

**To: The Deputy Leader and Members of the Planning and Development Board**

**(Councillors Simpson, Bates, Bell, Chapman, Dirveiks, Fowler, Gosling, Hayfield, Hobley, Humphreys, Jarvis, Parsons, H Phillips, Reilly, Ridley and Ririe)**

**For the information of other Members of the Council**

For general enquiries please contact the Democratic Services Team on 01827 719226 via e-mail – [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk)

For enquiries about specific reports please contact the officer named in the reports.

The agenda and reports are available in large print and electronic accessible formats if requested.

## **PLANNING AND DEVELOPMENT BOARD AGENDA**

**6 JANUARY 2025**

The Planning and Development Board will meet on Monday, 6 January 2025 at 6.30pm in the Council Chamber at The Council House, South Street, Atherstone, Warwickshire.

The day after the meeting a recording will be available to be viewed on the Council's YouTube channel at [NorthWarks - YouTube](#).

### **AGENDA**

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**

## **REGISTERING TO SPEAK AT THE MEETING**

Anyone wishing to speak at the meeting, in respect of a Planning Application, must register their intention to do so by 1pm on the day of the meeting, either by email to [democraticservices@northwarks.gov.uk](mailto:democraticservices@northwarks.gov.uk) or by telephoning 01827 719237 / 719221 / 719226.

Once registered to speak, the person asking the question has the option to either:

- (a) attend the meeting in person at the Council Chamber; or
- (b) attend remotely via Teams.

If attending in person, precautions will be in place in the Council Chamber to protect those who are present however this will limit the number of people who can be accommodated so it may be more convenient to attend remotely.

If attending remotely an invitation will be sent to join the Teams video conferencing for this meeting. Those registered to speak should join the meeting via Teams or dial the telephone number (provided on their invitation) when joining the meeting and whilst waiting they will be able to hear what is being said at the meeting. The Chairman of the Board will invite a registered speaker to begin once the application they are registered for is being considered.

- 4 **Minutes of the meeting of the Board held on 9 December 2024** – copy herewith, to be approved and signed by the Chairman.

## **ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)**

- 5 **Planning Applications** - Report of the Head of Development Control

### **Summary**

Town and Country Planning Act 1990 – applications presented for determination.

- 5a **Application No: PAP/2024/0444 - Land Rear Of 29 To 49, Little Warton Road, Warton**

Application to vary the S106 Agreement issued as part of application PAP/2017/0202 dated 22 November 2018

5b **Application No: PAP/2022/0423 - Land to the south of, Watling Street, Caldecote, CV10 0TS**

Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(g)), storage (Class B8), new spine road, car parking, landscaping and enabling works

5c **Application No: PAP/2023/0259 - Church Farm, New Street, Baddesley Ensor, Atherstone, CV9 2DY**

Outline application for the proposed development is for the demolition of six farm buildings, the retention and conversion of the Threshing Barn to two residential units and development of 44 further dwellings (Use Class C3) with associated infrastructure, access and open space. Access being considered, with all other matters being reserved

The Contact Officer for this report is Jeff Brown (719310).

6 **Improving Planning Performance - Report of the Head of Development Control**

**Summary**

The Government is proposing to change the criteria for designation of a Local Planning Authority if it is deemed not to be performing against National Indicators. The report explains the changes.

The Contact Officer for this report is Jeff Brown (719310).

7 **Exclusion of the Public and Press**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

8 **Authorisation to begin prosecution proceedings for failure to comply with Remedial Notice – Report of the Head of Development Control**

The Contact Officers for this report are Josie Moore (719436) or Ryan Lee-Wilkes (719290).

STEVE MAXEY  
Chief Executive

## NORTH WARWICKSHIRE BOROUGH COUNCIL

### MINUTES OF THE PLANNING AND DEVELOPMENT BOARD

9 December 2024

Present: Councillor Simpson in the Chair

Councillors Bates, Bell, Chapman, Clews, Dirveiks, Fowler, Hayfield, Humphreys, Jackson, Parsons, H Phillips, O Phillips, Ridley, Ririe and Symonds.

Apologies for absence were received from Councillors Reilly (Substitute Councillor Clews), Jarvis (Substitute Councillor Symonds), Gosling (Substitute Councillor O Phillips) and Hobley (Substitute Jackson)

#### 47 **Disclosable Pecuniary and Non-Pecuniary Interests**

None were declared at the meeting.

#### 48 **Minutes**

The minutes of the meeting of the Planning and Development Board held on 4 November 2024, copies having previously been circulated, were approved as a correct record, and signed by the Chairman.

#### 49 **Budgetary Control Report 2024/25 Period April - October 2024**

The Interim Corporate Director – Resources (Section 105 Officer) covered revenue expenditure and income for the period from 1 April 2024 to 31 October 2024. The 2024/2025 budget and the actual position for the period, compared with the estimate at that date, were given, together with an estimate of the outturn position for services reporting to the Board.

##### **Resolved:**

That the report be noted.

#### 50 **Planning Applications**

The Head of Development Control submitted a report for the consideration of the Board.

##### **Resolved:**

- a **That in respect of Application No PAP/2024/0513 and PAP/2024/0514 - Trent House, 102, Long Street, Atherstone, CV9 1AN, the report be noted and a site visit to be arranged; and**

- b That Application No: PAP/2024/0259 - Village Farm, Birmingham Road, Ansley, Nuneaton, Warwickshire, CV10 9PS be granted subject to the conditions set out in the report of the Head of Development Control.**

**51 Review of Local Land Charges Fees – Effects of 6 months of Revised Charging**

The Head of Development Control presented a report which followed the report 'Review of Fees for Local Land Charges' to this board on 5 February 2024, and reported the effect of that review after the 6 months of operation.

**Resolved:**

- a That an increase of 10% in Local Land Charge fees for the financial year 2025/26, including inflation be agreed; and**
- b That minor changes to operational practice detailed in the report at Paragraph 3.5 with effect from 1 January 2025 be agreed.**

**52 Proposed Variation of a Section 106 Agreement for Bloor Homes Ltd**

The Head of Development Control outlined a proposal by Bloor Homes Ltd to vary an existing Section 106 Agreement with the Borough Council in respect of the provision of on-site affordable housing at its development on the former Durno's Nursery in Atherstone.

**Resolved:**

**That the Variation as outlined in the report of the Head of Development Control be agreed.**

**53 Appeal Updates**

The Head of Development Control brought Members up to date with recent appeal decisions.

**Resolved:**

**That the report be noted.**

**54 Exclusion of the Public and Press**

**That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by paragraphs 5 and 6 of Schedule 12A to the Act.**

55 **Exempt Extract of the minutes of the Planning and Development Board held on 4 November 2024**

The exempt extract of the minutes of the Planning and Development Board held on 4 November 2024, copies having been previously circulated, were approved as a correct record and signed by the Chairman.

M Simpson  
Chairman

**Report of the  
Head of Development Control**

**1 Subject**

- 1.1 Town and Country Planning Act 1990 – applications presented for determination.

**2 Purpose of Report**

- 2.1 This report presents for the Board decision, a number of planning, listed building, advertisement, proposals, together with proposals for the works to, or the felling of trees covered by a Preservation Order and other miscellaneous items.
- 2.2 Minerals and Waste applications are determined by the County Council. Developments by Government Bodies and Statutory Undertakers are also determined by others. The recommendations in these cases are consultation responses to those bodies.
- 2.3 The proposals presented for decision are set out in the index at the front of the attached report.
- 2.4 Significant Applications are presented first, followed in succession by General Development Applications; the Council's own development proposals; and finally Minerals and Waste Disposal Applications.

**3 Implications**

- 3.1 Should there be any implications in respect of:

Finance; Crime and Disorder; Sustainability; Human Rights Act; or other relevant legislation, associated with a particular application then that issue will be covered either in the body of the report, or if raised at the meeting, in discussion.

**4 Site Visits**

- 4.1 Members are encouraged to view sites in advance of the Board Meeting. Most can be seen from public land. They should however not enter private land. If they would like to see the plans whilst on site, then they should always contact the Case Officer who will accompany them. Formal site visits can only be agreed by the Board and reasons for the request for such a visit need to be given.
- 4.2 Members are reminded of the "Planning Protocol for Members and Officers dealing with Planning Matters", in respect of Site Visits, whether they see a site alone, or as part of a Board visit.

## 5 **Availability**

- 5.1 The report is made available to press and public at least five working days before the meeting is held in accordance with statutory requirements. It is also possible to view the papers on the Council's web site: [www.northwarks.gov.uk](http://www.northwarks.gov.uk).
- 5.2 The next meeting at which planning applications will be considered following this meeting, is due to be held on Monday, 3 February 2025 at 6.30pm in the Council Chamber

## 6 **Public Speaking**

- 6.1 Information relating to public speaking at Planning and Development Board meetings can be found at:  
[https://www.northwarks.gov.uk/info/20117/meetings\\_and\\_minutes/1275/speaking\\_and\\_questions\\_at\\_meetings/3](https://www.northwarks.gov.uk/info/20117/meetings_and_minutes/1275/speaking_and_questions_at_meetings/3).

## Planning Applications – Index

Item No	Application No	Page No	Description	General / Significant
5/a	PAP/2024/0444	1	<p><b>Land to the rear of 29 -49 Little Warton Road, Warton</b></p> <p>Application to modify a Section 106 Planning Obligation</p>	General
5/b	PAP/2022/0423	3	<p><b>Land to the south of Watling Street, Caldecote</b></p> <p>Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(g)), storage (Class B8), new spine road, car parking, landscaping and enabling works</p>	General
5/c	PAP/2023/0259	170	<p><b>Church Farm, New Street, Baddesley Ensor, Atherstone</b></p> <p>Outline application for the proposed development of the demolition of six farm buildings, the retention and the conversion of the threshing barn to two residential units and development of 44 further dwellings (Use Class C3) with associated infrastructure, access and open space. Access being considered with all other matters reserved</p>	

## **General Development Applications**

**(5/a) Application No: PAP/2024/0444**

**Land Rear Of 29 To 49, Little Warton Road, Warton,**

**Application to vary the S106 Agreement issued as part of application PAP/2017/0202 dated 22/11/2018, for**

**Walton Homes Ltd**

### **Introduction**

This is **NOT** a planning application. The proposal submitted seeks to modify an existing Section 106 Agreement that accompanied the grant of planning permission for the residential development of this site in Warton.

### **Background**

The outline planning permission here is dated 22 November 2018 and was for the erection of up to 56 dwellings. The reserved matters application as approved was for 50 dwellings. There was a signed Section 106 Agreement attached to the outline permission. Amongst other things, this included a Schedule in respect of the provision on on-site affordable housing - Schedule 2. This obligated the owners and option holders of the land to provide 40% on site provision of affordable housing with the type and tenure to be agreed through an agreed Scheme.

### **The Proposed Modification**

The proposal is to modify Schedule 2 of this Agreement. This includes a condition saying that the owner would use his best endeavours to approach at least three Registered Providers of Social Housing and that if there is evidence to show that it is not possible to dispose of the social housing to such a Provider, the owner will alternatively pay a Commuted Sum to the Council in lieu of that on-site provision. In this case that sum is £20,189.37 per dwelling. This sum would be used solely for the provision of affordable housing within the Borough. The total sum is £1,009,468.55 -- based on 40% of the approved 50 dwellings and calculated through the Council's adopted Supplementary Planning Document for Affordable Provision.

However, there has been further discussion between officers and the applicant, such that the proposal is now to "gift" four units on the site to the Council. These would be four two-bedroomed semi-detached houses. The value of the "gift" equates to the off-site contribution.

The applicant has submitted a draft Deed of Variation to this effect.

## **Consultations**

NWBC Housing Officer – It is confirmed that there has been evidence provided to show the lack of interest in the development by at least three Registered Providers; that the valuations of the gifted units are soundly based and that the units being offered are appropriate in this location. As such there is support for the offer.

## **Observations**

Whilst this is not a planning application, it is material that Local Plan policy LP9 does say that in the event of viability issues, evidence is needed to show that a different provision can still be provided. The proposed variation would fall under this alternative.

Evidence has been submitted to show that there is no interest from the Council's preferred Providers and that the alternative is reasonably based. As such, the variation is supported.

## **Recommendation**

- a) That the proposed Deed of Variation of the Section 106 Agreement dated 8 November 2018 in respect of planning permission PAP/2017/0202 dated 22 November 2018 for land at the rear of 29 to 49 Little Warton Road, Warton as set out in this report is agreed, and
- b) That the completion of the Deed be delegated to the Head of Legal Services subject to there being no matters which would cause the principle of the content of the draft Deed to be reviewed.

## **General Development Applications**

**(5/b) Application No: PAP/2022/0423**

**Land to the south of, Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(g)), storage (Class B8), new spine road, car parking, landscaping and enabling works for**

**ERI MTP Ltd**

### **1. Introduction**

- 1.1 This application was referred to the Board's February meeting, when it was resolved to grant planning permission subject to the withdrawal of all objections from the three Highway Authorities, agreed planning conditions and the completion of a Section 106 Agreement including the Heads of Terms as outlined in that report. The conditions referred to, were to be agreed by the Chairman, the Opposition Spokesperson and the local Ward Members. If any of the highway objections remained, then the matter would be referred back to the Board.
- 1.2 Matters have moved on since February and these have all focussed on attempting to resolve one of the highway issues. The referral back to Board is due to amended proposals having been submitted, which have not been previously considered by the Board - the resolution above being based on the proposals as seen by the February Board. These new proposals are supported in principle by the three relevant Highway Authorities.
- 1.3 This report will describe the amended proposals and provide the background to their submission.
- 1.4 The receipt of these amendments has led to there being a re-consultation with the relevant statutory agencies as well as the local communities and businesses who had previously submitted representations. The report will outline the new representations received.
- 1.5 Additionally, it refers to the very recent revision to the National Planning Policy Framework in December 2024.
- 1.6 Due to the length of time since the initial ecological survey work of the application site was undertaken – 2021/22 – the applicant has undertaken a further survey to establish whether there has been any material change on the site, given that the application remains undetermined. This concluded that there has been no significant change.
- 1.7 The opportunity has also been taken to prepare a full Schedule of Conditions and to provide more detail on the 106 Agreement.

1.8 For the convenience of Members, the February Board report is attached in full at Appendix A.

## **2. The Amendments Proposed**

2.1 The proposed changes only affect the proposed highway alterations to the Woodford Lane and Drayton Lane junctions with the A5. The remainder of the proposals, as considered at the February meeting, are wholly unchanged.

2.2 The previous report set out the highway issues at that time – see paras 4.30 to 4.46 of Appendix A. The majority of those paragraphs dealt with the off-site proposals for the two junctions referred to above. During the course of the application, consideration had been given by the three Highway Authorities involved – National Highways and the Warwickshire and Leicestershire County Councils - to a number of differing proposals for these two junctions. These included traffic lights and restrictions on turning movements. The final position proposed and reported to the February meeting was however that there be no physical alterations to these junctions, but that instead speed restriction cameras be installed along the length of the A5 here.

2.3 It appeared that at that time, the three Highway Authorities would not object to this arrangement, and hence the wording of the recommendation to the Board in paragraph 1.1 above.

2.4 The Police however expressed concerns to the Highway Authorities. They said that the accidents that occur here are almost wholly due to traffic turning right out of Woodford Lane and crossing over the west bound carriageway of the A5, and not to the speed of traffic on the A5. In other words, speed restrictions would not mitigate the risk to drivers in making these movements. Moreover, speed traffic counts had found that the present 50mph limit was not being materially exceeded in any event.

2.5 As a consequence, the three Highway Authorities and the Police have been engaged in reviewing all of the previous options that had already been considered. This has resulted in the submission of amended proposals for these two junctions, in lieu of speed cameras on the A5.

2.6 The proposals are now:

- The installation of traffic signals at the Woodford Lane junction, and consequential
- alterations to the central reservation of the A5 at the Drayton Lane junction such that there are only “left – in” and “left – out” movements permitted.

2.7 The plan showing these arrangements is at Appendix B.

- 2.8 A much fuller account of these proposals is to be found in the updated Transport Assessment submitted with the amendment and attached here at Appendix C. This update also looks at consequential traffic movements. Additionally, the applicant has provided more detail on anticipated traffic flows on the A5 as well as details on the new Red Gate roundabout arrangements – see Appendix D.
- 2.9 A Stage One Road Safety Audit has been undertaken with a Brief as agreed between the Highway Authorities and the consultation responses below have taken this into account. This is attached at Appendix E.

### **3. Consultations**

National Highways – No objection subject to conditions.

Warwickshire County Council – No objection subject to conditions and a Section 106 request towards public transport provision.

Leicestershire County Council – No objection subject to conditions

Hinckley and Bosworth Parish Council - No response received.

### **4. Representations**

Mancetter Parish Council – No objection. The accident record at the Woodford Lane junction is thought to have led to increased traffic through Mancetter in order to avoid it. The lights will make it safer and thus should reduce traffic using the alternative.

Hartshill Parish Council – No objection.

Witherley (including Fenny Drayton and Ratcliffe Culey) Parish Council – No response received.

Five representations have been received in support of the proposed amendments – saying that they will improve safety and reduce traffic through Fenny Drayton.

Another two representations have said that a roundabout junction is needed on the A5 for these two junctions and that the junction from Fenny Drayton onto the A444 needs improvements.

Fourteen representations have been received from established agricultural and commercial businesses as well as their customers in Fenny Drayton on the grounds that the proposals will mean longer journeys for business travel, thus adding to costs and affecting the viability of their businesses. A briefing note in respect of one business, expanding on this is attached at Appendix F together with supporting letters at Appendices G and H. These also question the highway evidence to support the alterations.

## **5. The Development Plan and Other Material Planning Considerations**

- 5.1 There has been no change to the Development Plan since the February Board meeting.
- 5.2 The Hinckley and Bosworth Borough Council has published its initial draft proposals for a review of its Local Plan – Regulation 18 status. This includes a proposed new settlement on the north side of the A5 between Fenny Drayton and the existing MIRA site.
- 5.3 The Government published a consultation paper on proposed changes to the National Planning Policy Framework (the NPPF) in July 2024. Following this, the resulting changes were published in December 2024 and thus references to the NPPF in this report will be to this latest edition. There is extra emphasis in Section 6 on, “Building a strong and competitive economy” in respect of facilitating development to meet the needs of a modern economy and capitalising on the performance and potential of areas with high levels of productivity. The only other changes that might affect this proposal are to paragraph numbers.

## **6. Observations**

### **a) Introduction**

- 6.1 The Board has resolved to grant planning permission here subject to the three Highway Authorities withdrawing their respective “holding” objections. That has now occurred, but with different highway proposals for the two off-site junctions onto the A5. As a consequence, it is necessary to establish whether there are any adverse highway impacts resulting from these changes, that would necessitate re-consideration of the recommendation to grant planning permission. Those impacts revolve around two matters – whether there would be consequential adverse highway and/or environmental impacts elsewhere on the highway network and secondly, whether there would be any adverse impacts on the viability of the established businesses as a consequence of this “agent of change” – i.e. the traffic controls and movement restrictions. The latter issue arises due to the objections received as summarised above. Each matter will be looked at in turn.

### **b) Highway Impacts**

- 6.2 When alterations to these two junctions were first proposed, there was concern expressed locally, that the consequential restrictions to vehicle movements would result in the diversion of traffic, as drivers would seek alternative routes, so as to avoid the new “restrictions”. In short, that they would increase traffic through Mancetter, Fenny Drayton and Witherley. The subsequent withdrawal of these alterations had muted these concerns. However, some of these are now re-introduced with the latest amended proposals.

- 6.3 The three Highway Authorities support these proposals by confirming that they are required as a result of the increased traffic generated by the MIRA development which would necessarily travel on the A5, thus exacerbating existing road safety concerns at these two junctions – particularly at Woodford Lane. In this respect the full impact of the MIRA proposals west of the site on the A5 during the morning peak hours (0700 to 1000 hours) and in the evening peak period (1600 to 1900 hours) is expected to increase traffic numbers by 20% and 14% respectively. The predicted figures for Woodford Lane are 19% and 2%, with the Drayton Lane figures showing a decrease of 37% and 19% respectively. These figures assume that the proposed alterations to the two junctions are as set out in this report. They are considered to be material by the three Highway Authorities concerned and as a consequence, they require off-site mitigation at the Woodford Lane junction because of its poor safety record.
- 6.4 All of the Authorities agree too that the alterations proposed have to be taken together as a “package”, in order to materially improve safety. In other words, the Woodford Lane lights require the consequential alterations at Drayton Lane. It is said that once the lights are operational at Woodford Lane, traffic approaching Drayton Lane from the east will either be accelerating away from the lights or maintaining speed if not caught by the lights. Traffic approaching Drayton Lane from the west will either be maintaining its speed or slowing down on approach to the lights. This results in the gaps in the traffic for those turning right out of Drayton Lane particularly difficult to judge, given the proximity of the two junctions. When increased flows as a consequence of the MIRA development are added in of the size indicated in para 6.3, there will be fewer gaps and thus the likelihood of greater risk taking. Hence the package as a whole is needed, because of the proximity of the two junctions and the differing vehicle speeds approaching from both the east and the west along the A5, so as to control traffic flows and queuing through this stretch of the A5, with the expected increase in traffic consequential to the MIRA development. As a consequence, National Highways is saying that without the Drayton Lane restrictions, there would be an unacceptable impact on highway safety and thus that the development proposed should be refused planning permission, in line with para 116 of the NPPF.
- 6.5 It is agreed that these alterations may have impacts on the wider highway network because they introduce new “restrictions” and “controls” on existing travellers who may choose to divert to other routes. This is because of the perceived delays at the traffic lights at the Woodford Lane junction and the restricted turning movements at Drayton Lane. However, the applicant’s modelling concludes that queuing in the Lanes at the two junctions would not be materially worse at peak hours than at present. The queuing that results would however result in far safer traffic movements at the junctions. For instance, the movements at Woodford Lane would not be restricted – but they would be controlled and thus the risks associated with turning movements across the A5 carriageway would be materially lessened. They would still allow for all turning movements as now. Hence a consequential material increase in traffic through Mancetter would not be expected – as agreed too, by the Mancetter Parish Council. Movements at Drayton Lane would be restricted so as to prevent

crossing the A5 in either direction. There would be some increased traffic movements through Fenny Drayton – although perhaps limited to movements associated with destinations in Drayton Lane itself, including both agricultural vehicles and some HGV's associated with the Storage Business here. On the other hand, traffic that would now use Drayton Lane travelling south down the A444 or Fenns Lane from the Stoke Golding direction to travel west on the A5, thus avoiding the Redgate roundabout, would be removed from the village, along with traffic that now travels north along Woodford Lane wanting to travel north up Drayton Lane, also wishing to avoid the Redgate roundabout. Overall, therefore it is considered that on balance the restrictions would lead to less traffic along Drayton Lane with displaced traffic using the A5 and the A444. This conclusion is agreed by the Leicestershire County Council as Highway Authority for this part of the network.

- 6.6 Those objecting have suggested that there is no highway reason to link the current proposed alterations to the MIRA proposals – there not being a significant accident record at the Drayton Lane junction, unlike the Woodford Lane junction, with no evidence to show that the proposals are a mitigation measure directly related to the MIRA proposals as is required by the NPPF. As indicated above, all three Highway Authorities consider that there will be a material increase in traffic movements on the A5 as a direct result of the MIRA proposals – indeed the use of the A5 is likely for the majority of the resulting new traffic movements. The Authorities recognise that the Woodford Lane junction has a significant accident record and thus the increased flows would exacerbate this road safety concern. The measures at this junction are thus justified so as to materially reduce that risk. The Drayton Lane alterations are directly consequential to the Woodford Lane proposals in order to control traffic flows through this whole section of the A5, such that the traffic lights are able to fulfil their function. It is considered that greater weight should be given to the responses from the three Highway Authorities here given their statutory status and the evidence on which their responses has been based – the modelling and the Road Safety Audit.
- 6.7 The limited response from local residents as recorded above, suggests support for the alterations here saying that there would likely be an overall reduction in traffic through Fenny Drayton.
- 6.8 The commentary above deals with traffic movements and displacement as a whole, and the potential impacts on the wider highway network. However, the objectors in Appendix F also conclude that no assessment has been undertaken of the impact on the very local network in Fenny Drayton itself, of displaced traffic that currently uses Drayton Lane to gain access to the business. It also identifies five “reasonable alternatives” for access arrangements onto the A5 which are said would not cause harm to existing businesses in Drayton Lane or to local residents. These matters also need to be addressed.
- 6.9 Leicestershire County Council has concluded that the changes to the two junctions would displace traffic onto the A5 and the A444, thus materially reducing traffic overall in Drayton Lane. However, as indicated by the objector,

there will also be traffic, displaced by the restrictions, which currently visits the commercial premises referred to above that would now have to use Drayton Lane. Firstly, this would be traffic attending those premises which would normally be turning right into Drayton Lane from the A5. That traffic would have to use the proposed new roundabout and then onto the A444, thus travelling to the premises through Fenny Drayton. Secondly, traffic leaving the premises which would normally turn right out of Drayton Lane onto the A5 west, would also need to divert through the village onto the A444 and then through the Red Gate roundabout onto the A5. The objectors are saying that there would thus be more traffic travelling through the village and that this would include HGV's. It is agreed that there would be some displacement as described above, but significantly, this would not be of such a scale as to make-up for the overall reductions in traffic using Drayton Lane as indicated above – paragraph 6.3. The Highway Authorities are saying that overall, there would still be a reduction in traffic travelling through the village – particularly the loss of the peak-hour traffic currently using Drayton Lane as a “short-cut” to avoid to the Red Gate roundabout. Additionally, customers travelling to and from the premises would not all be doing so on a daily or regular basis, and this is not a case where the route through Fenny Drayton would be the only access to the premises. Thus, all of the current traffic visiting the premises will not now all be routed through the village. The objector's concern is understood, but it is not considered to carry substantial weight for these reasons.

- 6.10 It is now necessary to look at the five alternative suggestions that have been put forward by the objectors.
- 6.11 The first is to agree to the Woodford Lane lights but leave matters as they are at Drayton Lane because there is no equivalent road safety record here and there has been no highway justification to show that the Drayton Lane restrictions arise directly from the introduction of the lights. The Highway Authorities would not support this option on safety grounds. This is set out above in paragraphs 6.3 and 6.4. The introduction of lights at Woodford Lane would alter driver behaviour, traffic flows and speeds such that the Drayton Lane junction, if left as it is would become a safety issue that National Highways would consider as being unacceptable. In other words, it would transfer the current Woodford Lane safety issue to Drayton Lane. It is their combined view that the proposals now being considered need to be treated as a “whole” and that without both elements, objections would be maintained to the overall MIRA proposals.
- 6.12 The second is to introduce appropriately sequenced traffic lights at both junctions, citing the situation further west on the A5 where there are lights at the Birch Coppice and Core 42 junctions. There are concerns with this option because of the build-up of queues on the A5 as well as the two Lanes. There is very likely to be a consequential transfer of traffic from both Woodford Lane and Drayton Lane traffic through Mancetter and Fenny Drayton in order to avoid the two sets of lights. There are no equivalent transfer routes at Birch Coppice.

- 6.13 The third is to have lights at Drayton Lane and left-in and left-out restrictions at Woodford Lane. In other words, to “reverse” the current proposals. The issue here is that the displaced traffic from the Woodford Lane junction would be likely to materially increase travel through Mancetter drawing objections from the local community. It neither addresses the accidents that have occurred at Woodford Lane from left-turning traffic into the A5.
- 6.14 The fourth is to replicate the design of the present Red Gate roundabout here thus to recreate a roundabout incorporating the two existing junctions. This would still not address the current “rat-running” through Fenny Drayton at peak hours. There is also the matter of whether there would be sufficient land for a whole new-roundabout of this design within the Highway.
- 6.15 The final one is to construct a conventional roundabout at the end of Drayton Lane and have a left-in and left-out at Woodford Lane. The objectors say they could provide the land to accommodate this option. As above, this would still not reduce the “rat-running” through Fenny Drayton and the restrictions at Woodford Lane would displace traffic through Mancetter.
- 6.16 Notwithstanding the comments made above, this is not to say that the alternatives suggested above do not have highway or road safety merit. They have been suggested in “good faith” to try and benefit all parties. However, the proposals come about in response to a planning application and not from a highway improvement scheme promoted by a Highway Authority. Therefore, they have to be determined under planning terms. The key consideration is thus whether they can be justified as off-site highway mitigation as a direct consequence of the overall MIRA development proposal, such that they are proportionate in scale to those consequences. The three highway Authorities have said that they are. There may be other highway solutions to resolving road safety issues at these two junctions, but this is the one that is being proposed through a planning application and the one that therefore has to be determined on its own merits.
- 6.17 Drawing together all of these matters, the starting point is to say that all three Highway Authorities are supporting the overall package of highway alterations associated with the MIRA proposals. These include the present changes to the two A5 junctions. This support is based on an agreed modelling assessment of the traffic implications of the MIRA proposals on the A5 and A444 and also the agreed response to a Stage One Road Safety Audit for the two junctions. These show material increases of traffic on the A5 and at Woodford Lane. Given the agreed road safety issues at the Woodford Lane junction, there is an agreed need to deliver a safer junction here. The three Authorities too agree that this has to be accompanied by movement restrictions at Drayton Lane if the overall highway alterations are going to be safer and accommodate the extra traffic. Substantial weight is given to this position.

### **c) Other Highway Impacts**

6.18 There are on-going concerns about retention of all of the existing access arrangements at the existing Redgate roundabout into the commercial premises here. There has been no change to the proposals here since they were last considered by the Board in February – the ability to access all existing movements into and out of the premises are retained, albeit with some limited diversions. The arrangements are illustrated at Appendix D. As a consequence, there is no need to re-consider the recommendation in this respect. Recommended condition 5 below includes the Redgate alterations which enable these movements, and condition 25 as recommended, requires completion prior to any occupation of the MIRA site.

### **d) Para 200 of the NPPF**

6.19 Members are aware of the “agent of change” issue raised by this paragraph of the NPPF. It was not proposed for alteration in the current Government consultation on its review of the NPPF. The paragraph says that planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities. Existing businesses should not therefore have “unreasonable restrictions” placed on them as a result of new development permitted after they were established. In this case there are existing lawful agricultural businesses in Drayton Lane as well as a commercial storage business. The proposed movement restrictions at Drayton Lane would necessarily prohibit some movements at this junction that these businesses now undertake – those that entail the crossing of the A5. In particular, there would be no right hand exits from Drayton Lane travelling west along the A5 and right hand turns into Drayton Lane from the A5. Both would entail travelling further, so as to use the proposed new roundabout to the east at the Redgate Inn. The proposals would also prohibit north/south crossing movements out of Woodford Lane and into Drayton Lane. Representations have been submitted objecting to the proposals because of these lengthened journeys – the increase in travel costs, time delays and thus the impact on the viability of these businesses.

6.20 The representations are fully outlined in Appendices F, G and H. Here Members will see that the storage business is lawful and has permission to expand. It caters for both domestic and commercial clients with a potential expansion for up to 2400 customers. Household storage makes up around 66% of the space available. In respect of the business storage space, it is said that 60% of that is used by “local small businesses and start-ups” and that this is the only storage space that they have. The businesses using the premises are said to support some 340 FTE jobs. The Company’s planning permissions are not restricted through planning conditions controlling hours of operation - it has 24/7 access; there are no routeing agreements or are the number and type of vehicle controlled. The customer base is local – Tamworth, Nuneaton and Hinckley - and it is said that 90% are within ten miles of the store – see Section 3 of Appendix F. Customers mainly use the A5 and hence it is argued that unfettered access to the site is “imperative” given that there is a significant turnover of customers and

that renewing and replacing them is a continual business concern. This is expanded in Section 5 of Appendix F.

- 6.21 These matters are acknowledged. Members should attach weight to them. It is important to look at this in the context of the NPPF policy guidance. This says that existing businesses should not have “unreasonable restrictions” placed on them as a consequence of new development. There will be movement restrictions here and that will impact on this particular business – its accessibility; its marketability and also increased costs arising from increased travel by customers. The issue is whether they would be “unreasonable”. There is no guidance on what might be unreasonable or not, and as such, each case needs to be assessed on its own merits and that is a matter of planning judgement.
- 6.22 On balance, it is considered that in this case, the restrictions would not be unreasonable for a number of reasons. Firstly, the diversion involved is between two and three miles from between the two junctions, down the A5 to the new roundabout, north along the A444 and then into the premises via Fenny Drayton – see Appendix D of Appendix F. Looking at the customer base provided by the objector, then for a customer based in the Tamworth and Atherstone areas travelling to the premises, there would be no additional distance as they would still be able to turn left from the A5 into Drayton Lane. However, leaving the premises would involve the extra distance, assuming they were travelling back to Tamworth or Atherstone. For customers coming from Woodford Lane, then there would be the need to divert on the arrival journey, but not on the return journey. For customers coming east along the A5 from the Nuneaton and Hinckley areas, some of the travel distances could well be shorter, or at least similar, using the A444 arriving at the site rather than the A5, and using either route on departure. Customers from the north would still use the routes as now. It is thus considered that the diversions would not affect all journeys to and from the premises and thus not affect the whole of the present customer base. Secondly, customers travelling to and from the premises would not be doing so on a frequent basis – e.g. daily – because one of the purposes of the business is storage for longer periods of time. Thirdly, future customers are very likely to adapt to the change once it is implemented. Fourthly, there is no evidence to suggest that the business itself has its own transport fleet that might be directly affected through increased travel costs. Fifthly, there is no evidence to suggest that there will be an increase in business running costs or overheads as a direct result of the restrictions. Sixthly, it is considered that there is a strong demand for storage space, evidenced by the permission to expand, and this will always be present, such that any loss of customer base is likely to recover. Overall, therefore it is agreed that there will be an impact, more particularly in the short term, but that it is not considered to be “unreasonable” for the reasons given and particularly in the medium to longer term.

6.23 Members are invited to come to a different conclusion and if so, they should evidence the reasons why that judgement has been reached.

**e) Conditions**

6.24 The recommendation below now includes a schedule of planning conditions including those recommended by the Highway Authorities.

**f) Section 106 Agreement**

6.25 Members will be aware that the content of Section 106 Agreements is the subject of statutory tests. These are that any obligation must be necessary to make the development acceptable in planning terms; they must be directly related to the development and finally they must be fairly and reasonably related in scale and kind. From these and from experience with other cases, Members will know that contributions and requests that might be suggested to rectify existing issues or matters that are outside of the control of the applicant, would not pass these tests.

6.26 The February Board report – at Appendix A – includes a paragraph at paragraph 4.62 in respect of a public transport contribution in order to secure improvements to local bus services to support the forecast demand arising from this development. This amounts to £1,355,474 spread over five years from the date of the first occupation for business purposes of the first building to be completed under the planning permission. That report found that this satisfied the tests and therefore it would be appropriate to include this in any Agreement. Nothing has changed in the period between then and now, to alter that conclusion.

6.27 The February report at paragraph 6.64 also took an initial view on the training element of any 106 Agreement, arguing that it too would comply with the relevant tests. Similarly, there has been no change in circumstances between then and now and as such the promotion of access to manufacturing skills and training from North Warwickshire residents to build on established apprenticeship schemes and appropriate links to courses at nearby Colleges and Schools.

6.28 There is also a request for a contribution towards the processing of Traffic Regulation Orders associated with the proposed highway alterations. As these are directly related to implement these alterations it would be “fair and reasonable” to include this in the 106. The applicant agrees. Members will be updated on the value of the contribution at the meeting.

**7. Conclusion**

71. It is important to put this report into context. It is not a report to determine whether the proposed alterations to these two junctions should be granted planning permission or not. Neither is it an assessment as to whether the proposals are the only highway solution to a road safety issue. They are part of a much wider package of off-site highway alterations proposed to mitigate increased traffic generation arising from the overall MIRA proposals. The Board has already resolved to grant planning permission for those proposals subject to

there being no objection from the three Highway Authorities. Revised off-site highway proposals for these two particular junctions have now been submitted as part of the overall highway package for off-site works and all three Authorities have confirmed formally that they have no objections. As such, the resolution could be taken forward with the grant of planning permission.

