The Addendum to the Environmental Statement submitted for this current full application referred to the vehicle movements associated with the currently proposed units. This explains that the proposed floorspace comprises around 17% of that previously approved which will lead to reduced vehicle movements compared to the development previously approved.

14.11 In relation to transport impacts the NPPF states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.12 Objections to the application from local residents, Dunchurch and Thurlaston Parish Councils and the Save Dunchurch Action Group have raised objections to increased traffic within the area and many make particular reference to Dunchurch crossroads, Coventry Road, the M45/A45 roundabout and the wider area.

14.13 The current application includes the provision of the junction from the M45/A45 roundabout and the part of the Potsford Dam link which is necessary to allow the development of the site.

14.14 The proposed works to the roundabout will involve the signalisation of the A45 approach and the creation of a new access onto the roundabout running north into the site. The existing junction from Coventry Road to the roundabout will be closed with Coventry Road realigned to connect to the new road at a signalised crossing to the north of the roundabout.

14.15 The traffic generation and modelling information associated with the whole of the Tritax site was assessed as part of the outline application. At that stage, subject to conditions, the highway authority accepted that up to 100,000 square metres of B8 development could be occupied prior to the provision of additional highway infrastructure. A condition attached to the outline planning permission (outline condition 18) stated that no more than 100,000 square metres of floorspace could be occupied until further assessments of the impact on the highway network have been carried out and a scheme of mitigation works (which could include the provision of the Potsford Dam link or works at the Blue Boar junction) has been agreed.

14.16 Highways England commented on the current application and requested that conditions relating to the submission of a Construction Management Plan, including a Construction Traffic Management Plan, and Travel Plans be attached to planning permission if granted (condition 33, 34).

14.17 An objection was received from the Highway Authority, Warwickshire County Council, to the current application. This commented that Road Safety Audits, vehicle tracking and further details of peak hour HGV Movements, the use of the temporary access, the fire station access and works to Rights of Way were required. They also commented that the Coventry Road visibility splays should be increased, that trees should not conflict with street lights or visibility splays and that details of the hedgerow to be removed on Coventry Road were required.

14.18 The applicants provided the Highway Authority with the safety audits produced in relation to the outline application, updated to refer to the proposed units and carried out a Road Safety Audit relating to the proposed construction access. Information was provided to state that the temporary access would be used for around 9 months and would be removed once the permanent access is completed. The Highway Authority advised that the submitted safety audits were acceptable.

14.19 Vehicle tracking plans were provided and clarification of vehicle movements within the submitted Transport Assessment was provided. In relation to the vehicle tracking plans the Highway Authority advised that the amended plans are acceptable.

14.20 The Highway Authority advised that their Signals Team had some concerns regarding the details of the traffic signals layout as the length of the traffic islands needs to be reduced to assist maintenance of the signals, any vehicle breakdowns and to allow for the Pegasus crossing. However, the Highway Authority confirmed that this matter could be addressed through the highways technical approval process relating to the agreement of the highway details.

14.21 The outline application included a Framework HGV Route Management Strategy which detailed a strategy for ensuring that HGV traffic to/from the development used appropriate routes. It sets out measures to ensure that HGV movements to/from the site through Dunchurch Crossroads are minimised, and that HGVs do not use the Straight Mile/B4453 to reach the A423 at Princethorpe. The Addendum to the Environmental Statement relating to the current application states that a HGV routing strategy will be prepared for the currently proposed units.

14.22 A condition is therefore proposed requiring the agreement of a detailed HGV routing strategy prior to occupation and this condition is clear that HGVs should not be passing through Dunchurch or Princethorpe (condition 31).

14.23 In relation to bus services the submitted Framework Travel Plan explains that a shift based bus service would be provided to serve the development. This will provide an alternative to car based travel for employees, and the service can be planned to respond to shift based working patterns, measures to encourage the use of the bus service such as subsidised travel passes will also be encouraged. As with the outline application a contribution to this service can be secured through the s106 agreement.

14.24 The closest bus stop is located on Coventry Road to the south east of the site. Bus operators Stagecoach commented that bus stops should be provided either within the site or close to the site on the main road. A plan was provided showing a temporary bus stop on the north side of Coventry Road between the junction of Coventry Road and the access road and the access to unit 1, with buses travelling around the A45/M45 roundabout to serve the site. Stagecoach commented that these proposals were acceptable.

14.25 The Highway Authority requested additional information regarding the proposed bus stop provision and infrastructure and this can be controlled by a condition (condition 26).

14.26 Pedestrian and cycle facilities for the overall site will ultimately be provided along the Sustainable Transport Corridor and Homestead link, however these do not form part of the current application. In order to ensure the site can be accessed by pedestrians and cycles in advance of the provision of the wider infrastructure improved links can be secured either along the existing public right of way, Northampton Lane or by improvements along Coventry Road between Windmill Lane, part of the national cycle network, and the site (condition 27).

14.27 As detailed above the outline planning permission included a condition to ensure that more than 100,000 square metres of B8 employment occupation is not exceeded until highway conditions have been assessed and, if it has not been provided by that stage through the wider development, suitable mitigation is secured.

14.28 As the current application is a full application it would not automatically be covered by the conditions attached to the outline consent. To ensure the currently proposed floorspace is taken

into account when calculating 100,000 square metres occupation a non-material amendment has been submitted to amend outline condition 18 to include reference to this full planning application. A condition is also proposed in relation to this application (condition 32) to specify that the currently proposed floorspace is included within outline condition 18.

14.29 The Highway Authority requested modelling details regarding the HGV movements expected on Coventry Road during peak hours as there were concerns that vehicles waiting at the gatehouse originally proposed to Unit 1 could conflict with vehicles entering the car park and lead to queuing on Coventry Road. Information regarding vehicle movements was provided. In addition the gatehouse was removed from Unit 1 and a plan provided showing that HGVs could queue within the site before entering the service yard. The Highway Authority advised this information is acceptable.

14.30 The Highway Authority did not raise an objection to the position of the access to Unit 1 on Coventry Road. They did however comment that the visibility splays to be provided from this access had been designed for the realigned Coventry Road to be subject a 40 mph speed limit. They commented that although a 40mph speed limit is proposed this has not yet been through the formal Traffic Regulation Order process. However, they advised that a condition can be used to ensure that the buildings are not occupied until the 40 mph speed limit has been imposed, therefore the proposed visibility splays are considered acceptable (condition 25). A contribution can also be secured through the s106 regarding the cost of this order.

14.31 Road safety audits for the proposed junction and temporary construction access were received. These were reviewed by the Highway Authority who advised these were acceptable.

14.32 In relation to the proposed access arrangements and connections to the M45/A45 roundabout and Coventry Road, these reflect those agreed at the outline stage which Warwickshire County Council considered acceptable, with any minor changes capable of being addressed at the detailed design stage.

14.33 As detailed above a Framework Travel Plan has been provided and it is proposed to secure improved bus services and pedestrian and cycle links to the site. Warwickshire County Council comment that these should be secured through conditions and a s106 agreement.

14.34 A condition is proposed relating to a Construction Traffic Management Plan to control construction traffic and preventing construction or delivery traffic using Dunchurch crossroads in peak hours. For clarity these issues have been included in a separate condition (condition 33).

14.35 Subject to conditions and a s106 agreement Warwickshire County Council advise they have no objection to the development.

14.36 It is therefore considered that the proposals will enable the provision of the spine road network required by policies DS8 and DS9 and will not prejudice the delivery of the other parts of this network. As with the outline approval subject to securing mitigation through conditions and a s106 the impact on Dunchurch crossroads and the residual impact on the highway network will not be severe, this is in accordance with DS9 and the NPPF.

14.37 Measures to promote sustainable travel in relation to bus services, pedestrian and cycle facilities will also be secured by conditions and a s106 agreement and this is in accordance with policies DS5, HS5 and D1.

14.38 Based on the advice from technical consultees the impact of the proposals in terms of highway safety and transport impacts is therefore considered acceptable in accordance with the relevant policies.

14.39 Policy D2 states that parking provision, including electric vehicle charging points, parking for people with disabilities and motorcycle and cycle parking should be provided in accordance with the Council's parking standards.

14.40 The Council's standards set out in the Local Plan for B8 development require 1 car space per 60 square metres, additional car parking spaces for disabled people are also required with 4 spaces per 100 spaces and 1 space per subsequent 100 spaces. Electric vehicle charging points are also required with 1 charging point per 10 spaces.

14.41 Based on the Council's parking standards 209 spaces would be required for unit 1 and 288 for unit 2. The proposals include a lower provision with a total of 107 spaces and 6 parking spaces for disabled people provided for unit 1 and 129 spaces and 7 parking spaces for disabled people for unit 2.

14.42 The supporting text to policy D2 states that there is a need for flexibility in determining levels of car parking required and that less provision may be needed where there is good public transport provision and opportunities for walking and cycling.

14.43 This reflects comments in made by the Highway Authority in relation to the outline application when they recommended that the level of parking secured should be less than the Council's standards to encourage use of sustainable transport.

14.44 As sustainable transport measures such as an improved shift based bus service, pedestrian and cycle links are proposed it is considered that the site can be accessed by means other than the private car.

14.45 The applicants also provided information from similar sites elsewhere where parking provision has been provided at a similar level to that proposed and commented that the provision reflects the commercial requirements of logistics operators for the size of units proposed.

14.46 The proposed parking includes 11 electric vehicle charging points for unit 1 and 13 for unit 3 and the applicants have advised that ducting will be provided to 5% of spaces to allow charging points to be installed in the future.

14.47 The Council's standards also set out cycle parking standards for both staff and visitors. These standards require a total of 38 cycle spaces for unit 1 and 40 are spaces are proposed. The requirement for unit 2 is 52 cycle spaces, 48 spaces were initially proposed however amended plans were provided increasing this to 60 cycle spaces. This is therefore in accordance with the Council's standards.

14.48 Notwithstanding this the Highway Authority commented that it would not be acceptable for vehicles to park on the public highway surrounding the site and that if necessary Traffic Regulation Orders would have to be applied to prevent on-street parking. The Highway Authority commented that funding should be secured through the s106 to allow these Orders to be implemented if necessary.

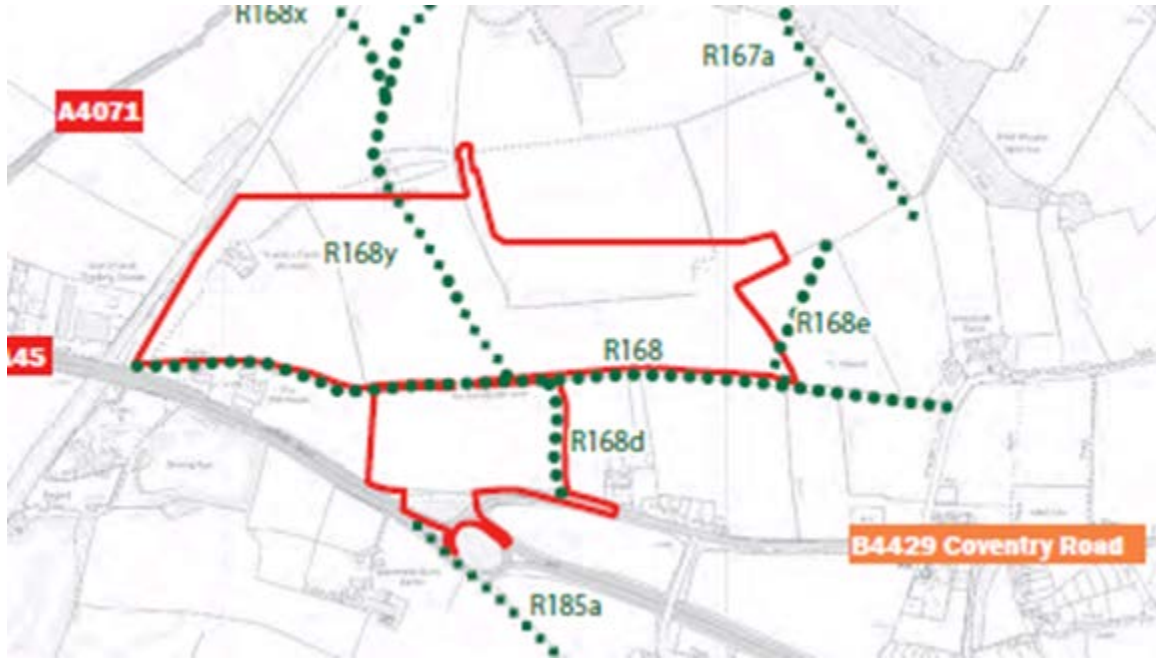
15.0 Public Rights of Way

15.1 Northampton Lane crosses the site from east to west, the majority of this route is outside of the application site boundary, however part of this route is included where the site access road

will be provided. This is a Restricted Byway (R168) which is a public right of way for pedestrians, horse riders, cyclists and non-motorised vehicles.

15.2 There is also a public footpath which crosses the site from south to north. This runs close to the eastern boundary of the narrow part of the site (R168d) and then crosses the site diagonally towards Station Farm Cottage which is to the north of the site (R168y). There is also a small section of public footpath running adjacent to the eastern boundary of the wider part of the site (R168e), this continues outside of the site in a north eastern direction.

15.3 These routes are shown below.



15.4 The current application shows the retention of R168d within the landscaped area to the east of unit 1.

15.5 An objection was received to the proposals from Warwickshire Ramblers who commented that more detail of the access road crossing Northampton Lane and any temporary closures of Rights of Way were required.

15.6 In relation to the crossing of Northampton Lane the applicants explained that a Pegasus crossing will be provided to allow users to cross the access road. This will be provided to the north of the existing route of Northampton Lane in order to ensure that the number of tree removals in this area is minimised and fenced and grassed areas will be provided between the Right of Way and the crossing. Dropped crossing points will also be provided for users who choose to remain on the existing alignment rather than use the controlled crossing point.

15.7 The applicants advised that as part of future development phases it is intended that Right of Way R168Y will be diverted to run along Northampton Lane to the access road, north along the line of the allocated Potsford Dam link and then west towards Station Farm Cottages. It will then connect with the existing line to the south of the proposed bunds. A gap has been left within the bunds and amended plans were received to ensure this reflects the legal line of this footpath. The applicants also advised that route 168y may be temporarily restricted in the future whilst formal diversions are sought. However, these are the subject of separate legislation.

15.8 In relation to closures of Rights of Way during construction the applicants advised this is unlikely to be required. As the temporary haul road will cross R168y fencing, traffic management and a banks person may be used to maintain safe access.

15.9 Warwickshire County Council Rights of Way team commented on the application and raised no objection to the proposals subject to conditions and informatives (condition 35). Warwickshire Ramblers also commented and advised that their objection had been overcome.

15.10 The proposals will therefore retain the existing rights of way and allow access to the site from the surrounding area on foot or by cycle. This is in accordance with the NPPF and policy HS1 of the Local Plan which requires the retention of rights of way.

16.0 Air Quality

16.1 As detailed above policy HS5 states development proposals should promote a shift to sustainable transport modes and low emission vehicles to minimise the impact on air quality, noise and vibration caused by traffic.

16.2 The site is located within the Air Quality Management Area (AQMA) which covers the Rugby Urban Area and areas surrounding this including Dunchurch. Sensitive areas within the AQMA include Dunchurch crossroads and the gyratory.

16.3 Due to the size of the development and the location within the AQMA this policy requires the development to achieve air quality neutral standards or provide mitigation. As the site is currently in agricultural use any built development would result in an impact on air quality. It therefore would not be possible for development to be air quality neutral and mitigation will be required.

16.4 The NPPF also refers to air quality and states planning decisions should contribute towards limits and objectives for pollutants taking into account AQMAs and that opportunities to improve air quality or mitigate impacts should be identified such as through traffic and travel management and green infrastructure. Decisions should ensure new development within AQMAs is consistent with the local air quality action plan.

16.5 The Council published the consultation draft Air Quality SPD in February 2020, although this has not been adopted by the Council it can be afforded some weight in decision making. This also refers to the need for developments to be air quality neutral or provide appropriate mitigation. This SPD sets out a methodology for calculating the costs associated with the impact on air quality which can be used when assessing mitigation.

16.6 The Environmental Statement and Addendum submitted in relation to the outline application detailed the expected air quality impacts in relation to Nitrogen Dioxide and Particulate Matter. This showed that the predicted concentrations of both Nitrogen Dioxide and Particulate Matter did not exceed the annual mean objectives at any assessed locations with or without the development.

16.7 An Addendum to the Environmental Statement was submitted as part of the current full application which assessed the impacts of the current proposals. This assessed the impact of the traffic generation associated with the current application in isolation. Environmental Services advised that they disagreed with this approach as the application comprises part of the overall development and the cumulative impact on air quality must be considered. Notwithstanding this they accepted that the air quality impact of the overall development was assessed as being “not significant” and that this, by extension, also applies to the current application.

16.8 As detailed above the proposed development will not be air quality neutral, mitigation is therefore required in accordance with policy HS5.

16.9 The proposals include measures to promote sustainable travel and low emissions vehicles such as walking and cycling infrastructure, Travel Plans and electric vehicle charging points. Environmental Services sought clarification regarding the number of charging points proposed and this information was provided.

16.10 In addition, as detailed above the HGV routing strategy will direct vehicles away from Dunchurch. The agent has also advised that some trees to be planted on the site were chosen for their ability to sequester and store carbon.