- 7.2 However, the previous report at Appendix A did refer to the “agent of change” matter, but that was not considered to be a material consideration of weight at that time, because no “movement restrictions” were being proposed and thus no traffic displacement was anticipated. This matter has now changed, such that the “agent of change” becomes a material planning consideration of significant weight because of the evidence submitted by the affected businesses.
- 7.3 As indicated above, it is not considered that the proposed highway changes would cause “unreasonable restrictions”, in the terms of paragraph 200 of the NPPF. However, in order to ensure full transparency, it is also necessary for the Board to consider the alternative – that is, the restrictions being treated as “unreasonable”. In this alternative, there is still a planning balance to be assessed. A judgement needs to be made as to whether the weight given to that “harm” would outweigh any planning benefits or other planning considerations that apply to the overall MIRA proposal. In this case, it is considered not for two reasons. Firstly, the MIRA proposal arises from a land allocation within an up-to-date adopted Local Plan. It is an allocation to meet a specific and primary industrial and employment requirement in that Plan of some substance, which has no alternative site. The benefits arising from the delivery of this allocation also extend well beyond the Borough. It is wholly in line with paragraphs 85 to 87 of the NPPF in this respect. Secondly, the impact of this proposal has the benefit of delivering an off-site highway improvement at the known accident “hot-spot” at Woodford Lane, such that road safety is materially improved. The three statutory Highway Authorities involved all confirm that these improvements necessarily require the consequential movement restrictions at Drayton Lane. On balance, it is considered that these two benefits outweigh any harm that would be arise as a consequence of the Drayton Lane highway proposals. In these circumstances the recommendation below is made.

### **Recommendation**

That planning permission be GRANTED subject to the conditions as set out below and to the completion of a Section 106 Agreement based on the matters included in this report.

### **Standard Conditions**

1. Details of the appearance, landscaping, layout and scale (hereinafter called the “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. If the development hereby permitted is to be constructed in more than one phase, details of the proposed phases of construction shall be submitted to the Local Planning Authority for approval prior to, or at the same time as the first application for approval of the reserved matters. The Phasing Plan shall include details of the separate and severable phases or sub phases of development. Development shall be carried out in accordance with the approved phasing details, or such other phasing details as shall subsequently be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

3. The first application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission. All applications for approval of reserved matters shall be made to the Local Planning Authority not later than eight years from the date of this permission.

#### REASON

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

4. The development hereby permitted shall take place not later than two years from the date of approval of the last of the reserved matters to be approved.

#### REASON

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004, and to prevent an accumulation of unimplemented planning permissions.

#### **Defining Conditions**

5. The development hereby permitted shall not be carried out except in complete accordance with the following approved plans and documents:
  - a) The Site Location Plan – 21092/SGP/XX/00/DR/A/111001D
  - b) The Parameters Plan – 21092/SGP/XX/00/DR/A/111003 L

- c) The Transport Assessment (17059/TA) (as updated by TAA(i), TAA(ii) and TAA (iii)) and Highway Plans – 17059/GA/01G; VIS/01A, GA/02E, VIS/02A, GA/03C, VIS/03, GA/04D, VIS/04, GA/05F, VIS/05, GA/06E, VIS/06, GA/07D, VIS/07, GA/08K, VIS/08C, GA/10C and VIS/10, GA/13B, VIS/13.
- d) The Surface Water Drainage Strategy (ref:13833/WIE/ZZ/XX/DR/92003 and 92004, revision P05 dated 6/1/23).
- e) The Archaeological Trial Trench Evaluation dated February 2023 undertaken by Headland Archaeology.

REASON

In order to define the extent and scope of the permission.

- 6. The development hereby permitted shall provide for no more than a maximum figure of 213,500 square metres of floorspace (GIA) for uses within Use Classes B2, B8 and E (g) (ii) of the Town and Country Planning (Use Classes) Order 2020 (as amended).

REASON

In order to define the scope and extent of the planning permission.

- 7. Any storage and distribution uses, within Use Class B8 of the Town and Country Planning (Use Classes) Order 2020 as amended, shall be uses that are ancillary or clearly secondary to the primary uses of the development hereby approved as defined under Condition 6 above.

REASON

In order to define the scope and extent of the planning permission.

- 8. The reserved matters shall be designed in general accordance with the parameters plan approved under condition 5 (b). In particular, the layout for Zones 20 and 30 as defined by that Plan and any unloading areas being located along the southern edge of each of these two Zones shall demonstrate that noise can be mitigated to 5dba below existing recorded background levels.

REASON

In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

- 9. Any reserved matters application shall include a Noise Impact Assessment detailing the proposed measures to mitigate emissions of noise arising from the use and activity associated with any building and its curtilage within the application site. This Assessment shall particularly have regard to the potential noise impacts for neighbouring residential property as well for the village of Caldecote. This Assessment shall be carried out in accordance with BS4142:2014 plus A1:2019.

## REASON

In order to define the implementation of the permission so as to reduce the risk of adverse noise impacts.

10. All access arrangements into, through and out of the site together with all off-site highway alterations shall be carried out in accordance with the plans approved under Condition 5 (c).

## REASON

In order to define the scope and extent of the planning permission.

### **Pre-Commencement Conditions**

11. No built development shall take place until a Construction Environmental Management Plan (CEMP) has first been submitted to and approved in writing by the Local Planning Authority, in consultation with Leicestershire County Council, Warwickshire County Council and National Highways, for each phase of the development. The Plan shall provide for:
  - a) A Construction Travel Management Plan (CTMP) including construction phasing,
  - b) The parking of vehicles for site operatives and visitors.
  - c) The routing for vehicles accessing the site associated with the construction of the development and signage to identify the route.
  - d) The manoeuvring of vehicles within the site.
  - e) Loading and unloading of plant and materials used in the construction of the development, including top-soil.
  - f) The location of the site compounds.
  - g) Storage of plant and materials.
  - h) The erection and maintenance of security hoarding fencing.
  - i) Wheel washing facilities.
  - j) Measures to control the emission of dust and dirt during construction.
  - k) Measures to control and mitigate disturbance from noise.
  - l) A scheme for the recycling/disposal of waste resulting from the construction works.
  - m) Any on-site lighting as required during construction.
  - n) Measures to protect existing trees and hedgerows proposed for retention.
  - o) Delivery, demolition and construction working hours.
  - p) The means by which the terms will be monitored, details of a contact person and the procedure for reporting and resolving complaints.

The approved CEMP shall be adhered to throughout the construction period of each phase.

## REASON

In the interests of highway safety and the residential amenity of the local community.

12. No development within any phase shall take place until full details of the finished floor levels, above ordnance datum, of the ground floor(s) of the proposed buildings, in relation to existing ground levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels.

REASON

In the interests of reducing potential landscape and visual harm

13. No development within any phase shall take place until details of all external lighting relevant to that phase has been submitted to and approved in writing by the Local Planning Authority. The details shall be accompanied by an Impact Assessment in order to show that there are no adverse impacts arising from any proposed light source or from the glow of light arising from each phase. The Assessment shall also include an analysis of the cumulative impact of lighting arising from the whole site. In particular external lighting being installed on the southern-most elevations of the buildings to be erected in Zones 20 and 30 as defined by the Parameters Plan approved under Condition 2(b) above, shall be required to be justified for the purposes of health and safety and/or security only. The lighting shall be installed, operated and maintained at all times in accordance with the approved details.

REASON

In the interests of reducing the risk of adverse harm to the residential amenity of the local community.

14. No development within any phase of the development hereby approved shall take place until a Landscape and Ecological Management Plan ("LEMP") for that phase has first been submitted to and approved in writing by the Local Planning Authority. The content of the LEMP shall be in general accordance with the approved Parameters Plan approved under condition 5. The LEMP shall include:
- a) a description and evaluation of the features to be managed;
  - b) ecological trends and constraints on site that might influence management,
  - c) the aims, objectives and targets for the management,
  - d) descriptions of the management operations for achieving the aims and objectives,
  - e) prescriptions for management actions,
  - f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a thirty-year period),
  - g) Details of the monitoring needed to measure the effectiveness of management,
  - h) Details of each element of the monitoring programme,
  - i) Details of the persons or organisations(s) responsible for implementation and monitoring,

- j) Mechanisms of adaptive management to account for necessary changes in the work schedule to achieve the required aims, objectives and targets,
- k) Reporting procedures for each year 1, 2, 5, 10, 20 and 30 with bio-diversity net gain reconciliation calculated at each stage,
- l) Where necessary, the legal and funding mechanisms by which the long-term implementation of the LEMP will be secured by the developer, and the management body(ies) responsible for its delivery,
- m) How contingencies and/or remedial action will be identified, agreed and implemented in the event that monitoring under (k) above shows that the conservation aims and objectives set out in (c) above are not being met so that the development still delivers the full functioning bio-diversity objectives of the originally approved scheme.

The details in that Plan shall then be implemented on site and be adhered to at all times during the lifetime of the development.

## REASON

In the interests of enhancing and protecting bio-diversity.

15. No development shall commence on site until a detailed surface water drainage scheme for the whole site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) Evidence to show that the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm is limited to the Qbar greenfield run off rate of 4.32 l/s/ha for the site in line with the documents approved under condition 2 (d) above.
- b) A detailed assessment demonstrating the on-site water courses suitability as a receptor for surface water run-off from the development. This assessment shall include:
  - A condition survey of the watercourse and evidence of any remedial measures identified as necessary;
  - A review of flood risk impacts from the watercourse demonstrating consideration for downstream receptors off site in the context of the proposals,
  - Evidence demonstrating that all development and surface water infrastructure is outside the anticipated fluvial flood extent.
- c) Drawings/plans illustrating the proposed sustainable surface water drainage scheme. The documents approved under condition 2(d) above may be treated as a minimum and further source control SUDS should be considered during the detailed design stages as part of a "SUDS management train" approach to provide additional benefits and resilience within the design.
- d) Detailed drawings including cross sections, of proposed features such as infiltration structures, attenuation features and outfall structures. These should be feature-specific demonstrating that such surface water drainage systems are

designed in accordance with the SUDS Manual CIRIA Report C753 and cross sections should demonstrate that all SUDS features will be accessible for maintenance whilst also providing an adequate easement from the on-site watercourse.

- e) Provision of detailed network level calculations demonstrating the performance of the proposed system to include:
- suitable representation of the proposed drainage scheme, details of design criteria used (including consideration of a surcharged outfall) with justification of such criteria,
  - simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events,
  - together with results demonstrating the performance of the drainage scheme including attenuation storage, potential flood volumes and network status for each return period,
  - and evidence to allow suitable cross- checking of calculations and the proposals.
- f) The provision of plans such as external levels plans, supporting the exceedance and overland flow routing provided to date. This overland flow routing should:
- demonstrate how run-off will be directed through the development without exposing properties to flood risk;
  - consider property finished floor levels and thresholds in relating to exceedance flows, and
  - recognition that exceedance can occur due to a number of factors such that exceedance management should not rely on calculations demonstrating no flooding.

Only the scheme that has been approved in writing shall then be implemented on site.

#### REASON

To reduce the risk of increased flooding and to improve and protect water supply.

16. Prior to the commencement of development of any relevant phase agreed through Condition 2, a SuDS plan and drainage strategy shall be submitted and approved by the Local Planning Authority in consultation with the Highway Authority for the A5 Trunk Road junction improvements and subsequently implemented as approved. The SuDS is to be installed according to the approved SuDS plan and maintained for the lifetime of the development.”

#### REASON

In the interests of highways safety.

17.No development shall take place on site including any site clearance or preparation prior to construction, until a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work for each phase of the development, excluding that part of the site included in the evaluation approved under condition 2 (e) above, has been submitted to and approved in writing by the Local Planning Authority. The programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production and archive deposition detailed within the approved WSI shall be undertaken as required in accordance with a programme specified in the WSI. A written report detailing the results of this fieldwork shall also be submitted to the Local Planning Authority in accordance with the approved programme. The findings from the archaeological evaluative work shall inform each reserved matters submission.

REASON

In the interests of understanding the archaeological value of the site.

18. Where necessary, and as informed by the findings of the archaeological evaluative work undertaken in the WSI, no development within any phase of the development shall take place until an Archaeological Mitigation Scheme (AMS) if appropriate, has been submitted to and approved in writing by the Local Planning Authority. The AMS should detail the strategy to mitigate the archaeological impact of the proposed development either through further fieldwork (for which a further WSI may be required) and/or through the preservation on site of any archaeological deposits. The AMS shall inform each reserved matters submission.

REASON

In the interests of understanding the archaeological value of the site.

19.No development within any phase shall take place until the fieldwork relevant to that phase detailed in the WSI and AMS has been completed in accordance with the programme(s) specified therein. Any post-excavation analysis, publication of results and archive deposition shall be undertaken in accordance with the approved WSI and AMS.

REASON

In the interests understanding the potential archaeological value of the site.

20.No phase of the development hereby permitted shall commence until a scheme for the provision of adequate water supplies and fire hydrants necessary for fire fighting purposes relevant to each phase, has first been submitted to and approved in writing by the Local Planning Authority. Only the approved scheme shall then be implemented within the relevant phase.

REASON

In the interests of public safety.

21. Notwithstanding the details submitted, no development in any phase shall commence until such time as a Green Travel Plan to promote sustainable transport modes of travel has been submitted to and approved in writing by the Local Planning Authority. Before the first use of each phase of the development, the Plan shall be implemented in accordance with the relevant approved details.

#### REASON

To reduce the dependency on car travel to and from the site, in the interests of sustainability and highway safety

#### **Pre-Occupation Conditions**

22. There shall be no occupation of any building hereby approved for business purposes within any phase of the development, until a Drainage Verification Report for the installed surface water drainage system based on the Drainage Strategy approved under condition 2 (d) and the system as approved under Condition 14 has been submitted to and approved in writing by the Local Planning Authority. It should include:
- a) Demonstration that any departures from the approved design are in keeping with the approved principles.
  - b) As built photographs and drawings
  - c) The results of any performance testing undertaken as part of the application process,
  - d) Copies of all statutory approvals such as Land Drainage Consent for Discharge,
  - e) Confirmation that the system is free from defects, damage and foreign objects.

The report should be prepared by a suitably qualified independent drainage engineer.

#### REASON

To ensure that the development is implemented as approved and thereby reducing the risk of flooding.

23. There shall be no occupation of any building hereby approved for business purposes within any phase of the development until a site-specific maintenance plan for the approved surface water drainage system has been submitted to and approved in writing by the Local Planning Authority. It shall include:
- The name of the party responsible, including contact names, address, email address and phone numbers.
  - Plans showing the locations of features requiring maintenance and how these should be accessed,

- Details of how each feature is to be maintained and managed throughout the lifetime of the development,
- Provide details of how site vegetation will be maintained for the lifetime of the development.

#### REASON

To ensure that the maintenance of sustainable drainage structures so as to reduce the risk of flooding.

24.No phase of the development hereby permitted shall be occupied for business purposes until the roads serving that phase, including footways, private drives, means of accessing plots, car parking and manoeuvring areas have been laid out and substantially constructed in accordance with details first submitted to and approved in writing by the Local Planning Authority. Areas for the parking and manoeuvring of vehicles shall be retained for these purposes at all times thereafter.

#### REASON

In the interests of highway safety.

25.Prior to the occupation of any built development hereby permitted, the scheme of works to improve highways access as shown in general accordance with drawing ref:

- 17059/GA/02 Rev E (Proposed A5 - A444 Link Road and Off-Site Mitigation)
- 17059/GA/08 Rev K (Proposed A5 - A444 Link Road and Off-Site Mitigation)
- 17059/GA/10 Rev C (A5 Watling Street / Higham Lane and Nuneaton Lane Mitigation)
- 17059/GA/13 Rev B (A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme)

(or revisions of these drawings as agreed with the planning authority) should be completed and open to traffic, unless otherwise agreed via a phasing plan (pursuant to Condition 2).

#### REASON

In the interests of highway safety.

#### **Other Conditions**

26.No site security fencing shall be erected on or within 1 metre of any public footpath (unless closed by legal Order.

#### REASON

In the interests of maintaining unobstructed public access.

- 27.No works involving the disturbance of any surfacing of any public footpath or proposals to resurface any public footpath shall commence until details of such works are first submitted to and approved in writing by the Local Planning Authority. Only the approved works shall then be implemented on site.

REASON

In the interests of maintaining unobstructed public access.

- 28.No advertisement as defined by the Town and Country Planning (control of Advertisements) (England) Regulations 2007 shall be installed or displayed on any southern facing elevation of any building to be erected in any of the three Zones identified on the plan approved under Condition 2(b) above.

REASON

In the interests of the visual amenities of the area.

- 29.Any contamination that is found during the course of construction within any phase of the development hereby approved, that was not previously identified shall be reported immediately to the Local Planning Authority. Development within that phase shall be suspended where directly affected by the contamination and a risk assessment carried out and submitted to the Local Planning Authority. Where unacceptable risks are found, remediation and verification schemes shall be submitted to the Local Planning Authority. Work shall then only resume or continue on the development in that phase, in accordance with the schemes that have been approved in writing by the Local Planning Authority.

REASON

In the interests of reducing the risk of future pollution.

## **General Development Applications**

**(7/a) Application No: PAP/2022/0423**

**Land to the south of, Watling Street, Caldecote, CV10 0TS**

**Outline planning permission for Extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class Eg); storage (Class B8); new spine road; car parking, landscaping and enabling works for**

**ERI MTP Limited**

### **1.Introduction**

1.1 The receipt of this application was reported to the Board in October 2022. That introductory report is attached at Appendix A and is to be treated as an integral part of this current report.

1.2 Members will be aware of the land allocated in the 2021 North Warwickshire Local Plan for "employment purposes" is outlined in its Policy LP39. The allocated land here is known in that Plan as Site E4 and there is a corresponding policy covering the conditions for its delivery. The current application site however, whilst comprising the whole of the E4 site, also includes additional land.

1.3 The Board will need to assess the current site against these conditions as well as being satisfied that the inclusion of the additional land can be supported.

#### **a) Amendments**

1.4 The most significant changes to the proposal since its submission, relate to the highway content of the proposals, both on-site and off-site. These have arisen from engagement with the three relevant Highway Authorities – National Highways and the Warwickshire and Leicestershire County Councils.

1.5 The most significant changes have affected the off-site junctions of Drayton Lane and Woodford Lane with the A5. The original proposals of October 2022 were for traffic lights to be installed at each junction. This was altered in late 2023 to both junctions only having left-in and left-out arrangements. This was then altered again in late December 2023 to both junctions remaining as present, but with speed mitigation measures being added to the A5. For the benefit of Members, these are now the highway arrangements that are submitted for determination. All of the final arrangements are set out in Appendix B. In summary they include:

- i) The diversion of Weddington Lane (the A444) through the site so as to connect to the existing "MIRA" roundabout on the A5. This would include a new roundabout on the A444 at the southern end of the site.
- ii) The replacement of the current "Red Gate" roundabout at the junction of the A444 and the A5 with a conventional design.
- iii) The consequential re-alignment of the A444 connection to this new roundabout behind the Red Gate Public House.

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- iv) The consequential closure of Weddington Lane just south of its junction with Caldecote Lane so as to create a “cul-de-sac” off the new Red Gate roundabout.
- v) Continuous dualling of the A5 between the new Red Gate roundabout and the existing MIRA roundabout.
- vi) Dualling of the A5 on the western approach into the new Red Gate roundabout.
- vii) No changes to the present arrangements of the junctions of both Woodford Lane and Drayton Lane with the A5, but the introduction of a number of speed reduction arrangements on the A5.
- viii) Minor changes to the “Higham Lane” roundabout on the A5 to the east.

1.6 There are a number of other changes.

- i) More detailed information on the “open” corridors along the southern side of the site on the north side of the A444 so as to improve mitigation measures
- ii) A revision of some of the building heights in the south-west portion of the site closest to Caldecote.
- iii) Increased provision of footpaths and cycleways through the site.

1.7 For the benefit of Members the proposed Master Plan is set out at Appendix C.

1.7 A series of cross sections has also been submitted – Appendices D, E and F.

#### **b) The Development Plan**

1.8 There has been no change to the Development Plan since the date of the last report.

#### **c) Other Material Planning Considerations**

1.9 The National Planning Policy Framework (the “NPPF”) was updated in late December 2023. As a consequence, references to the NPPF in this report are to that edition.

1.10 The Caldecote Conservation Area was designated in January 2024. A copy of the Area is at Appendix G.

1.11 Additionally, the Bio-Diversity Gain Requirements (Exemptions) Regulations come into effect later in February 2024. These define a number of exemptions for the mandatory requirement for new development to provide a 10% nett bio-diversity gain. However, as this application was validated before the date of the Regulations, the mandatory net gain is not applicable.

#### **d) Policy E4**

1.12 For the benefit of Members, the allocated site is illustrated at Appendix H and Policy E4 is included in full at Appendix I.

1.13 The plan at Appendix J illustrates the extent of the allocated land within the current application site – “A” on the plan is the additional land and “B” the allocation.

## 2. Consultations

2.1 In view of the amendments made since the last report, the responses below, where appropriate, relate to the most up-to-date plans as referred to above.

National Highways – Awaiting final response.

Warwickshire County Council as Highway Authority – Awaiting final response.

Leicestershire County Council as Highway Authority – Awaiting final response.

Warwickshire County Council as Lead Local Flood Authority – Following receipt of further information and clarification there is no objection subject to conditions.

Environment Agency – No comments to make.

Warwickshire County Council (Infrastructure) – Contributions are sought to secure improvements to local bus services to support the forecasted demand in trips by sustainable means. In total this would be for a total of £1,355,474 over five years.

Warwickshire County Council (Rights of Way) – No objection subject to the relevant Orders being made to implement the partial extinguishment of AE 189 and its diversion.

Warwickshire County Archaeologist – The site lies in an area of significant archaeological potential and thus pre-determination evaluation is necessary. A Scheme of Investigation for a phased approach to this was submitted and agreed, resulting in trenches being dug over a first phase early in January 2023 and an Evaluation Report completed in February 2023. This phase included the land to the south of the A5.

Nothing was found so as to amend the overall layout as proposed. Further phased work can be conditioned.

Warwickshire Fire and Rescue Services – No objection subject to conditions.

Environmental Health Officer – No objection subject to conditions

Nuneaton and Bedworth Borough Council – No objections.

Hinckley and Bosworth Borough Council – No objection subject to there being no material impact on the strategic highway network. Highway construction works if approved will cause disruption and "rat running" if not programmed.

Warwickshire Police (Secure by Design) – A number of detailed design matters have been recommended in order to assist in reducing crime.

### 3. Representations

3.1 There have been a number of consultations as amendments have been made. Some representations have been maintained throughout, whereas others have changed as a consequence of the amendments submitted. Additionally, the consultation covered a wide geographic area and responses varied accordingly. It is therefore proposed to report responses by area.

#### i) Caldecote

3.2 Residents at Caldecote provided a combined response following receipt of the planning application and this was supplemented by a further seven individual representations.

3.3 The combined response supports the development in principle recognising the employment and economic benefits as well as the diversion of HGV traffic from the A444 through the site. However, there are concerns about the environmental impacts.

In particular these related to:

- The increase in the size of the application site over the Local Plan allocation, and
- As a consequence, the proposed new access roundabout being much further west along Weddington Lane (the A444).
- The buildings closest to the village need to be the lower ones with appropriate cladding, landscaping provision and minimal lighting.
- Existing hedgerows and trees need to be retained and enhanced particularly along the southern and western boundaries.
- Existing flooding issues should be addressed – at the Red Gate roundabout and close to the School House in Weddington Lane.

3.4 Other matters raised by the individual letters refer to:

- The proposal will have an all-round negative impact on the local rural area – it does not integrate into the landscape being a concreted urban area.
- There is reference to B8 development in the description and there are no “small incubator units” as required by the policy.
- The buildings will be up to 18 metres tall and be visible over an extensive area including higher ground at Hartshill.
- The impact on the Conservation Area will be adverse. It will not match the historic form and the overall appearance of Caldecote.
- Noise, air and light pollution particularly from 24 hour working and in respect of those residential properties closest to the site.
- The “amenities” such the coffee shops and recreation areas will not benefit the community.
- The increased traffic generation from up to 2500 employees will be felt throughout the local highway network and beyond. There is no confirmation of when and how the A5 is to be improved.
- This is only one of a number of developments that will affect traffic on the A5.
- There are concerns about the safety of the road arrangements.

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- There will be no local or community employment benefits.
- There is a right to private and family life under the Human Rights Act which includes the home and its surroundings.

## **ii) Fenny Drayton**

3.5 22 representations were received following consultation on the initial proposals as submitted – i.e., the traffic lights at Drayton Lane. These referred to:

- A longer term solution of this stretch of the A5 is needed
- Other solutions such as banning right hand turns might be safer or making Drayton Lane a cul-de-sac.
- Any changes to the Red Gate roundabout will have “knock-on” effects during construction and this will inevitably increase traffic through the village as a consequence. Mitigation measures are essential.
- Traffic lights will cause delays on the A5 thus encouraging diversions and short cuts on unsuitable rural roads. It might encourage greater use of Drayton Lane as it provides a safer access onto the A5.
- The new cul-de-sac next to the Red Gate will encourage fly-tipping.
- No traffic calming measures are proposed for the village.
- Access to existing premises at the Red Gate junction need to be clarified.

3.6 These representations were endorsed by Luke Evans, the MP for Bosworth.

3.7 15 representations were received following the first amendment – the left in and left out proposals. The following comments were made:

- It will increase traffic through the village.
- Existing businesses and farms that use Drayton Lane will have adverse business impacts because of longer journeys for both business traffic and for employees caused by consequential diversions.
- Temporary closure of the Lane in 2014 led to increased traffic through the village. This would re-occur.
- There will also be longer travel times and diversions for residents.

3.8 The representations from the existing businesses in Drayton Lane, are endorsed by the MP for Bosworth.

3.9 Comments on the second highway amendment are awaited and if received they will be reported at the meeting.

## **iii) Witherley**

3.10 Witherley Parish Council objected to the original submission for the following reasons:

- There should be traffic mitigation in the surrounding villages to prevent drivers using the local rural network as diversions and short-cuts.
- The traffic light solution would increase the likelihood of this happening.

- The “new” cul-de-sac of the former A444 next to the Red Gate would become a site for fly tipping.

3.11 A further representation was received in respect of the initial submission. This reiterates the comments above as well as adding:

- Construction of the new Red Gate roundabout will encourage “rat-running” through the local lanes to Witherley.

3.12 Nine representations were received in respect of the first highway amendment including the left only turns at Drayton and Woodford Lane.

- These proposals will have the effect of diverting traffic away from these junctions, such that it would increase in Witherley and in Mancetter.
- Other solutions need to be looked at, starting first with the dualling of the A5.

3.13 Comments on the latest highway amendment are awaited and if received will be reported at the meeting.

#### **iv) Mancetter**

3.14 Mancetter Parish Council submitted comments following receipt of the highway amendment which included the left-in and left-out arrangements at the Woodford and Drayton Lane junctions. Its objection was to the consequential increase in traffic through Mancetter arising from necessary route diversions. This traffic would pass through the Conservation Area and also impact on the capacity of the Mancetter roundabout.

3.15 Comments on the second highway amendment are awaited and if received will be reported at the meeting.

#### **v) Others**

3.16 The Ramblers Association – No objection to the part diversion of footpath AE190, but there is an objection to the part extinguishment of AE189 as it would leave a redundant length of path.

3.17 There is still some concern expressed to the final highway arrangements as set out in paragraph 1.5 above by representatives of businesses who still feel that the arrangements at the new Red Gate roundabout will give rise to inconvenience and that any recommended contributions towards the cost of the A5 speed restrictions would be unlawful.

#### **vi) Support**

3.18 Five letters of support have been received from the West Midlands Combined Authority, the Mayor of the West Midlands, the West Midlands Growth Company, the Manufacturing Technology Centre and Invest in Coventry and Warwickshire. These all refer to the need for investment in the region; the advancement of low carbon, automotive technology, the manufacturing and high skills employment opportunities and the synergy with the existing MIRA campus on the other side of the A5 being of international standing.

## **4. Observations**

### **a) Introduction**

4.1 Members are aware of the planning policy background here as outlined in paragraph 1.2 above. The previous report at Appendix A, identified the three main considerations that need to be assessed. These are:

- a) What is the case for supporting the inclusion of the additional land?
- b) Secondly, does the proposal, including the additional land, still accord with the requirements of Policy E4 for the allocated portion of the application site?
- c) Finally, are there any harmful impacts caused by the proposals when treated as a whole, which would clearly outweigh any of the benefits that are claimed for supporting the proposals?

4.2 Each of these will be looked at in turn.

### **b) The Additional Land**

4.3 Policy E4 allocated 42 hectares of land for employment purposes, but the application site extends this to 59 hectares – an increase of 40%. This additional land has been “added” to the south-west of the allocated land such that the southern site boundary extends much further westwards along the A444 – see Appendix J.

4.4 The explanation for the additional land was referred to in the initial report at Appendix A – paragraph 7.5 – indicating that it was needed in order to provide infrastructure works in order to enable the delivery of the allocation. The most important consideration here is the need to provide a new spine road through the site to a specification capable of it also becoming the route of the diverted A444. This dual function is to enable the closure of Weddington Lane at its northern end. This however was not a requirement of Policy E4. It came about following community consultation and gained support from the Warwickshire County Council as Highway Authority. It also had a beneficial impact on the design for the new “Red Gate” roundabout which was supported by National Highways. This was not anticipated at the time of drafting policy E4 and is thus new. In order to accommodate this new consideration, which is essentially a highway matter, the Highway Authority had to ensure that the A444 could be successfully diverted through the site so as to exit at the MIRA roundabout on the A5 and that the location of the closure of the A444 would provide the community benefits as expected. Its solution was to agree to the access into the site from the A444 being moved further west. Additional land was thus required to deliver this solution. This change in approach also enabled the new road to be positioned so as to allow the retention of existing drainage channels and existing hedgerows running north/south through the centre of the site. In respect of the former, this enables a more comprehensive drainage strategy. All of these considerations led to the extension of the allocated site in the current application at its eastern end.

4.5 From the applicant’s perspective, the shape of the allocated site constrained the delivery of larger scale plots capable of accommodating the requirements of the advanced manufacturing interests that were being expressed in the site. The line of the new spine road/A444 through the allocated land would also impact on the deliverability

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of these plots and thus reduce the overall developable area. However, the new spine road does provide the opportunity for inclusion of the additional land at the western end of the application site, so as to enable the delivery of these plots throughout the site. The applicant points out that the allocation was for 42 hectares of employment land and the current application provides a developable area of 39 hectares thus meeting the Policy requirement. He says that the allocated site with the access onto the A444 at its far eastern end and running through to the MIRA roundabout, would significantly reduce the developable area available.

4.6 The issues for the Board here are to assess the balance between the various considerations identified above. The application site as a matter of fact is larger than the allocated site and thus does not accord with it. The Board will need to consider whether there are planning considerations here of such weight so as to override this non-compliance. It is considered that in principle there are two and they are outlined below. However, Members will also need to assess whether there are any adverse impacts arising from the inclusion of the additional land and thus place these into the final planning balance. This will be dealt with at the end of this report.

4.7 The considerations that give weight to the present application are firstly the policy background to this proposal. Local Plan policy LP39 allocates land amounting to 57 hectares for employment provision within the plan period. The allocation south of the A5 accounts for around 75% of that total allocation. It is thus the prime employment allocation in the Plan and the proposal as submitted would deliver the size of site to meet the allocation in terms of its developable area. Local Plan policy LP11 sets the overall objective for the employment provision on the allocated sites. It says that the delivery of employment uses should reflect the need to broaden the employment base in the Borough, improve employment choice and opportunities for local people. The current application is primarily a manufacturing proposal intended to complement the Research and Development focus and function of the adjoining MIRA Technology Park, providing the opportunity for investment to provide manufacturing facilities of a scale which are not otherwise capable of being delivered as part of the existing technology cluster. The current application thus represents the key site in delivering the objectives of Policy E11. Additionally, Policy LP6 deals with additional employment land over and above the allocations in Policy LP39. It says that significant weight will be given in decision making to supporting economic growth and productivity, particularly where there is evidence demonstrating an immediate need for employment land. The allocation in Policy LP39 provides that evidence in this case. As a consequence, the proposal as submitted would achieve the delivery of the primary employment objective of the Development Plan.

4.8 The second consideration is the highway background - the access into the site from the A444 being a changed circumstance that carries significant weight. It enables the diversion of the A444 through the site thus enabling the closure of Weddington Lane at its northern end, so that Caldecote becomes a cul-de-sac. This is an overall community benefit not only in highway terms, but also in environmental terms. The fact that the three Highway Authorities have not raised an objection carries substantial weight.

4.9 The representations from Caldecote particularly refer to the additional land and to the preference to have the access at the far eastern end of the site. These were early representations made at the time of the original submitted proposals. These had not been thoroughly worked out in highway terms so as to accommodate the detail of the

engineering arrangements of closing the northern section of Weddington Lane. The responses from the consultation on the final detailed amendments are awaited. From a highway perspective it is anticipated that there will be general support, but the inclusion of the additional land does give rise to other matters and these will be the environmental impacts. As indicated above, these will be identified and assessed below.

4.10 The inclusion of the additional land is thus supported in principle.

#### **c) The Requirements of Policy E4**

4.11 It is now intended to address whether the proposal, including the additional land, still accords with the requirements of Policy E4 for the allocated portion of the application site. The policy is set out in Appendix I.

##### **i) The Proposed Uses**

4.12 The Policy firstly sets out the employment uses that are to be included in the allocation. In light of the content of Policy E11 indicating the objective of broadening the Borough's employment base and the significance of the established neighbouring MIRA Technology Park and Enterprise Zone, the allocated land is proposed for B2 General Industrial Use as well as for Research and Development use under Use Class E(g)(ii). The policy particularly defines any B8 uses to be ancillary to these named Uses. The application has been submitted as such and the applicant has agreed to the inclusion of planning conditions to achieve this outcome.

4.13 The policy also sets out a requirement for "small incubator units" to be included. There is no such provision in the application. The applicant explains that during 2022, the large MIRA building fronting the A5 was the subject of comprehensive refurbishment and this created a substantial increase in incubation and low carbon innovation space - some 25000 square feet. This is said will complement the existing range of facilities at MIRA and provide the opportunity that was initially set out in Policy E4. The applicant says that it is not commercially viable to replicate these facilities on the application site as they would create competition. The real commercial need for the Technology Park is the provision of manufacturing space and the application site would provide this. Notwithstanding this explanation, the Board will need to assess what weight to attribute to this omission from the Policy. It is acknowledged that this is a commercial decision by the applicant. In overall terms however, it is not considered to be significant, as there will have been an increase in the floor space for these units, albeit on the north side of the A5, but importantly within the overall MIRA cluster, to which, if permitted, the application site will be part of. Additionally, provided the application is appropriately conditioned to B2 manufacturing use, there would be no overall dilution in the delivery of the higher skill employment opportunities being sought here through Policies LP11 and E4. Overall, therefore it is considered that the omission is of low impact.

4.14 The Policy then requires the provision of an overall Master Plan for the allocated site. This is to include a number of elements. Each will need to be addressed. Members are referred to Appendix C for a copy of this Plan.

##### **ii) Heritage Impacts**

4.15 The policy requires an assessment to be made of the impact of the proposals on the significance of the heritage assets within and close to the allocated site. Reference

is made to Policy LP15 of the Local Plan which requires proposals to conserve or enhance the quality, character, diversity and local distinctiveness of the historic environment. This policy requirement has been given additional importance as the application site is now larger than the allocated site and secondly, as reported above in para 1.9, Caldecote is now a designated Conservation Area. The application site and its proposed developable area are closer to this new Conservation Area, than the southern limit of the allocated site. Hence the additional importance referred to above. The impact on the setting of the Conservation Area will now be considered, before addressing the impacts on other heritage assets.

4.16 The Council is under a Statutory Duty to pay special attention to the desirability of preserving or enhancing the character or appearance of its Conservation Areas. The far western corner of the application site adjoins the Area – albeit as an extension of the main core of the Area. The main built form of Caldcote is some 800 metres from the edge of the proposed developable area. The historical significance of the Area lies in the fact that that this a pre-Norman settlement and its hall and church have been the focus of the historic manor from medieval times through to today. This consisted of a handful of farms and associated farm and estate workers cottages. The Hall saw an early skirmish in the Civil War, but in the late 19<sup>th</sup> century, the village was largely rebuilt and enlarged expanding its grounds to include new areas of parkland. Many of the original buildings have also been rebuilt to give its character seen today. The overall significance of the Area lies in the retention of the significant core of a former Victorian country estate with its associated main residence, the Hall, an older Parish Church, substantial ancillary outbuildings including stables set around a courtyard, its walled gardens, former schoolhouse and village hall, tenants terraced properties and the original farm and building ranges together with remnants of the former estate workshops. These are closely grouped together and surrounded by large, wooded areas, including a small parkland. The views over open agricultural land into and out of the settlement, add significantly to its character and appearance. These characteristics have historic value as well as architectural value with a traditional consistent estate style and appearance. There is a strong community value too as the hamlet has seen little change or expansion and it retains its isolation because of its limited access. The setting of the Area contributes substantially to this significance and the ability to appreciate its character and appearance as a whole – ie. its isolation, compactness and the open rural surroundings. It is for this reason that the designated Area is much larger than the actual built area of the hamlet.