16.11 The proposals will also provide the access to the Potsford Dam link from the M45/A45 roundabout and the first part of the Potsford Dam link. The provision of this transport infrastructure will reduce traffic and therefore reduce air quality impacts within Dunchurch. The cost of the provision of these infrastructure works will exceed the air quality mitigation costs calculated in accordance with the draft SPD and this is considered acceptable in accordance with policy HS5.

16.12 It is therefore considered, subject to conditions and the s106 agreement, that the impact on air quality is acceptable in accordance with policy HS5 and the NPPF.

17.0 Noise and Vibration

17.1 Policy HS5 also refers to impacts in terms of noise and vibration and states that developments exceeding 1000 square metres must address the adverse impacts of noise and vibration on existing and future occupiers and users of the public realm. The NPPF states that development should not contribute to unacceptable levels of noise pollution or land instability and that development should mitigate and reduce to a minimum adverse impacts from noise.

17.2 The impacts in terms of noise and vibration relate to impacts on the wider area linked to traffic, construction noise and operational noise from the proposed B8 units.

17.3 The Environmental Statement and Addendum related to the outline application assessed the impact of construction noise on properties surrounding the site. The Environmental Statement Addendum relating to the full application comments that the impacts in terms of construction noise will be unchanged from those for the outline development. The assessment included properties immediately adjacent to the site and those on Coventry Road to the south east and Windmill Close. This showed that the greatest impacts would be on the properties which are closest to the site boundaries.

17.4 The Environmental Statement details that construction noise is temporary and the assessment is based on a worst case scenario, in reality it is likely that development will be carried out in phases across the site which will reduce the impact. Consideration must also be given to the temporary nature of construction noise.

17.5 Environmental Services raised no objection to the current application in relation to construction noise subject to a condition requiring the submission of a Construction Method Statement, including details of measures to control noise and vibration from construction (condition 21). Subject to this condition the impact of construction noise is considered acceptable.

17.6 In relation to the assessment of noise from the units themselves and associated traffic Environmental Services sought clarification regarding background noise levels and HGV movements. The applicant provided additional information regarding the background noise levels

and assessed the likely impact of the development if the background levels were reduced. They also clarified the HGV movements and explained that the night time movements had been assessed on a worst case scenario with hourly movements assessed as all being within a 15 minute period rather than spread over an hour.

17.7 Environmental Services accepted these clarifications and raised no noise objections to the proposals.

17.8 Environmental Services has originally suggested a noise condition relating to reversing alarms. However, they comment that this can be addressed by an informative although if these become an issue in the future the Council will be able to take action under the relevant noise legislation.

17.9 No objections have been received from Environmental Services relating to vibration. Subject to the conditions detailed above the impact in terms of noise and vibration is considered acceptable.

18.0 Impacts on neighbouring residents

18.1 Policy SDC1 states that proposals for new development will ensure the living conditions of neighbouring occupiers are safeguarded.

18.2 Objections received relating to the impact on neighbouring properties refer to factors such as traffic, air quality, noise and vibration are addressed elsewhere in this report. Objections also comments on the height and proposed size of the proposed buildings, particularly in relation to the impact in existing dwellings on Coventry Road.

18.3 Residential properties in the area of the site comprise Station Farm Cottage and converted barns to the north of the site, Chalon House adjacent to the former railway to the west, Mill House on Coventry Road to the west of unit 2, a group of properties on Coventry Road to the south east and Barnwells Barn Farm to the south of the A45.

18.4 Station Farm Cottage is around 40m from the northern boundary of the overall site and Chalon House is around 15m from the western boundary of the overall site. Mill House is around 200m to the west of the part of the site where Unit 2 is proposed. The closest property to the site on Coventry Road to the south east is around 90m to the east of the part of the site where Unit 1 is proposed. However, due to works proposed within Coventry Road the application site boundary extends along Coventry Road towards these properties.

18.5 Unit 1 is proposed around 115m from the closest residential property located to the east on Coventry Road and the access is around 90m from this property. Unit 2 is proposed around 270m from Mill House to the west with the service yard around 220m from this property. An objection has been received from this property relating to the impact of the proposals and the service yard on their dwelling and land they own adjacent to the application site boundary. Unit 2 is proposed around 150m north of Barnwells Barn Farm.

18.6 It is therefore considered that sufficient separation is provided to ensure that there is not a significant adverse impact on neighbouring properties in terms of loss of light, sense of enclosure or loss of privacy.

18.7 The proposals also include the provision of permanent landscaped bunds to the south of Station Farm Cottages and barns. These would be around 3m high and would be planted with native trees and shrubs. The bunds would be around 25m from the closest dwelling and it is not

considered they would have an adverse impact on the neighbouring properties in terms of loss of light or sense of enclosure.

18.8 The proposals therefore comply with the relevant part of SDC1.

18.9 It is accepted that the outlook from neighbouring properties will be altered by the proposed development. However, the loss of a view is not a matter than can be considered in the determination of a planning application.

19.0 Health Impacts

19.1 Policy HS2 states that it will need to be demonstrated that non-residential development exceeding 1 hectare will not generate adverse impacts on health and wellbeing through a Health Impact Screening report.

19.2 A screening report was provided with the Addendum to the Environmental Statement relating to the outline application. This uses health themes within the NHS Healthy Urban Development Unit (HUDU) Health Urban Planning Checklist to assess the development. An updated screening report was provided in the Addendum to the Environmental Statement relating to the current full application.

19.3 The themes within this checklist are Active Travel, Healthy Environment and Vibrant Neighbourhoods (Healthy Housing is also included as a theme but is not relevant to this application).

19.4 In relation to Active Travel the report detailed measures referred to elsewhere within this report, such as measures to promote walking and cycling, connectivity to the site and measures to minimise car use.

19.5 Regarding Healthy Environment the report detailed how construction activities would be controlled by a Construction Management Plan. Other factors such as air quality, noise, vibration and ground conditions are also considered elsewhere within this report and can be controlled by conditions.

19.6 For Vibrant Neighbourhoods the report refers to the development forming part of the wider South West Rugby allocation which will include housing and community facilities and refers to the development resulting in employment opportunities.

19.7 The screening concluded that a more detailed Health Impact Assessment was not necessary and that mitigation measures to protect health identified within the Environmental Statement should be secured, for instance through planning conditions.

19.8 Warwickshire County Council's Public Health Unit advised they were happy with the screening and recommendations submitted in relation to the outline planning application. However, no comments were received from the Public Health Unit regarding the current application and no comments were received from the NHS regarding the proposals.

19.9 Subject to conditions detailed elsewhere within this report it is considered that the development complies with policy HS2.

20.0 Sustainable Buildings

20.1 Policy SDC4 refers to sustainable buildings and states that non-residential development over 1000 square metres should aim to achieve as a minimum the BREEAM (Building Research Establishment Environmental Assessment Method) "very good" standard. This policy goes on to

state that development should be designed to reduce energy demand through energy efficiency measures, supply energy through efficient means then utilise renewable energy generation.

20.2 In addition, section 14 of the NPPF indicates a need for the planning system to support the transition to a low carbon future to help tackle climate change. Rugby Borough Council also declared a climate emergency in July 2019.

20.3 A Climate Change and Sustainability Statement were submitted with the application. This explained that the proposals will be designed to achieve BREEAM “very good” standards and this can be controlled by a condition (condition 3).

20.4 The statement also details the applicants Net Zero Carbon commitment and membership of the UK Green Building Council. They explain that the construction of the building will be designed to reduce carb emissions, for example alternatives to concrete will be used if possible and steel frame solutions would be designed to minimise the steel used. The emissions associated with the construction will then be calculated and offset using verified and accredited offset schemes.

20.5 The buildings have also been designed to increase efficiency and minimise carbon emissions during operation. These measures include enhanced insulation, glazed elements to maximise natural daylight and increased air tightness to reduce heat loss. It is also proposed to utilise energy and water efficient equipment within the building to minimise energy and water usage.

20.6 The proposals also seek planning permission for photovoltaic (PV) panels to be installed to the roofs of the units. It is intended to provide panels to 25% of the useable roof area in the first instance and this could be secured by a condition (condition 4). Planning permission is sought for panels to 100% of the useable roof area to allow these to be provided dependant on occupier requirements and the technical ability and viability of exporting energy to the national grid.

20.7 It is considered that the installation of PV panels will not have an adverse impact on adjacent land uses or residential amenity and this is supported by policy SDC8.

20.8 It is therefore considered that, subject to a condition regarding BREEAM standards, the development is in accordance with policy SDC4.

21.0 Drainage

21.1 Policy SDC5 states that a sequential approach will be taken to development based on the Environment Agency’s flood zones to steer development to areas with the lowest probability of flooding. The site is located within Flood Zone 1, which has the lowest likelihood of flooding and in accordance with this policy.

21.2 Policy SDC6 states that Sustainable Drainage Systems are required on major developments and that these should be provided on-site or, where this is not possible, close to the site. The outline application included details of the proposed surface water drainage. This explained that surface water from the site would run north to Potsford Dam where a connection would be made to allow this to discharge into the Lawford Brook or directly into the brook.

21.3 The Environment Agency did not object to the current application. However, the Lead Local Flood Authority, Warwickshire County Council, initially objected to the current application as additional information and clarification was required regarding the operation of the surface water drainage system.

21.4 This information was provided and the Lead Local Flood Authority raised no objection to the proposals, subject to conditions requiring a detailed surface water drainage scheme and a surface water maintenance plan to be agreed (condition 11, 12). This is in accordance with policy SDC6.

21.5 Foul drainage is to connect to the existing sewerage system, Severn Trent raised no objection to this subject to informatives at the outline stage but have not commented on the current full application.

21.6 Policy SDC7 states that developers will be expected to ensure there is an adequate water supply to serve developments and that development should not have an adverse impact on water quality. A Water Framework Directive Compliance Statement was provided with the outline application detailing the proposed diversion of the existing field drains. Severn Trent raised no objection to the outline application in relation to water supply. As the current application is for a smaller amount of floorspace it is considered that the previously accepted statement is relevant and this policy is complied with.

22.0 Economic Considerations

22.1 As detailed above the applicants advised that the increased building height is required to meet the changing needs of logistics operators since the outline application was submitted. The increased heights result in increased internal working heights which allow the installation of racking systems which are increasingly automated. The applicants also advise that increased efficiency is required to address increased demand for on-line shopping resulting from Covid-19 and to address the relocation of logistics space from outside of the UK.

22.2 The applicants expanded on this and advised that online sales now account for 40% of all retail sales, a 51% increase on the previous 12 months. They also commented that 15m internal heights as proposed are required to allow additional mezzanine levels to be provided within buildings to increase automation. This will also allow buildings to adapt to changing technology in the future and prevent obsolescence.

22.3 The applicants advised that the buildings are to be constructed speculatively and that the increased heights will increase the interest in the site and lead to longer term letting contracts and reduce void letting periods.

22.4 The applicants have confirmed that have been in discussions with 4 potential occupiers (a large e-commerce retailer, a parcel operator, a carpet & flooring retailer and a supermarket) who have all commented that they require a minimum internal height of 15m which results in overall heights of 18m.

22.5 Information provided by the applicants details that the proposals are likely to generate 127 jobs during construction and 392 jobs during operation. Additional jobs are also likely to be created in businesses who will provide services to the occupiers of the proposed units.

22.6 A condition is proposed (condition 36) to require a Local Employment Strategy to be agreed to actively promote employment and training opportunities to the local workforce.

22.7 The NPPF refers to building a strong and competitive economy and states that significant weight should be given to the need to support economic growth and productivity. Specific reference is also made to storage and distribution operators and the requirement to make provision at a variety of scales and in suitably accessible locations.

22.8 Comments have been received from the Council's Economic Development Manager in support of the application and the increased building heights. They refer to a recent report which details the need for modern warehouses to be competitive and meet the need for increasing automation including the use of multi-tiered mezzanine floors resulting in a market shift to taller buildings. They advise that in order to remain competitive and attract major innovative and automated logistics companies to the area the increased building heights should be supported.

22.9 It is therefore considered that these economic factors carry significant weight in favour of the proposals.

22.10 Comments received from local residents have raised concerns that there is no need for warehouses so they may remain empty and that warehouses will have poor shift patterns for people with no other employment options. However, policy DS8 specifically allocates the land at South West Rugby for B8 employment development and the application is in accordance with this policy requirement.

22.11 A Statement of Economic and Employment Need in the Addendum to the Environmental Statement relating to the outline application also stated that the overall job roles within the logistics sector are changing with increases in office based (+14%) and managerial roles (+5%) and a decrease in warehouse roles (-19%) since 2006.

23.0 Other matters

23.1 Policy GP5 states that neighbourhood level documents, such as Parish Plans, are a material consideration in determining planning applications. Thurlaston has a village design statement, however this largely relates to development within the village itself rather than the surrounding area. This document makes reference to the surrounding open countryside and existing vegetation on the approach to the village from Coventry Road to the north. The impact on Thurlaston has been considered earlier in the report and is considered acceptable. This is therefore in accordance with policy GP5.

23.2 A Site Investigation report was submitted with the application. Environmental Services commented this was acceptable, subject to a condition relating to unexpected contamination (condition 23). This is in accordance with the relevant part of the NPPF.

23.3 The NPPF refers to agricultural land and states that the economic benefits of the best and most versatile (grades 1, 2 and 3a) agricultural land must be recognised and that where significant development of agricultural land is necessary areas of poorer quality land should be preferred.

23.4 The Environmental Statement submitted with the outline application detailed that the development of the overall site involved the development of 44ha of existing agricultural land. This includes 19.5ha of grade 2 – very good, 20.7ha of grade 3a – good and 3.8ha of grade 3b – moderate. The proposals therefore involved 40.2ha of the best and most versatile agricultural land. This carries some weight against the proposals.

23.5 However, this matter was considered by the Local Plan Inspector in allocating the site and they stated, *“The loss of very good quality agricultural land would not be mitigated, but it has been demonstrated that the development requirements of the borough cannot be met without building on greenfield sites. Most greenfield land on the edge of Rugby is in agricultural use, and classed as good quality agricultural land or better. I am satisfied that it would not be possible to use any poorer quality areas of agricultural land to meet the development needs of the borough in a more sustainable location. Although a large area of agricultural land, its loss would be modest in comparison to the overall resource of agricultural land in the borough.”*

23.6 The applicant has confirmed that fibre broadband infrastructure will be provided on site this accords with policy SDC9.

24.0 Planning Obligations

24.1 Policy D3 refers to the impact of development on infrastructure and states that where there is not sufficient capacity developer contributions may be sought to mitigate the impacts of the proposed development. Policy D4 states these will be secured through a s106 legal agreement.

24.2 Policy D4 and the NPPF state that in order for contributions to be sought they must be:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Be fairly and reasonably related in scale and kind to the development.

24.3 The draft SPD identifies the infrastructure requirements associated with the South West Rugby Allocation and policy DS9 sets out the requirements in relation to the provision of the spine road network.

24.4 The draft SPD includes details of the infrastructure costs associated with the overall South West Rugby allocation and explains that a proportion of the relevant costs will be payable by the developers of different phases of the development. The draft SPD also explains that where a developer will deliver items of strategic infrastructure as part of their development they will therefore pay a reduced contribution to other site wide infrastructure.

24.5 The outline planning permission for the overall site secured elements of infrastructure that were required to service the overall South West Rugby allocation as well as the development site itself. It was accepted at that stage that the costs of providing these elements would exceed the contributions which would be paid to the overall infrastructure on the proportionate basis. It was therefore considered that the delivery of the “in kind” elements of infrastructure would be secured in lieu of contributions to parts of the site wide highway infrastructure.

24.6 The current application also includes elements of the site wide infrastructure: the alteration of the M45/A45 roundabout and the access road from it and the part of the Potsford Dam link from the roundabout to a point the north of Northampton Lane. It is therefore considered that it is not necessary for contributions to off site infrastructure to be secured in relation to the current application.

24.7 As detailed earlier in the report an interim bus service contribution will be included within the s106 and a contribution to Traffic Regulation Orders preventing on-street parking will be secured if necessary.

24.8 The application also shows the site for the provision of a fire station which is required by policy DS8. The s106 will be used to ensure this land is made available to Warwickshire County Council for this purpose, unless they subsequently advise it is not required.

24.9 As detailed above the County Ecologist requested a Biodiversity Impact Assessment. This showed that the development would lead to a loss of 4.19 biodiversity units. A contribution towards biodiversity off-setting will therefore be included within the s106 to be spent on projects close to the site where possible.

24.10 These obligations will mitigate the impact of the development in accordance with policies D3 and D4.

25.0 Heads of Terms

25.1 In summary the contributions required for this proposal are set out in the table below:

Contribution/Obligation	Requirement	Trigger
Interim bus service contribution	Contribution payable to Warwickshire County Council	On first occupation of development and on anniversaries 1-4 of occupation
Travel Plan monitoring contribution	Contribution payable to Warwickshire County Council	On first occupation of development
Provide land for fire station	Safeguard land to allow fire station to be provided	On-going
Biodiversity off-setting	To provide an off-site biodiversity off-setting scheme	Prior to the commencement of development
Traffic Regulation Order contribution – speed limit	Contribution payable to Warwickshire County Council	Prior to the commencement of development
Traffic Regulation Order contribution - parking	Contribution payable to Warwickshire County Council	If required to prevent on-street parking

25.2 In relation to the detail quoted above, these are subject to further negotiation and finalisation prior to the completion of the s106 agreement.