4.17 Members will be aware that the NPPF indicates that in respect of harm caused to heritage assets, then there is either no harm, substantial harm or less than substantial harm. Case-law has shown that the “test” for there being substantial harm is very high and that it will occur when the significance of the asset is seriously reduced or substantially lost. At first site, this may be the initial reaction given that the scale of the proposal and its component parts are “alien” to the small scale and very rural ambience of the hamlet. Representations have picked on this comparison. However, it is necessary to assess the proposals as a whole and thus to look at the proposed layout and parameters within the Master Plan including the mitigation proposed.

4.18 A number of matters are identified. Firstly, the distance from the core of the Area to the southern limit of the developable area is some 800 metres. There are a number of individual and groups of trees between the village and the closest of the proposed buildings. Importantly there are such groups to the north of the village and along the A444 such that intervisibility becomes limited. Secondly that part of the site on the northern side of the A444 would be heavily landscaped on and around new earth mounding, thus providing a significant buffer limiting intervisibility even further. Thirdly the heights of the buildings closest to this buffer within the development zones would be limited. Finally, the conditioning of service yards to the northern elevation of the units in this development zone would mitigate noise and lighting impacts.

4.19 Taken together these are considered to have a beneficial impact in materially reducing potential harm to the significance of the Conservation Area, particularly from its central core. The continuation of the landscaped buffers along the whole of the northern side of the A444 and along the western site boundary will also help in containing the built form to its developable area, thus minimising the visual impact from the Area and retaining the open land to the north of the hamlet. However, the rising land from the A444 to the A5 and the prospect of larger buildings along the A5 boundary and increased lighting here, will impact on the wider views in and around the northern parts of the Conservation Area. In other words, the wider setting around the Conservation Area will be affected. The applicant has submitted three cross sections which illustrate all of these matters – Appendices D, E and F.

4.20 It is considered that when the proposals are taken as a whole and in the knowledge of the background set out in paragraph 4.17, that the proposals will have less than substantial harm on the significance of the Conservation Area. Nevertheless, this harm still carries weight according to the NPPF and will need to be taken into account in the final planning balance.

4.21 There are also a number of Listed Buildings in Caldecote. These now need to be addressed.

4.22 The Council is also under a statutory duty to have special regard to the desirability of preserving a Listed Building or its setting or any features of special architectural or historic interest which it possesses. The proposals do not directly impact of the built fabric of the Listed Buildings in this case and so it is the impact on their setting which needs to be assessed.

4.23 Two of the Listed Buildings in Caldecote are the Church of St Theobald and St Chad along with three chest tombs in its graveyard. The Church has Grade 2 star status and the tombs are all Grade 2. Together they have group value. It is not considered that the proposal impacts on the setting of this Group given the separation distances and intervening tree cover. The important approach to the Church from within the village is also unaffected, as views of the Church are constrained. The third Listed Building is an early 19<sup>th</sup> Century brick built Ice-House lying behind an earth mound some 400 metres south of the village within Ice House Spinney. It is not considered that the proposals impact on the setting of this asset, primarily because it is a subterranean feature on the southern side of the village some significant way from the development area with substantial intervening tree and woodland planting.

4.24 There are a number of non-designated assets within the village, including the current Hall, the large stable courtyard block, the walled garden and cottages, together with a number of the mock Tudor residential properties. The setting of these is very much as part of the Conservation Area and their significance lies in their grouping and function within the estate. The proposals retain this significance for the same reasons as set out above in paragraphs 4.18.

4.23 There are no known underground heritage assets on the site or in its vicinity. Because of the site running immediately along the southern side of the Roman Watling Street, the applicant has undertaken an archaeological evaluation for that part of the site in this area as it would be part of the first phase of the implementation of any permission granted. That survey work, overseen by the County Archaeologist discovered no significant "finds" to warrant alterations to the proposed Master Plan. Further investigative work will be undertaken in phases as the site is delivered, but the County Archaeologist is satisfied that a planning permission can be granted.

4.24 When all of these heritage matters are considered together, it is still concluded that the overall proposals would cause them less than substantial harm and that the development, in the terms of the wording of Policy E4 does, "as far as is practicable", ensure that these assets are preserved or enhanced. However, even the less than substantial harm found will still be an identified harm, which will need to be addressed in the final planning balance.

### **iii) Sustainable Transport Measures**

4.25 The policy requires "the provision of sustainable transport measures including cycle and footpath links along the A5" and "access to the cycle/pedestrian route to the south-east of the site". A number of measures are included in the proposal – walking and cycle-paths linking the site to Nuneaton including a new cycle lane along the A444 that connects into the Weddington Way cycle route at Weddington and improvements for connections towards the A5 and Fenny Drayton – see Appendix B. The internal layout picks up in existing footpath lines as well as providing perimeter routes. There is no inclusion of cycle connections westwards along the A5, because according to the applicant, there are land ownership and physical constraints. Moreover, National Highways has not responded positively to this possibility. On the other hand, the County Council has asked for contributions to extend existing public transport provision into the site as routes already run from Tamworth to Nuneaton through the existing MIRA site to the north of the A5. As such, the internal spine road makes provision for bus stop lay-bys – see Appendix B. The issues involved in securing cycle access along the A5 are understood and as such, it is considered that on balance, there is a material increase in sustainable transport measures included in this application.

### **iv) Landscaping**

4.26 The policy requires a significant landscape buffer to the southern and south-eastern boundaries of the site. These are shown on the Master Plan and are considered to be appropriately sized.

#### **v) Solar Energy**

4.27 The policy requires the maximisation of solar energy generation. The energy Statement submitted with the application, requires the provision of photo-voltaic panels on the roofs of the buildings. This can be conditioned. Additionally, the applicant has committed to ensure that the buildings would meet the "excellent" BREAAAM standard in respect energy efficiency – "Building Research Establishment Environmental Assessment Method".

#### **vi) Lighting Impacts**

4.28 The policy requires controlling lighting effects so as particularly to minimise the impacts on Caldecote. As this application is in outline, it is important to set the parameters so as to provide the framework for the detail of subsequent reserved matters applications. In this respect those parameters will include the landscaping and separation buffers, limits on the heights of the buildings and a planning condition to ensure that service yards are not included on the southern side of buildings to be erected in the development areas to the south of the site – i.e. Zones 20 and 30 on Appendix C. A detailed technical specification for lighting throughout the site will need to be conditioned.

#### **v) Conclusion on Policy E4**

4.29 The proposals do deliver almost the 42 hectares of employment land but through a larger application site, without the provision of smaller incubator units and with less than substantial harm to heritage assets rather than no harm. The issue for the Board is whether these matters carry such weight either individually, or cumulatively, to warrant material non-compliance. On balance it is considered not. The prime objective is being met and the reasons for the increased size in the application site came about after adoption of the Local Plan and they bring material highway benefits to Caldecote. Additionally, the subsequent impacts of the increased site have been dealt with appropriately. The Board will need to make its own conclusion.

#### **d) Other Matters**

##### **i) Highway Issues**

4.30 Highway matters have been at the forefront of consideration of these proposals. Not only have they given rise to a number of different options to be considered, but they have also been tied up in the design and timing of future improvements to the A5 and they have been raised in practically all of the representations received. They too have affected a wide geographic area well beyond Caldecote itself.

4.31 Local Plan policy LP29 (6) says that all developments should provide safe and suitable access for all users. The NPPF says 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 – paragraph 115.

4.34 Given this policy background, it is of substantial weight therefore that the current arrangements have resulted from engagement with National Highways and the Warwickshire and Leicestershire County Councils as the three Highway Authorities involved. Their formal responses are awaited, but it is understood informally that there is no objection in principle.

4.35 It is thus considered that the proposal will satisfy Local Plan policy LP29(6) subject to the three Highway Authorities not objecting.

4.36 A number of matters need to be mentioned as issues and concerns have been raised throughout the progress of this application.

4.37 The first is that the Caldecote community preference for the closure of the A444 so as to prevent increased traffic flows on the road between the site access and the A5, has been included with full highway authority support. This has enabled the village to be accessed in essence as a cul-de-sac. An existing length of the A444 between the roundabout access into the site and almost up the Caldecote Lane would be closed to motorised traffic. It has also had the beneficial by-product of a highway redesign of the new Red Gate A5 roundabout which the Highway Authorities have preferred.

4.38 The second is that there are minor engineering works proposed at the Higham Lane roundabout so as to increase capacity.

4.39 The most significant other highway issues raised, were from further afield. These revolved around the choice of off-site works at the Woodford and Drayton Lane junctions to the A5 beyond and to the west of the Red Gate junction. These concerns came from the Fenny Drayton, Witherley and Mancetter communities. Whilst they all acknowledged the recognised present road safety issues at the two junctions, they also identified the very real prospect of increased traffic in their villages and on the surrounding rural highway network, particularly to the north of the A5, as traffic would try to avoid the initially proposed traffic lights at the junctions, or would unavoidably have to be diverted because of the later proposals for movement restrictions at the two junctions. The same issues would arise in Mancetter, as a consequence of increased traffic on the B4111. In all these communities and particularly for the second option, there were very real concerns about the adverse impact on established businesses because of the necessary diversions. This latter concern would have been a material consideration of significant weight for the Board, as it relates to the "agent of change" principle set out in paragraph 193 of the NPPF – i.e. potentially "unreasonable restrictions" arising for established businesses and community facilities as a consequence of new development.

4.40 As Members are aware from the introduction to the report, the final proposals do not now include any highway works to change the existing arrangements. The Highway Authorities have acknowledged the traffic consequences on the local communities arising from the two options proposed and have come to the conclusion that there should be no alterations. However, it is understood that National Highways is to undertake work for the prospective introduction of speed restriction measures on the A5 and thus the applicant would be asked to contribute to this work and its cost. As a consequence, the issues raised would not carry the weight sufficient to warrant non-compliance with Local Plan policy and the NPPF. In effect there would be no change from the existing.

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5b/38

4.41 However there are four matters that still arise as a consequence of this.

4.42 The first of these is that if approved, the construction period of the new Red Gate roundabout in particular, could have materially adverse impacts on the villages of Fenny Drayton and Witherley because of the roads in these settlements being used as diversion routes whether these are programmed or not. The communities recall the impacts at the time of construction of the present Red Gate roundabout. This is very much a highway matter and one for the respective Highway Authorities to deal with in full consultation with the two communities. However, the requirement for a planning condition relating to a Construction Traffic Management Plan is going to be needed for the whole development in any event as there will also need to be consideration given to the Caldecote residents.

4.43 The second issue is one that has been referred to in the representations from Fenny Drayton – this is the possibility of a short section of the A444 at the new Red Gate roundabout becoming redundant, but still prone to fly-tipping etc. The latest arrangements – copied at Appendix B – remove this possibility. The existing length of the A444 between the Redgate Public House and the properties on the other side of the road would still be accessed from this, but as part of a “loop” road from the re-aligned A444 to the north.

4.44 The third issue is that there are remaining concerns from the business that operates presently from the Red Gate roundabout. These relate to their existing access arrangements not being retained and thus causing inconvenience. The latest remodelled Red Gate roundabout however does maintain access into and out of the site in all directions. It is acknowledged that there will be increases in journey times because of the move on the new roundabout to the east and the new line of the A444. However, these are considered to be modest and there would be the benefit of a significant reduction in congestion on the A444 directly outside of the existing site entrance. The final comments of National Highways however are still awaited.

4.45 The final issue relates to whether the suggested contribution to the A5 speed restriction measures is compliant within the appropriate Regulations. It has been suggested that as this is a “project” that has not been scoped or costed, it is not compliant. National Highways has committed to a feasibility review of safety options for the Woodford and Drayton Lane junctions. The application proposals would have a material increase in traffic on the A5 and there is thus an increased road safety risk given the established accident record at these two junctions. There is thus an off-site highway impact here directly related to the scale of the application proposal. This is also evidenced through the alternative solutions promoted. As a consequence, it is considered that the potential for a contribution is compliant being necessary to make the development acceptable in planning terms; directly related to the highway impact of the proposal and reasonably related in scale as the contribution would be proportionate to the study as a whole.

4.46 It is thus in all of these circumstances that the Board can be advised that the current proposals do accord with Development Plan policy subject to there being no further objections from the three Highway Authorities.

## **ii) Landscape and Visual Issues**

4.47 Policy LP14 of the Local Plan says that new development should look to conserve, enhance and where appropriate restore landscape character so as to reflect that as described on the North Warwickshire Landscape Character Assessment of 2010. This aligns with policy LP1 which says that development must "integrate appropriately with the natural and historic environment", and also with Policy LP30 which says that proposals should ensure that they are "well related to each other and harmonise with both the immediate and wider surroundings".

4.48 This application site substantially includes land allocated for employment purposes. It has always been known that during the process of allocating this land for such purposes, that it would give rise to significant adverse visual and landscape impacts. It would thus always cause conflict with these policies. The wording of the policy E4 recognises this in respect of the heritage impacts – the development, "should as far as is practicable" ensure the assets are preserved or enhanced. It is considered that the same wording could apply to the landscape and visual context of the proposal. Indeed, one of the policy requirements as addressed above was for significant perimeter landscaping, particularly along the southern and south-eastern boundaries. The increased size of the site however is a material change, but it has enabled much larger landscaped buffers to be proposed. It is agreed with the applicant that even with these fully implemented and after time, the development would still be very prominent particularly from the A5, the A444 and from the higher ground to the south. As a consequence, there would be non-compliance with Policy LP14, but that there would be compliance with the Policy E4 wording, as the landscaping, "as far as is practicable", does ensure mitigation.

## **iii) Flooding and Drainage**

4.49 Local Plan policy LP33 requires water runoff from new development to be no more than the natural greenfield runoff rates and developments should hold this water back on the development site through high quality sustainable drainage arrangements which should also reduce pollution and flood risk to nearby watercourses. The NPPF at para 175 says that major developments should incorporate sustainable drainage systems and that these should take account of the advice from the lead local flood authority.

4.50 The October Board report described the Flood Risk Assessment undertaken by the applicant and the proposed drainage strategy - paragraph 3.18 of Appendix A. That includes substantial sustainable drainage arrangements along the southern boundary to the site. As mentioned in paragraph 4.4, the additional land has enabled larger and more effective arrangements here. In these respects, it is of substantial weight that the Environment Agency and the Lead Local Flood Authority have not objected to this strategy and the outline set out in the Flood Risk Assessment.

4.51 As a consequence there is compliance with Policy LP33.

4.52 There were two specific flooding matters referred to in paragraph 3.3 - surface water flooding in the field immediately to the north-west of the application site. This would appear to come from run-off from within that field which is not in the applicant's control and is thus the responsibility of the land- owner. The drainage strategy that has been agreed with the Lead Local Flood Authority for the MIRA site has been designed

to pick up drainage issues resulting from the application site itself. Members will be aware that the advice is that such drainage schemes should not be designed so as to resolve existing flooding issues. However, as progress is made on the actual detail of the drainage scheme, there may well be opportunities to consider this off-site situation.

#### **iv) Ecology and Bio-Diversity**

4.53 Local Plan policy LP16 says that the quality, character, diversity and local distinctiveness of the natural environment is to be protected and enhanced as appropriate, relative to the nature of the development proposed and net gains for bio-diversity should be sought where possible. The Board is also aware of the new Regulations that are to be introduced in February, but as identified above these would not affect the current application. Policy LP26 in any event requires a net gain.

4.54 The Preliminary Ecological Appraisal undertaken by the applicant showed that there would a reduction in the wildlife value of the site – paragraph 3.19 of Appendix A. It is proposed that the following measures are to be included in order to satisfy Policy LP16 as well as the new Bio-Diversity requirements – the woodland planting and attenuation measures along the south and west sides of the site and through its centre running from the A444 to the A5. It is acknowledged that these measures overall, would provide a net gain thus satisfying Local Plan policy LP16.

#### **v) Residential Amenity**

4.55 Local Plan policy LP29(9) says that new development should “avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality and other pollution”.

4.56 A number of the representations received, particularly from Caldecote residents, have referred to these matters as potentially having harmful impacts. The lighting and overshadowing factors here have been looked at above - paragraphs 4.26 and 4.48. It is also of substantial weight that the Environmental Health Officer has not objected to the overall proposal in terms of air quality and noise matters. However, conditions are recommended in order to monitor both air quality and noise emissions from associated plant and infrastructure.

4.57 Members will be aware that the majority of Caldecote residents reside in the village itself. There are however a few properties that are much closer to the proposal – those along the A444. Those on the west side of Weddington Lane between Caldecote Lane and the A5 are set well back from the A444 and have substantial surrounding tree cover. The overall impact of the proposal would be limited because of this, the separation distances and intervening proposed perimeter planting. Additionally, there would be the significant benefit of having the A444 becoming a cul-de-sac.

4.58 The small grouping of properties at the junction of Caldecote Lane and the A444 together with those on the eastern side of the A444 closer to the A5 will also significantly benefit from the highway proposals with substantially less traffic running in front of them with the consequential air quality improvement and reduction in noise levels. Visual impacts will be mitigated by the perimeter landscaping at their rear and this will materially also reduce direct noise and lighting impacts. There will however be a

change of outlook, with particularly greater visual containment at the rear of those at the junction itself – see the cross sections at Appendices D to F.

4.59 There are also properties on the south-western side of the A444 close to the new roundabout junction into the site. Whilst these properties will effectively have a new private access onto a closed section of the A444 as a consequence of the engineering required to design this roundabout, there would be greater levels of traffic passing in front, on the line of the new A444 because of the traffic generated by the proposals. As a consequence, an acoustic fence and landscaping is proposed to be inserted between the new private access road and the A444. The perimeter landscaping within the site along the northern side of the A444 will reduce visual impacts and planning conditions as previously noted will need to be added to ensure lighting details cause limited harm, as well as to ensure that service yards are on the north side of the buildings that are to be located here – see the cross sections at Appendices D to F.

4.60 On balance, it is considered that the proposals are proportionate, such that they do limit adverse harms on residential property.

#### **vi) Conclusion on Other Matters**

4.61 From the above it is considered that there are no adverse harms caused of such weight that they should result in a review of the proposals. Cumulatively the harms amount to the landscape and visual matters and the direct impacts on the residential amenities of the closest properties. Mitigation is proposed and it is considered that this is proportionate given that the application site is now larger than allocated and that the allocation itself was made in the knowledge that there would be landscape harm.

#### **e) Section 106 Matters**

4.62 As indicated above the Warwickshire County Council has requested a financial contribution towards securing improvements to local bus services to support the forecasted demand arising from this development. This would amount to £1,355,474 spread over five years from the date of the first occupation for business purposes of the first building to be completed under this planning permission. Members are aware that there is an existing hourly service running from Tamworth through Atherstone to the existing MIRA site and into Nuneaton. The request would be to enable an extension of this service through the application site. It is considered that this request is compliant with the appropriate Regulations as it is necessary to make the development acceptable given the content of Policy E4 – paragraph 4.25 above – as well as the content of the NPPF – paragraph 89 and paragraphs 114 to 117 – and to the Warwickshire Local Transport Plan 2011-26. It is also directly related to the development and is proportionate to the scale of the development as calculated by the County Council.

4.63 It is understood that National Highways will be seeking a contribution towards its feasibility study to introduce traffic speed restrictions along the A5 west of the site. It is considered that if so, then this request is policy compliant with Local Plan policies LP1, LP29 (6) and E4 together with the NPPF at paragraph 115. It is also directly related to the development in that it addresses adverse highway off-site impacts arising from the additional traffic generated by the proposal and will be proportionate in that it would not cover the whole cost of the study.

4.64 The applicant has indicated that he would wish to be involved in promoting access to manufacturing skills and training from North Warwickshire residents to build on established apprenticeship schemes and appropriate links to courses at nearby Colleges and Schools. Such arrangements would be policy compliant with Local Plan policies LP11 and E4 as well as the NPPF – paragraphs 85 to 87. It would be directly related to the development, and it would be proportionate to previous arrangements, when MIRA began its expansion on the northern side of the A5. A draft “initiative” is attached at Appendix K.

#### **f) The Final Planning Balance**

4.65 This application delivers the primary employment objective of the Local Plan. However, to do so it has had to include land beyond that allocated in that Plan. The reasons for doing so are a mixture of commercial reasons and practical highway and drainage reasons. The latter have had the benefit of enabling highway and environmental betterment for the majority of the residents in Caldecote. That being said however, the additional land has brought the development closer to the village and thus the visual and environmental impacts of the proposals would be greater than those arising from the smaller allocated land. These impacts have been addressed in the current application and it is considered that they are proportionate as they do have the positive effect of mitigating adverse impacts. Members however will appreciate that there will still be residual harms. This was recognised in the process of allocating the land and the wording of the relevant policy governing its delivery. As far as is practicable therefore, the adverse impacts of the larger site have been addressed.

4.66 The proposals have significant highway impacts both on and off-site, affecting communities well beyond the site. It is of substantial weight that it is now anticipated that all three Highway Authorities will not object to the final set of amendments. This is in respect of the specifications for the site itself, the enablement of the closure of Weddington Lane, the removal of earlier off-site highway solutions and that the proposals would not prejudice the strategic importance of the A5. It is anticipated that the final set of highway arrangements as reported here will be generally supported by the respective local communities.

4.67 In this case therefore there is a planning balance to assess. The cumulative harms identified include landscape and visual harm, the less than substantial harm to heritage assets and the harm to the residential amenity of a number of individual residential properties. On the other side of the balance are the delivery of the prime employment objective of the Development Plan and the highway and consequential environmental benefits for Caldecote. In the terms of the NPPF, these would also represent the “public benefits” which need to be weighed against the less than substantial heritage harm found. On balance, the recommendation is to support the proposal. Members may conclude that the balance lies the other way, or that they might wish to look further at a particular issue, or that they might wish to wait for the final comments of the three Highway Authorities. In any event, the prospect of planning conditions and the Heads of Terms for a Section 106 Agreement will need to be considered within any further assessment of the final planning balance.

## **Recommendation**

- a) That the Board resolves to grant planning permission subject to:
  - i) the withdrawal of all objections from the three Highway Authorities;
  - ii) agreed planning conditions, and
  - iii) the completion of a Section 106 Agreement including the Heads of Terms as outlined in this report.
  
- b) That the planning conditions referred to in (ii) above, be delegated to officers in consultation with the Chairman, the Opposition Spokesperson and local Ward Members.
  
- c) That in the case of continued objections from any of the three Highway Authorities, the application be referred back to the Board for further consideration.

# APPENDIX A

## General Development Applications

(5/a) Application No: PAP/2022/0423

Land to the south of Watling Street, Caldecote, CV10 0TS

**Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(g)); storage (Class B8), new spine road, car parking, landscaping and enabling works for**

### ERI MTP Ltd1. Introduction

1.1 This application is referred to the Board at this time as an introductory report recording its receipt, as well as outlining the proposals and their supporting documentation. The main issues to be assessed within a later determination report, will also be identified.

1.2 Members should be aware that the application site as defined by the red line, includes land within both of Hinckley and Bosworth Borough Council's and Nuneaton and Bedworth Borough Council's administrative areas. The respective areas are shown on Appendix A.

### 2. The Site

2.1 This comprises 59 hectares of agricultural land – comprising four fields - located around 3.5 km to the north-west of the centre of Nuneaton and bounded on two sides by the A5 to the north and the A444 to the south. There is agricultural land bounding the remaining sides.

2.2 On the other side of the A5 – which is dualled at this point – is the MIRA Technology Park. To the east beyond the intervening field is the "Weddington Way" – a public footpath running along the line of a former railway line extending from Weddington Lane (the A444) to the south, to the A5 to the north. This has significant tree cover along both sides. Immediately to the east beyond this, are significant areas of newly completed residential development. To the south and west is open agricultural land with two clusters of residential development. The first is focussed around the Redgate roundabout with its public house and a former retail unit on the A5. In particular there is a frontage of residential development running along the south-west side of the A444 which is characterised by larger detached houses set some way back from the road within a significant woodland area. The second is the hamlet of Caldecote which is set back some 500 metres south of the A444. This comprises Caldecote Hall, now converted to residential apartments, several new detached houses, barn conversions with some office space and a terrace of smaller cottages. The Hall is set within a parkland setting with significant tree cover. Additionally, there are individual houses and pairs of semi-detached houses fronting either side of the A444. These are to the west of the site, but one group adjoins the western corner of the site, and a further group faces the application site from the south side of the A444.

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2.3 The site slopes evenly down from the north with a gradient of around 1 in 40 leading to a height difference of around 14 metres AOD.

2.4 A public footpath – the AE189 - runs from the A444 to the A5 diagonally crossing the eastern part of the site. This is joined by the N7 linking the Weddington Way at its southern end.

A further path – the AE190 runs along the western site boundary.

2.5 A general location plan is attached at Appendix B which identifies these features.

### **3. The Proposals**

3.1 This is an outline planning application seeking consent for the development as described in the header to this report. A total of 213,500 square metres of new development is proposed. All matters of layout, appearance, scale, design, landscaping and access for the development would be "reserved" for later approval. The proposals would require the demolition of the buildings at Elms Farm which currently sits centrally within the site.

3.2 In order to assist in the assessment of this proposal, the applicant has provided a "Parameters Plan" which if planning permission is granted, would become an approved document. It provides a framework for the implementation of any permission. This Plan is attached as Appendix C

3.3 It shows:

- Four development zones illustrating how the proposed floor area could be distributed through the site together with a limitation on building heights of 18 metres to the ridge of any roof.
- A spine road (to be the redirected A444) to pass through the site from the A444 to the existing roundabout on the A5 at the MIRA entrance. The line on the Plan is to be treated as "the most likely route" of this road. The Plan illustrates an arrangement to show how the A444 might be diverted with an off-set roundabout involving the re-alignment of the A444.
- A new cycle route through the site connecting the A444 with the existing cycle route at either end of the Weddington Way where it passes underneath the A5 and where it joins the A444.
- Strategic areas of new landscaping together with drainage attenuation ponds in the south-west of the site.
- The possible route of the diverted footpath at the far western end of the site and
- The possible location of bus stops along the spine road.

3.4 Also submitted is an Illustrative Masterplan, which is not part of the application, but it provides a broad indication of how the layout for the site might be delivered. This is attached at Appendix D.

3.5 The proposals also include significant highway works, including substantial off-site measures.

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3.6 Apart from the use of the existing MIRA A5 roundabout to access the site from the north, there are three other areas involved.

3.7 Significantly, the proposals include the removal and redesign of the Redgate roundabout at the A5/A444 junction. Presently this is an elongated arrangement which would be wholly removed and replaced with a traditional four- arm roundabout. This would be located at the far eastern end of the current arrangement and extend into land to the north of the A5. As such, the A444 would be diverted from its present alignment so as to be routed around the north of the Redgate Public House. The A5 between this new roundabout and the MIRA roundabout would be improved to provide continuous dualling, and there would be dual access to the new roundabout from the Atherstone direction.

3.8 This is usefully illustrated on Appendix E.

3.9 Secondly, as part of the new three-arm roundabout on the A444, Weddington Lane would be diverted from its existing alignment just south-east of numbers 17/18 Weddington Lane, some 52 metres into the site. These two properties would then be accessed off the line of a new cul-de-sac which would be line of the A444 as now before re-alignment. This realignment and the roundabout form part of the proposal to direct all through traffic using the A444, to use the new A5/A444 spine road to the A5, thus facilitating the downgrading of Weddington Lane to a local access road. This "downgrading" between the site access and the Redgate roundabout would be supported by a package of traffic calming/management measures to redirect through traffic away from Caldecote. These measures would include signage, reduction in the speed limit from the new Redgate roundabout along Weddington Lane to the new roundabout from 50 to 30mph as well as traffic calming measures within the carriageway.

3.10 The arrangements here are illustrated at Appendix F

3.11 Thirdly, the Transport Assessment submitted with the application points out too that mitigation works at the Woodford Lane and Drayton Lane junctions further to the west of the Redgate roundabout also need to be considered. Both would become signalised junctions.

3.12 This is illustrated at Appendix G

3.13 The Master Plan sets out how the development might finally be implemented. This however will take some time to complete and its progress will depend on the package of highway measures set out above. The applicant is proposing two phases. Phase One in essence would comprise the highway works to the A5 and the new Redgate roundabout together with the development proceeding on the northern portion of the site wholly accessed off the A5 through the MIRA roundabout. This would deliver around half of the proposed floor space. The second phase would then implement the A444 changes to Weddington Lane thus introducing the new roundabout, so as to release the southern portion of the site for development.

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3.14 As indicated above, the application is supported by a large amount of documentation.

3.15 An Economic Benefits Statement points out that the site is within the Coventry and Warwickshire Local Enterprise Area and that the development will be linked to the MIRA Technology Park to the north of the A5, providing around 2500 advanced manufacturing and R and D jobs linking into the wider West Midlands engineering network. The Statement describes an existing labour catchment area with a working age population of around 194,000. It says that the proposal will predominantly create jobs in the professional, scientific, technical and manufacturing sectors which currently comprise around 22% of the existing labour force in the catchment area, concluding that the proposal will match the existing employment profile. By way of example, it says that 44% of the jobs presently at MIRA are within the professional, scientific and technical sectors – increased from 28% from 2015 – concluding that the employment profile at MIRA highlights the infusion of employment diversity to the area and focussing on its growth potential. The Statement also compares this with a figure of 8% for these sectors in North Warwickshire, thus offering opportunity for employment diversification. A more detailed outline of the potential economic benefits is at Appendix H.

3.16 The Transport Assessment has been summarised above, but it provides a full technical appraisal and detailed background information which has led to the measures now being proposed. It is not intended to expand on these matters in this report.

3.17 A Landscape and Visual Impact Assessment is submitted. This says that the site is not within any local or nationally designated landscape areas but is representative of the wider predominantly agricultural landscape within which it is located. It thus acknowledges that the site is currently "open", located in a rural setting and very visible both from the perspective of short and long- distance views. This is particularly so along the A5 frontage, as this corridor is on the highest part of the site. The Assessment identifies a number of consequential concerns – intervisibility from Caldecote; the presence of isolated residential property directly adjoining and very close to the site boundary, long distance views from Hartshill Hayes and the higher ground to the south including from Mancetter Road, Hartshill, the impact on users of the well-used Weddington Country Way running north/south beyond the site and the impact along the A5. The Assessment concludes that the proposed development would have an overall major adverse landscape impact if no mitigation measures are included. In respect of visual impacts, it concludes that there would be major adverse impacts when viewed from around the whole of the site with moderate impacts from more distant views from the south. The Assessment concludes that structural landscaping will have a positive impact but points out that this will take some time to become established, thus concluding that there would be adverse landscape and visual impacts in the short term (up to ten years) and also in the longer term (after ten years). Whilst impacts would reduce over time, the development would remain prominent particularly from the A5 and from the A444.

3.18 The Flood Risk Assessment concludes that the site is at a low risk of flooding from tidal, pluvial, fluvial, groundwater and artificial sources notwithstanding the watercourse that bisects the site. The underlying geology is considered to have low permeability such that infiltration for the disposal of surface water is unlikely. Surface water drainage from the site would thus run to the lowest part of the site in its south-western corner where substantive sustainable drainage systems are proposed – mainly a series of

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swales, suppressions and drainage channels. Because of the change in levels across the site, two outfalls would be proposed into the watercourse on the site, one to serve the northern part of the site and the second to the south. There is an existing foul sewer which follows the eastern bank of the watercourse from north to south through the site. This is to be diverted and connected to a new length of trunk sewer to be provided in the new spine road and then connected into the existing sewer in Weddington Lane.

3.19 A Preliminary Ecological Appraisal identified no statutory site directly affecting the site but there was one - the Ensor's Pool SSSI - some 5km distant. No impacts were considered to be likely due to the separation distance and the intervening habitats. There are however 20 non-statutory sites within a kilometre of the site. Direct and potential impacts were identified on one of these – the Weddington Country Walk along the former railway line to the east – because of a proposed pedestrian link to this walk from the site. Protection measures will be needed to avoid adverse impacts on the nature conservation value of the Walk as a result of increased use and these will be provided through "buffer" landscaping between the site and the Walk. Overall, the development would result in a significant reduction in the wildlife value of the site – the loss of hedgerows, ponds and arable habitats. Bio-diversity gain through new measures need to be introduced through the development proposals, not only to replace but also to provide bio-diversity gain. Surveys show evidence of Great Crested Newts and Bats on the site, but no evidence of badgers and reptiles. Appropriate mitigation measures would be needed, and these would have to be licensed by Natural England.

3.20 A Heritage Assessment has also been submitted. This identifies a number of built heritage assets in Caldecote – the Church, the Hall and its garden. It concludes that the application site does not contribute as to how the assets are experienced as part of a Victorian Country Estate and Church. There are also considered to be limited intervening views between the assets and the site as a result of the enclosed character of the Caldecote, the intervening landscape and built form. The proposed landscaping also is said to create a "meaningful" buffer. The Assessment concludes that there would be no heritage harm caused to the settings of the identified assets.

3.21 An Archaeological Assessment finds that the site consists of four large, enclosed fields and a farm. Elms Farm is shown on the Tithe map of Caldecote from 1842 with the land remaining in agricultural use at least from the post-medieval period to today, but with some minor loss of hedgerow boundaries. The site also lies off the A5 Watling Street. Excavations along the line of the road have shown that the actual structure of the Roman road may lie within nearby fields and whilst recent new development was being constructed on the MIRA Technology Park itself, evidence of settlement along the road was also found. There is also a notable concentration of finds of Palaeolithic stone tools in the area. The site also lies close to the medieval village cores of Caldecote and Weddington. The report concludes that there is a moderate to high potential for pre-historic and Roman remains and a low to moderate potential for medieval and post-medieval remains within the site. Further intrusive on-site investigation is thus recommended. The development is said to have a negligible impact on the significance of the chapel at Lindley Park, a scheduled Ancient Monument to the north-west. The Elms Farm buildings are not Listed and are most likely to be 19<sup>th</sup> Century in date. However, they have historical value and should require recording prior to demolition.

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3.22 The loss of Agricultural Land is addressed through a separate Assessment. The site has been farmed since records began, becoming less enclosed over time. It is in two ownerships. The far western end of the site is Graded 2 with the remainder being Grade 3 but no data is available to disaggregate this into 3a and 3b. The authors of the report have looked at soil surveys as well as have spoken to the farmers. These sources indicate that the land requires careful husbandry and is deficient in nutrients but that it "improves" towards the west. It is their conclusion that the majority of the land on the site would be at the poorer end of Category 3 such that the importance of the land is low to medium. Taking into account the better land to the west the report concludes that the quantity and quality of agricultural land taken would have a moderately adverse impact; that the adverse impact of land loss and severance on the agricultural business would be minor and that the impact on farm buildings and infrastructure would be negligible. It is recommended that the soils be re-cycled on site within the proposed green infrastructure.

3.23 A Preliminary Risk Assessment is submitted in order to assess potential ground contamination issues. It concludes that the overall rating for the site is "low" based on the setting of the site, its physical characteristics and the history of its use. This recognises the potential for contamination at the agricultural buildings at Elms Farm, from the historical rail line and an electrical substation. The recommendations set out the need for further intrusive ground investigations by way of planning conditions.

3.24 An Air Quality Assessment looks at both the construction and operational phases of the proposals. This work was conducted in 2019, thus pre-pandemic in timing, and the consultants consider this could be considered as a worst-case scenario base-line. Much of the impact on air quality during construction will arise from dust emissions because of the size of the development and the earthworks involved. The report identifies this as causing a medium risk. Mitigation measures are thus essential and should focus on their operation and management. At operational stage the Assessment concludes that pollutant concentrations will be below standard national thresholds, including those arising from additional traffic. Mitigation measures should include the provision of electric charging infrastructure for all vehicles; significant landscaping and tree planting, together with a monitored Travel Plan to support and encourage public transport access, cycling and pedestrian connectivity.

3.25 A Noise Impact Assessment uses the illustrative Master Plan as the basis for its work. The Report finds that the background ambient noise levels are dominated by the road traffic using the A5 and the A444. The assessment concludes that the construction phase could have potential adverse impacts on the amenity of the surrounding area, but that mitigation measures such as controlled working hours and acoustic barriers would reduce impacts. In the operational phase, the report concludes that there will be adverse impacts due to the reduced effectiveness of the structural landscaping in the initial years.

3.26 The applicant considers that the potential impacts arising from light pollution will be dependent on the final design details arising from the final layout and has thus not submitted an Assessment.

3.27 An Energy Statement concludes that the development can achieve 10% of the energy requirement on site coming from renewable sources – mainly through solar panels on the buildings.

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3.28 A Design and Access Statement describes how the layout and appearance of the proposal has been arrived at, given all of the identified impacts and constraints that affect the site and its setting.

3.29 A Statement of Community Involvement sets out the scope of pre-application involvement with the local community and other Agencies and Bodies who will have an interest in the proposal. This included meetings; publication of a project website and communication channels, digital advertisements, letters and "flyers", on-line public webinars and face-to-face meetings. This work took place in two phases – March 22 and in July 22 – and is described in detail in the submitted document. It also outlines how the proposal as submitted differs from the original pre-application proposals as a consequence of public engagement. The significant ones include the changes to the Redgate roundabout and the diversion of the A444 in response to issues about increased HGV usage on the A444 and increasing the area left free of development together with more woodland and mounding in the southwestern corner of the site and on the northern side of the A444 to reduce impacts on the established residential properties here.