26.0 Conclusion and Planning Balance

26.1 Policy GP1 of the Local Plan outlines that the Council will determine applications in accordance with the presumption of sustainable development set out in the Framework. Paragraph 11 of the Framework sets out that for decision-taking this has two parts. The first part (paragraph 11(c)) means “approving development proposals that accord with an up-to-date development plan without delay”. The Local Plan was adopted in June 2019 and is therefore considered to be an up-to-date development plan.

26.2 Paragraph 10 of the NPPF states that sustainable development should be pursued in a positive way and that the NPPF contains a presumption in favour of sustainable development. The question as to whether a particular proposal constitutes sustainable development is not simply a matter of location. Paragraph 8 of the NPPF refers to three overarching objectives of sustainability which are interdependent. These are the economic, social and environmental objectives.

Economic objective

26.3 From an economic perspective, the proposed development represents a substantial investment in the Borough at a time where there is a great deal of economic uncertainty. It would provide new employment opportunities and allow companies to locate within the Borough or allow existing companies to relocate to new premises and remain in the area. It would have a significant, positive and direct impact on the regional and local economy. This is consistent with the designation of this site for employment use by policy DS8. In addition, the development would help to ensure the Council meets its employment land targets as outlined in policy DS1.

26.4 Other economic benefits would include the creation of construction jobs and associated in-direct jobs and businesses being supported who provide services to the facility.

26.5 Overall, the proposal represents a substantial investment in the Borough which would provide new employment opportunities. As a consequence, it would have a significant positive impact on the regional and local economy.

26.6 In addition, as detailed in the NPPF the provision of infrastructure, must be assessed in relation to the economic role. The proposals will result in the delivery of parts of the South West Rugby Spine Road network, as set out in policy DS9 which is necessary to deliver this development and also housing development to help meet the Borough's housing needs as set out in policy DS1.

26.7 It is considered that the clear economic benefits outlined above carry very substantial weight in favour of the proposed development.

Social objective

26.8 The proposal is expected to create 127 temporary construction jobs and 392 full time equivalent jobs once completed. Given the current economic and social uncertainty, particularly in relation to jobs and job security, this is of paramount importance. Indeed, access to employment opportunities is a critical component of sustainable development. It also plays a key role in helping improve and safeguard mental health and wellbeing.

26.9 The social objective in the NPPF also refers to the need to provide homes and the provision of the spine road network will allow the provision of housing allocated by policy DS8.

26.10 The development will also contribute to a high quality, safe convenient walking and cycling network making the employment development accessible to nearby homes.

26.11 It is considered that the clear social benefits outlined above should carry substantial weight in favour of the proposed development.

Environmental objective

26.12 The NPPF refers to protecting and enhancing the natural, built and historic environment, helping to improve biodiversity, use resources prudently, minimise waste and pollution and adapt to climate change.

26.13 As detailed above, it is considered that the proposal, and particularly the increased building heights, will have an adverse impact on the character of the area and wider landscape and this carries weight against the proposals.

26.14 The proposals will be within the setting Listed Buildings and Thurlaston Conservation Area. Due to the separation between the development and these heritage assets it is considered that the proposals will cause minor less than substantial harm to the significance of these designated heritage assets. This must be given considerable importance and weight against the proposals which must be weighed against the public benefits of the proposals.

26.15 Whilst trees are to be retained where possible the development will involve the loss of areas of hedgerow and some trees, including 3 trees covered by a Tree Preservation Order.

26.16 The development of the allocated site will also result in the loss of best and most versatile agricultural land.

26.17 These factors carry weight against the proposals.

26.18 However, the proposals will incorporate landscaping and tree planting and Biodiversity Offsetting will be provided to mitigate for any on-site loss of biodiversity.

26.19 The proposed buildings will be constructed to BREEAM “very good” standards and will also include the provision of PV panels on a minimum of 25% of the useable roof space. The development would also utilise a sustainable drainage system.

26.20 The development will provide pedestrian and cycle linkages to the wider area as well as providing a bus service to allow to the site using sustainable methods.

26.21 The proposed transport mitigation, HGV routing strategy and the delivery of parts of the South West Rugby spine road network will contribute to the eventual rerouting of traffic away from areas of congestion such as the Dunchurch crossroads and gyratory which will ultimately lead to environmental benefits to these areas.

26.22 These are considered to be positive environmental benefits that should be afforded weight in favour of the scheme.

26.23 It is therefore concluded that the benefits of the proposed development outweigh the factors against the proposals. Although the impact on visual amenity and the character of the area is contrary to policy SDC1 it is considered that this is outweighed by other factors as detailed above. The proposed development would comply with all other Development Plan policies and no material considerations have been identified which indicate that the development should not be approved. Indeed, the proposal would result in a number of positive economic, social and environmental benefits.

26.24 The proposal would also not result in any other significant and detrimental environmental harm. Having regard to national policy and the presumption in favour of sustainable development it is therefore considered that the proposal would comply with policy GP1.

26.25 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and having regard to material considerations including the Framework, it is considered that the application should be approved subject to a s106 agreement, conditions and informatives.

Recommendation

1. Planning application R20/1026 be granted subject to:
 - a. the conditions and informatives set out in the draft decision notice appended to this report; and
 - b. the completion of a legal agreement to secure the necessary financial contributions and planning obligations as indicatively outlined in the heads of terms within this report.
2. The Head of Growth and Investment be given delegated authority to negotiate and agree the detailed terms of the legal agreement which may include the addition to, variation of or removal of financial contributions and/or planning obligations outlined in the heads of terms within this report.

DRAFT DECISION

REFERENCE NO:
R20/1026

DATE APPLICATION VALID:
17-Dec-2020

APPLICANT:
Tritax Symmetry Ltd Tritax Symmetry Ltd, C/o Framptons

AGENT:
Peter Frampton, Framptons Planning Framptons Planning, Framptons Town Planning, Oriel House, 42 North Bar, Banbury, OX16 0TH

ADDRESS OF DEVELOPMENT:
UNITS 1 & 2 TRITAX SYMMETRY SITE - LAND NORTH OF COVENTRY ROAD, COVENTRY ROAD, THURLASTON

APPLICATION DESCRIPTION:
Full planning application for the erection of 2 logistics units development comprising a total of 30,435 sqm (327,599 sq.ft.) (measured GEA) of Class B8 floorspace of which 1,817.2 sq.m (measured GIA) (19,560 sq. ft.) comprises Class E(g)(i) ancillary office floorspace (measured GIA) with associated infrastructure including lorry parking, landscaping including permanent landscaped mounds, sustainable drainage details, sprinkler tank pump houses, gas and electricity substations, temporary construction access from Coventry Road, temporary marketing suite and temporary stockpile area for additional soil disposal.

CONDITIONS, REASONS AND INFORMATIVES:

General

CONDITION: 1

The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON:

To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

CONDITION: 2

Unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below as may be varied in accordance with the discharge of details required by condition on this consent:

Site Plan - 13-216-SGP-STE-00-DR-A-131002 Rev AA
HGV Access Plan - 13-216-SGP-STE-00-DR-A-131010
Received 23/02/2021

Unit 2 Swept Paths Sheet 1 - T/20/2303-61-02 Rev P6
Received 19/03/2021

Bund Landscape Strategy - edp6626_d008c
Received 11/03/2021

Detailed Landscaping Proposals Sheets 1 - 14 - edp6626_d001i
Unit 1 Swept Paths Sheet 1- T/20/2303-61-01 Rev P6
Unit 1 Swept Paths Sheet 2 - T/20/2303-61-03 Rev P2
Unit 2 Swept Paths Sheet 2 - T/20/2303-61-04 Rev P4
Received 10/03/2021

Ground Investigation Report – TE1322GIR/Issue 1.1
Temporary Bus Routing – 31311/5537/001
Received 01/03/2021

Site Plan & Bunding - 13-216-SGP-STE-00-DR-A-131005 Rev. F
Bund Volumes - T/20/2303/60-09 Rev P8
Badger Tunnel - T/20/2303/51-05 Rev P1
Street Lighting - 31311/2038/1300/001B
Street Lighting Mitigation - 31311/2038/1300/002
Street Light Shield Arrangement - AS64 Rev. A
Biodiversity Impact Assessment - edp6626_r005b
Arboricultural Method Statement – edp6626_r002d
Received 01/03/2021

Public Right of Way Strategy – 31311/2036/TN001 Rev C
Received 26/02/2021

Surface Water and Foul Water Drainage Strategy – 31311/2036/001/A
Received 24/02/2021