3.30 A Planning Statement brings all of these matters together and assesses the proposal against the relevant local and national planning policy framework so as to address the final planning balance. The reasons for supporting the proposal are outlined whilst assessing this balance.

#### **4. Background**

4.1 The application site extends to 59 hectares of land. The North Warwickshire Local Plan 2021 under policy LP35 allocates 42 hectares of this as an employment allocation – around 70% of the current application site. Policy E4 of the Plan says that this allocation is to be used for Use Classes E(g)(ii) (Research and Development) and Use Class B2 (General Industrial Use), with B8 (Warehousing and Distribution) uses permissible only where ancillary or clearly secondary to these primary uses. Other policy requirements of Policy E4 will need to be addressed in the later determination report.

4.2 Appendix G provides illustrations of the extent of the allocated land superimposed on the application plans referred to earlier in this report.

4.3 The Council is currently looking to designate Caldecote as a Conservation Area. An initial Consultation on a draft Designation has commenced with an expiry date of 4 November 2022.

4.4 The draft Conservation Area boundary is shown at Appendix I.

#### **5. Development Plan**

The North Warwickshire Local Plan 2021 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP5 (Amount of Development), LP6 (Additional Employment Land), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP17 (Green Infrastructure), LP23 (Transport Assessment), LP27 (Walking and Cycling), LP29 (Development Considerations), LP30 (Built Form), LP35 (Water and

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Flood Risk Management) and E4 (Land to the South of Horiba MIRA Technology Park and Enterprise Zone)

## **6. Other Material Planning Considerations**

The National Planning Policy Framework 2021

National Planning Practice Guidance

The North Warwickshire Landscape Character Assessment 2010

Air Quality and Planning Supplementary Planning Document 2019

Draft Caldecote Conservation Area

The Coventry and Warwickshire Local Enterprise Partnership Strategic Reset Framework

The West Midlands Strategic Economic Plan

The West Midlands Local Industrial Strategy 2019

## **7. Observations**

7.1 The application will be determined against the Development Plan unless material indications indicate otherwise. That Plan in this case is the North Warwickshire Local Plan 2021. This is up to date and it contains policies that are directly relevant to this proposal, in that policies LP39 and E4 allocate some 70% of the application site for employment purposes. The presumption therefore is that the proposal should be capable of support in principle. The hesitation in providing full support rests on the assessment of three matters.

7.2 Firstly, does the proposal accord with the policy requirements set out in the Local Plan for the allocated portion of the application site?

7.3 In order to assist the Board, the content of Policy E4 is attached at Appendix J. The three main elements that will need assessment are:

- whether the employment content of the application reflects the specific requirements of the policy;
- whether the proposals cause harm to significance of local heritage and non-heritage assets in Caldecote and Watling Street, and
- whether the proposal delivers a number of identified requirements including the provision of sustainable transport measures, significant landscape buffers, the control of light pollution and details of any smaller employment uses.

7.4 Secondly, what is the case for supporting the inclusion of the additional land?

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7.5 The additional land amounts to an extension of 30% over the allocated site. This is a significant increase. The submitted plans show this to include the proposed surface water drainage infrastructure, a substantial area of landscaping together with the proposed highway arrangements of the southern access onto the A444 such as to divert this road through the site to the north. The applicant is effectively arguing that these are infrastructure works which "enable" the delivery of the allocation. The Board will need to evaluate the evidence behind that claim; whether alternative arrangements could have been introduced and whether the infrastructure now proposed gives rise to any direct or indirect harms.

7.6 Finally, are there any harmful impacts caused by the proposals when treated as a whole, that would clearly outweigh any of the benefits that are claimed for supporting the proposals?

7.7 The application has to be determined as submitted. The Board will need to understand the impacts arising from the proposal and whether these individually or cumulatively could cause harm that outweigh any of the benefits that might arise from the implementation of the proposal. The applicant's submitted documentation suggests that there would not be, but that will have to be fully assessed once the consultation responses from the various Agencies and Bodies have been received.

7.8 In particular it is considered that there are three areas that will need a thorough assessment.

7.9 Firstly, the applicant's Landscape and Visual Appraisal identified major adverse impacts without mitigation and continuing adverse residual impacts with mitigation. The Board will need to see if further mitigation, or amendments to the proposals should be made so as to reduce these residual impacts.

7.10 Secondly, the applicant's Heritage Statement suggests that there will be no harm to heritage assets at Caldecote. There was no reference to the active work currently being carried out on the designation of a Conservation Area here. Additionally, there was no explicit reference to noise and lighting impacts bearing in mind the 24/7 activity at the site or to the difference in levels with the A5 boundary being higher, together with the proposed building heights. A more thorough assessment is thus needed.

7.11 Finally, the highway proposals need to be fully justified to the satisfaction of the two Highway Authorities as well as to the Board. The proposals include substantial off-site works which were not identified in the Local Plan policy. In particular, the two main areas of interest are whether the diversion of the A444 through the site will actually achieve the objective of it being a "diversion", given that it is not a direct route, nor a short route and not on a "desire" line. Alternative routes will need to be assessed. The second is a consequence of this. How can the downgrading of the length of the A444 at Caldecote be guaranteed with the current arrangements bearing in mind that traffic will be travelling in both directions?

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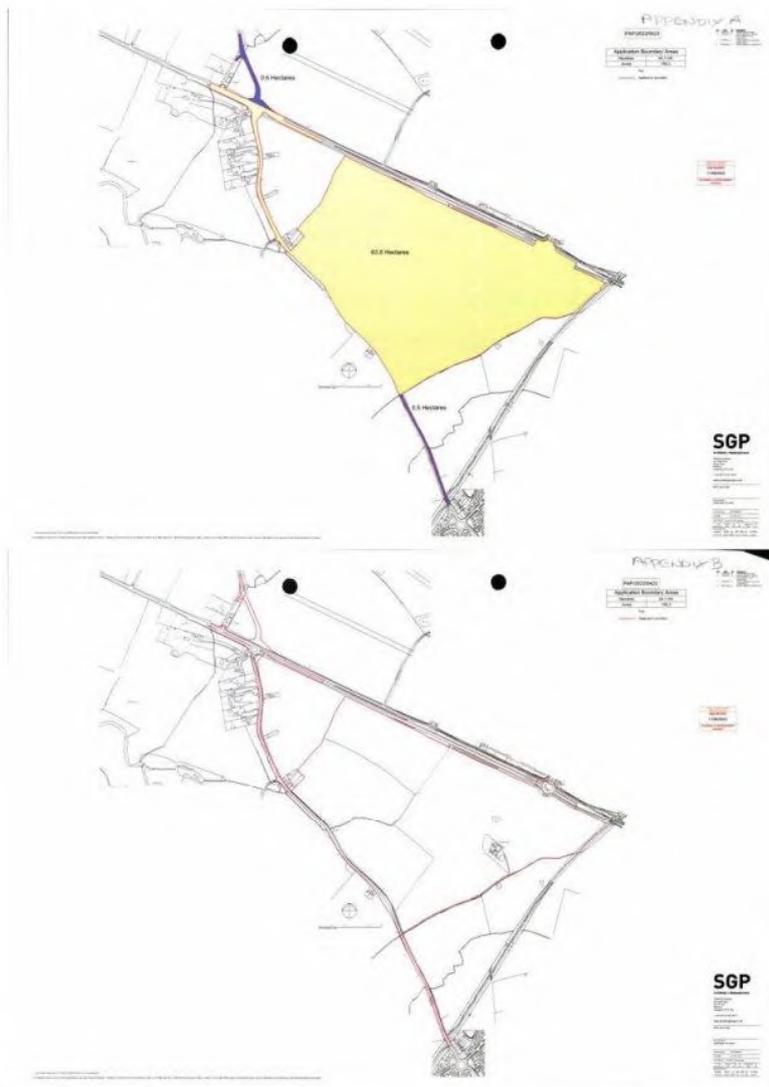
**Recommendations**

- a) That the receipt of the application be noted.
- b) That the Board visits the site prior to determination.
- c) That the applicant be requested to address the matters raised in the observations section of this report.
- d) That further progress reports are brought to the Board and
- e) That engagement with the other two Local Planning Authorities be arranged as and when appropriate.

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APPENDIX E

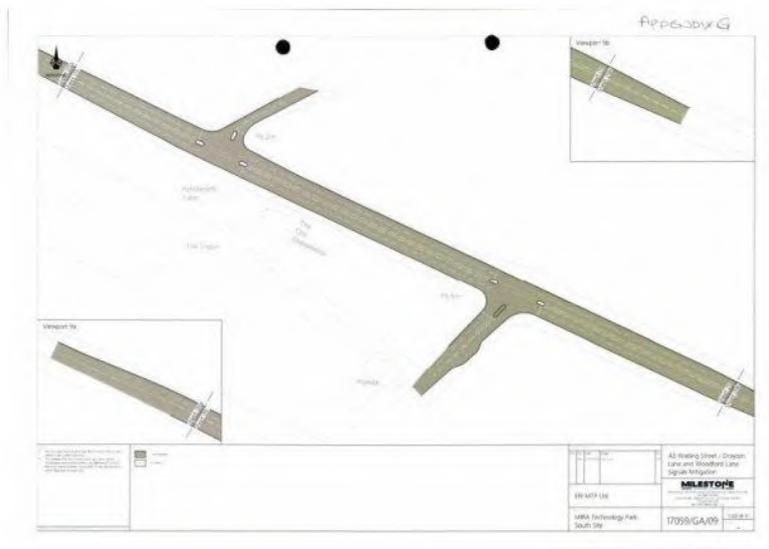


APPENDIX E

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**6.0 ECONOMIC BENEFITS**

6.1 The Proposed Development at MIRA Technology Park South Site, located within North Warwickshire Council, is the 'extension of MIRA Technology Park to comprise advanced manufacturing (Class B2); associated office and service uses (Class E); and storage (Class B8); new spine road; car parking; landscaping; and enabling works', at the site known as MIRA Technology Park, South Site'. This will comprise a total site area within the red line boundary is 59.5ha of which the total net developable area is 41.9ha and the total floor area proposed is up to 213,500m<sup>2</sup>, equating to a site coverage of 35.9%.

6.2 Table 6.1 sets out the indicative area schedule, identify seven individual plots. The illustrative framework masterplan includes an indicative area schedule confirming that any ancillary E(g)(i), E(g)(ii) or B8 will be no more than 10% of the total building floor area.

**Table 6.1: Indicative Area Schedule**

Unit Ref	B2 Floor Area (m <sup>2</sup> )	Ancillary Uses Floor (m <sup>2</sup> )	Total Floor Area (m <sup>2</sup> )
1	15,793	1,579	17,372
10	16,722	1,672	18,394
20	23,782	2,378	26,161
21	34,373	3,437	37,810
22	29,264	2,926	32,190
30	56,669	5,574	62,243
31	17,187	1,765	18,952
Total			213,122

**Construction Phase**

**a) Direct Employment and Associated GVA**

6.3 The number of direct jobs generated during the construction period is calculated using the Construction Industry Training Board (CITB) Labour Forecasting Tool (LFT). Utilising the value, a start date, duration, and location, the LFT predicts labour demand on a month-by-month and trade-by-trade basis. Forecasts are based on historic data from past projects and updated as new data becomes available, taking account of time and location.

6.4 For the purposes of estimating the number of construction jobs, these have been calculated based on a construction cost provided by the Applicant. A construction period of 60 months has been adopted. The LFT has then been run using the indicative construction cost over the 60-month construction programme. Based on this the LFT estimates that 744 direct construction jobs could be supported each month over this period.

6.5 The LFT accounts for 28 occupation groups, split into the following work types:

- Design - those involved in design process, including senior managers and support staff with design organisations.
- Management of construction - those staff involved with the management of the delivery of the construction or installation. This includes professionals employed for the construction stage or the projects; and
- Construction operatives - those operatives involved in the delivery of the construction or installation.

6.6 Table 6.2 sets out the split across the three groups that make up the occupations assessed within the LFT. It emphasises the varied occupation profile and skill requirements across the sector. Demand for each occupation type will vary throughout the construction period.

**Table 6.2: Construction Employment – Skills Profile**

Construction Period Employment Sector	Skill Requirement
<b>Design</b>	<ul style="list-style-type: none"> <li>• Senior, executive and business process managers;</li> <li>• Non-Construction professionals, technical, IT and other office-based staff;</li> <li>• Civil Engineers;</li> <li>• Architects;</li> <li>• Surveyors;</li> <li>• Other construction professionals and technical staff.</li> </ul>
<b>Management of Construction</b>	<ul style="list-style-type: none"> <li>• Senior, executive and business process managers;</li> <li>• Construction project managers;</li> <li>• Process Managers;</li> <li>• Non-construction professionals;</li> <li>• Construction trade supervisors;</li> <li>• Civil Engineers;</li> <li>• Architects;</li> <li>• Surveyors;</li> <li>• Other construction professionals and technical staff.</li> </ul>
<b>Construction Operatives</b>	<ul style="list-style-type: none"> <li>• Wood trades;</li> <li>• Bricklayers;</li> <li>• Building envelope specialists;</li> </ul>

Construction Period Employment Sector	Skill Requirement
	<ul style="list-style-type: none"> <li>• Painters and decorators;</li> <li>• Plasters;</li> <li>• Roofers;</li> <li>• Floorers;</li> <li>• Glaziers;</li> <li>• Specialist builders;</li> <li>• Scaffolders;</li> <li>• Plant operatives;</li> <li>• Plant mechanics;</li> <li>• Steel erectors;</li> <li>• Labourers;</li> <li>• Plumbing and heating engineers;</li> <li>• Logistics;</li> <li>• Civil engineering;</li> <li>• Non-construction operatives.</li> </ul>

6.7 Direct employment activity throughout the construction phase will generate economic output, measured through the generation of GVA. GVA is a measure of economic output, distributed through retained profit and wages. Based on an average GVA per construction worker of around £67,900 per annum for North Warwickshire Oxford Economics<sup>19</sup>, the Development could generate a direct GVA of approximately £52.6m per annum over the construction period (equivalent to £262.9m in total over the construction phase).

**b) Indirect Employment and Associated GVA**

6.8 In addition to the direct jobs created as a result of the construction and management of the Development, further indirect employment would be created as a result of spin-off and multiplier effects.

6.9 The level of indirect employment generated during the construction period has been calculated by applying the ONS Type 1 Employment Multiplier (2015) for construction (1.97) to the number of direct construction jobs. This could result in a further 751 indirect jobs being supported per month over the construction period. These supply chain jobs could support employment on a local to national scale.

<sup>19</sup> Oxford Economics, April 2021 Global Forecasting and Quantitative Analysis (2015-2020 average)

6.10 The indirect jobs are expected to generate £41.1m in economic output per annum, based on applying the UK average GVA per worker figure of £54,700<sup>13</sup>. This would equate to £205.5m in total over the 60-month construction period.

**c) Total Employment and Associated GVA**

6.11 Construction of the Development could therefore support 1,525 jobs per month (direct and indirect). This would provide a combined GVA of £93.7m per annum, and £468.4m in total over the construction period.

**Operational Phase**

**d) Gross Employment (on-Site) and Associated GVA**

6.12 Based on the current indicative area schedule, the Development will support approximately 2,500 gross FTE<sup>14</sup>, incorporating roles associated with advanced manufacturing (Class B2) R&D, along with associated office and service uses (Class E); and storage (Class B8) related employment. The current area schedule allows flexibility for detailed proposals to come forward in a bespoke manner depending on occupier requirements, which will influence the exact level of employment.

6.13 Based on the estimated operational employment profile at the adjacent MIRA Technology Park, this could yield over 1,125 jobs within professional, scientific, and technical related roles.

6.14 2,500 FTE jobs supported on-Site could generate a total GVA of £175.1m per annum based on an average regional GVA per worker (£70,000<sup>15</sup>) across the manufacturing sector.

6.15 2,500 gross on-Site jobs could support approximately 3,250 gross indirect jobs across the supply chain network, generating £177.9m in GVA per annum based on a national GVA per worker figure (£54,700).

<sup>13</sup> Oxford Economics, April 2021 Global Forecasting and Quantitative Analysis (2015-2019 average)

<sup>14</sup> Information provided by the Applicant

<sup>15</sup> Oxford Economics, Global Forecasting and Quantitative Analysis (2015-2020 average)

**e) Estimating the Net Direct Employment Effect to North Warwickshire**

6.16 Whilst the Development will support at least 2,500 FTE jobs on-site, guidance from the HCA, Additionality Guide<sup>16</sup> ("Additionality Guide") and more recently, HM Treasury Green Book<sup>17</sup> ("The Green Book") establishes that the on-Site jobs created by the Development would most likely be subject to the following factors<sup>18</sup>

- **Substitution** - where firms substitute one type of labour for another to benefit from an intervention but do not increase employment or output;
- **Displacement** - the extent to which an increase in economic activity or other desired outcome is offset by reductions in economic activity or other desired outcome in the area under consideration or in areas close by; and
- **Leakage** - the extent to which effects "leak out" of a target area into others. For an intervention designed to increase employment in a particular area, leakage could take the form of increased employment in neighbouring areas.

6.17 The above factors applied are based on the nature of the uses envisaged, professional judgement and having regard to published data and or guidance in the Additionality Guide and Green Book. Based on this, the following assumptions have been made:

- The nature of the proposed uses is not likely to result in one type of labour being substituted for another (e.g., a full-time employee substituted for a government funded trainee) therefore substitution is not considered relevant.
- Given the importance of the sector to the area and future growth plans, it is assumed that displacement will be low and therefore the Additionality Guide's low displacement factor of 25% has been applied.
- Commuting data drawn from the 2011 Census has identified that around 34% of North Warwickshire's workplace population commute from within North Warwickshire. Based on this, leakage is considered to be a relevant factor and it assumed that 66% of the jobs created by the Development will be taken by people travelling in from places outside of North Warwickshire

<sup>16</sup> HCA, Additionality Guide, 4<sup>th</sup> edition, 2014

<sup>17</sup> HM Treasury, The Green Book: Central Government Guidance on Appraisal and Evaluation, 2020

<sup>18</sup> HM Treasury The Green Book: Central Government Guidance on Appraisal and Evaluation, 2020, Page 95, Paragraph A2.9

**f) Estimating the Net Indirect Employment Effect**

- 6.2 The direct employment effect described above addresses a series of potential discounts to the jobs created total, in this case to arrive at an estimate of the number of jobs created that will be filled by North Warwickshire residents.
- 6.3 The indirect effect addresses employment opportunities that will be created elsewhere in North Warwickshire or beyond, for example, in convenience or food and drink induced by employee expenditure, or, through businesses supply chain expenditure.
- 6.4 Indirect employment effects result from jobs created in 'tradable' sectors only. Tradable is defined as a sector that produces goods and services which are produced locally but mostly sold and consumed outside the local area. Conversely, the outputs of 'non-tradable' sectors, are mostly delivered locally and do not create indirect employment effects.
- 6.5 The Development will deliver entirely tradable uses, maximising the indirect employment effect across both tradeable and non-tradeable sectors. High, central, and low place-based employment multipliers are provided by The Green Book to reflect a different extent of supply-chain 'spin-off' employment effects which are detailed in Table 6.3. For calculating the multiplier effect of the Development, it is considered appropriate to use the central multipliers.

**Table 6.3: Place Based Employment Multipliers**

Direct Employment Category	Tradable	Tradable	High Tech Tradable	High Skilled Tradable	Public Sector
Effect on Employment Sectors	Non-tradable	Tradable	Non-tradable	Non-tradable	Private Sector
Central	0.9	0.4	1.9	2.6	0.25
Low	0.1	0.3	0.7	2.5	-0.7
High	1.6	0.6	4.9	3.0	1.3

Source: HM Treasury the Green Book 2020, Annex A2: Place Based Analysis, Box 26

**g) Bringing it All Together: The Total Employment Effect and Associated GVA**

- 6.6 The factors described above (substitution, displacement, leakage, and multipliers), are collectively referred to as 'additionality' factors. Table 6.4 details the application of the additionality factors to the Development's creation of 2,500 FTE gross jobs on-Site to derive a

net direct and indirect employment effect.

- 6.7 Of the 2,500 gross FTE created on-Site by the Development, it is calculated that 625 of these jobs will have been displaced from elsewhere within North Warwickshire and therefore net direct job creation of the Development is 1,875 FTE jobs to North Warwickshire.
- 6.8 It is calculated that 1,238 of the net direct jobs created by the Development will be filled by people who live outside of North Warwickshire and therefore the net direct employment effect to North Warwickshire residents is 638 FTE jobs, generating £44.7m per annum.
- 6.9 A further 829 net indirect FTE jobs will be created by the Development as a result of spin-off in the supply chain, generating £45.4m in GVA per annum.
- 6.10 The total net employment effect to North Warwickshire of the Development is 1,466 FTE jobs, generating a GVA of £90.0m annum.

**Table 6.4: Total Net Employment Effect of the Development**

	FTE
<b>JOB CREATION, LOSS AND DISPLACEMENT</b>	
<b>Gross Jobs Created</b>	<b>2,500</b>
Substitution	0
Displacement (25%)	625
<b>Net Direct Job Creation</b>	<b>1,875</b>
<b>DIRECT EMPLOYMENT EFFECT</b>	
Leakage (66%)	1,238
<b>Direct North Warwickshire Employment Effect</b>	<b>638</b>
<b>INDIRECT EMPLOYMENT EFFECTS</b>	
Multiplier	
Non-tradable sector, central effect (x 0.9)	574
Multiplier	
Tradable sector, central effect (x 0.4)	255
<b>Indirect North Warwickshire Employment Effect</b>	<b>829</b>
<b>TOTAL NET EMPLOYMENT EFFECT</b>	
<b>North Warwickshire Employment Effect</b>	<b>1,466</b>

Numbers subject to rounding

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*Business Rates*

- 6.11 The Development will generate annual business rates contributing to the funding of local public services. Rateable values are provided by the Valuation Office and taking into consideration rateable values for comparable facilities within the local area, it is estimated that the current indicative floorspace could generate around £5.1m in annual business rates payments. This does not consider proposed car parking.

*Summary*

- 6.12 In conclusion, based on the current indicative area schedule MIRA Technology Park South Site will support approximately 2,500 jobs on-site. According to existing commuting patterns within North Warwickshire, of the 2,500 jobs, 638 jobs will be additional and support North Warwickshire residents, generating £44.7m in GVA per annum. The remaining 1,863 jobs will predominantly be taken by employees commuting from neighbouring areas. Given the Site's location this is not unrealistic.
- 6.13 The North Warwickshire Local Plan seeks to improve outward commuting levels. The wage profile of the Borough also suggest residents are currently commuting out of the area to access higher paid jobs. The MIRA Technology Park South Site development has the potential to draw back residents who currently commute out of the area. By contributing to a broader employment offer across the Borough, providing advanced manufacturing and R&D roles, the Development could support increased containment levels.
- 6.14 A brief review of the commuting pattern by those working within the existing MIRA Technology Park study area (MSOA Hinckley and Bosworth 008), suggests that around 70% of employees live within North Warwickshire, Hinckley and Bosworth and Nuneaton and Bedworth. This indicates that a high proportion of the 2,500 jobs created on-site at MIRA Technology Park South Site would support residents within the Labour Catchment Area, which encompasses the majority of those three local authority areas.

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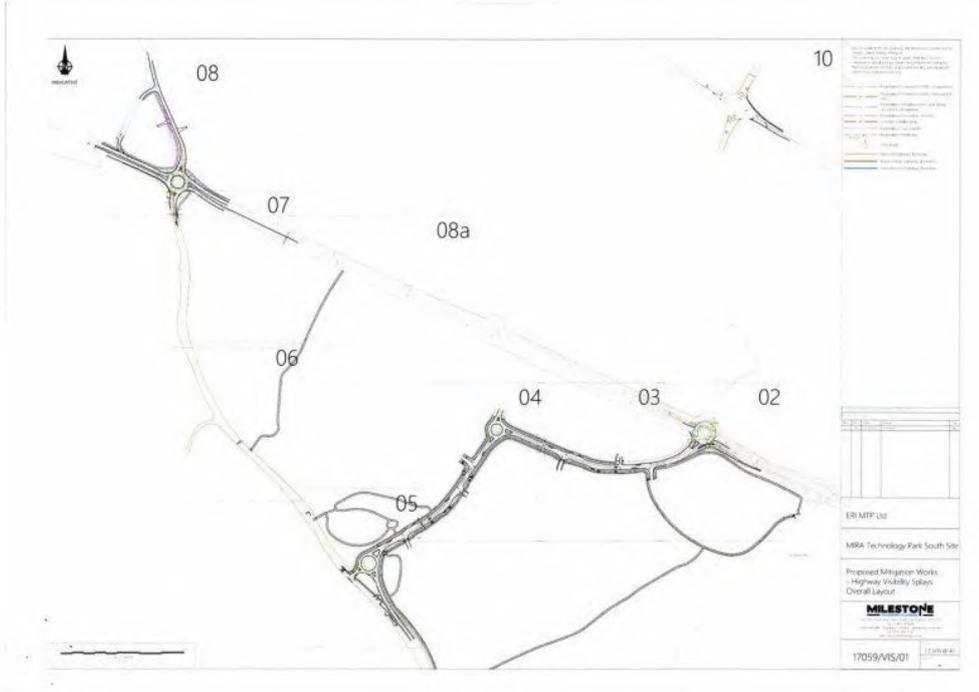
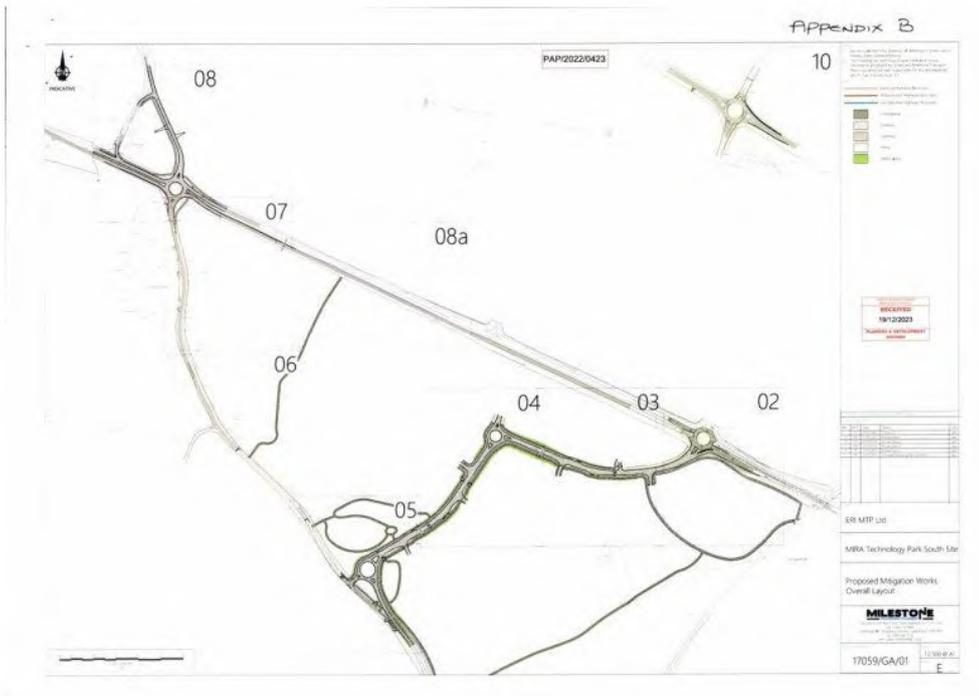
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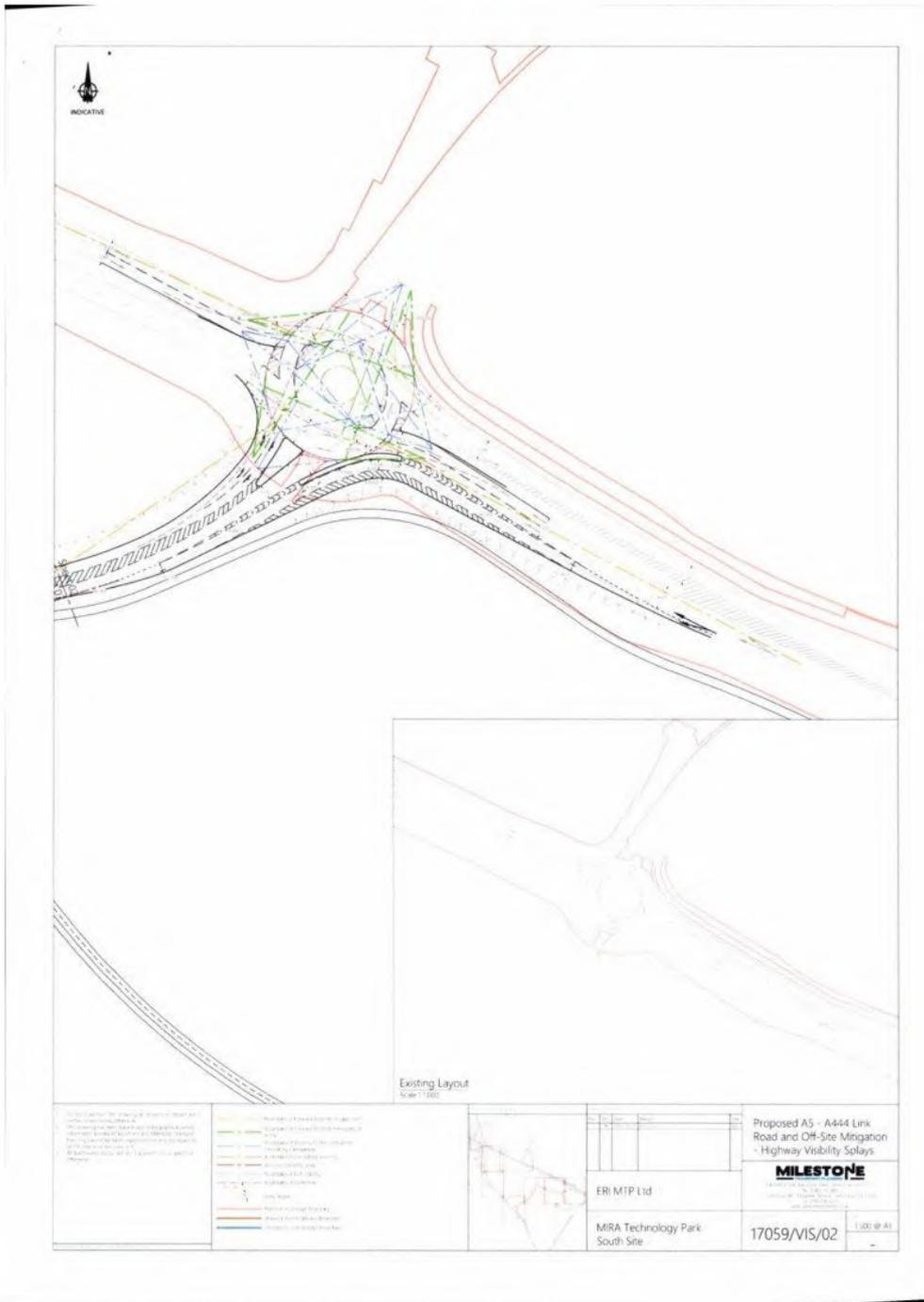
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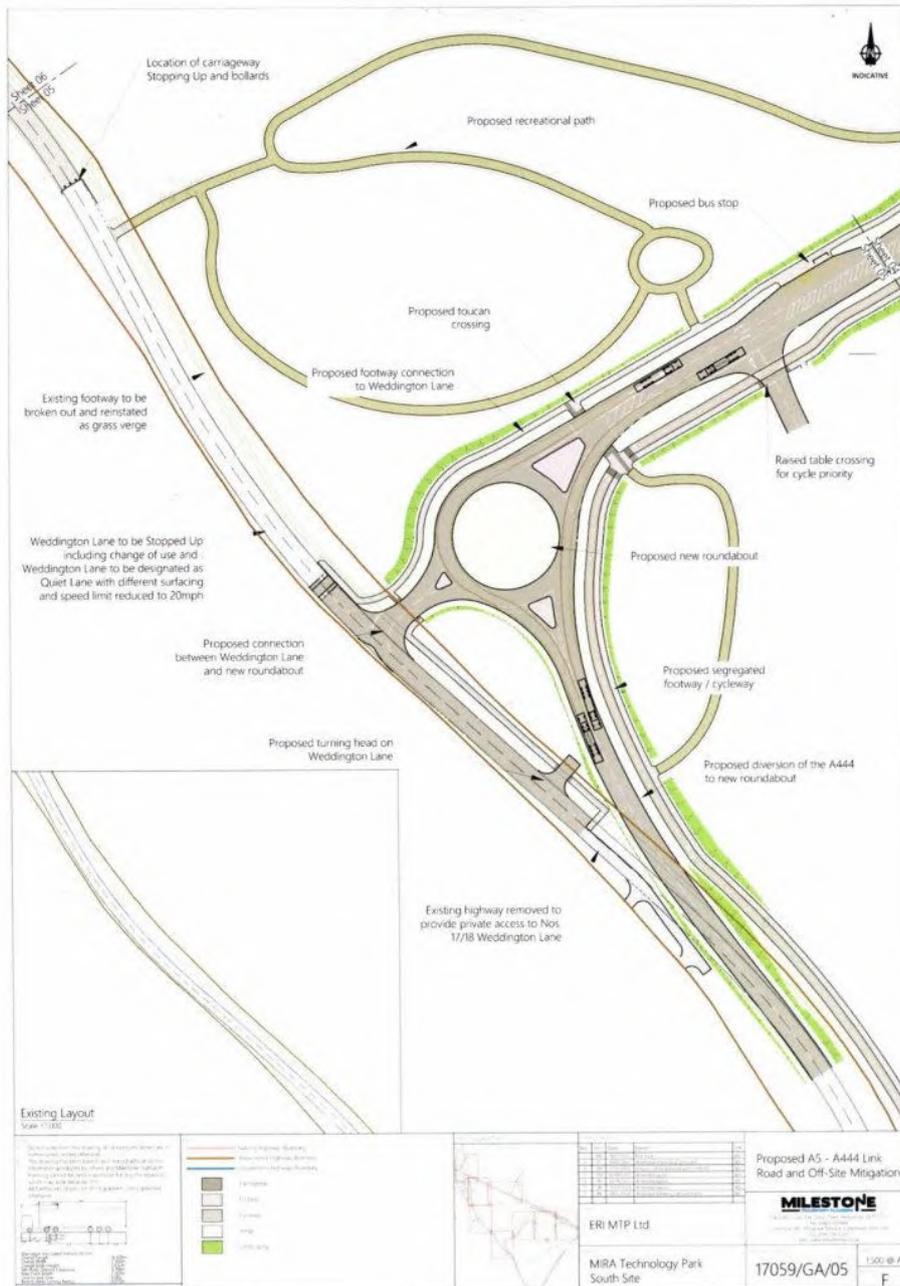
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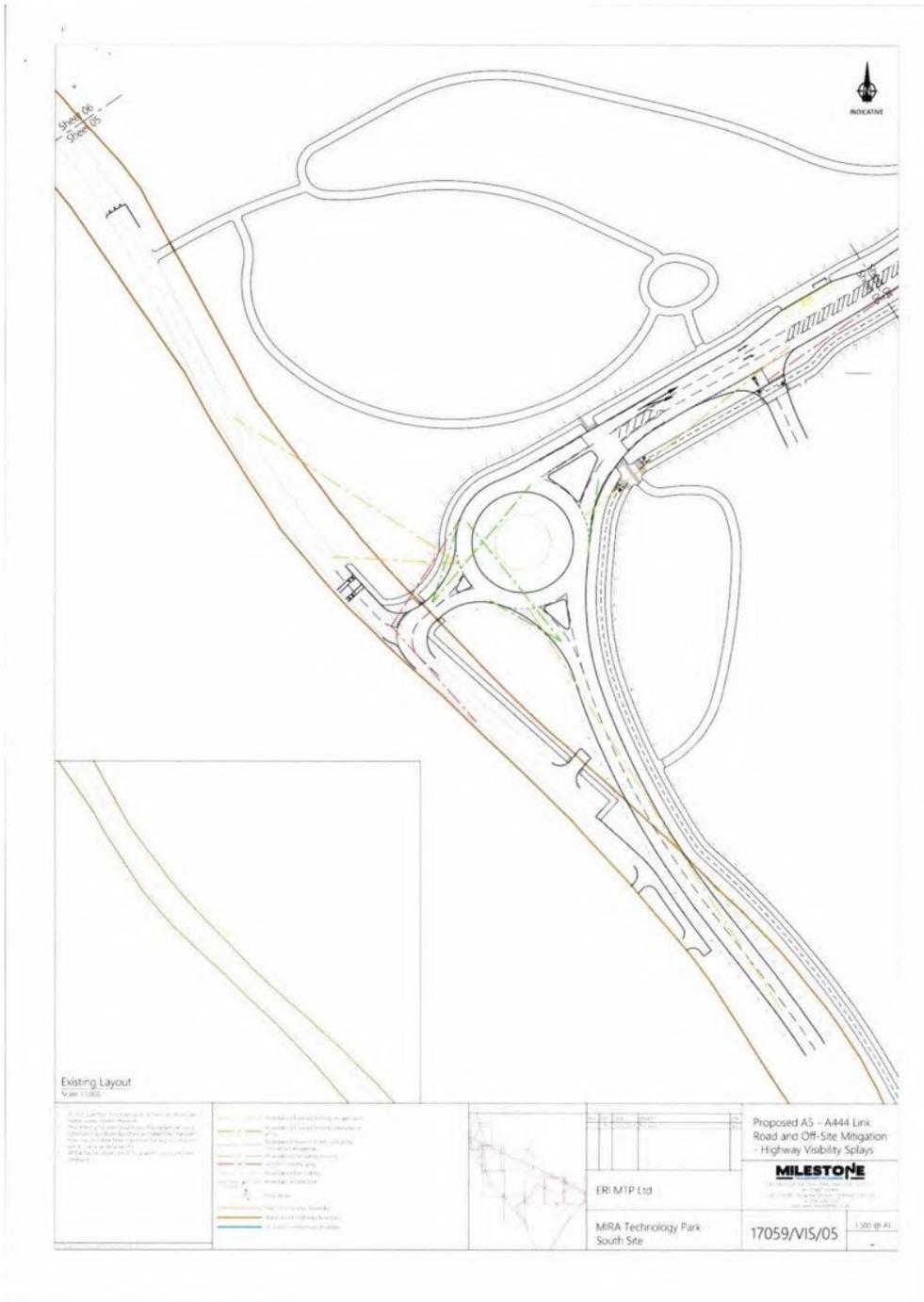
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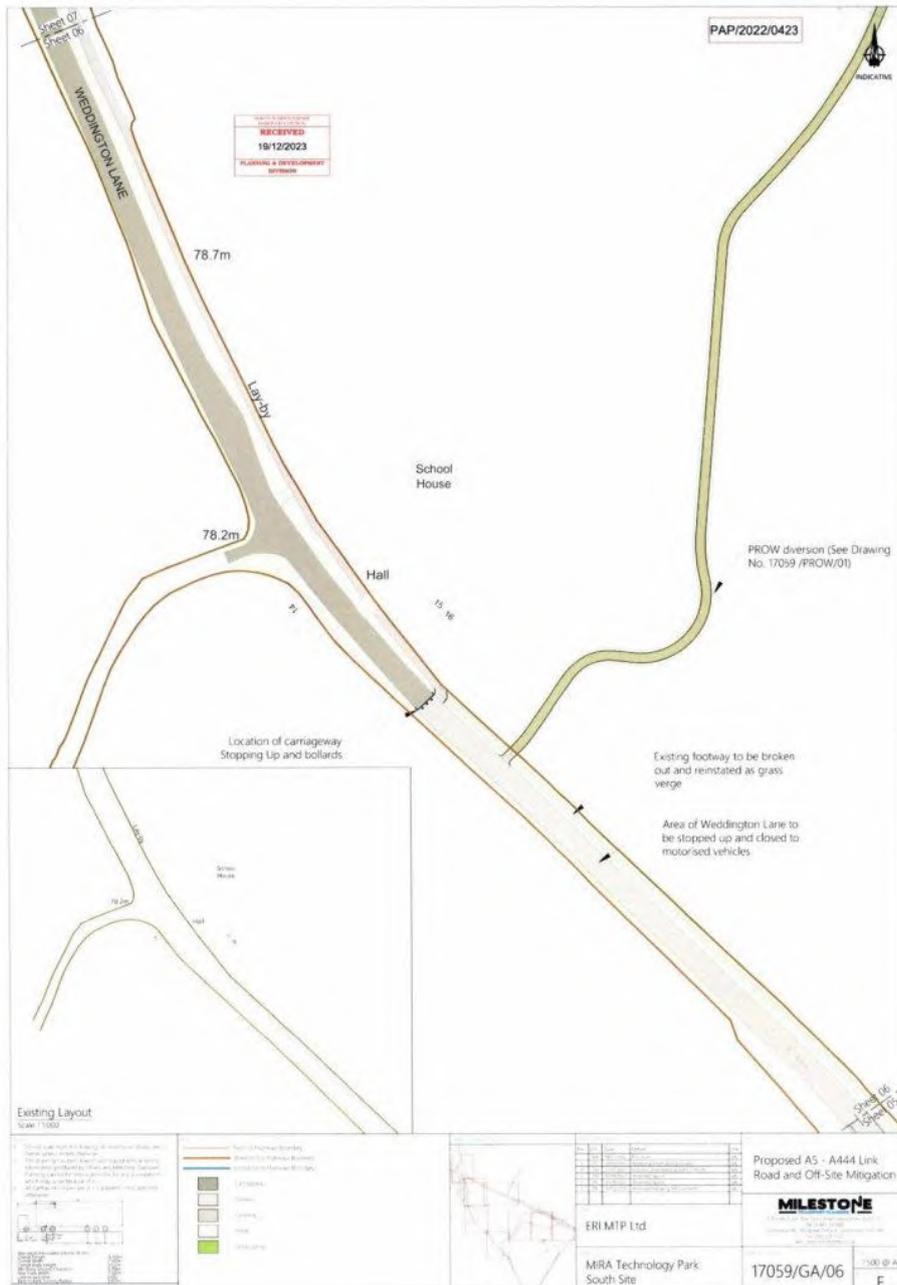
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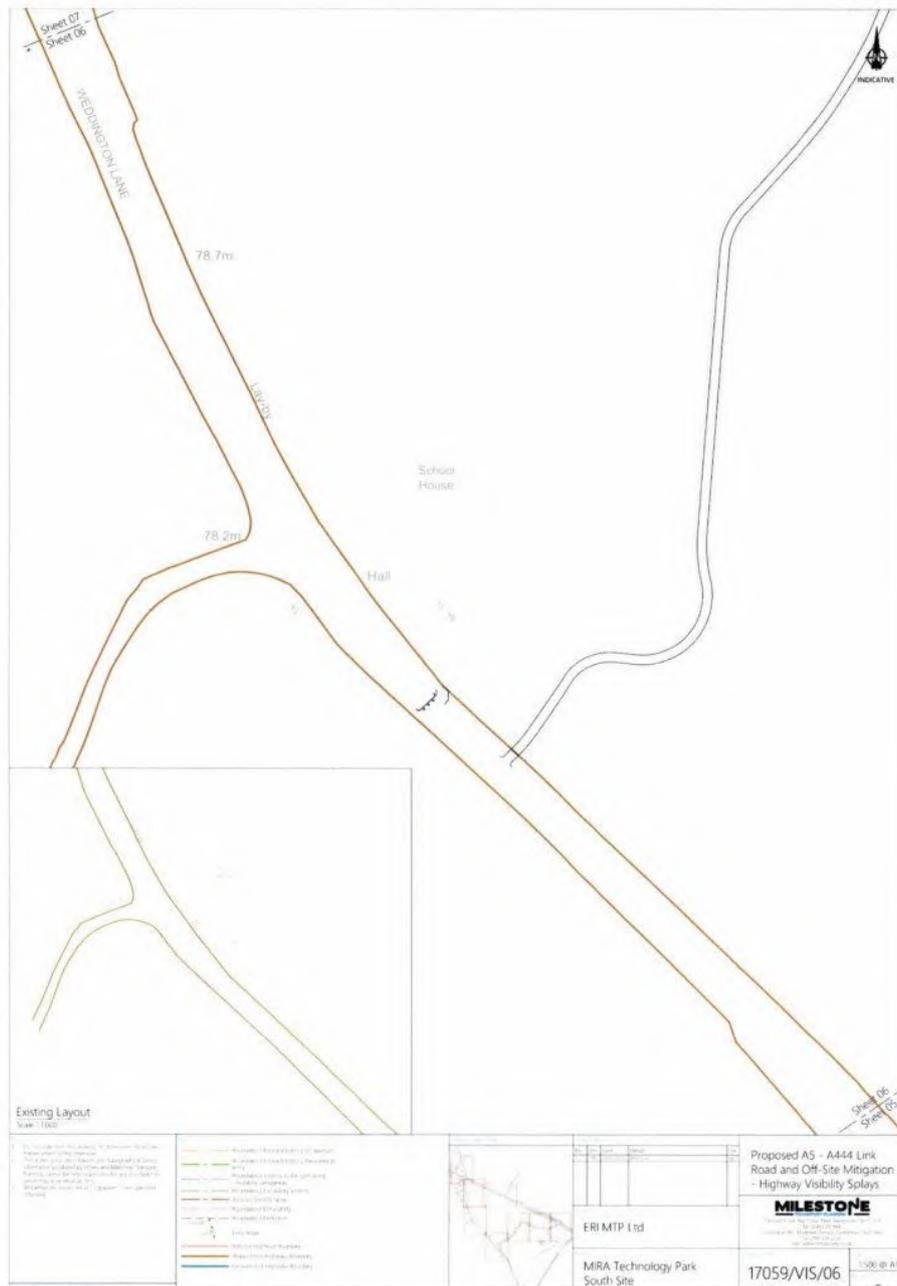
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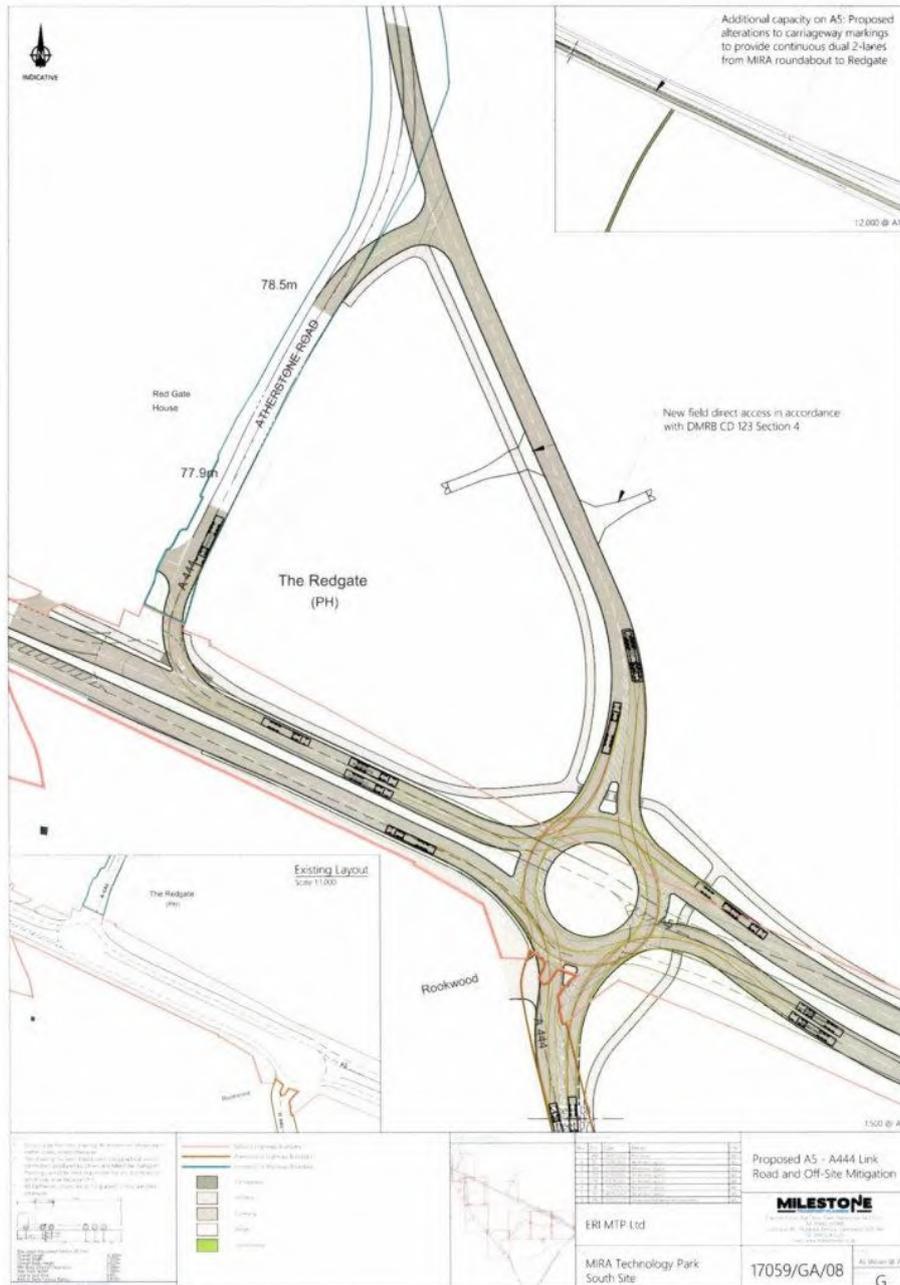
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**APPENDIX C**