Proposed Levels - T/20/2303-60-01 Rev P3
Proposed Mound Location - T/20/2303/60-03 Rev P6
Cycle Shelter - 13-216-SGP-STE-00-DR-A-131006
Bin Store - 13-216-SGP-STE-00- DR- A-131007
Proposed Substations - 13-216-SGP-STE-00-DR-A-131008
Proposed Sprinkler Tanks - 13-216-SGP-STE-00-DR-A-131009
Drainage Construction Details - 31311/2038/500/002
Received 15/12/2020

Vehicle Swept Paths - 31311/2038/100/003A
Vehicle Swept Paths - 31311/2038/100/004A
Vehicle Swept Paths - 31311/2038/100/005A
Received 09/12/2020

Location Plan - 13-216-SGP-STE-00-DR-A-131001 Rev D
Unit 1 Elevations - 13-216-SGP-01-00-DR-A-121131 Rev P2
Unit 1 Plans - 13-216-SGP-01-00-DR-A-230101
Unit 1 Warehouse Plan - 13-216-SGP-01-00-DR-A-121101 Rev P4

Unit 1 Office Plans - 13-216-SGP-01-ZZ-DR-A-121102 Rev P4
Unit 1 Roof Plan - 13-216-SGP-01-00-DR-A-121104
Unit 1 Roof Plan Option – 13-216-SGP-01-00-DR-A-121103 Rev P3
Unit 2 Elevations - m13-216-SGP-02-00-DR-A-121131 Rev P2
Unit 2 Elevations & Sections - 13-216-SGP-02-00-DR-A-121132 Rev P2
Unit 2 Plans – 13-216-SGP-02-00-DR-A-230101
Unit 2 Warehouse Plan - 13-216-SGP-02-ZZ-DR-A-121101 Rev. P4
Unit 2 Office Plans - 13-216-SGP-02-ZZ-DR-A-121102 Rev P4
Unit 2 Proposed Roof Plan - 13-216-SGP-02-00-DR-A-121104
Unit 2 Proposed Roof Plan Option – 13-216-SGP-02-00-DR-A-121103 Rev P4
Proposed Gatehouse Units 1 & 2 - 13-216-SGP-XX-00-DR-A-121150 Rev P1
Marketing Suite – 13-216-SGP-ZZ-XX-DR-A-800400
Haul Road - T/20/2303 60-09 Rev P2
Pedestrian/Cycle Infrastructure - 31311/5501/001 Rev A
General Arrangement – 31311/2038/001 Rev B
Visibilities - 31311/2038/100/002A
Construction Access – 31311/2038/100/006C
Foul & Surface Water Drainage Strategy Plan- 31311/2038/500/001 Rev B
Contours - 31311/2038/600/001A
Horizontal and Vertical Alignment -.31311/2038/600/002
Surfacing - 31311/2038/700/001A
Environmental Statement & Appendices, November 2017 - 31311/3007
Environmental Statement Addendum & Appendices, February 2020 - 31311/001
Environmental Statement Addendum & Appendices, Full Application November 2020 –
31311/3054
Design and Access Statement – SGP v3
Planning Statement – PF/10469
Climate Change and Sustainability Statement – 3726 Rev C
Flood Risk Assessment – 31311/4011 Rev A
Health Impact Assessment Screening 31311 Rev 2.0
Landscape Management Plan - edp6626_r001c
Transport Assessment – 31311/5573/TA Rev A
Framework Travel Plan – 31311/5574/FTP Rev A
Preliminary Ground Investigation Letter Report – TE1332GIRL1.0
Received 26/11/2020

REASON:

For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

Design & Visual Amenity

CONDITION: 3

The development hereby permitted shall be constructed to at least a BREEAM Very Good standard.

REASON:

In the interest of sustainability.

CONDITION: 4

Prior to the first occupation of any warehouse building photovoltaic panels shall be provided to 25% of the useable roofspace of that building in accordance with the approved plans.

REASON:

In the interest of sustainability.

CONDITION: 5

The maximum height of Unit 1 shall not exceed 133.59m Above Ordnance Datum and the maximum height of Unit 2 shall not exceed 132.92m Above Ordnance Datum.

REASON:

To ensure the proper development of the site.

CONDITION: 6

No wall or roof cladding of any building shall take place on any building unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces of that building have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

CONDITION: 7

No wall or roof cladding of any building shall take place unless and until details of all proposed walls, fences and gates, including elevations, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:

In the interest of visual amenity.

CONDITION: 8

Prior to the first occupation of any logistics unit the cycle parking, bin storage areas and other ancillary buildings serving that unit shall be provided in accordance with the approved plans.

REASON:

In the interest of visual amenity and sustainable travel.

CONDITION: 9

No external plant or external storage shall take place unless and until details have been submitted to and approved by the Local Planning Authority. All external plant and external storage shall be undertaken in accordance with the approved details.

REASON:

In the interest of visual amenity.

Drainage

CONDITION: 10

Prior to the construction of any building, details of the drainage plans for the disposal of foul drainage shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the first occupation of that building of development.

REASON:

To minimise the risk of pollution.

CONDITION: 11

No development shall commence unless and until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved Flood Risk Assessment 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 subsequently be implemented in accordance with the approved details before the development is completed.

The scheme to be submitted shall:

- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 13.8 l/s for the site and the location of viable outfalls.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.

REASON:

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

CONDITION: 12

No building shall be first occupied other than for the purposes of fitting out internal installations unless and until a detailed surface water maintenance plan (written in accordance with CIRIA C753) has been submitted to and approved in writing by the Local Planning Authority, giving details on how surface water systems shall be maintained and managed for the life time of the development.

The name of the party responsible, including contact name and details shall be provided to the Local Planning Authority within the maintenance plan.

The plan shall thereafter be implemented in full.

REASON:

To ensure the future maintenance of the sustainable drainage structures.

Landscape & Biodiversity

CONDITION: 13

No building construction shall commence unless and until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority.

The LEMP shall include the details below:

- a) Description and evaluation of features to be managed;
- b) Details of habitat creation measures;
- c) Ecological trends and constraints on site that might influence management;

- d) Aims and objectives of management;
- e) Appropriate management options for achieving aims and objectives;
- f) Prescriptions for management actions;
- g) Preparation of a work schedule;
- h) Details of the body/organisation responsible for the implementation of the plan;
- i) Ongoing monitoring and remedial measures;
- j) Revised BIA calculations in accordance with the current DEFRA metrics applied locally.

The LEMP shall also include details of the legal and funding mechanism by which the long term implementation of the plan will be secured by the developer with the management body responsible for its delivery.

The development shall thereafter be carried out in accordance with the approved LEMP.

REASON:

In accordance with NPPF to ensure no loss in biodiversity and to ensure that no protected species are harmed.

CONDITION: 14

No development, including demolition ground works or vegetation clearance, shall commence unless and until Construction and Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.

The CEMP shall include the following:

- a) Risk assessment of potentially damaging construction activities;
- b) Identification of biodiversity protection zones;
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
- d) The location and timing of sensitive works to avoid harm to biodiversity features;
- e) The times during construction when specialist ecologists need to be present on site to oversee works;
- f) Responsible persons and lines of communication;
- g) The role and responsibilities on site of an ecological clerk of works (ECoW);
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

In accordance with NPPF and to ensure that no protected species are harmed.

CONDITION: 15

No development shall commence unless and until a protected species mitigation strategy for that phase has been submitted to and approved in writing by the Local Planning Authority.

This shall include details of updated survey work and mitigation measures relating to bats, reptiles, great crested newts, otters, badgers, bloody nosed beetle and nesting birds. It must include timing of the implementation of mitigation measures, mitigation measures including exclusion, compensation measures, details of supervision required by a suitably qualified ecologist and monitoring of the works being done.

The approved strategy shall thereafter be implemented in full.

REASON:

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

CONDITION: 16

No building shall be first occupied other than for the purposes of fitting out internal installations and no external lighting shall be installed unless and until a lighting strategy for biodiversity has been submitted to and approved in writing by the Local Planning Authority.

The strategy shall:

- a) Identify those areas/features on site that are sensitive for bats and other nocturnal species and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory and;
- b) Show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications).

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy and these shall be maintained thereafter in accordance with the strategy.

REASON:

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

CONDITION: 17

The landscaping scheme, as detailed on the approved plans, shall be implemented no later than the first planting season following the first occupation of the development. If within a period of 10 years from the date of planting, any tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any non-material variations which do not give rise to additional or different likely significant effects.

REASON:

To ensure the proper development of the site and in the interest of visual amenity.

CONDITION: 18

No development shall take place until the tree protection measures have been implemented in accordance with the tree protection measures set out in the Arboricultural Impact Assessment prepared by EDP dated February 2021.

REASON:

To reduce the impacts on existing trees in the interest of biodiversity and visual amenity

CONDITION: 19

No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner, be it branches, stems or roots, other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. All tree works shall be carried out in accordance with BS3998:2010 (Recommendations for Tree Work) and shall be carried out before the commencement of any works.

REASON:

To reduce the impacts on existing trees in the interest of biodiversity and visual amenity.

Environmental Protection

CONDITION: 20

No external building services, plant or equipment that may give rise to noise emissions shall be installed on any building or within its curtilage unless and until a noise mitigation scheme has been submitted to and approved in writing by the Local Planning Authority. This scheme shall show that the plant noise emission requirement of 32-40 dB(A) is met (to be measured at the noise sensitive residential receptors). Noise from external building services plant and industrial processes shall be assessed in accordance with BS4142:2014.

The mitigation works shall be carried out in accordance with the approved details prior to the first use of the services, plant or equipment and retained in perpetuity.

REASON:

In the interests of the amenity of the area.

CONDITION: 21

No development shall commence unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority.

The statement shall include details relating to:

- (i) Hours of demolition, construction and deliveries;
- (ii) The control of noise and vibration emissions from construction/demolition activities including groundworks, plant/generators and the formation of infrastructure including arrangements to monitor noise emissions from the development site during the construction phase; &
- (iii) The control of dust including arrangements to monitor dust emissions from the development site during the construction phase;

Development shall not be carried out other than in accordance with the approved construction method statement / management plan.

With respect to any piling operations Best Practicable Means (BPM) should be employed to control noise and vibration in relation to this site. Reference should be made to the relevant Codes of Practice, including BS 5228-1:2009+A1:2014 and BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites, Part 1: Noise and Part 2: Vibration.

REASON:

In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority and to avoid significant adverse impacts.

CONDITION: 22

Prior to occupation of any building, the on-site measures relating to air quality relevant to that building to meet the mitigation requirements of policy HS5, as detailed in the Stantec Air Quality Damage Cost Technical Note (dated 21st January 2020), Environmental Statement Addendum Appendix B4, shall be implemented and maintained in perpetuity.

REASON:

In the interest of air quality.

CONDITION: 23

In the event that contamination is found at any time when carrying out the development this it shall be reported in writing immediately to the Local Planning Authority. The following information shall be submitted to and approved in writing by the Local Planning Authority.

- a) An investigation and risk assessment shall be undertaken in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site.
- b) Where remediation is necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment shall be prepared.
- c) Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out shall be prepared. Works shall not be carried out other than in accordance with the approved details.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, ecological systems, property and residential amenity and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

Highways & Travel

CONDITION: 24

No building shall be first occupied other than for the purposes of fitting out internal installations unless and until the site access junction and adjacent highway works have been provided in general accordance with plan 31311/2038/100/001B received by the Local Planning Authority on 26th November 2020.

Prior to the provision of this access details and drawings for the highway works, including the timescale and mechanism for implementing the works, shall first be submitted to and approved by the Local Planning Authority. The highway works shall be carried out in accordance with the approved details.

REASON:

In the interest of highway safety.

CONDITION: 25

No building shall be first occupied other than for the purposes of fitting out internal installations unless and until the speed limit on Coventry Road has been reduced to 40mph pursuant to the provisions of a Traffic Regulation Order.

REASON:

In the interest of highway safety.

CONDITION: 26

Notwithstanding the detail shown on the approved plans no unit shall be first occupied other than for the purposes of fitting out internal installations unless and until a bus stop has been provided to provide public transport connectivity to the site.

The location and form of bus stop infrastructure shall first be agreed in writing with the Local Planning Authority and shall be installed in accordance with the approved details.

REASON:

In order to promote sustainable travel.

CONDITION: 27

No occupation of any building shall take place unless and until improvements as set out in the Framework Travel Plan (Rev A) paragraph 3.3.2 have been made to provide a pedestrian/cycle route from Windmill Lane/existing National Cycle Route 41 into the site.

This shall be provided in accordance with plans which shall first be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These plans shall include details of any works required to or proposed removal of existing trees or hedgerows including a Tree Protection Plan/Method Statement.

REASON:

In the interest of highway safety and to promote sustainable travel and to minimise the impact on existing trees and hedgerows.

CONDITION: 28

No building shall be first occupied other than for the purposes of fitting out internal installations unless and until the Pegasus crossing at the Northampton Lane PROW R168, has been provided in accordance with plan 31311-2038-003 Rev. A and the Public Right of Way Strategy (Rev. C) received by the Local Planning Authority on 26th February 2021.

REASON:

In the interest of highway safety and to promote sustainable travel.

CONDITION: 29

Notwithstanding the detail shown on the approved plans, no works in the formation of the temporary construction access shall be carried out unless and until a phasing plan for the timing and duration of the construction access and the permanent access for unit 1 have been submitted to and approved in writing by the Local Planning Authority.

The construction access shall be provided in accordance with the approved details.

REASON:

In the interest of highway safety.

CONDITION: 30

The temporary construction access shown on plan 31311/2038/100/006/C shall be used for construction purposes only. The use of this access shall cease once the permanent access to the site has been completed and made available for construction traffic.

Construction traffic shall only use the approved temporary and permanent access points for access and egress to and from the site.

REASON:

In the interest of highway safety.

CONDITION: 31

Prior to first occupation of the development a HGV routing strategy, relating to Heavy Goods Vehicles with a gross weight over 3.5 tonnes, shall be submitted and approved in writing by the Local Planning Authority. This shall identify clear HGV routing applicable for the whole site, identify that routes through Dunchurch crossroads (A426/ B4429) or Adkinson Avenue and Princethorpe along the B4453 are generally unsuitable for HGV traffic and include measures to comply with the strategy (including measures to apply to larger, over 7.5 tonnes, HGVs and small/medium HGVs, 3.5-7.5 tonnes as appropriate), such as third party reporting mechanisms, Automatic Number Plate Recognition (ANPR) cameras and penalties for noncompliance. The

HGV routing strategy shall generally accord with the Framework Routing Strategy dated 27/03/2020.

The approved HGV routing strategy shall thereafter be complied with in full.

REASON:

In the interest of highway safety and the amenity of the surrounding area.

CONDITION: 32

The occupation of B8 development pursuant to this grant of planning permission shall be accounted for in the requirements of Condition 18 of planning permission R16/2569.

REASON:

In the interest of highway safety and to provide highways infrastructure to mitigate the impacts of the development.

CONDITION: 33

Prior to the commencement of development, a Construction Traffic Management Plan (CTMP), shall be submitted to and approved in writing by the Local Planning Authority.

The CTMP shall include:

- construction phasing;
- the hours of loading/unloading material,
- construction traffic arrival and departure times;
- measures (including type, method of operation and control of use) to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site;
- point of access from the public highway;
- details of construction HGV routeing and measures to be employed e.g. signage and its location;
- details of construction staff parking to be provided; and
- layout of compound(s) including swept paths for HGV turning within the site.

No construction HGV or delivery traffic shall be permitted during the hours of 07:30-09:00 and 16:30-18:30 that route via Dunchurch Crossroads.

All construction activity shall be undertaken in full accordance with the approved details unless non-material variations which do not give rise to additional or different likely significant effects are agreed in writing with the Local Planning Authority.

REASON:

To ensure that the A45 Trunk Road and M45 Motorway continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 and in the interests of road safety.

CONDITION: 34

Within 6 months of the first occupation of a building, an occupier Travel Plan for that building shall be submitted to the Local Planning Authority for approval in writing in consultation with the County Council as Highway Authority.

The occupier Travel Plan shall generally accord with the Framework Travel Plan (Rev A) and shall promote sustainable transport choices to the site. The measures included within the Travel Plan (and any variations agreed in writing with the Local Planning Authority) so approved shall be implemented in full at all times.

The plan shall:

- (i) specify targets (peaks/day) for the proportion of employees and visitors travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;

- (ii) set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
- (iii) explain and justify the targets and measures with reference to the transport impact assessment of the development;
- (iv) identify the Travel Plan Co-ordinator with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

REASON:

In order to promote sustainable travel.

CONDITION: 35

No development shall commence unless and until the recorded alignment of all Public Rights of Way has been marked out on the site.

No site security fencing may be erected on or within 1m of any Public Right of Way. Prior to commencement of any works involving disturbance of the surface of any Public Right of Way any necessary consents must be obtained from Warwickshire County Council's Rights of Way Team and arrangements made for the protection of the Public Rights of Way and their users. Any damage caused to the to the surface of any Public Right of Way must be made good.

REASON:

To protect existing Public Rights of Way and in order to promote sustainable travel.

Other

CONDITION: 36

No above ground development shall commence unless and until a Local Employment Strategy has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall include detail of local labour and employment opportunities and initiatives and construction skills training associated with the development, which actively promotes jobs to the local workforce.

The development shall be implemented in accordance with the approved details.

REASON:

To promote employment opportunities for local residents.

CONDITION: 37

No building shall be first occupied other than for the purposes of fitting out internal installations unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes, has been submitted to and approved in writing by the Local Planning Authority.

The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority.