- Application boundary
- Development Zones & Landmarks
- Existing landscape to be retained
- Existing landscape to be removed
- Alternative ponds (indicative subject to detailed design)
- Entrance gateway features
- Link Road
- Link Road & cycle link (part of boundary)
- Indicative plot access (subject to detailed layout)
- Bus stops
- Light trails
- Footpaths
- Informal footpaths - from foot to landscape areas
- Zone for parking, circulation, servicing and utility buildings (not used for any other use)
- Existing FPOW to be closed
- Existing FPOW to be retained
- Existing FPOW to be retained
- Ecological Zone (indicated by line with limited public access)
- Accessibly Path (accessible to park visitors and the local community - limited access, area not suitable for general use)

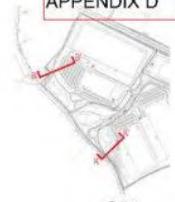
**Overall Provisions**

Total Net Developable Site Area: 35.2 hectares  
 Total Gross Internal Floor Area: 213,000 m<sup>2</sup>  
 Use Class: B2 with secondary B (up to 10% area)  
 Max height: 15m (to FFL to Ridge)

**SGP**  
 SINGAPORE GREEN PLANNING  
 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140, 142, 144, 146, 148, 150, 152, 154, 156, 158, 160, 162, 164, 166, 168, 170, 172, 174, 176, 178, 180, 182, 184, 186, 188, 190, 192, 194, 196, 198, 200, 202, 204, 206, 208, 210, 212, 214, 216, 218, 220, 222, 224, 226, 228, 230, 232, 234, 236, 238, 240, 242, 244, 246, 248, 250, 252, 254, 256, 258, 260, 262, 264, 266, 268, 270, 272, 274, 276, 278, 280, 282, 284, 286, 288, 290, 292, 294, 296, 298, 300, 302, 304, 306, 308, 310, 312, 314, 316, 318, 320, 322, 324, 326, 328, 330, 332, 334, 336, 338, 340, 342, 344, 346, 348, 350, 352, 354, 356, 358, 360, 362, 364, 366, 368, 370, 372, 374, 376, 378, 380, 382, 384, 386, 388, 390, 392, 394, 396, 398, 400, 402, 404, 406, 408, 410, 412, 414, 416, 418, 420, 422, 424, 426, 428, 430, 432, 434, 436, 438, 440, 442, 444, 446, 448, 450, 452, 454, 456, 458, 460, 462, 464, 466, 468, 470, 472, 474, 476, 478, 480, 482, 484, 486, 488, 490, 492, 494, 496, 498, 500, 502, 504, 506, 508, 510, 512, 514, 516, 518, 520, 522, 524, 526, 528, 530, 532, 534, 536, 538, 540, 542, 544, 546, 548, 550, 552, 554, 556, 558, 560, 562, 564, 566, 568, 570, 572, 574, 576, 578, 580, 582, 584, 586, 588, 590, 592, 594, 596, 598, 600, 602, 604, 606, 608, 610, 612, 614, 616, 618, 620, 622, 624, 626, 628, 630, 632, 634, 636, 638, 640, 642, 644, 646, 648, 650, 652, 654, 656, 658, 660, 662, 664, 666, 668, 670, 672, 674, 676, 678, 680, 682, 684, 686, 688, 690, 692, 694, 696, 698, 700, 702, 704, 706, 708, 710, 712, 714, 716, 718, 720, 722, 724, 726, 728, 730, 732, 734, 736, 738, 740, 742, 744, 746, 748, 750, 752, 754, 756, 758, 760, 762, 764, 766, 768, 770, 772, 774, 776, 778, 780, 782, 784, 786, 788, 790, 792, 794, 796, 798, 800, 802, 804, 806, 808, 810, 812, 814, 816, 818, 820, 822, 824, 826, 828, 830, 832, 834, 836, 838, 840, 842, 844, 846, 848, 850, 852, 854, 856, 858, 860, 862, 864, 866, 868, 870, 872, 874, 876, 878, 880, 882, 884, 886, 888, 890, 892, 894, 896, 898, 900, 902, 904, 906, 908, 910, 912, 914, 916, 918, 920, 922, 924, 926, 928, 930, 932, 934, 936, 938, 940, 942, 944, 946, 948, 950, 952, 954, 956, 958, 960, 962, 964, 966, 968, 970, 972, 974, 976, 978, 980, 982, 984, 986, 988, 990, 992, 994, 996, 998, 1000

PAP/2022/0423

**APPENDIX D**



Section B-B



Section K-K



Project: NIDA S&B  
 Drawing title: Illustrative sections  
 Drawing no: 1288-TPC-XX-06-L-0102  
 Date: 18.07.22  
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 4/01/2024  
 PLANNING & DEVELOPMENT DIVISION





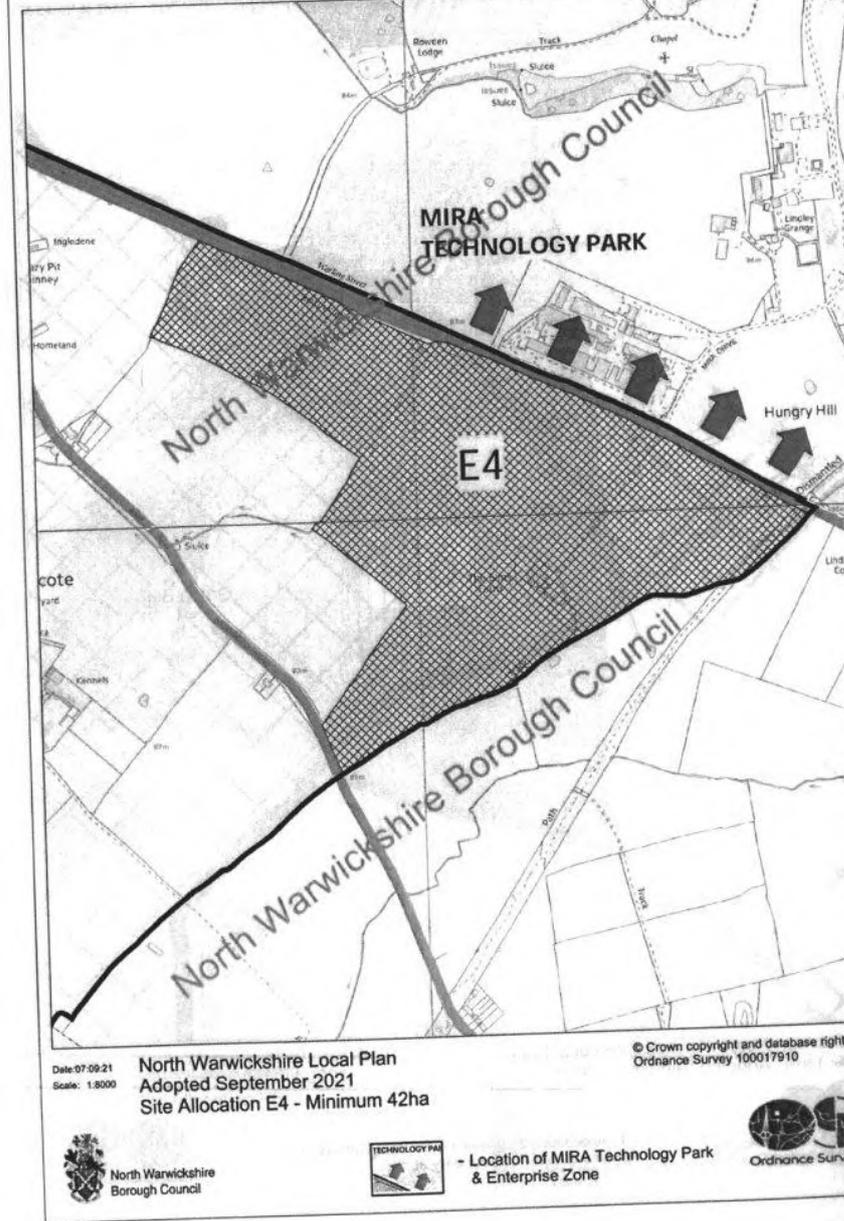
Summary  
Caldecote Conservation Area  
August 2023

Conservation Area Boundary



LUC 1H

Policy LP39 - Employment Site Allocation E4, Land south of A5, MIRA



- 14.49 The MIRA Technology Park & Enterprise Zone was established in 2013. The MIRA estate covers an area of approximately 874 acres (353 hectares) – roughly 1.05 by 1.55 miles (1.7km by 2.5km). The site has over 58 miles (95km) of test track, which along with its other specialist testing equipment make it a unique automotive testing facility within the UK. Although the majority of the site falls within the Borough of Hinckley & Bosworth the Borough Council has been working with HBBC and Nuneaton & Bedworth BC to ensure the benefits of its growth are far reaching.
- 14.50 The Local Plan production has given the opportunity to look at how further growth could be permitted which would exploit the different emphasis of jobs for the benefit of the Borough. This Plan supports the focus on advanced manufacturing and engineering consistent with the sub-regional vision established by the Coventry and Warwickshire Local Enterprise Partnership under the Strategic Economic Plan (SEP). Approximately 42 hectares has become available to the south of the main site. This land will be outside of the current Enterprise Zone. It will become known as the Southern Manufacturing Park (SMP)
- 14.51 Due to the nature of the Technology Park and because of the strong desire of the Borough Council to broaden its employment base the site will focus on E(g)(ii) (research and development) and B2 uses. B8 (warehouse and distribution) will not be permitted unless it is ancillary to the main use. The Borough Council sees this as a unique opportunity to build on the success of Horiba MIRA and does not wish to see this diluted in any way. Development will be carried out in accordance with a master plan.
- 14.52 Nurturing infant companies within the research and development arena is an important element of looking to the future and ensuring that focusing on maximising the benefits both for and from the developments taking place at MIRA (both north and south of the A5). Therefore, a key requirement is to provide a place where individuals / starter businesses with great ideas can come and try them out and take advantage of the location and expertise. Discussions will continue with the owner, CWLEP and WCC to determine the optimum size for an incubator building or buildings.
- 14.53 The site is located off the A5 which is a Roman Road. Therefore, before development takes place any potential archaeology of importance will need to be carried out in accordance with national policy guidance. The site is also close to the Caldecote estate and St Chads Grade II\* listed Church. The wider landscape impact will need to be considered and taken into account in the final form and design of development.

**E4 Land to the south of Horiba MIRA Technology Park & Enterprise Zone**

Approximately 42 hectares will be allocated for E(g)(iii) (research & development) and B2 use classes, with B8 (warehousing & distribution) uses permissible only where ancillary or clearly secondary to the primary use to the south of the A5 at Horiba MIRA Technology Park & Enterprise Zone.

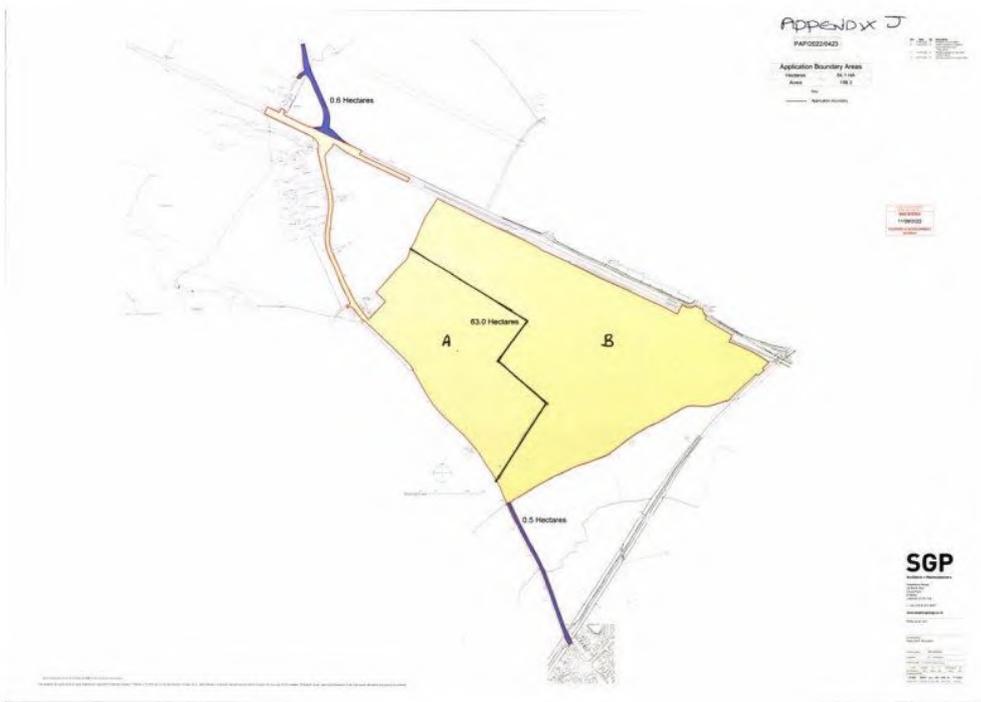
Small incubator units will be sought as part of the application.

B8 (warehousing & distribution) will not be permitted unless it is ancillary to the main use. Development will be carried out in accordance with a Master Plan to be agreed by the Borough Council. The Master Plan will include:

A) An Assessment will be required of the significance of heritage assets and non-heritage assets within and close to the site including the contribution of setting to that significance, with particular reference to Caldecote and Watling Street, to inform appropriate design of development on site. Development should, as far as practicable, ensure that those assets are preserved or enhanced in line with policy LP15.

B) The Master Plan, to be agreed by the Borough Council, will include:

1. The provision of sustainable transport measures including a cycle and footpath link along the A5 to Atherstone and Mancetter; and
2. access to the cycle/pedestrian route to the south east of the site;
3. a significant landscape buffer to the southern and south eastern boundaries of the site;
4. means to maximise on site solar energy generation;
5. means of controlling lighting and in particular to minimise impact on Caldecote; and,
6. the location and type of any small incubator units.



7a/65

5b/89

**MIRA South Site – Skills and Employment initiative  
Section 106 draft proposals**

**Introduction – Regional Skills Gap**

To enable industry level skills gaps to be supported, and the industry to grow, there needs to be a step change in how we provide skills solutions. Whilst traditional academic, and current industry academic routes meet the requirements of some of the current workforce, these mechanisms are simply not designed to respond to the magnitude of the need within the timescales required.

As the latest findings from the West Midlands and Warwickshire Local Skills Improvement Plan states:

50% of businesses surveyed identified barriers to increasing investment in skills and training. Most frequently, these are:

- Money: **51%** - lack of budget for training
- Time: **21%** lack of staff time to oversee training; **19%** Lack of staff time to undertake training; **14%** lack of staff time for administration associated with training
- Uncertainty: **15%** Providers not offering what we require; **10%** uncertainty over what training is needed; **8%** uncertainty over the quality of external providers

The report states that "Particularly in automotive and aerospace manufacturing, employers want broad base engineering skills and more practical experience than current apprenticeships offer.

**20%** of survey respondents identified that Independent, funded support to identify skills needs and advise on suitable training provision would help them overcome barriers to increasing investment in skills and training

It is considered there is a strong need for a Special Purpose Vehicle to provide appropriate solutions for industry and integration, with appropriate training providers and academic provision is key. In particular, this would include the ability to attract and train delegates not currently employed within the industry in addition to the existing workforce. Creating a significantly larger labour pool, with training programmes design for the current and future needs of the industry on their journey to net zero. Training and academic partners are critically limited in their delivery as a result of shortage of tutors. The proposed virtual skills incubator would not only integrate businesses with a developing industry ready talent pipeline but also recruit and train a pool of tutors who can support the skills delivery and academic partners resources shortages.

## Objective

The primary objective should focus on seeking to reduce this skills gap identified, and build on both the work carried out with the Warwickshire LSIP and the strong momentum generated by the skills initiative within the MIRA cluster. This allows a focus on the types of jobs likely to be created by the inward investment of companies locating at MIRA South Site, creating a pipeline of skills and training. This both attracts companies into the area through the skilled labour pool and also facilitates strong retention of a skilled employment base in North Warwickshire. The initiative should be scalable to evolve and grow as the programmes progress.

To maximise the value and output from funding, a virtual entity is considered most appropriate, which can then utilise existing (e.g. MIRA Technology Institute) and online skills locations and platforms. To establish and support delivery of this initiative, resources required for such a virtual entity would include:

- Resources – Entity Lead/Business Manager, Training Manager, Coord/Administration
- Business set up
- Online platform

Whilst funding would be needed to support the initiative, leveraging the skills training network and systems which exist through MTI would be the most effective strategy to establish the initiative and its delivery. The MIRA cluster is well placed to initiate this SPV with the 30+ years of industry skills provision, and partnership with FE and HE partners. Over the first 5 years of its existence MTI has received approx. 17,000 delegates and 42,000 visitors.

From the modelling carried out recently, considering employment and training costs of the delegates with industrial contribution, there would remain a funding gap. Funding could come in the form of local, regional or national skills funding plus the use of employer apprenticeship levy or similar.

It is proposed that a funding contribution is provided via a S106 obligation to progress this initiative, building on the Warwickshire Local Skills Improvement Plan (WLSIP) to fully understand the requirements of existing and perspective occupiers and identify the gaps in skills in relation to the cluster. This funding obligation is seen as a contribution to act as a catalyst to establish the initiative through the virtual entity to deliver the skills strategy. Once established the strategic direction, including sourcing additional funding, will be directed by a steering group with participation by representative from the key stakeholders, particularly North Warwickshire BC, Warwickshire and Horiba MIRA.

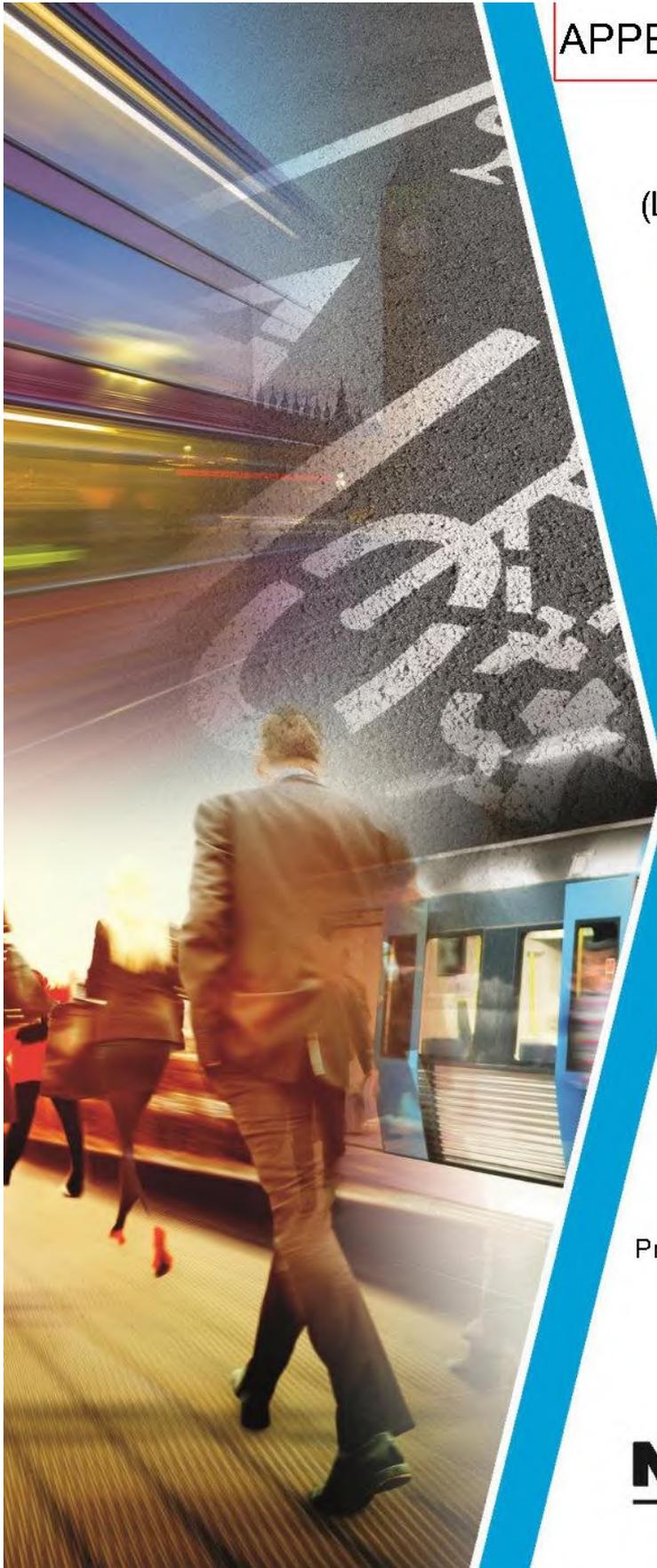
The funding would allow the skills strategy initiative to be established and deliver a programme of training in accordance with the recommendations of the Part 1 Study. This would be delivered in conjunction with a skills training advisor at NWBC and could be through apprenticeships, placement apprenticeships in businesses at MIRA, college courses or through the MTI (or contributing to adding capacity at MTI), or mixture of all. This could be similar in scope to the LEP funding programme for the North Site (which already demonstrates that MIRA can manage a programme of training investment and deliver the obligations themselves). To demonstrate the benefits of the programme in a way they can present to Stakeholders and employers, the Part 2 obligations will need to be quantified. This could be in the form of funding over a period of years or commitment to a number of courses/apprenticeships. To secure the S106 position, the form of funding over a defined period will likely be more definitive, and will allow the financial obligation to be carried by the developer of the site through a legal S106 obligation.

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**Outline structure of legal obligation**

1. ERI MTP Ltd (the applicant/ developer) enters into a S106 agreement to provide a total funding contribution of [£ ] spread over a x-year period
2. A Steering Group to be established with representation from key stakeholders, namely the developer, N Warks BC, Warks CC and Horiba MIRA.
3. Within a period from first occupation, an SPV will be established and a strategy agreed for skills and employment focussed on the industry cluster.
4. From a period of [5] years from first occupation a contribution of [£XX,000pa] or equivalent [5] year aggregate will be provided to deliver an agreed strategy of skills and employment initiatives.
5. Application of funding and further fund raising to be agreed and managed by Steering group.





# APPENDIX C

MIRA Technology Park  
South Site

(LPA Ref: PAP/2022/0423)

PAP/2022/0423

NORTH WARWICKSHIRE  
BOROUGH COUNCIL

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**PLANNING & DEVELOPMENT  
DIVISION**

TA Addendum (iii)

Prepared on behalf of ERI MTP Ltd

October 2024

**MILESTONE**  
TRANSPORT PLANNING

## MIRA Technology Park South Site

Project No: MTP Ref: 17-059

Document Reference No: 17059/Reports/TAA(iii)

Document Title: Transport Assessment Addendum (iii)

Date: October 2024

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Project Manager: Matt Stevens

Author: Matt Stevens

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### Document history & status

Revision	Date	Description	Prepared By	Checked By	Authorised By
	15.10.24	First Issue for client comment	M. Stevens	M. Stevens	M. Stevens
A	17.10.24	Update following client comment	M. Stevens	M. Stevens	M. Stevens

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## Appendices

Appendix 1	Plan 17059/GA13 Rev B / Plan 17059/TK13 Rev A
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## 1. Introduction & Scope of Document

- 1.1 This Transport Assessment Addendum ("TAA(iii)") has been prepared following dialogue with National Highways ("NH") post the Resolution to Grant determined by the Planning and Development Board at North Warwickshire Borough Council ("NWBC") on 5 February 2024 for the following planning application submitted in October 2022 by ERI MTP Ltd (NWBC Ref: PAPI/2022/0423).

*"Outline planning permission for extension to MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E(6)(b)), storage (Class B1), new spine road, car parking, landscaping and enabling works."*

- 1.2 In advance of the NWBC Planning and Development Board meeting, the applicant submitted a Transport Assessment Addendum ("TAA(ii)") dated December 2023 that responded to matters raised by National Highways ("NH") in their Planning Response dated 4 October 2023 which recommended a Holding Objection on the determination of the application to allow for additional information to be submitted following a review of a previous Transport Assessment Addendum ("TAA(i)") dated September 2023.
- 1.3 TAA(ii) provided a detailed response regarding the impacts arising from MIRA South traffic demand on the operational and safety characteristics of key junctions / modes on the A5 Watling Street which forms part of the Strategic Road Network ("SRN"), in the form of sensitivity test modelling.
- 1.4 This detailed response included a comprehensive review of the off-site highway mitigation package to be delivered by the proposed development to offset the additional impacts arising from the MIRA South development and was informed by a meeting held between NH and the applicant team on 8 November 2023.
- 1.5 TAA(ii) provided a summary of the agreed position between NH and the applicant concerning how the additional impacts from the MIRA South development at the A5 Watling Street / Woodford Lane / Drayton Lane are to be addressed, arising from the meeting held on 8 November 2023. In this regard, paragraph 6.7 of TAA(ii) states:

*"Through our discussions, NH have been identifying options for safety enhancements at both the A5 / Woodford Lane and A5 / Drayton Lane junctions and have proposed that a planning contribution be sought to support the delivery of the preferred scheme, when identified."*

- 1.6 NH then issued a further Planning Response on 22 December 2023 that recommended a Holding Objection on the determination of the application to allow for a review of the submitted TAA(ii) and to allow the applicant to complete Road Safety Audits on the agreed off-site mitigation package, once the review of TAA(ii) had been completed.
- 1.7 Since receipt of the NH Planning Response in December 2023 and the NWBC Planning and Development Board in February 2024, the applicant team has proactively engaged with NH as well as the local Highway Authorities, Warwickshire County Council ("WCC") and Leicestershire County Council ("LCC") to address residual matters that enable the Holding Objection to be lifted and the application to be determined.
- 1.8 This document, TAA(iii), therefore provides a summary of the engagement between the applicant, NH, WCC and LCC.
- 1.9 It is important to note that, save for the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, completed Road Safety Audits, signed by the Highway Authorities (NH, WCC and LCC), are in place for all other elements of the off-site mitigation package outlined within TAA(ii).

- 1.10 The TAA(iii) therefore focuses on the one residual matter to be agreed with the Highway Authorities (NH, WCC and LCC) in respect of the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme and no other elements of the agreed off-site mitigation package outlined within TAA(ii) are affected.
- 1.11 On this basis, Section 2 of the document provides a timeline of engagement. Section 3 provides a detailed description of the now agreed position regarding the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme and a summary of the document is provided in Section 4.

## 2. Project Timeline (since December 2023)

- 5 December 2023
  - TAA(ii), RSA1 Brief (for off-site mitigation outlined in TAA(ii)) and WCHAR issued to National Highways
- 22 December 2023
  - NH Planning Response issued
- 29 January 2024
  - NH comments on TAA(ii) received
- 31 January 2024
  - Applicant response to NH comments on TAA(ii)
- 13 February 2024
  - NH accept applicant response to NH comments on TAA(ii)
- 14 February 2024
  - WCC agree RSA1 brief for off-site mitigation outlined in TAA(ii)
- 20 February 2024
  - NH issue RSA1 brief for off-site mitigation outlined in TAA(ii) to Auditor
- 22 February 2024
  - LCC issue comments on RSA1 brief for off-site mitigation outlined in TAA(ii)
- 23 February 2024
  - Final version of RSA1 brief for off-site mitigation outlined in TAA(ii) issued to NH, WCC & LCC
- 26 March 2024
  - RSA1 for off-site mitigation outlined in TAA(ii) issued by Auditor for Designers Response
- March 2024
  - NH issue updated Planning Response to Planning Authorities stating:
 

*'Since issuing our previous response the Audit Team have been instructed to undertake the Stage 1 RSA and their Report is awaited.*

*Since issuing our previous response we have completed our review of the submitted traffic modelling information. Based on this we are satisfied that the proposed development would not have an adverse impact on the safe and efficient operation of the SRN.*

*Following the agreement of the traffic modelling Stage 1 Road Safety Audits (RSA) of the proposed mitigation schemes will be undertaken. The RSA Audit Team have been duly instructed and their Report is awaited.'*
- 12 April 2024
  - RSA1 with Designers Response for off-site mitigation outlined in TAA(ii) issued by applicant to NH / WCC / LCC

- **April 2024**
  - NH issue updated Planning Response to Planning Authorities stating:
 

*"The Stage 1 RSA has been completed and the Designers Response report is currently being reviewed. Following this, appropriate actions will be agreed with the applicant so that the Stage 1 RSA can be closed out.*

*Work is also continuing to identify the most appropriate solution to address the impacts of the development on the A5 Woodford Lane and Drayton Lane junctions; together with the mechanism to secure this through any planning approval."*
- **24 May 2024**
  - NH identify concerns raised by Warwickshire Police regarding the introduction of any reduced speed limit as part of safety enhancement measures for A5 Watling Street in proximity of Woodford Lane / Drayton Lane
- **28 May 2024**
  - LCC issue comments on RSA1 with Designers Response for off-site mitigation
- **May 2024**
  - NH issue updated Planning Response to Planning Authorities stating:
 

*"We will shortly be finalising the Stage 1 RSA. In addition, work is continuing to identify the most appropriate solution to address the impacts of the development on the A5 Woodford Lane and Drayton Lane junctions; together with the mechanism to secure this through any planning approval."*
- **10 July 2024**
  - NH confirm that they & WCC can sign off RSA1 with Designers Response for off-site mitigation but that some matters were still outstanding with LCC
  - NH confirm that in addition to all Highway Authorities signing off RSA1, the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme will also need to be adopted before the Holding Objection can be lifted
  - NH state that, following consultation, the agreed position of the Highway Authorities (NH, WCC & LCC) for the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme is based on the signalisation of the A5 / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction - a preliminary plan showing the agreed position, prepared by NH, was provided.
- **18 July 2024**
  - Warwickshire Police confirm that concerns regarding the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation are based around the enforceability of a speed limit reduction from 50mph to 40mph, otherwise there is broad support for a scheme, subject to receiving more detail
- **24 July 2024**
  - Applicant submits further information to address LCC comments on RSA1 with Designers Response for off-site mitigation
- **31 July 2024**
  - Applicant submits preliminary proposals for A5 Average Speed Camera ("ASC") Enforcement Scheme to Warwickshire Police for comment

- 1 August 2024
  - Warwickshire Police express full support for A5 ASC scheme, subject to minor amendments
- 2 August 2024
  - LCC issue further comments on RSA1 with Designers Response for off-site mitigation
- 6 August 2024
  - Applicant submits further information to address LCC comments on RSA1 with Designers Response for off-site mitigation
- 6 August 2024
  - Applicant hosts meeting with the Highway Authorities (NH, WCC & LCC) and Warwickshire Police to discuss the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme
  - Applicant presents A5 ASC Scheme to Highway Authorities for comment
  - Applicant agrees to conduct A5 speed surveys
  - Applicant agrees to prepare RSA1 Brief for A5 ASC Scheme for the Highway Authorities to sign off
- 8 August 2024
  - LCC issue further comments on RSA1 with Designers Response for off-site mitigation
- 9 August 2024
  - Applicant submits further information to address LCC comments on RSA1 with Designers Response for off-site mitigation
- 23 August 2024
  - LCC issue further comments on RSA1 with Designers Response for off-site mitigation
- August 2024
  - NH issue updated Planning Response to Planning Authorities stating:  
  
*"Progress has been made with the developer who has identified an alternative average speed camera mitigation scheme to address the impacts of the development on the A5 Woodford Lane and Drayton Lane junctions, together with the mechanism to secure this through any planning approval. National Highways alongside the other Highway Authorities is now undertaking technical review of the proposal, if accepted the developer shall need to undertake a Road Safety Audit Stage 1 for the proposed mitigation scheme."*
- 3 September 2024
  - Applicant submits RSA1 Brief to the Highway Authorities (NH, WCC & LCC) with finalised A5 ASC Scheme plans and results of Automatic Traffic Count Surveys conducted on the A5 Watling Street
- 4 September 2024
  - Applicant submits further information to address LCC comments on RSA1 with Designers Response for off-site mitigation
- 11 September 2024
  - LCC confirm that they have no further comments on RSA1 with Designers Response for off-site mitigation

- 26 September 2024
  - NH confirm, from Technical Review, that they cannot support the A5 ASC Scheme put forward by the applicant as the Automatic Traffic Surveys show that 85<sup>th</sup> percentile speeds do not meet the criteria of 5mph above posted speed limit as set out in the guidance contained in the Annex to the DfT Circular 01/07 Guidance
  - NH confirm that the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme should be based upon the signalisation of the A5 / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction, as provided to the applicant in July 2024
  - Applicant undertook to carry out a Design Review of the NH preliminary scheme for the signalisation of the A5 / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction
- 2 October 2024
  - Applicant hosts meeting with the Highway Authorities (NH, WCC & LCC) to discuss the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme
  - Applicant presents results from Design Review of NH preliminary scheme
  - Highway Authorities provide verbal confirmation of their support for the updated proposals for the signalisation of the A5 / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction
  - Highway Authorities provide the modelling that supported the NH preliminary scheme
  - Applicant agrees to prepare RSA1 Brief for the signalisation of the A5 / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction for the Highway Authorities to sign off
  - NH provides safety engineering comments on justification for not proceeding with A5 ASC scheme
- 8 October 2024
  - Applicant circulates RSA1 Brief to Highway Authorities (NH, WCC & LCC) for sign off

### 3. A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation Scheme

#### Scheme Development

- 3.1 As outlined in Section 2, NH prepared a preliminary scheme for the A5 Watling Street / Woodford Lane / Drayton Lane Safety Mitigation scheme that was presented to the applicant in a meeting held on 10 July 2024.
- 3.2 The preliminary scheme is based on an agreed position reached by each of the Highway Authorities, namely NH who are responsible for the A5 Watling Street, as part of the SRN, WCC as Highway Authority for Woodford Lane and LCC as Highway Authority for Drayton Lane.
- 3.3 The preliminary scheme represents the Highway Authorities collective response to the poor safety record at both junctions. The record of KSI accidents that have occurred involve vehicles undertaking right turn manoeuvres at these junctions. There is also a pattern of these KSIs occurring during weekday peak periods when the number and length of gaps on the A5 Watling Street for turning vehicles is at their lowest.
- 3.4 The preliminary scheme is a culmination of option testing that the Highway Authorities collectively engaged in, assessing the impacts of various forms of junction control on the wider operational capacity of the highway network through a microsimulation model commissioned by WCC on behalf of the three Highway Authorities.
- 3.5 The microsimulation model not only takes account of baseline traffic and future flows, taking account of projected traffic growth, but also includes the effects of the additional traffic through these junctions generated by the MIRA south development.
- 3.6 As noted in Section 2, the NH preliminary scheme is based on the signalisation of the A5 Watling Street / Woodford Lane junction and the prohibition of right in and right out manoeuvres at the A5 / Drayton Lane junction.
- 3.7 Plan 17059/GA/13 Rev B included as Appendix 1 provides a copy of the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme. This plan is based on the NH Preliminary Scheme with some minor amendments. These minor amendments have included:
  - Minor amendments to kerblines to reflect swept path analysis of a maximum legal articulated vehicle (18.55m).
  - The inclusion of junction visibility splays.
  - The inclusion of forward visibility to primary signal heads and junction intervisibility at the traffic signal installation (A5 Watling Street / Woodford Lane)
- 3.8 Plan 17059/TK13 Rev A, also included in Appendix 1,
- 3.9 The A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme comprises the widening of the existing carriageway on the A5 Watling Street on its northern side in proximity to the Woodford Lane junction to enable traffic islands to be constructed within the centre of the carriageway to accommodate the traffic signal poles / heads.
- 3.10 The widening will enable separate ahead and right turn lanes to be provided on the eastbound carriageway of the A5 Watling Street on approach to the stopline at the Woodford Lane junction. These separate ahead and right turn lanes will extend over 80 metres.

- 3.11 On the westbound carriageway of the A5 Watling Street, the existing nearside lane on approach to the Woodford Lane junction will be re-marked for ahead and left traffic and the offside lane will be for ahead only traffic. The existing traffic island between the existing left and ahead lanes on the north-west bound carriageway will be removed. As with the existing arrangements, this flared two lane section will extend for approximately 65 metres.
- 3.12 On exit from the Woodford Lane junction, the two lane ahead section will extend for approximately 55 metres before they merge into a single ahead lane on approach to the Drayton Lane junction.
- 3.13 On Woodford Lane approach to the traffic signals junction there will be minor kerb works to the nearside to accommodate the turning requirements of the maximum legal articulated vehicle (18.55m). A single lane stopline will be provided on the Woodford Lane approach that will accommodate both left and right turn movements onto the A5 Watling Street. A replacement traffic island will be provided in the centre of the carriageway on Woodford Lane to accommodate traffic signal poles / heads.
- 3.14 At the Drayton Lane junction, a new traffic island of 40 metres in length will be constructed in the centre of the carriageway to physically prohibit right turn manoeuvres at the junction. Minor kerb works will also be undertaken on the Drayton Lane approach to the A5 Watling Street to accommodate the turning requirements of the maximum legal articulated vehicle (18.55m). This kerb realignment will then tie into the widening on the north side of the A5 Watling Street that extends through the adjacent Woodford Lane junction.
- 3.15 The A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme will be supported by a comprehensive signage strategy, supported where necessary by amendments to existing or new Traffic Regulation Orders ("TROs") where appropriate. The signage proposals / TRO's will be developed as the scheme progresses through detailed design / Technical Approvals.
- 3.16 Further to a meeting hosted by the applicant on 2 October 2024, the Highway Authorities (NH, WCC & LCC) have confirmed that the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme as shown on Plan 17059/GA/13 Rev B is developed to an appropriate for a Stage 1 Road Safety Audit ("RSA1") to be undertaken.
- 3.17 The RSA1 has now been commissioned and the Audit along with the Designers Response and Highway Authority sign off will be provided to the Local Planning Authorities when completed.
- 3.18 NH have confirmed an undertaking that the signed RSA1 will enable the Holding Objection to be lifted to enable planning permission to be granted.

### Capacity Modelling

- 3.19 In September 2023, as part of the development of the scheme proposals for the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, a Paramics microsimulation model was commissioned by WCC on behalf of the Highway Authorities to assess the future operational characteristics of the network with the implementation of the works.
- 3.20 A calibrated and validated 2022 base model was used to create a 2036 future forecast year scenario for benchmarking to assess possible alternative layouts for the junction, including the Highway Authorities' preferred option for the signalisation of the A5 Watling Street / Woodford Lane junction and the prohibition of right turn movements at the A5 Watling Street / Drayton Lane junction.

- 3.21 The 2036 Reference Case model was created by assigning additional demands related to consented development sites within the study area, as well as growth predictions extracted from TEMPro. Figure 3.1 shows the extent of the study area included within the Paramics microsimulation model.

Figure 3.1 Paramics Model Study Area



- 3.22 A MIRA Sensitivity Test model was also created to determine changes in operational capacity on the network with the additional demand generated by the MIRA South development.
- 3.23 Tables 3.1 and 3.2 provide a summary of the total 'In' flows for the weekday AM and PM peak periods to both the A5 Watling Street / Woodford Lane and A5 Watling Street / Drayton Lane junctions respectively, making a comparison between outputs from the 2036 Reference Case and the 2036 Reference Case + MIRA South Paramics microsimulation models commissioned by WCC on behalf of the Highway Authorities.

**Table 3.1 A5 Watling Street / Woodford Lane - Paramics Model Total 'In' Flows**

Time Period		A5 Watling Street EB		Woodford Lane		A5 Watling Street WB		Total Junction	
		2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA
AM Peak	0700-0800	1091	1158 (+67)	194	261 (+67)	860	1028 (+168)	2145	2447 (+302)
	0800-0900	1071	1129 (+58)	160	297 (+137)	886	1032 (+146)	2117	2458 (+341)
	0900-1000	877	1032 (+155)	184	238 (+54)	776	905 (+129)	1837	2175 (+338)
PM Peak	1600-1700	958	910 (-48)	197	204 (+7)	1105	1425 (+320)	2260	2539 (+279)
	1700-1800	965	893 (-72)	217	225 (+8)	1105	1357 (+252)	2287	2475 (+188)
	1800-1900	554	671 (+117)	136	161 (+25)	822	924 (+102)	1512	1756 (+244)

**Table 3.2 A5 Watling Street / Drayton Lane - Paramics Model Total 'In' Flows**

Time Period		A5 Watling Street EB		Drayton Lane		A5 Watling Street WB		Total Junction	
		2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA
AM Peak	0700-0800	1111	1191 (+80)	110	72 (-38)	804	906 (+102)	2025	2169 (+144)
	0800-0900	1130	1170 (+40)	150	83 (-67)	748	844 (+96)	2028	2097 (+69)
	0900-1000	825	1070 (+245)	119	35 (-84)	615	709 (+94)	1559	1814 (+255)
PM Peak	1600-1700	990	980 (-10)	84	50 (-34)	911	1163 (+252)	1985	2193 (+208)
	1700-1800	967	971 (+4)	80	14 (-66)	995	1269 (+274)	2042	2254 (+212)
	1800-1900	582	726 (+144)	32	18 (-14)	688	756 (+68)	1302	1500 (+198)

3.24 Based on the modelled flows through both junctions, Tables 3.3 and 3.4 provide a summary of the modelled queue lengths for the weekday AM and PM peak periods on the approaches to both the A5 Watling Street / Woodford Lane and A5 Watling Street / Drayton Lane junctions respectively. As before, Tables 3.3 and 3.4 make a comparison between outputs from the 2036 Reference Case and the 2036 Reference Case + MIRA South Paramics microsimulation models commissioned by WCC on behalf of the Highway Authorities.

**Table 3.3 A5 Watling Street / Woodford Lane - Paramics Model Queue Lengths (Vehs)**

Time Period		A5 Watling Street EB		Woodford Lane		A5 Watling Street WB	
		2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA
AM Peak	0700-0800	10	11 (+1)	10	18 (+8)	8	11 (+3)
	0800-0900	13	11 (-2)	10	17 (+7)	7	11 (+4)
	0900-1000	8	10 (+2)	7	9 (+2)	6	8 (+2)
PM Peak	1600-1700	9	9 (-)	8	9 (+1)	8	19 (+11)
	1700-1800	9	8 (-1)	8	9 (+1)	8	13 (+5)
	1800-1900	6	7 (+1)	6	7 (+1)	7	10 (+3)

**Table 3.4 A5 Watling Street / Drayton Lane - Paramics Model Queue Lengths (Vehs)**

Time Period		A5 Watling Street EB		Drayton Lane		A5 Watling Street WB	
		2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA	2036 RC	2036 RC + MIRA
AM Peak	0700-0800	0	0 (-)	6	4 (-2)	0	1 (+1)
	0800-0900	2	1 (-1)	7	4 (-3)	0	0 (-)
	0900-1000	0	0 (-)	6	2 (-4)	0	0 (-)
PM Peak	1600-1700	0	0 (-)	4	3 (-1)	0	1 (+1)
	1700-1800	1	0 (-1)	5	1 (-4)	1	1 (-)
	1800-1900	0	0 (-)	1	1 (-)	1	1 (-)

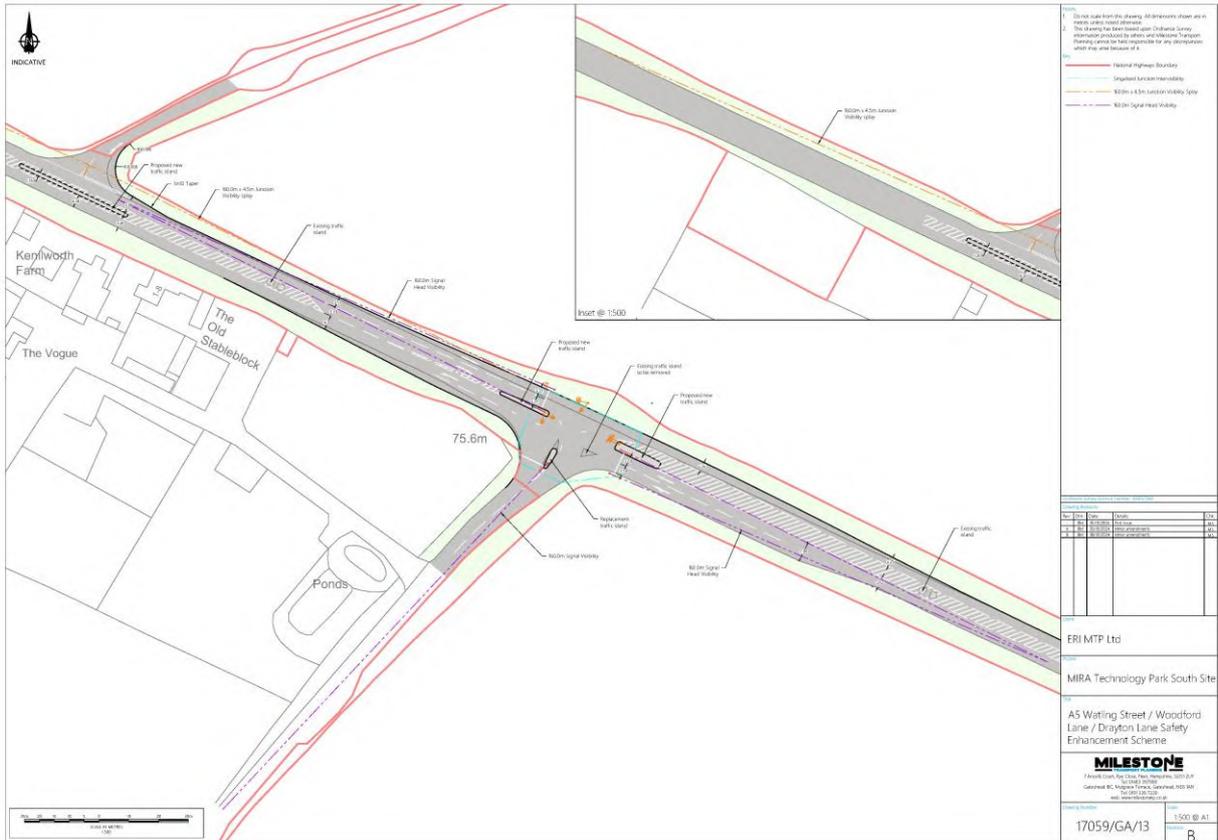
- 3.25 From Table 3.3 it can be seen that with the signalisation of the A5 Watling Street / Woodford Lane as part of the wider A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, queue lengths are not materially different between the 2036 future forecast year Reference Case and Reference Case + MIRA South models during both the weekday AM and PM peak periods.
- 3.26 The maximum queue on A5 Watling Street (eastbound) is during the AM peak period (0800-0900hrs) of 13 vehicles which is equivalent to a queue length of c. 78 metres if contained within a single lane.
- 3.27 From the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme plan included as Appendix 1, the A5 Watling Street (eastbound) approach to the junction is provided with two lanes of queuing capacity for at least 80 metres and therefore the predicted maximum queue can easily be accommodated within the available link length without any instance of blocking back to the preceding Drayton Lane junction.
- 3.28 The maximum queue on Woodford Lane is during the AM peak period (0700-0800hrs) of 18 vehicles which is equivalent to a queue length of c. 108 metres on the single lane approach to the junction. The total link length of Woodford Lane is 1.1kms and therefore the queue can be easily accommodated within the available link length.

- 3.29 The maximum queue on A5 Watling Street (westbound) is during the PM peak period (1600-1700hrs) of 19 vehicles which is equivalent to a queue length of c. 114 metres if contained within a single lane.
- 3.30 From the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme plan included as Appendix 1, the A5 Watling Street (westbound) approach to the junction is provided with two lanes of queuing capacity for at least 65 metres and the total link length back to the preceding junction (Redgate Island) is 1.4kms.
- 3.31 It is therefore evident that the predicted maximum queue can easily be accommodated within the available link length without any instance of blocking back.
- 3.32 From Table 3.4 it can be seen that with the signalisation of the A5 Watling Street / Woodford Lane as part of the wider A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, queue lengths are not materially different between the 2036 future forecast year Reference Case and Reference Case + MIRA South models during both the weekday AM and PM peak periods.
- 3.33 The maximum queue on Drayton Lane is during the AM peak period (0800-0900hrs) of 7 vehicles which is equivalent to a queue length of c. 42 metres on the single lane approach to the junction and reduces to 4 vehicles with the MIRA South traffic added. The total link length of Drayton Lane to the edge of Fenny Drayton village is 1.4kms and therefore the queue can be easily accommodated within the available link length.
- 3.34 No, or limited, queuing is shown on both the A5 Watling Street approaches during any given hourly period in the weekday AM and PM peaks which is to be expected as the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme does not allow for any turning traffic on these approaches that will conflict with through movements in both directions.

## 4. Summary & Conclusion

- 4.1 This TAA(iii) has been prepared to provide a summary of the engagement between the applicant and the Highway Authorities (National Highways, Warwickshire County Council and Leicestershire County Council) post the Resolution to Grant determined the Planning and Development Board at North Warwickshire Borough Council on 5 February 2024 for the planning application submitted in October 2022 by ERI MTP Limited (LPA Ref. PAPI/2022/0423) for *“Outline planning permission for extension of MIRA Technology Park to comprise employment use (Class B2); associated office and service uses (Class E1); storage (Class B1); new spine road; car parking, landscaping and enabling works”*.
- 4.2 Specifically, TAA(iii) provides a summary of the timeline of engagement with the Highway Authorities, centred on the delivery of an element of the off-site mitigation package to address the additional impacts arising from the MIRA South development known as the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme.
- 4.3 Whereas the Resolution to Grant was, at the time, based on a planning contribution to be made by the applicant towards the delivery of the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, the agreed position with the Highway Authorities is now that the applicant will deliver physical works comprising the signalisation of the A5 Watling Street / Woodford Lane junction and the prohibition of right turn manoeuvres at the A5 Watling Street / Drayton Lane junction.
- 4.4 Within TAA(iii) a detailed description is provided of the A5 Watling Street / Woodford Lane / Drayton Lane Safety Enhancement Scheme, including a design review conducted of the preliminary proposals provided by National Highways, the Road Safety Audit process being conducted, and the capacity modelling that was jointly commissioned by the Highway Authorities to support the proposals.
- 4.5 Based on the findings within TAA(iii) it is concluded that, in the context of paragraph 111 of the NPPF (2023) and paragraph 51 of the DfT Circular 01-2022, there are no residual cumulative impacts in terms of highway safety and therefore the NH recommendation that planning permission is not granted for a period to allow for additional information to be provided by the applicant can be lifted.

Appendix 1



The following tables provide details of the changes in traffic flow profiles on the A5 Watling Street, Woodford Lane and Drayton Lane to the west of the MIRA South development.

These traffic flow profiles are extracted from the calibrated and validated 2022 Paramics microsimulation model commissioned by Warwickshire County Council to assess the future operational characteristics of the highway network with the implementation of safety enhancements at the A5 Watling Street junctions with Woodford Lane and Drayton Lane.

The tables make a comparison between future assessment year (2036) Reference Case (or 'base') flows without MIRA South development and Reference Case + MIRA South development weekday AM and PM peak period link flows in order to identify the increased traffic associated with the application site proposals.

Table 1: AM Peak Traffic Flows on A5 Watling Street & Connector Roads (west of MIRA South)

Link	Time Period	2036 Ref. Case	2036 Ref. Case + MIRA Sth	Difference (no.)	Difference (%)
A5 Watling St (W of Redgate, E of Woodford)	0700-0800	1,969	2,349	+380	+19.3%
	0800-0900	2,010	2,383	+373	+18.6%
	0900-1000	1,736	2,132	+396	+22.8%
	0700-1000	5,715	6,864	+1,149	+20.1%
Woodford Lane	0700-0800	386	480	+94	+24.4%
	0800-0900	443	564	+121	+27.3%
	0900-1000	437	466	+29	+6.6%
	0700-1000	1,267	1,509	+242	+19.1%
A5 Watling St (W of Drayton, E of Mancetter)	0700-0800	1,914	2,098	+184	+9.6%
	0800-0900	1,872	2,004	+132	+7.1%
	0900-1000	1,450	1,789	+339	+23.3%
	0700-1000	5,236	5,891	+655	+12.5%
Drayton Lane	0700-0800	237	172	-65	-22.4%
	0800-0900	356	207	-149	-41.2%
	0900-1000	188	111	-77	-41.0%
	0700-1000	781	489	-292	-37.4%

Table 1 shows that in the weekday AM peak period the impact of MIRA South development, when fully developed, on the A5 corridor, west of the Site, is an increase in traffic above predicted future 'base' traffic flow levels of around 20%. Table 1 also shows that increases above predicted future 'base' traffic flows levels as a consequence of the fully developed MIRA South development on Woodford Lane are 12.5% but that traffic flows on Drayton Lane decrease by around 37.5%.

Table 2: PM Peak Traffic Flows on A5 Watling Street & Connector Roads (west of MIRA South)

Link	Time Period	2036 Ref. Case	2036 Ref. Case + MIRA Sth	Difference (no.)	Difference (%)
A5 Watling St (W of Redgate, E of Woodford)	1600-1700	2,144	2,460	+316	+14.7%
	1700-1800	2,238	2,461	+223	+10.0%
	1800-1900	1,461	1,730	+269	+18.4%
	1600-1900	5,843	6,650	+807	+13.8%
Woodford Lane	1600-1700	499	537	+38	+7.6%
	1700-1800	394	341	-53	-13.5%
	1800-1900	309	344	+35	+11.3%
	1600-1900	1,201	1,222	+21	+1.7%
A5 Watling St (W of Drayton, E of Mancetter)	1600-1700	1,900	2,137	+237	+12.5%
	1700-1800	1,947	2,230	+283	+14.5%
	1800-1900	1,283	1,497	+214	+16.7%
	1600-1900	5,130	5,864	+734	+14.3%
Drayton Lane	1600-1700	195	166	-29	-14.9%
	1700-1800	163	107	-56	-34.4%
	1800-1900	93	94	+1	+1.1%
	1600-1900	451	367	-84	-18.6%

Table 2 shows that in the weekday PM peak period the impact of MIRA South development, when fully developed, on the A5 corridor, west of the Site, is an increase in traffic above predicted future 'base' traffic flow levels of around 14%. Table 2 also shows that increases above predicted future 'base' traffic flows levels as a consequence of the fully developed MIRA South development on Woodford Lane are less than 2% but that traffic flows on Drayton Lane decrease by around 18.5%.

Regarding objector's concerns about the revised highway arrangements for Redgate island, it is confirmed that all existing movements into and out of the premises are retained, as per existing arrangements.

The premises currently has an all movements access onto the A444 Atherstone Road under the current arrangements. The premises also has a 'left turn in only' access off the A5 Watling Street, west of the Redgate island.

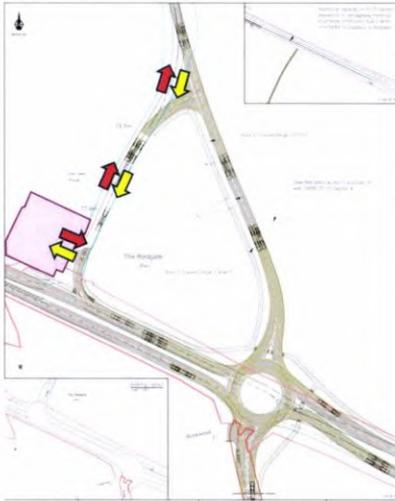
Due to the capacity restraints where there is significant queuing and delays on the A444 Atherstone Road onto the Redgate Island, the ability to turn into and out of the premises, and consequently journey times to / from the premises are compromised.

With the proposed arrangements at Redgate Island there will be changes to some of the routes that vehicles approach or leave the premises. The slight increase in journey distance for some of these routes will be more than offset by the benefit of significant decreases in queuing, delays and journey times arising from the works package as detailed in the Paramics microsimulation modelling and individual junction modelling contained within the submitted Transport Assessment and subsequent Transport Assessment Addendums 1-3 that accompany the planning application.

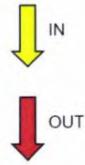
The minor changes in routing to / from the premises are illustrated below:

Access to Redgate Premises from A444 (north)

Existing

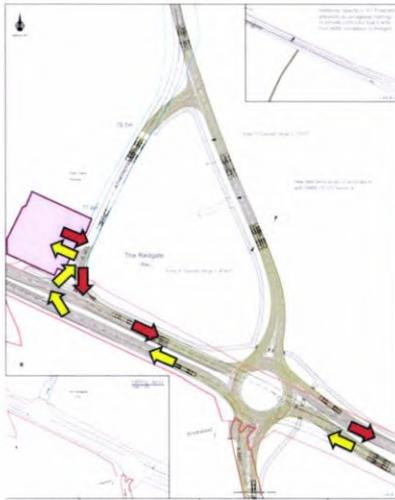


Future

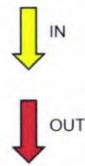


Access to Redgate Premises from A5 (east)

Existing



Future



Access to Redgate Premises from A444 (south)

Existing

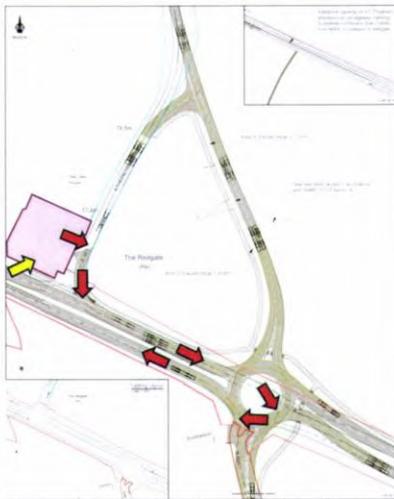


Future

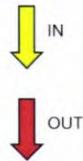
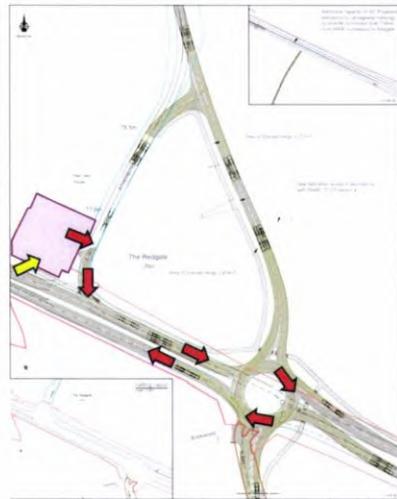


Access to Redgate Premises from A5 (west)

Existing



Future



## Road Safety Audit Response for Stage 1 Road Safety Audit (GG 119 Appendix F)

### F1 Project Details

Table F.1 Project Details

Report Title:	Stage 1 Road Safety Audit Designer's Response
Date:	29 October 2024
Document Reference and Revision:	17059 RSA1 Designer's Response (29.10.24)
Prepared By:	Milestone Transport Planning Ltd
On Behalf of:	ERI MTP Ltd

Table F.2 Authorisation Sheet

Project:	Proposed Mitigation Scheme in association with MIRA South Site - A5 Watling Street / Woodford Lane / Drayton Lane Junctions
Report Title:	Stage 1 Road Safety Audit Response
Prepared by:	
Name:	Paul Koven
Position:	Associate Director
Signed:	
Organisation:	Milestone Transport Planning
Date:	29 October 2024
Approved by:	
Name:	Matt Stevens
Position:	Managing Director
Signed:	
Organisation:	Milestone Transport Planning
Date:	29 October 2024

## F2 Introduction

### Summary of Scheme

The scheme relates to a proposed planning application - MIRA South Site - which is proposed to provide a strategic employment development park, together with accesses, new link road, landscaping, sustainable drainage, and other associated infrastructure. MIRA South Site is located on the outskirts of Nuneaton, to the south of the wider MIRA Technology Park. It is bounded by the A5 (Watling Street) to the north and the A444 (Weddington Lane) to the south.

The proposed highway arrangements, that are the subject of this Road Safety Audit, are to amend the existing priority junctions on the A5 Watling Road with Drayton lane and Woodford Lane, that comprise:

- Signalisation of the existing A5 Watling Road / Woodford Lane Junction.
- Amendments to the existing Drayton Lane junction to prevent right turns in and out.

The A5 Watling Street, which forms part of the Strategic Road Network (SRN), travels in a North-West to South-East direction. The land to the North-East of the A5 is agricultural land. The land to the South-West of the A5 is primarily agricultural land however also contains a relatively small area of buildings containing 'Kenilworth Farm', 'The Old Stableblock', 'The Vogue' and 'The Floral Heart Florist'. These properties have no access from the A5 and are instead accessed via Woodford Lane.