REASON:

In the interest of fire safety.

CONDITION: 38

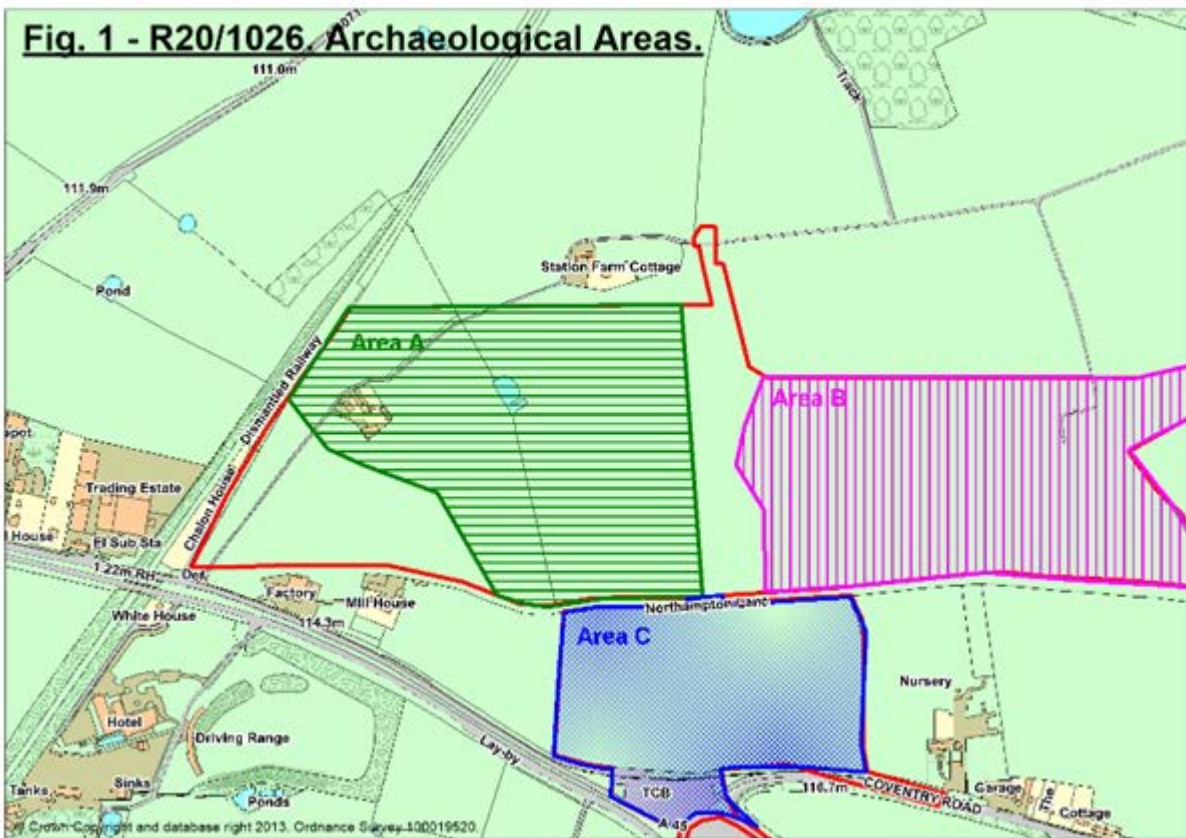
No wall or roof cladding of any building shall take place on any building unless and until details of all proposed walls, fences and gates, including elevations, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON:
In the interest of visual amenity.

CONDITION: 39

No development shall take place in any area shown on the attached plan ref Fig. 1 R20/1026. Archaeological Areas or any area outside of the red line boundary, until an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) for that area has been submitted to and approved in writing by the Local Planning Authority. This shall detail a strategy to mitigate the archaeological impact of the proposed development and shall be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork, post-excitation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.



REASON:
In the interest of archaeology and to protect non-designated heritage assets.

Informatives

INFORMATIVE: 1
This development is subject to a s106 legal agreement.

INFORMATIVE: 2
It is a legal requirement that all new properties are numbered and roads named and in this respect you must apply for Street Naming and Numbering at the earliest opportunity for both new or changes to existing properties, including development revisions. Failure to do this in good time can delay the installation of services and/or prevent the sale of properties.

To register the properties on a development and receive correct addressing or to amend an existing address please complete an application form for Street Naming and Numbering. The form can be accessed at:

https://www.rugby.gov.uk/info/20084/planning_control/76/street_naming_and_numbering .

INFORMATIVE: 3

Severn Trent Water advise that although statutory sewer records do not show any public sewers within the area, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and it is advised that Severn Trent Water are contacted to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the development.

There is 500mm water main in the application site. No build over is permitted.

INFORMATIVE: 4

Any external lighting shall be designed in such a manner that it will not cause light nuisance to nearby residential properties.

INFORMATIVE: 5

Reversing alarms incorporating one of more of the features listed below or any other comparable system are recommended for any mobile plant or vehicle operated on site. Where reasonably practicable this should apply to any delivery vehicles;

i) highly directional sounders; ii) use of broadband signals; iii) self-adjusting output sounders; and iv) flashing warning lights.

INFORMATIVE: 6

The Cemex UK high pressure pipeline is located close proximity to the site, the impacts on this must be considered and any necessary consents obtained from Cemex UK.

INFORMATIVE: 7

- All public rights of way must remain open and available for public use at all times unless closed by legal order, so must not be obstructed by parked vehicles or by materials during works.

- If it is proposed to temporarily close any public right of way during works then an application for a Traffic Regulation Order must be made to Warwickshire County Council's Rights of Way team well in advance.

- Any disturbance or alteration to the surface of any public right of way requires the prior authorisation of Warwickshire County Council's Rights of Way team, as does the installation of any new gate or other structure on the public right of way.

INFORMATIVE: 8

Paragraph 179 of the National Planning Policy Framework states "Where a site is affected by contamination or land stability issues, responsibility for securing safe development rests with the developer and/or landowner."

The Environment Agency recommend that developers and /or Landowner should:

1. Follow the advice in Land Contamination: risk management <https://www.gov.uk/guidance/land-contamination-how-to-manage-the-risks> when dealing with land affected by contamination.

2. Refer to the Environment Agency Guiding principles for land contamination for the type of information required in order to assess risks to controlled waters from the site. The Local Authority can advise on risk to other receptors, such as human health.

3. Refer to their website at www.gov.uk for more information.

INFORMATIVE: 9

Waste on-site.

The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/ or land development works are waste or have ceased to be waste. Under the Code of Practice:

- excavated materials that are recovered via a treatment operation can be re-used on-site providing they are treated to a standard such that they fit for purpose and unlikely to cause pollution
- treated materials can be transferred between sites as part of a hub and cluster project
- some naturally occurring clean material can be transferred directly between sites

The developer should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommend that developers should refer to:

- the position statement on the Definition of Waste: Development Industry Code of Practice
- The waste management page on GOV.UK

Waste to be taken off-site.

Contaminated soil that is (or must be) disposed of is waste. Therefore, its handling, transport, treatment and disposal are subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2016
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standard BS EN 14899:2005 'Characterization of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

If the total quantity of hazardous waste material produced or taken off-site is 500kg or greater in any 12 month period, the developer will need to register with the Environment Agency as a hazardous waste producer. Refer to the hazardous waste pages on GOV.UK for more information.

INFORMATIVE: 10

It has not been identified the type of surface water interceptor that will be put in place. The site has a heavy goods vehicle maintenance area where heavy good vehicles will be parked. The Environment Agency would expect a Class 1 full retention separator with an alarm fitted to be installed if the discharge will flow to surface waters.

The applicant has specified that contaminated water from excavations (dewatering) and rainwater runoff will be treated to remove sediment. This water will then be discharged to surface waters via the sites surface water sewer. The Environment Agency's "temporary dewatering from excavations to surface water" exemption specifies what activities can be carried out without full permits and licences which can be found at:

<https://www.gov.uk/government/publications/temporary-dewatering-from-excavations-to-surface-water>.

The applicant must ensure that a full temporary environmental permit to discharge such water and a temporary abstraction licence is in place BEFORE construction takes place if they cannot meet the terms within this exemption.

To apply for a permit please visit: <https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

To apply for an abstraction licence please visit:

<https://www.gov.uk/guidance/water-management-apply-for-a-water-abstraction-or-impoundment-licence>

INFORMATIVE: 11

The traffic signals proposed to the Pegasus crossing must comply with the requirements of Warwickshire County Council's Public Rights of Way and Traffic Signals Teams.

INFORMATIVE: 12

The position of the access to the fire station will be addressed through the application for the fire station, these must be designed to ensure they do not conflict with the access to Unit 1.

INFORMATIVE: 13

The tracking drawings show a fire appliance may have to reverse in excess of 20m to access Unit 2, this will be controlled by the relevant Building Regulations.