Woodford Lane is a single carriageway road approximately 6m in width and leads to local amenities such as Dobbies Garden Centre and Severn Trent Water Sewage Treatment Works, amongst others.

Drayton Lane is a single carriageway road of varying widths. Drayton Lane reduces widths in parts and therefore also consists of intermittent vehicle passing places. Drayton Lane leads from the A5 towards Fenny Drayton with the addition of direct farm accesses being provided to adjacent fields / properties.

Stage of the RSA:

Stage 1

Date / reference of the RSA Report:

Date: 25/10/2024

RSA Report Reference: BN-MTP-24-120 Issue No.1

Representatives from the design organisation who prepared the RSA Response Report:

Paul Koven, Milestone Transport Planning, Associate Director

Matt Stevens, Milestone Transport Planning, Managing Director

## F3 Key Personnel

Table F.3 Key Personnel

Overseeing Organisation:	National Highways
County Highway Authority:	Warwickshire County Council Leicestershire County Council
RSA Team:	Beth Newiss and Associates Ltd
Design Organisation:	Milestone Transport Planning Ltd

**F4 Road Safety Audit Decision Log**

Table F.4 Road Safety Audit Decision Log

3.1 General - 3.1.1							
Location - A - A5 Watling Street							
RSA Problem	High Approach speeds may result in increase of sudden braking and loss of control at the signals. <b>Speed survey details that there is an existing compliance issue within this section of the A5 Watling Street, with an 85th %ile speed of 55mph, and recorded speeds of over 70mph recorded.</b> Whilst forward visibility is sufficient there is a concern that drivers may attempt to approach the signals at speed resulting in sudden braking and potential loss of control or overshoot type collisions at the stop line. This concern would be heightened in wet conditions particularly if the carriageway skid resistance or anti-skid surface is insufficient.						
RSA Recommendation	It is recommended that measures are introduced to encourage reduced speeds on the approach to the signals, supplemented with contrasting antiskid surfacing on the approach to the signals.						
Design Organisation Response	Agree - Additional measures such as advanced warning signs and 'SLOW' road markings proposed in addition to contrasting antiskid surfacing on approach to signals to be provided at the Detailed Design Stage.						
Overseeing Organisation Response	<table border="1"> <tr> <td>National Highways</td> <td>Designer comments accepted</td> </tr> <tr> <td>Leicestershire CC</td> <td>AMW - Not applicable to LCC network.</td> </tr> <tr> <td>Warwickshire CC</td> <td>Accepted</td> </tr> </table>	National Highways	Designer comments accepted	Leicestershire CC	AMW - Not applicable to LCC network.	Warwickshire CC	Accepted
National Highways	Designer comments accepted						
Leicestershire CC	AMW - Not applicable to LCC network.						
Warwickshire CC	Accepted						
Agreed RSA Action							

**F4 Road Safety Audit Decision Log**

3.2 Junctions - 3.2.1

Location - B - Drayton Lane

Conflicts may occur between drivers of larger vehicles at the Drayton Lane junction and approaching drivers on the A5 Watling Street resulting in potential obstruction at the junction.

The drawings introduce a proposed central island within the A5 Watling Street to restrict the right turn movements into and out of Drayton Lane. On site observations noted that there is currently a 7.5tonne vehicle restriction (except for Loading) on Drayton Lane, it is unclear whether this restriction is to remain.

Auto Tracking has been provided detailing the ease as to which an 18.55m Articulated Vehicle can enter and exit Drayton Lane with the proposed island in situ. No details have been provided as to the likelihood of this manoeuvre. This manoeuvre is detailed below:



RSA Problem

There is a concern that if larger vehicles are likely to use this junction access on a more regular basis there is a risk of heightened collision at this location. The Auto Tracking clearly shows that larger vehicles cannot freely negotiate the junction whilst another vehicle is approaching southbound along Drayton Lane. This may result in sudden braking and the obstruction of the A5 Watling Street, as a vehicle overhang the running lane which could cause rear end shunts at this location.

RSA Recommendation

It is recommended that if the existing restriction is to be removed and larger vehicles required to use this junction more frequently sufficient space within the junction will be required to allow a driver to enter the junction and wait off the A5 Watling Street with their vehicle overhanging the running lane.

Design Organisation Response

Disagree - the existing weight restriction is to remain with its current 'except access' arrangement continuing. As part of the wider scheme, access for large vehicles is also provided via the new Redgate Roundabout / Atherstone Road junction. Drayton Lane currently only provides access to the storage facility for large vehicles and is to remain as per the existing arrangement.

Overseeing Organisation Response

National Highways	Designer comments accepted
Leicestershire CC	AMW - DOR response agreed on the basis that the scheme is not expected to increase the numbers of large vehicles using Drayton Lane.
Warwickshire CC	Accepted

Agreed RSA Action

**F4 Road Safety Audit Decision Log**

<p>3.2 Junctions - 3.2.2                  Location - C - Drayton Lane</p>	<p>Drivers of larger vehicles may struggle to negotiate the left turn resulting in potential obstruction at the junction.</p>						
<p>RSA Problem</p>	<p>Auto Tracking has been provided detailing the ease as to which an 18.55m Articulated Vehicle can enter and exit Drayton Lane with the proposed island in situ. No details have been provided as to the likelihood of this manoeuvre. It is not that whilst there is a signed 7.5 tonne restriction posted for drivers entering Drayton Lane junction from the A5 Watling Street, no such restriction was found at the Drayton Lane/Old Forge Road entry, therefore it is more likely that an HGV will travel along southbound along Drayton Lane.                  There is a concern that if the driver of a larger vehicle may struggle to manoeuvre out of the junction and may miscalculate the turning manoeuvre striking the central island, this may cause an obstruction to the A5 Watling Street resulting in potential T-bone type amongst other collisions at the junction.</p>						
<p>RSA Recommendation</p>	<p>Speed survey details that there is an existing compliance issue within this section of the A5 Watling Street, with an 85th %ile speed of 55mph, and recorded speeds of over 70mph recorded which would further heighten the concern at this location.</p>						
<p>Design Organisation Response</p>	<p>It is recommended that the need for larger vehicles to exit this junction is reviewed and if necessary, implement a restriction and re-route HGVs to Old Forge Road to prevent this manoeuvre occurring at this location.</p>						
<p>Overseeing Organisation Response</p>	<p>Disagree - The existing TRO is to remain in place and therefore access to the storage facility is the only exception allowing large vehicles along this route, as per the existing arrangement. Increasing the junction radii as shown on these proposals provides betterment in comparison to the existing layout, however it is very unlikely that large vehicles will be entering / exiting at the same time.</p>						
<p>Agreed RSA Action</p>	<table border="1"> <tr> <td data-bbox="943 1391 979 1570">National Highways</td> <td data-bbox="943 1077 979 1391">Designer comments accepted</td> </tr> <tr> <td data-bbox="979 1391 1016 1570">Leicestershire CC</td> <td data-bbox="979 1077 1016 1391">AMW - DOR response agreed on the basis that the scheme is not expected to increase the numbers of large vehicles using Drayton Lane.</td> </tr> <tr> <td data-bbox="1016 1391 1053 1570">Warwickshire CC</td> <td data-bbox="1016 1077 1053 1391">Accepted</td> </tr> </table>	National Highways	Designer comments accepted	Leicestershire CC	AMW - DOR response agreed on the basis that the scheme is not expected to increase the numbers of large vehicles using Drayton Lane.	Warwickshire CC	Accepted
National Highways	Designer comments accepted						
Leicestershire CC	AMW - DOR response agreed on the basis that the scheme is not expected to increase the numbers of large vehicles using Drayton Lane.						
Warwickshire CC	Accepted						

**F4 Road Safety Audit Decision Log**

<p>3.2 Junctions - 3.2.3                  Location - D - A5 Wailing Street and Woodford Lane Junction</p>							
RSA Problem	<p>Potential risk of collisions associated with excessive traffic queues.                  No details relating to traffic signal analysis have been provided, it is therefore not possible to ascertain whether there will be any safety implications. There is concern that excessive traffic queues on the A5 approaches to the traffic signal-controlled junction may increase the risk of collisions irate motorists.</p>						
RSA Recommendation	<p>It is recommended that appropriate traffic analysis is undertaken to ensure that excessive traffic queues on the A5 approaches to the proposed traffic signal controlled junction are mitigated.</p>						
Design Organisation Response	<p>Agree - Traffic analysis has been undertaken and is included within the document TAA(iii) dated October 2024 that has been submitted to the Local Planning Authorities and the Highway Authorities alongside the Road Safety Audit. For completeness, a copy of TAA(iii) has also been provided to the Auditor. The traffic analysis in TAA(iii) demonstrates that there are no excessive traffic queues on the A5 approaches to the traffic signal controlled junction.</p>						
Overseeing Organisation Response	<table border="1"> <tr> <td>National Highways</td> <td>Designers comments accepted</td> </tr> <tr> <td>Leicestershire CC</td> <td>AMW - Not applicable to LCC Network.</td> </tr> <tr> <td>Warwickshire CC</td> <td>Accepted</td> </tr> </table>	National Highways	Designers comments accepted	Leicestershire CC	AMW - Not applicable to LCC Network.	Warwickshire CC	Accepted
National Highways	Designers comments accepted						
Leicestershire CC	AMW - Not applicable to LCC Network.						
Warwickshire CC	Accepted						
Agreed RSA Action							

**F4 Road Safety Audit Decision Log**

3.5 Signing, Lighting and Carriageway Markings - 3.5.1

Location - E - A5 Watling Street / Drayton Lane

Central island may be subject to strike due to reduced conspicuosity. This may result in loss of control type, sudden braking or erratic manoeuvres causing collisions at this location.

On site observations noted that the south-eastbound approach to Drayton Lane is 50mph. There is an area of central hatching and 50mph speed roundels within the carriageway. There is also an existing small central island just prior to the Drayton Lane junction which accommodates two (2) illuminated keep left signs and two (2) illuminated keep left bollards. Speed survey details that there is an existing compliance issue within this section of the A5 Watling Street, with an 85th %ile speed of 55mph, and recorded speeds of over 70mph recorded.

A proposed new traffic island has been introduced across the Drayton Lane junction to prevent drivers from turning right. No detail, at this stage, have been provided regarding the detailed design or signage proposed within the island. There is a concern that if the conspicuosity of the traffic island is not sufficient there is a heightened risk that the island will be struck resulting by vehicles leading to a loss of control type collision or sudden braking or erratic manoeuvres causing collisions with other road users at this location.

RSA Recommendation

It is recommended that illuminated signage is introduced at this location with reflective marker posts within the central island.

Design Organisation Response

Agree - Illuminated bollards and signs are to be provided as part of the Detailed Design Stage.

Overseeing Organisation Response

National Highways	Designers comments accepted
Leicestershire CC	AMW - DOR response agreed.
Warwickshire CC	Accepted

Agreed RSA Action

**F4 Road Safety Audit Decision Log**

3.5 Signing, Lighting and Carriageway Markings - 3.5.2  
 Location - F - A5 Wailing Street - South-eastbound

Lack of Advanced Warning Signs may result in last minute manoeuvres and side swipe conflict through the junction.

The drawings provided do not detail signage at this concept Stage 1 Road Safety Audit. Details of proposed lane discipline has been shown within the general arrangement drawings. As shown below, it is noted that the carriageway markings on the south-east bound approach to the junction results in the nearside lane as ahead only and the off-side lane as a right lane, with the A5 exit lane reduced to one lane via the introduction of central hatch markings.



RSA Problem

There is a concern that insufficient advanced warning of the proposed layout of the traffic lanes may result in poor lane discipline with south-east bound motorists travelling ahead using both traffic lanes on the approach to the signal junction. This may result in last-minute manoeuvres to cross into the left lane causing conflict and potential side swipe collisions at this location.

RSA Recommendation

It is recommended that advanced warning signs are introduced alongside the lane discipline carriageway markings.

Design Organisation Response

Agree - Advanced lane signs and directional arrow road markings to be provided as part of the Detailed Design Stage.

Overseeing Organisation Response

National Highways	Designer comments accepted
Leicestershire CC	AMW - Not applicable to LCC Network.
Warwickshire CC	Accepted

Agreed RSA Action

**F4 Road Safety Audit Decision Log**

<p>3.5 Signage, Lighting and Carriageway Markings - 3.5.3                  Location - G - A5 Watling Street North-westbound</p>							
RSA Problem	<p>Poor Lane discipline may result in increase of last-minute manoeuvres and subsequent side swipe type collisions on approach to signals.                  The drawings provided do not detail signage at this concept Stage 1 Road Safety Audit. There is a concern that if the approach signage and lane markings are not provided to drivers, lane discipline may be poor resulting in an increase of last-minute manoeuvres and subsequent side swipe type collision and potentially others at this location.</p>						
RSA Recommendation	<p>It is recommended that Advanced Warning signage and carriageway markings are coherent on the approach.</p>						
Design Organisation Response	<p>Agree - Advanced lane signs and directional arrow road markings to be provided as part of the Detailed Design Stage.</p>						
Overseeing Organisation Response	<table border="1"> <tr> <td>National Highways</td> <td>Designer comments accepted</td> </tr> <tr> <td>Leicestershire CC</td> <td>AMW - Not applicable to LCC Network.</td> </tr> <tr> <td>Warwickshire CC</td> <td>Accepted</td> </tr> </table>	National Highways	Designer comments accepted	Leicestershire CC	AMW - Not applicable to LCC Network.	Warwickshire CC	Accepted
National Highways	Designer comments accepted						
Leicestershire CC	AMW - Not applicable to LCC Network.						
Warwickshire CC	Accepted						
Agreed RSA Action							

## F5 Design Organisation & Overseeing Organisation Statements

Table F.5 Design Organisation Statement

On behalf of the design organisation I certify that:

The RSA actions identified in response to the road safety audit problems in this road safety audit have been discussed and agreed with the overseeing organisation

Name:	Paul Koven
Signed:	Associate Director
Position:	[REDACTED]
Organisation:	Milestone Transport Planning
Date:	29 October 2024

Table F.6 Overseeing Organisation Statement

On behalf of the overseeing organisation I certify that:

1. The RSA actions identified in response to the road safety audit problems in this road safety audit have been discussed and agreed with the design organisation; and
2. The agreed RSA action will be progressed.

Name:	Russell Gray
Signed:	[REDACTED]
Position:	Spatial Planner
Organisation:	National Highways
Date:	08/11/24

On behalf of the County Highway Authorities I certify that:

1. The RSA actions identified in response to the road safety audit problems in this road safety audit have been discussed and agreed with the design organisation; and
2. The agreed RSA action will be progressed.

Name:	Dana Loxley
Signed:	[REDACTED]
Position:	Senior Road Safety Engineer
Organisation:	Warwickshire County Council (Highways)
Date:	12/11/2024

---

Name:	Adrian Whiteman
Signed:	AMW
Position:	Principal Transport Planner, Highway Development Management
Organisation:	Leicestershire County Council (Highways)
Date:	08 November 2024

# Extra Room

Home & Business Self Storage

## 1. Key Highlights

### 20 Years of Investment and Growth

- Established in 2005 with a DEFRA diversification grant which enabled the construction of 40 modern, indoor, temperature & humidity controlled self storage units in a former potato store

### Current Size

- 2,000 self storage units
- 166,000 square foot of B8 storage
- Invested approaching £10m, building and renovating buildings, installing mezzanine floors, 5 lifts, storage units and state-of-the-art access control and security systems
- Extra Room Self Storage operates alongside an arable farming partnership with an additional 24,000sqft of agricultural storage

### The Future

- **9 June 2023:** Acquired planning permission for an additional 20,000sqft of self storage, c. 400 units on Drayton Lane (23/00239/FUL)
- This £1m investment has been on hold for the last 18 months pending clarity on the Drayton Lane junction

## 2. Self Storage

Storage units range in size from 16sqft (a wardrobe size) to 300sqft (a large double garage size)

Flexible, pay as you go terms mean that customers can store for anything from a few days to several years

State of the art access control with individual door alarms and 7 day access



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5 x Loading bays & lifts



Storage units at Drayton Grange Farm



c. 2/3 of space is household storage



c. 1/3 of space is business storage

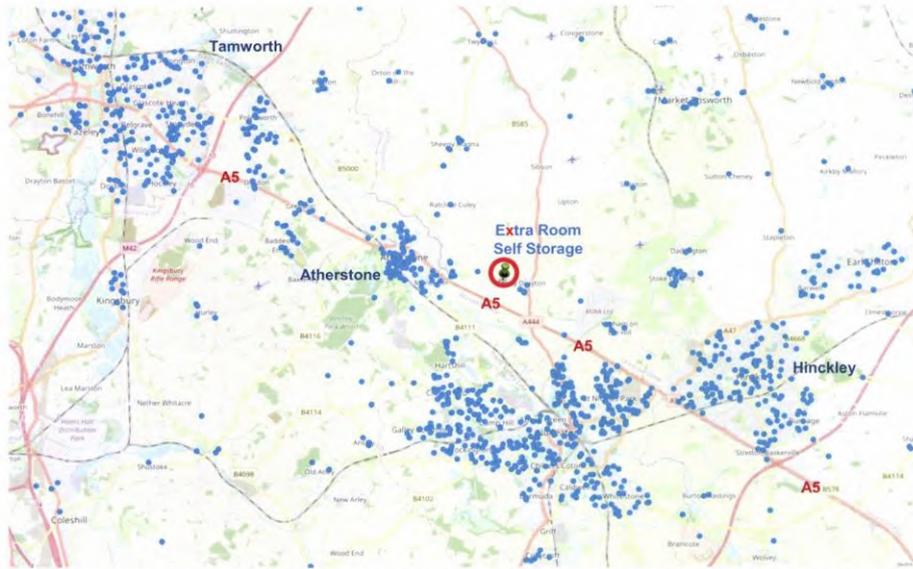
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### 3. Storage Customer Locations

The dots on the map represent the locations of existing storage customers

Extra Room Self Storage's customer base is all local people and businesses

Over 90% are within 10 miles of the store

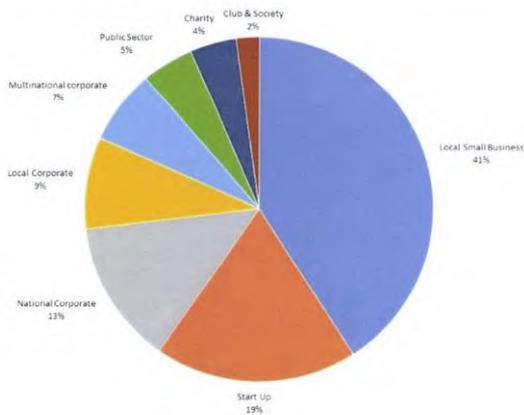


The map shows that the A5 is the lifeline supplying Extra Room Self Storage



### 4. Business Storage Customers

#### Scale & Type of Existing Businesses in Storage



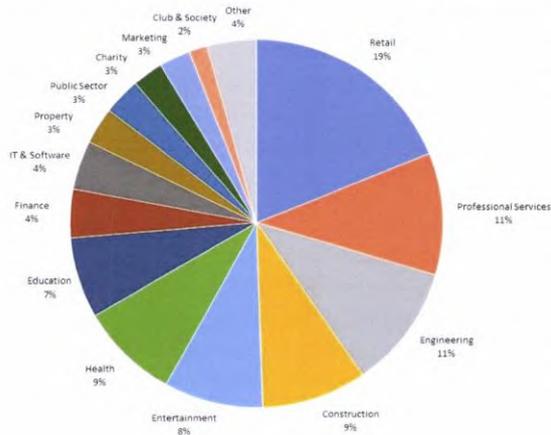
#### A local business incubator...

- More than 60% of businesses using Extra Room Self Storage are local businesses and start ups in need of flexible, accessible space
- For almost 60% of businesses occupying space at Extra Room Self Storage, it is the only business space they rent anywhere
- We also provide a valuable resource for public bodies and many local and national businesses and charities



## 4. Business Storage Customers (cont'd)

### Sectors of Existing Businesses in Storage



### ...Supporting a wide range of sectors

- An enormous variety of businesses, large and small, use Extra Room Self Storage from both the public and private sectors
- Businesses include:
  - Retailers (often online) who use their storage unit as their warehouse to receive and distribute stock from
  - Construction, maintenance and engineering firms that use storage units as their main base to store equipment and supplies that they regularly access
  - Schools, public bodies and charities storing event equipment and personal possessions whilst people are re-homed or have work done to their properties
- Industry experts at Quod Consulting, estimate that the current self storage space in use supports approximately 340 FTE jobs<sup>1</sup>

<sup>1</sup> Quod Economic Report – July 2023. Available on the HBBC website. Planning application - 23/00826/FUL

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## 5. Drayton Lane

### Why is the proposed Drayton Lane junction change critical to Extra Room Self Storage?

- Homes and businesses do not want to have to travel far to their storage. The further the storage is away and the more complicated the route to get to us, then the less likely they are to store with us
- Around 100 customers give up their storage unit each month. Marketing is a constant process to replace these lost customers. If they cannot all be replaced (because our location is less attractive and therefore competitive), profitability is quickly hit as costs are fixed
- From 20 years of operational experience, our location next to the A5 and ease of access via the A5 and Drayton Lane, is the primary reason people choose Extra Room Self Storage
- Our existing unrestricted access to the A5 also makes Extra Room Self Storage very attractive as a centrally located distribution hub for valuable, long term business customers
- Being located directly off the A5 and easily accessible means that the store can draw from a large population from Nuneaton & Hinckley and Tamworth & Atherstone (Section 3)
- We have experience from the closure of Drayton Lane in 2014 (Appendix B) of how restricting access to the A5 is devastating to the business
- All buildings on Drayton Lane benefit from B8 planning with 24/7 access and no restrictions on vehicle movements. Introducing access restrictions at the Drayton Lane junction with the A5 would impose the first limitation on site access, significantly impacting their value (Appendix H)

**Maintaining unrestricted access to the A5 is imperative for the survival of the business**

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## 5. Drayton Lane (cont'd)

### Why is the proposed Drayton Lane junction change critical to Fenny Drayton?

- For people accessing the self storage facilities on Drayton Lane and Drayton Grange Farm, depending on their direction of travel on the A5, they will divert through Fenny Drayton (George Fox Lane and the A444) either when they visit the store or leave the store. This is the shortest and quickest route (Appendix D)
- The impact, including safety, of this diverted traffic through the village has not been assessed by the applicant including:
  - Up to 2,000 storage customers together with their family members, friends and work colleagues that have access to their storage unit
  - Daily courier deliveries and collections for business storage customers
  - HGVs accessing the self storage facilities and Drayton Grange Farm (Appendix A)
- Currently almost all of this traffic uses Drayton Lane to access the self storage facilities and Drayton Grange Farm directly to and from the A5 without the need to divert through Fenny Drayton village
- There has similarly been no assessment of where existing general users of Drayton Lane will be displaced to and the impact they will have on neighbouring roads and communities
  - The NWBC Board paper from 5 Feb 24, acknowledged the traffic consequences on local communities that traffic lights and movement restrictions at the Woodford Lane and Drayton Lane junctions would create. No alterations were therefore proposed to the junctions with the introduction of speed restrictions on the A5 instead. This position has seemingly changed but no assessment has been made

***There has been no assessment of the impact displaced traffic that currently uses Drayton Lane will have on local communities***

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## 6. Alternative Options For Drayton Lane

We hope that the offer of land to help with mitigation is further evidence of the severe threat that the current proposal for the Drayton Lane junction has on our businesses and Fenny Drayton village

There are reasonable alternatives available to the applicant's current proposal that meet everyone's needs without causing harm to existing businesses on Drayton Lane, users of Drayton Lane, residents and neighbouring communities

### 1. Leave Drayton Lane junction as existing

- Unlike Woodford Lane, the Drayton Lane junction with the A5 is a safe junction contrary to statements made by the applicant in paragraph 3.3 of the TAA (iii) (Appendix G)
- The applicant has not provided justification or evidence to warrant the need for mitigation at the Drayton Lane junction with the A5 because of road safety concerns arising from traffic lights at Woodford Lane (Appendix G and noncompliance with CIL Regulations)
- Traffic lights at Woodford Lane will slow traffic down, create gaps in traffic on the A5 and make the Drayton Lane junction even safer

### 2. Appropriately sequenced traffic lights at both the Woodford Lane junction and the Drayton Lane junction that keep the A5 moving

- This has been successfully achieved on the A5 at the entrance to Birch Coppice and Core 42 which are 2 busy junctions that are close together (Appendix E)
- If it is necessary to reroute Drayton Lane to provide greater separation between the Woodford Lane and Drayton Lane junctions, we are able to provide land for it (part of Drayton Grange Farm – see Appendix C) – the same applies to option 1 above

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## 6. Alternative Options For Drayton Lane (cont'd)

We hope that the offer of land to help with mitigation is further evidence of the severe threat that the current proposal for the Drayton Lane junction has on our businesses and Fenny Drayton village

### 3. Traffic lights at Drayton Lane junction and a left in and left out at Woodford Lane junction

- There are no businesses on Woodford Lane that will be affected

### 4. A long-about linking Drayton Lane and Woodford Lane junctions

- Akin to the existing Redgate Roundabout which has operated successfully for over 10 years

### 5. A roundabout at the end of Drayton Lane and a left in and left out on Woodford Lane

- We could provide the land to enable this
- Highways England have written to us via our MP (Dr. Luke Evans) on 19<sup>th</sup> November 2024 and acknowledged that, “a roundabout would be the best solution” but that, “the most recent estimated cost of approximately £10 million makes this option currently financially unviable for the developer.”
- For MIRA’s 2.3 million square foot development, the difference in cost between signalling and installing a roundabout would only add around £3 per square foot to the build cost. We can provide the land to enable it (part of Drayton Grange Farm – see Appendix C). For further context, the final value of MIRA’s 2.3m sqft development will be in excess of £400m
- It seems like the applicant wants to achieve the cheapest solution to the traffic situation with no regard for existing businesses and the harm it will cause to those businesses and neighbouring communities. A roundabout is affordable, would work for everyone and be good for the area

***Alternative / better options which will not harm existing businesses and communities are available but have not been properly assessed***

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## 7. Summary

### **We object to the proposal to make the Drayton Lane junction with the A5 left in and left out**

We do not object to the principle of MIRA’s South Site development, but we cannot support the left in and left out proposal within the applicant’s TA Addendum (iii)

- It will cause unnecessary, serious harm to established, existing businesses on Drayton Lane and impose unreasonable restrictions on established, existing businesses on Drayton Lane
- It will reduce the value of the sites on Drayton Lane, which benefit from planning permissions without any operational restrictions or conditions (Appendix H)
- No evidence has been provided to warrant the need for mitigation at the Drayton Lane junction with the A5 because of road safety concerns arising from traffic lights at Woodford Lane
- There has been no assessment of alternative / better options for the Drayton Lane junction that will work for everyone
  - We understand that Highways Authorities have supported the Applicant’s proposals but they are only able to consider the scheme put before them as part of the planning application
- There has been no assessment of where the traffic currently using Drayton Lane (general motorists, users and suppliers of the storage facilities and Drayton Grange Farm and HGVs) will go and the adverse impact it will have on neighbouring communities (particularly Fenny Drayton)

***We respectfully ask for the The Board, to defer or if minded to approve planning, to impose a condition on the planning permission to put forward alternative options for the Drayton Lane junction which would address the concerns set out in this paper***

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## Appendices

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### A.1 - Transport – Self Storage



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## A.2 - Transport – Self Storage



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## A.3 - Transport – Drayton Grange Farm

Fertiliser delivery



Manure delivery



Grain collection



Grain collection

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## A.4 - Transport – George Fox Lane

HGVs and commercial traffic accessing the self store and Drayton Grange Farm would use George Fox Lane, Fenny Drayton to either get from the A5 to the self stores / farm or vice versa



This traffic currently uses Drayton Lane in both directions bypassing the need to divert through Fenny Drayton village

***This will be the route that HGVs will use to navigate between the A5 and Drayton Lane if the Drayton Lane junction with the A5 is made "left in and left out." It is clearly unsuitable for HGVs***

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## A.5 - Transport – Drayton Lane

Photo was taken in 2014 when Drayton Lane was temporarily closed at the junction with the A5 (Appendix B) and HGVs had to divert through Fenny Drayton village (note the red "Road Closed" sign)



***The Fenny Drayton village end of Drayton Lane is also narrow and unsuitable for HGVs***

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## B.1 - 2014 Temporary Closure

### Impact of access restrictions and diversions

- On Monday, 15<sup>th</sup> September 2014, Drayton Lane was temporarily closed at the junction with the A5
- Access to Extra Room Self Storage and Drayton Grange Farm was from the A444 via Fenny Drayton village only
- This had an instantly devastating impact on Extra Room Self Storage. Existing customers were put off visiting the store because of the diversion. New customers were put off using the store because of the diversion (vs. a simple turn in off the A5 into Drayton Lane)
- There were 9 new move ins into storage in the week 15 Sep 2014 to 21 Sep 2014. This compares to an average of 25 per week in the 2 subsequent weeks (i.e. move ins were **down** 64%)
  - This figure would have been much worse had the closure persisted. The 9 move ins were people that had already booked to move in weeks in advance and so they persisted with getting to the store. New enquires were avoiding using the store
- Because of the devastating impact the closure was having, LCC helped the business and responded quickly. On Monday, 22<sup>nd</sup> September 2014, the closure was moved to a point on Drayton Lane next to the village entrance. This meant that Extra Room Self Storage and Drayton Grange Farm retained access to the A5 in both directions and trading recovered (because access to the A5 had been restored)
- Whilst the 2014 temporary road closure is clearly different to the proposed partial closure created by a “left in and left out,” the experience is **indicative** of how restricting access to the A5 can harm the self storage business because ease of access is of paramount importance. Even with access from the A444 closed, Extra Room Self Storage was able to function because the vital access to the A5 was unrestricted

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## B.2 - 2014 Temporary Closure

Drayton Lane junction with the A5 closed (Mon, 15 Sept 2014 – access to the store was from the A444 only)



Closure moved north along Drayton Lane to the village edge due to the harm caused to Extra Room Self Storage (Mon, 22 Sep 2014 – access to the store now from the A5 only)



Extra Room Self Storage and Drayton Grange Farm retained access to the A5 after the closure was moved to the village edge enabling the businesses to continue to trade

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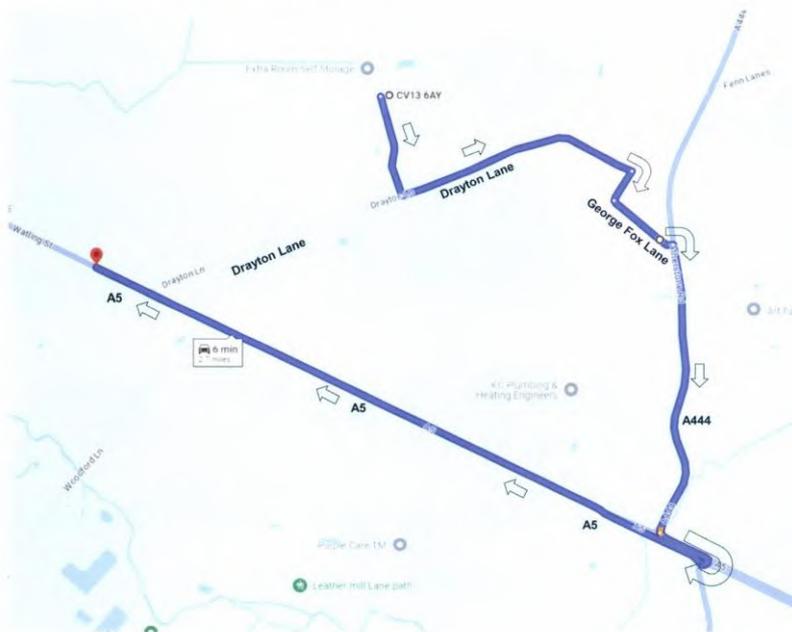
## C - Drayton Grange Farm



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## D.1 – Diversion Route 1

Path taken by vehicles travelling back to Atherstone and Tamworth from Extra Room Self Storage or Drayton Grange Farm (if they can't turn right out of Drayton Lane onto the A5)



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## D.2 – Diversion Route 2

Path taken by vehicles travelling from Nuneaton and Hinckley to Extra Room Self Storage or Drayton Grange Farm (if they can't turn right into Drayton Lane from the A5)



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## E - Birch Coppice

Traffic lights, on the A5 at 2 junctions that are close together

A similar arrangement would work for everyone at the Woodford Lane and Drayton Lane junctions

We could provide land to reroute Drayton Lane to provide greater separation for the junctions if necessary



**Extra Room**  
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## F - Engaging in the Process

**We have met with MIRA twice, engaged with them directly and participated in all consultations to object to “left in and left out” proposals**

- **22<sup>nd</sup> July 2022:** meeting with MIRA representatives at Extra Room Self Storage
- **19<sup>th</sup> October 2022:** written objection to Planning Application (PAP/2022/0423)
- **28<sup>th</sup> July 2023:** written objection to MIRA regarding their left in left out idea following dialogue with MIRA
- **3<sup>rd</sup> October 2023:** meeting with MIRA representatives at MIRA
- **24<sup>th</sup> October 2023:** written objection to Planning Application (PAP/2022/0423)
- **15<sup>th</sup> January 2024:** written objection to Planning Application (PAP/2022/0423)
- **6<sup>th</sup> November 2024:** written objection to Planning Application (PAP/2022/0423)

***The threat of the “left in and left out” junction to the business has weighed heavily for 2 ½ years.***

***Our representations, including from highways experts (DTA) have been ignored***

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## G.1 - Accident Data

**Frequency of accidents at the Drayton Lane junction is not material or significant**

- Paragraph 3.3 of the TAA (iii) is misleading when it says:

*The preliminary scheme represents the Highways Authorities collective response to the poor safety record at **both junctions**. The record of KSI accidents [Killed or Seriously Injured] that have occurred involve vehicles undertaking right turn manoeuvres at these junctions.*

- The accident data on the next page shows that this claim is false
  - There is not a poor safety record at the Drayton Lane junction
  - There is no material or significant record of KSI accidents at the Drayton Lane junction

**No justification or evidence has yet been provided for why mitigation at the Drayton Lane junction is necessary**

- LCC Highways state in their consultation on the 29 November 2024 that:

*NH have **advised** the Local Planning Authority (North Warwickshire Borough Council) that the Woodford Lane signalisation scheme could not be delivered without the Drayton Lane banned turns scheme. This is for reasons of road safety due to the change in traffic patterns and acceleration / deceleration on the A5 in the vicinity of Drayton Lane which would result from the signalisation at Woodford Lane.*

- We have not yet seen the evidence to support this claim
- We would have expected that traffic lights at Woodford Lane will slow traffic down and create gaps in traffic on the A5, better enabling vehicles to safely turn right out of Drayton Lane (which has historically been a safe junction)
- If mitigation is evidenced to be necessary, it should be incumbent on the applicant to demonstrate that the impact could not be mitigated in an alternative way which caused a less severe impact to local communities and businesses on Drayton Lane. This assessment has not been evidenced.

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## G.2 - Accident Data

The 1 x serious accident at the Drayton Lane junction was not due to a right turn manoeuvre (also contradicting para 3.3 of the TA (iii))

Woodford Lane Accidents				Drayton Lane Accidents			
Year	Serious	Slight	Total	Year	Serious	Slight	Total
2020	1	5	6	2020	0	1	1
2021	2	1	3	2021	0	0	0
2022	0	3	3	2022	0	0	0
2023	2	1	3	2023	0	0	0
2024	1	4	5	2024	1	0	1
<b>TOTAL</b>	<b>6</b>	<b>14</b>	<b>20</b>	<b>TOTAL</b>	<b>1</b>	<b>1</b>	<b>2</b>

Source: Warwickshire County Council – October 2024

### The “left in and left out” at the Drayton Lane junction will be harmful to:

- Businesses on Drayton Lane
- Local residents – longer journeys, HGVs and vehicles accessing Extra Room Self Storage and Drayton Grange Farm via Fenny Drayton village (George Fox Lane – Appendix D)
- Motorists using Drayton Lane to travel between the A5 & A444 – no assessment has been made of where this traffic will go and its impact
- Neighbouring villages and roads accommodating newly displaced traffic (including Mancetter, Witherley, Atterton, Ratcliffe & Sheepy)

**Drayton Lane is not a dangerous road junction. Woodford Lane is**

**Extra Room**  
Home & Business Self Storage

## H.1 - Planning History

### 1. Drayton Grange Farm, Drayton Lane – Commercial

#### 19/01255/CRGDO

Change of use from agricultural to a flexible commercial use (B8)

#### 17/00555/CONDIT

Variation of condition 3 of planning permission 17/00273/FUL to remove the restricted opening times

#### 17/00273/FUL

Change of use of part of a building from agricultural use to a storage and distribution use (B8)

#### 05/01260/CONDIT

Change of use of farm buildings to self storage and caravan storage without compliance of condition 4 of planning permissions 05/00288/COU and 05/00757/COU which refer to the lease, sale and disposal of the site

#### 05/00757/COU

Change of use to self storage

#### 05/00288/COU

Change of use of farm buildings to self storage and caravan storage

**All buildings have B8 planning with 24/7 access and no restrictions on vehicle size or movements**

**Extra Room**  
Home & Business Self Storage

## H.2 - Planning History

### 2. Drayton Barns, Drayton Lane – Commercial

**24/00627/CONDIT**

Removal of condition 3 attached to planning permission 23/00239/FUL

**23/00239/FUL**

Proposed extension to self storage unit (B8)

**15/0871/FUL**

Extension of a storage unit

**14/01087/FUL**

Link extension to storage unit

**12/00285/CONDIT**

Variation of condition 3 of planning permission 11/00331/COU

**11/00331/COU**

Change of use of redundant agricultural buildings to self-storage accommodation including alterations to the exterior of the buildings

*All buildings have B8 planning with 24/7 access and no restrictions on vehicle size or movements*

**Extra Room**  
Home & Business Self Storage

## H.3 - Planning History

### 3. Drayton Grange Farm, Drayton Lane - Agricultural

**21/01196/FUL**

Extension to side of agricultural storage building

**20/00703/FUL**

Grain store extension

**17/01001/FUL**

Extension of agricultural building

**08/01100/FUL**

Erection of grain store

**08/00278/GDO**

Erection of an agricultural storage building

**01/00313/FUL**

Extension to agricultural building to provide store

**95/00055/FUL**

Extension to agricultural building

*All buildings have permission for 24/7 access and no restrictions on vehicle size or movements*

**Extra Room**  
Home & Business Self Storage

## I - Planning Policy Discussion

*These policies and others are discussed in detail in Simon Tucker's letter to NWBC (dated 6<sup>th</sup> November 2024) and Lodder's letter to NWBC (dated 8<sup>th</sup> November 2024)*

### 1. CIL Regulations 2010 Para 122 and NPPF Para 57

The applicant should demonstrate that any mitigation is necessary, directly related to the development and reasonable

- We do not believe that there is a justification for the changes proposed at the Drayton Lane junction (see Appendix G)
- MIRA's assessment is incomplete and includes misleading information (e.g. paragraph 3.3 of the TAA (iii))

### 2. Paragraph 193 of the NPPF

Unreasonable restrictions arising for established businesses and community facilities as a consequence of new development

- The "left in and left out" will create material, unreasonable restrictions for Extra Room Self Storage
- The last consultation acknowledged the **traffic consequences on the local communities** the "left in and left out" created. **No alterations** were therefore proposed to the junctions and the introduction of speed restrictions on the A5 instead. This acknowledgement has seemingly disappeared.
- The value of commercial sites on Drayton Lane, which benefit from planning permissions without any operational restrictions or conditions will be diminished (Appendix H)

### 3. Local Plan strategic policy LP1

Sustainable development breach as a result of the material diversions. This could be overcome with better alternative junction arrangements (see section 6 of this presentation)

### 4. Sustainable travel strategy for the A5 and the interplay with policy LP26 'Strategic Road Improvements'

***The "left in and left out" has a negative impact on local businesses, local communities and the environment***



North Warwickshire Borough Council  
 Council House  
 South Street  
 Atherstone  
 CV9 1DE

Date: 8 November 2024

Our ref: SJA/VL/EXT00001/00014

Page 1 of 3

By email only to:  
[jeffbrown@northwarks.gov.uk](mailto:jeffbrown@northwarks.gov.uk)

Dear Mr Brown

Site: MIRA Technology Park South Site  
 Planning Application: PAP/2022/0423  
 The Applicant: ERI MTP Ltd  
 Our Client: Extra Room Self Storage & Drayton Grange Farm

We refer to our letter dated 1 February 2024 and confirm that we are instructed by Our Client to write to you again in relation to the Planning Application. Whilst Our Client does not object to the principle of the development of the Site, it maintains a strong objection to the latest proposal within the Applicant's TA Addendum (iii), to alter the junction with Drayton Lane to make it into a left in left out junction on the A5 ("the Applicant's Proposal").

We should be grateful if you would read this letter in addition to that of Our Client's highways expert, Simon Tucker and place them before the Board, prior to their making a decision in relation to the Planning Application. We have read and concur with the points raised by Simon Tucker in his letter of 8 November 2024. We note that the relevant highway authorities' responses to the TA Addendum (iii) are awaited.

It is not clear from the TA Addendum (iii) whether the Applicant has considered the nature of the traffic that would be displaced by the Applicant's Proposal and its impact on the locality. For instance, traffic travelling between the A444 and A5 that currently uses Drayton Lane will divert through neighbouring villages like Witherley, Atterton, Ratcliffe Culey, Sheepy Magna and Mancetter. And HGVs and farm vehicles, which ordinarily access Our Client's self storage and farming businesses will be forced under the Applicant's Proposal to take access via Fenny Drayton village together with the self storage customers. Are the highway authorities satisfied that there are not pinch points or areas of concern on the diversion route of the displaced vehicles, which may be exacerbated by the significant increase in traffic that would result from the Applicant's Proposal?

The Council's Local Plan recognises at paragraph 12.20 that:

*'the A5 is an important strategic route for the sub-region and nationally but it is also an important local road serving the local community'.*

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Our Client's self storage business has a significant number of local customers (in excess of 2,000) comprising a mix of individuals and local businesses. Most of the customers choose to rent units from Our Client because of its easy access from the A5, and in the case of the business users, their need to make regular visits to the facility and receive regular deliveries of stock. Therefore, if the Applicant's Proposal is approved by the Board there would be a significant negative impact on local residents and highway users because either:

- i) Customers are so negatively impacted by the diversion, they would cease to use the self storage facility. New potential customers would choose other more conveniently located storage facilities within a shorter journey distance. This will have a significant negative impact on local businesses and have a catastrophic impact on Our Client's well-established business, which will result in job losses within the local economy.
- ii) Alternatively, if customers continue to use Our Client's self storage facility, despite the negative impact on them resulting from the longer journey to access their units, their journey times will be extended by the Applicant's Proposal. The cumulative impact of these extended journeys for so many people, businesses and delivery vehicles will result in a considerable increase in carbon emissions, contrary to the environmental objective within the NPPF and the Council's own Climate Change Action Plan.

We ask the Board to consider how the Applicant's Proposal might impact the Council's sustainable travel strategy for the A5 and the interplay with policy 'LP26 Strategic Road Improvements' of the Council's Local Plan. It is also noted that the impacts of the Applicant's Proposal appear to be in direct breach of the Local Plan strategic policy LP1 for sustainable development.

Our Client's self storage facility benefits from an extant planning permission<sup>1</sup> for expansion. However, given the predicted negative impacts of the Applicant's Proposal, it is unclear whether there will be sufficient additional custom to warrant the consented expansion. Further, there is mention in TA Addendum (iii) of forecasts for future highway use (paragraph 3.21) but it is not clear whether this includes the reasonably foreseeable additional use associated with Our Client's consented expansion, if implemented.

The considerable negative impact of the Applicant's Proposal on local businesses, residents and the environment alongside the apparent breach of LP1 are material considerations, which we respectfully submit, could be overcome by leaving the Drayton Lane junction as existing or, if necessary, reverting to the Applicant's earlier proposal for signalisation of the junction with Woodford Lane and the signalisation of the Drayton Lane junction as well.

The Local Plan states:

*'any growth along [the A5's] route will need to carefully consider the implication of additional traffic',*

this must also mean the implications for the existing and well-established businesses. These concerns are given further weight by paragraph 193 of the NPPF, which states that new developments should be 'integrated effectively with existing businesses. It goes on to elaborate that:

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<sup>1</sup> Planning permission ref. 23/00239/FUL granted by Hinckley & Bosworth Borough Council

*Existing businesses ... should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business ... could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed.*

This reinforces the significant weight that should be given to leaving the arrangement of the Drayton Lane junction as existing in order to retain full access to the A5 in both directions. Simon Tucker's letter questions the need for any mitigation at this junction, particularly given the frequency of accidents at the junction is shown to be not material or significant. Otherwise, if necessary, consideration of the Applicant's earlier mitigation suggestion of signalisation on the A5 at the Drayton Lane junction, as a reasonable alternative to the Applicant's Proposal. Both options would overcome the significant adverse impact the Applicant's Proposal would have on the existing businesses in the area. The Board, if minded, could impose a condition on the planning permission to leave the Drayton Lane junction as existing or implement signalisation of the A5 at the Drayton Lane junction, which would address the concerns of Our Client and other local business owners.

We respectfully advise the Council that due to the severe impacts that the Applicant's Proposal if approved, will have on Our Client's businesses, we are instructed to consider any legal recourse that may be necessary.

Our Client would welcome a meeting with the Council before the Board meets in January and we look forward to receiving suitable dates from you for such a meeting.

Please confirm safe receipt of this letter by email.

Yours sincerely



Partner and Head of Planning and Highways  
For and on behalf of Ladders Solicitors LLP

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FAQ: Jeff Brown

North Warwickshire Borough Council  
Council House  
South Street  
Atherstone  
CV9 1DE

Our Ref: SJT/24316  
6<sup>th</sup> November 2024

Dear Sir

**Mira South Site (PAP/2022/0423)**

As you know we act on behalf of Extra Room Self Storage and Drayton Grange Farm. Extra Room Self Storage runs a self-storage facility on the A5 / A444 junction and also facilities at Drayton Grange Farm and Drayton Barns both on Drayton Lane, Fenny Drayton.

Drayton Grange Farm operates an arable framing business from Drayton Grange Farm, Drayton Lane, Fenny Drayton. The development proposals will adversely and significantly impact on the operation of all these sites – principally as a result of the highway changes proposed by the applicant.

You have copies of our previous objections to the above application (dated 19<sup>th</sup> October 2022, 23<sup>rd</sup> October 2023 and 9<sup>th</sup> January 2024) on file already.

Thank you for providing a copy of TA Addendum (iii) which we have now reviewed and offer the following further comments.

**Redgate Roundabout**

Extra Room Self Storage's site on the A5 / A444 junction currently benefits from access direct to the A5 via an eastbound in slip and all movements at the A5 / A444 Redgate Roundabout.



Nothing has materially changed in respect of the objectors' position on this improvement scheme as the application has progressed. My letter of 16<sup>th</sup> January sets out the details of our concerns in respect of these works. Having reviewed the planning file there has been no further submissions or review of these issues, and it is not covered in the TA Addendum (iii).

As we have confirmed in all three previous objections, for the avoidance of doubt, my client is unwilling to agree any changes to their access arrangements onto the A5 and the applicants must demonstrate that their proposals will provide for retained and direct access to and from the A5 (in both directions) and the A444 (in both directions).

In addition to ensuring there is no impact on the operational aspects of my clients land we will require the full and clear agreement of both NH / LCC (and WCC if relevant) and certainty that any required changes can, and will, be delivered through the planning process. At present this position has not been reached by the application.

#### **A5 / Drayton Lane Works (Section 6 of Addendum TA (II))**

As of January 2024, my client welcomed the further iteration in terms of the A5 / Drayton Lane junction that confirmed the left in left out proposals had been removed from the scheme.

You will recall that the applicant has not, however, provided any evidence that the proposed development itself warrants the need for mitigation at this location at all. As set out in my letter of 23<sup>rd</sup> October 2023 there is no proper assessment of this issue and that remains the case.

My client is therefore dismayed to see from the TA Addendum (iii) that (unjustified) proposals for the conversion of the Drayton Lane junction to a left in left out arrangement have been re-introduced. Whilst it is noted that NH did not support an alternative solution to reduce the speed limit on this section of road (Page 6 under "26<sup>th</sup> September 2024" heading).

The basis for the changes are however flawed. Paragraph 3.3 states that "The preliminary scheme represents the Highway Authorities collective response to the poor safety record at both junctions. The record of KSI [Killed or Seriously Injured] accidents that have occurred involve vehicles undertaking right turn manoeuvres at these junctions."

For the avoidance of any doubt, whilst it is accepted that the A5 / Woodford Lane junction has a poor accident record in respect of KSI the same is not true of the Drayton Lane junction. I attach the latest five-year data. There were only two accidents in total in the vicinity of the junction and only one related to movements at the junction itself. This frequency of accidents is not material or significant. It does not warrant mitigation in its own right and the applicant has still not provided any justification for why such changes are required as a result of the application.



Clearly to ensure compliance with the CIL Regulations 2010 Para 122 and NPPF Para 57, it is necessary that the applicant demonstrates that any mitigation is necessary, directly related to the development and reasonable.

Notwithstanding the lack of technical justification of the scheme as a result of development, there is similarly no assessment of the adverse impacts on existing users of Drayton Lane on the existing uses of the route.

Whilst modelling is provided in the Addendum, it focuses on the operational assessment of the scheme. No assessment of the impact of the works in terms of additional journey times for existing users of Drayton Lane is provided. There will be significant and material adverse impacts in respect of existing users which, fundamentally, needs to be considered as part of the overall planning balance.

Clearly the changes would add considerably to journey distances. Our previous representations on this point have not been addressed. Before any appropriate decision can be made on the application, this assessment is essential so that the overall planning balance is clearly set out and understood by the decision makers.

In summary, there is no justification for the changes proposed at Drayton Lane and significant adverse impacts arising as a result of the changes have not been appropriately assessed.

Furthermore, I would draw your attention to your previous committee report which noted the following:

*4.39 The most significant other highway issues raised, were from further afield. These revolved around the choice of off-site works at the Woodford and Drayton Lane junctions to the A5 beyond and to the west of the Red Gate junction. These concerns came from the Fenny Drayton, Witherley and Mancetter communities. Whilst they all acknowledged the recognised present road safety issues at the two junctions, they also identified the very real prospect of increased traffic in their villages and on the surrounding rural highway network, particularly to the north of the A5, as traffic would try to avoid the initially proposed traffic lights at the junctions, or would unavoidably have to be diverted because of the later proposals for movement restrictions at the two junctions. The same issues would arise in Mancetter, as a consequence of increased traffic on the B4111. In all these communities and particularly for the second option, there were very real concerns about the adverse impact on established businesses because of the necessary diversions. This latter concern would have been a material consideration of significant weight for the Board, as it relates to the "agent of change" principle set out in paragraph 193 of the NPPF – i.e. potentially "unreasonable restrictions" arising for established businesses and community facilities as a consequence of new development.*



*4.40 As Members are aware from the introduction to the report, the final proposals do not now include any highway works to change the existing arrangements. The Highway Authorities have acknowledged the traffic consequences on the local communities arising from the two options proposed and have come to the conclusion that there should be no alterations. However, it is understood that National Highways is to undertake work for the prospective introduction of speed restriction measures on the A5 and thus the applicant would be asked to contribute to this work and its cost. As a consequence, the issues raised would not carry the weight sufficient to warrant noncompliance with Local Plan policy and the NPPF. In effect there would be no change from the existing.*

Clearly, there has been a material change in circumstances since that was written in that restrictions at the two junctions have now in fact been reintroduced. Whilst the applicant has assessed the operation of the proposed changes, they have not assessed the wider impact of it.

It therefore is clear that this must now be considered a "*material consideration of significant weight for the Board*". I am sure you will in any event update this overview in your forthcoming board papers to reflect the revised position in that respect. However, it is clearly not possible to make an informed or reasonable judgement in respect of the impacts without the necessary modelling.

### **Conclusion**

Whilst the application is now on its fourth formal submission in respect of transport issues, nothing has materially changed in respect of the objectors' position on this improvement scheme.

Whilst the applicant has reintroduced the left turn out from the old A444 this fails to address any of the issues raised in our objection of 19/10/22 and that of 23/10/23.

The proposals for Drayton Lane cause significant concern to my client. No appropriate justification has been provided to support the inclusion of these works as part of the application and the assessment of the proposals is wholly inadequate in respect the impacts on existing road users. The adverse impacts arising have not been properly set out for the purposes of making an appropriate decision.

In conclusion, as currently submitted, the application fails the key NPPF tests in terms of Paras 110 – 113. It also fails the tests of the North Warwickshire Local Plan Policies LP23 (Transport Assessments) and LP29.

.../5  
Jeff Brown – North Warwickshire BC  
6<sup>th</sup> November 2024  
SJT/24316

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Yours sincerely



Simon Tucker  
**David Tucker Associates**

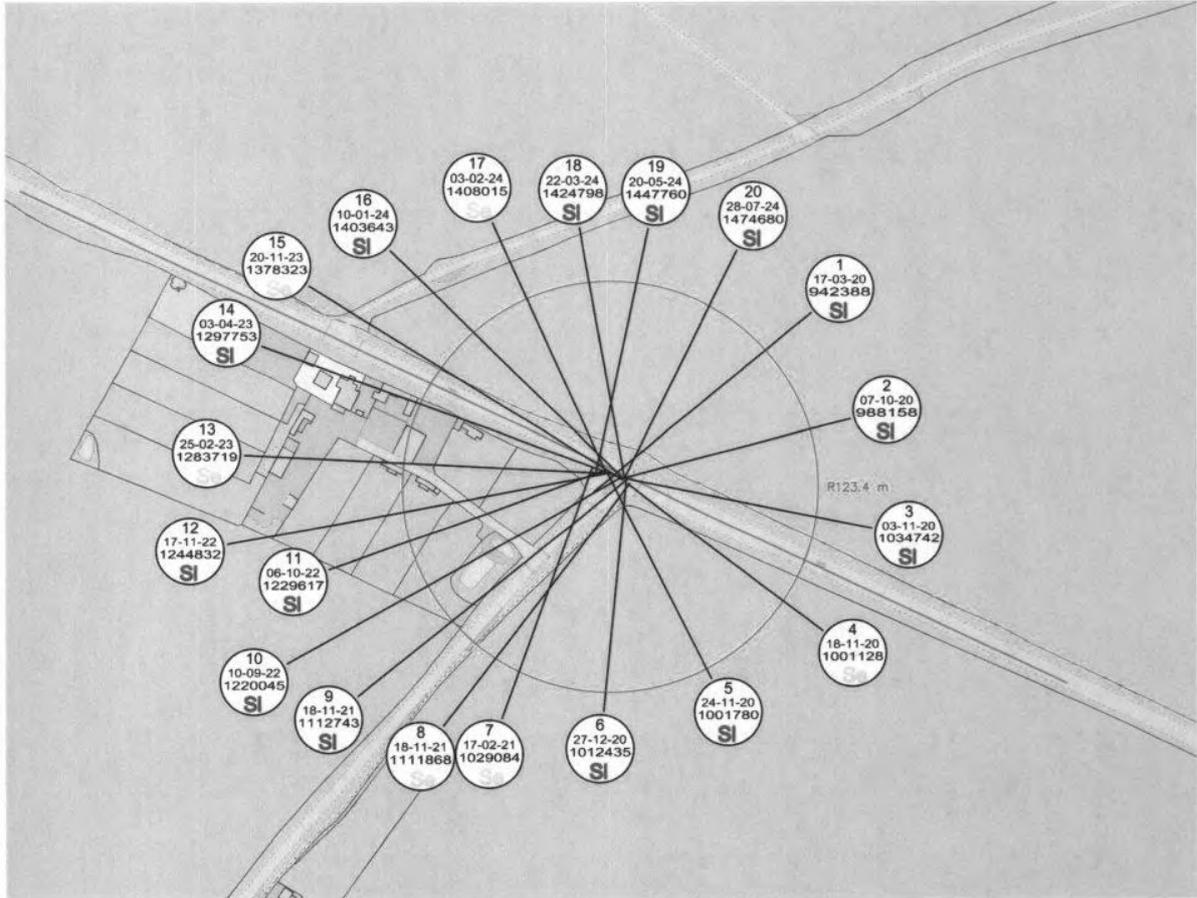
cc Harry Horsley – Leicestershire CC  
Martin Seldon – National Highways  
Dave Pilcher – Warwickshire CC  
Chris Brown - Hinckley and Bosworth Borough Council



**A5 Woodford Lane 01/10/2019 -  
17/10/2024  
17 Mar 2020 to 28 Jul 2024**

Report produced: 25/10/2024

Road Safety Intelligence Team  
Tel: 01926 412740  
Email: [rsinfo@warwickshire.gov.uk](mailto:rsinfo@warwickshire.gov.uk)



ALL ROAD USERS - ACCIDENTS

Year	Fatal	Serious	Slight	Total	Time	Fatal	Serious	Slight	Total	District	Fatal	Serious	Slight	Total
2020	0	1	5	6	0000-0059	0	0	0	0	North Warwickshire	0	6	14	20
2021	0	2	1	3	0100-0159	0	0	0	0	Road Class	Fatal	Serious	Slight	Total
2022	0	0	3	3	0200-0259	0	0	0	0	M	0	0	0	0
2023	0	2	1	3	0300-0359	0	0	0	0	A(M)	0	0	0	0
2024	0	1	4	5	0400-0459	0	0	0	0	A	0	6	12	18
					0500-0559	0	0	0	0	B	0	0	0	0
					0600-0659	0	0	0	0	Other	0	0	2	2
					0700-0759	0	0	0	0	Speed Limit	Fatal	Serious	Slight	Total
					0800-0859	0	1	0	1	20	0	0	0	0
					0900-0959	0	0	0	0	30	0	0	0	0
					1000-1059	0	0	0	0	40	0	0	0	0
					1100-1159	0	0	1	1	50	0	5	13	18
					1200-1259	0	1	0	1	60	0	1	1	2
					1300-1359	0	0	0	0	70	0	0	0	0
					1400-1459	0	0	1	1	Obstruction (Veh Totals)	Fatal	Serious	Slight	Total
					1500-1559	0	1	1	2	Sign/Signal	0	0	0	0
					1600-1659	0	2	3	5	Lamp Post	0	0	0	0
					1700-1759	0	0	1	1	Pole	0	0	0	0
					1800-1859	0	0	1	1	Tree	0	0	0	0
					1900-1959	0	0	0	0	Bus Stop	0	0	0	0
					2000-2059	0	1	0	1	Barrier	0	0	0	0
					2100-2159	0	0	0	0	Other	0	1	1	2
					2200-2259	0	0	0	0	Junction Type	Fatal	Serious	Slight	Total
					2300-2359	0	0	0	0	Not at Junction	0	0	0	0
					Lighting	Fatal	Serious	Slight	Total	Roundabout	0	0	0	0
					Daylight	0	4	9	13	Mini R/about	0	0	0	0
					Darkness	0	2	5	7	T or Staggered	0	6	14	20
					Weather	Fatal	Serious	Slight	Total	Slip Road	0	0	0	0
					Fine without high winds	0	5	13	18	Crossroads	0	0	0	0
					Raining without high winds	0	0	1	1	Multiple Junct	0	0	0	0
					Snowing without high winds	0	1	0	1	Private Drive	0	0	0	0
					Fine with high winds	0	0	0	0	Other Junction	0	0	0	0
					Raining with high winds	0	0	0	0	Unknown	0	0	0	0
					Snowing with high winds	0	0	0	0					
					Fog or mist - if hazard	0	0	0	0					
					Other	0	0	0	0					
					Unknown	0	0	0	0					
					Road Surface	Fatal	Serious	Slight	Total					
					Dry	0	5	11	16					
					Wet/Damp	0	1	3	4					
					Snow	0	0	0	0					
					Frost/Ice	0	0	0	0					
					Flood	0	0	0	0					
					Unknown	0	0	0	0					
					Bends (Veh Totals)	Fatal	Serious	Slight	Total					
					Left Hand Bend	0	0	0	0					
					Right Hand Bend	0	0	0	0					
					Ped Crossing	Fatal	Serious	Slight	Total					
					Not at crossing	0	6	12	18					
					Zebra	0	0	0	0					
					Pelican	0	0	0	0					
					Ped Phase	0	0	0	0					
					Footbridge	0	0	0	0					
					Refuge	0	0	2	2					
					Unknown	0	0	0	0					

ALL ROAD USERS - CASUALTIES

Year	Fatal	Serious	Slight	Total	Casualty Age	Fatal	Serious	Slight	Total	Weather	Fatal	Serious	Slight	Total
2020	0	1	7	8	0-5	0	0	0	0	Fine without high winds	0	5	26	31
2021	0	2	4	6	6-10	0	0	3	3	Raining without high winds	0	0	1	1
2022	0	0	3	3	11-16	0	0	0	0	Snowing without high winds	0	1	0	1
2023	0	2	1	3	17-25	0	1	7	8	Fine with high winds	0	0	0	0
2024	0	1	12	13	26-35	0	3	6	9	Raining with high winds	0	0	0	0
					36-45	0	1	7	8	Snowing with high winds	0	0	0	0
					46-55	0	0	2	2	Fog or mist - if hazard	0	0	0	0
					56-64	0	0	0	0	Other	0	0	0	0
					65+	0	1	2	3	Unknown	0	0	0	0
					Unknown	0	0	0	0					
<b>Month</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Time</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Road Surface</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>
January	0	0	1	1	0000-0059	0	0	0	0	Dry	0	5	24	29
February	0	3	1	4	0100-0159	0	0	0	0	Wet/Damp	0	1	3	4
March	0	0	3	3	0200-0259	0	0	0	0	Snow	0	0	0	0
April	0	0	1	1	0300-0359	0	0	0	0	Frost/Ice	0	0	0	0
May	0	0	1	1	0400-0459	0	0	0	0	Flood	0	0	0	0
June	0	0	0	0	0500-0559	0	0	0	0	Unknown	0	0	0	0
July	0	0	7	7	0600-0659	0	0	0	0	District	0	6	27	33
August	0	0	0	0	0700-0759	0	0	0	0	North Warwickshire	0	0	0	0
September	0	0	0	0	0800-0859	0	1	1	2					
October	0	0	1	1	0900-0959	0	0	0	0	Road Class	0	0	0	0
November	0	0	2	2	1000-1059	0	0	0	0	M	0	0	0	0
December	0	3	8	11	1100-1159	0	0	1	1	A(M)	0	0	0	0
					1200-1259	0	1	0	1	A	0	6	25	31
					1300-1359	0	0	0	0	B	0	0	0	0
					1400-1459	0	0	2	2	Other	0	0	2	2
					1500-1559	0	1	7	8	Speed Limit	0	0	0	0
					1600-1659	0	0	7	7	20	0	0	0	0
					1700-1759	0	2	5	7	30	0	0	0	0
					1800-1859	0	0	1	1	40	0	0	0	0
					1900-1959	0	0	1	1	50	0	5	26	31
					2000-2059	0	0	0	0	60	0	1	1	2
					2100-2159	0	1	1	2	70	0	0	0	0
					2200-2259	0	0	0	0	Obstruction	0	0	0	0
					2300-2359	0	0	0	0	Sign/Signal	0	0	0	0
					Lighting	0	4	18	22	Lamp Post	0	0	0	0
					Daylight	0	2	9	11	Pole	0	0	0	0
					Darkness	0	0	0	0	Tree	0	0	0	0
						0	0	0	0	Bus Stop	0	0	0	0
						0	0	0	0	Barrier	0	0	0	0
						0	0	2	2	Other	0	0	2	2
<b>Day</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Daylight</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Darkness</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>
Sunday	0	0	9	9	0	0	0	0	0	0	0	0	0	0
Monday	0	1	2	3	0	0	0	1	1	0	0	0	0	0
Tuesday	0	0	4	4	0	0	0	1	1	0	0	0	0	0
Wednesday	0	2	2	4	0	1	0	1	2	0	0	0	0	0
Thursday	0	1	6	7	0	0	0	0	0	0	0	0	0	0
Friday	0	0	2	2	0	0	0	2	2	0	0	0	0	0
Saturday	0	2	2	4	0	1	7	8	15	0	0	0	0	0
<b>Ped Crossing</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Not at crossing</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Other</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>
Not at crossing	0	6	23	29	0	0	0	0	0	Speed Limit	0	0	0	0
Zebra	0	0	0	0	0	0	0	0	0	20	0	0	0	0
Pelican	0	0	0	0	0	0	0	0	0	30	0	0	0	0
Ped Phase	0	0	0	0	0	0	0	1	1	40	0	0	0	0
Footbridge	0	0	0	0	0	0	0	0	0	50	0	5	26	31
Refuge	0	0	0	0	0	0	0	0	0	60	0	1	1	2
Unknown	0	0	4	4	0	0	0	0	0	70	0	0	0	0
					2300-2359	0	0	0	0	Obstruction	0	0	0	0
<b>Bends</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Lighting</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>	<b>Sign/Signal</b>	<b>Fatal</b>	<b>Serious</b>	<b>Slight</b>	<b>Total</b>
Left Hand Bend	0	0	0	0	Daylight	0	4	18	22	Lamp Post	0	0	0	0
Right Hand Bend	0	0	0	0	Darkness	0	2	9	11	Pole	0	0	0	0
						0	0	0	0	Tree	0	0	0	0
						0	0	0	0	Bus Stop	0	0	0	0
						0	0	0	0	Barrier	0	0	0	0
						0	0	2	2	Other	0	0	2	2

ALL ROAD USERS - CASUALTIES

Junction Type	Fatal	Serious	Slight	Total
Not at Junction	0	0	0	0
Roundabout	0	0	0	0
Mini R'about	0	0	0	0
T or Staggered	0	6	27	33
Slip Road	0	0	0	0
Crossroads	0	0	0	0
Multiple Junct	0	0	0	0
Private Drive	0	0	0	0
Other Junction	0	0	0	0
Unknown	0	0	0	0

D-PRINT CRASH REPORT

25 October 2024  
12:01:23

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
1	Road No U Section Grid 433779E Ref 296387N WOODFORD LANE MANCETTER JUNCTION WITH WATLING STREET (A5)	SLIGHT	17/03/2020	3	17:53	Daylight	Dry	Fine	North Warwickshire		
	<p>VEH 002 WAS AT THE JUNCTION OF WOODFORD LANE AND THE A5 WATLING WAITING TO TURN LEFT TOWARDS ATHERSTONE WHEN VEH 001 RAN INTO THE BACK OF VEH 002. BOTH VEHICLES STOPPED AND GOT OUT OF THEIR VEHICLES. THE DRIVER OF VEH 001 WAS APOLOGETIC AND AFTER HE LOOKED AT THE REAR OF VEH 002 CAR TO ASSESS THE DAMAGE AND THE OTHER DRIVER SAID THAT THERE WAS NO DAMAGE, BUT THERE WAS DAMAGE TO BOTH VEHICLES. DRIVER OF VEH 2 REQUESTED DETAILS OF VEH 001 AND HE SAID HE WOULD JUST MOVE HIS VEHICLE AND PROCEEDED TO REVERSE AND TURNED AROUND AND DROVE OFF BACK DOWN WOODFORD LANE TOWARDS HARTSHILL AWAY FROM THE A5 JUNCTION.</p> <p>Veh1, car, SW → NE Veh2, car, SW → NW</p>										
2	Road No A5 Section Grid 433796E Ref 296395N WATLING STREET (A5) HARTSHILL JUNCTION WITH WOODFORD LANE	SLIGHT	07/10/2020	4	09:58	Daylight	Dry	Fine	North Warwickshire	R.TURN	
	<p>VEH 001 A GREY BMW REG HG61SRU HAS TURNED RIGHT OFF THE A5 HAVING BEEN TRAVELLING FROM MANCETTER TOWARDS NUNEATON, NOT SEEING VEH 002 A BLACK VAUXHALL ASTRA REG NO. BF612XP. VEH 001 HAS TURNED ACROSS AND HAS COLLIDED WITH VEH 002 WHICH WAS TRAVELLING ON THE A5 TOWARDS MANCETTER.</p> <p>Veh1, car, NW → SW Veh2, car, SE → NW</p>										

Key

Involved  
PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

FACTORS

+VE  
R.TURN  
O/TAKE  
S.VEH

Positive Breath Test  
Right Turn Manoeuvre  
Overtaking Manoeuvre  
Single Vehicle

Special Conditions

ATS OUT  
ATS DEF  
SIGNS  
RD WRKS  
Surface

Traffic Lights Not Working  
Traffic Lights Defective  
Road Signs Defective or Obscured  
Road Works  
Road Surface Defective



**D-PRINT CRASH REPORT**

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
6	Road No A5 Section Grid 433798E Ref 296393N WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE, MANCETTER	SLIGHT	27/12/2020	1	14:13	Daylight	Dry	Fine	North Warwickshire	R.TURN	Casualties Vehicles 2 3
	VEH 001 WAS TRAVELLING FROM NUNEATON TOWARDS ATHERSTONE ALONG THE A5, APPROACHING JUNCTION WITH WOODFORD LANE. VEH 002 WAS STATIONARY AWAITING TO TURN RIGHT INTO WOODFORD LANE. THEY HAVE BOTH THEN PROCEEDED AT THE SAME TIME CAUSING A COLLISION OF BOTH FRONT OFFSIDE. VEH 002 HAS BEEN CAUSED TO PROPELL BACK INTO THE CARRIAGEWAY AND THEN COLLIDE WITH THE OFFSIDE OF VEH 003, WHICH HAS THEN LEFT THE CARRIAGEWAY ONTO THE GRASS VERGE.										
7	Road No A5 Section Grid 433778E Ref 296401N A5 AT JUNCTION WITH WOODFORD LANE, HARTSHILL	SERIOUS	17/02/2021	4	17:22	Drk: no SL	Wet/Damp	Snow	North Warwickshire		Casualties Vehicles 1 2
	IT WOULD APPEAR VEH 001 HAS TAILGATED ANOTHER VEHICLE WHILST PULLING OUT OF WOODFORD LANE, ONTO THE A5 TOWARDS TAMWORTH, VEH 002 HAS BEEN TRAVELLING ALONG THE A5 IN THE SAME DIRECTION, HAS NOT HAD TIME TO STOP, RESULTING IN A COLLISION.										
8	Road No A5 Section Grid 433800E Ref 296392N WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE, MANCETTER	SERIOUS	18/11/2021	5	08:48	Daylight	Dry	Fine	North Warwickshire	R.TURN	GV Casualties Vehicles 2 2
	VEHICLE 1 WAS WAITING AT THE JUNCTION OF WOODFORD LANE/THE A5 WATLING STREET. VEHICLE 2 WAS TRAVELLING ALONG THE A5 TOWARDS WOODFORD LANE FROM THE DIRECTION OF THE RED GATE. VEHICLE 1 HAS PULLED OUT INTO THE PATH OF VEHICLE 2 AND COLLIDED.										

<b>Key</b>	<b>Involved</b>	<b>Factors</b>	<b>Special Conditions</b>
PED	Pedestrian	+VE	ATS OUT
HGV	Heavy Goods Vehicle	R TURN	ATS DEF
GV	Goods Vehicle	O/TAKE	SIGNS
M/C	Motor Cycle	S.VEH	RD WRKS
P/C	Pedal Cycle		Surface
PSV	Bus/Coach		
		Positive Breath Test	Traffic Lights Not Working
		Right Turn Manoeuvre	Traffic Lights Defective
		Overtaking Manoeuvre	Road Signs Defective or Obscured
		Single Vehicle	Road Works
			Road Surface Defective

D-PRINT CRASH REPORT

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
9	Road No A5 Section Grid 433798E Ref 296394N	SLIGHT	18/11/2021	5	17:06	Drk. no SL	Dry	Fine		R.TURN	
	WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE										
	THIS IS A 2 CAR RTC ON THE A5 WITH THE WOODFORD LANE JUNCTION WHERE V1 HAS BEEN SAT IN THE CENTRE SECTION FOR TURNING RIGHT INTO THE A5 BEHIND ANOTHER VEHICLE. THE VEHICLE HAS PULLED OUT INTO WOODFORD LANE AND HAS CLEARED THE JUNCTION AT WHICH POINT V1 HAS THEN ATTEMPTED TO TURN INTO THE JUNCTION CROSSING THE OPPOSING CARRIAGEWAY INTO THE PATH OF V2 WHICH HAS CAUSED THE RTC										
10	Road No A5 Section Grid 433794E Ref 296395N	SLIGHT	10/09/2022	7	11:28	Daylight	Dry	Fine		R.TURN	
	WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE										
	V001 WAS TRAVELLING ON A5 TOWARDS NUNEATON WAITING IN LANE TO TURN DOWN WOODFORD LANE. MADE TURN WITHOUT SUFFICIENT DISTANCE CAUSING V2 TO COLLIDE WITH NS OF V1. V1 HAS THEN SPUN INTO SLOWING V3 IN THE MOUTH OF WOODFORD LANE APPROACHING A5. THIS CAUSED V3 TO STOP SUDDENLY AND V3 WENT INTO FRONT OF V4										
11	Road No A5 Section Grid 433786E Ref 296400N	SLIGHT	06/10/2022	5	16:08	Daylight	Wet/Damp	Fine		R.TURN	
	WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE, MANCETTER, WARWICKSHIRE										
	VEHICLE 2 WAS TRAVELLING A5 TOWARDS TAMWORTH WHERE VEHICLE 1 HAS PULLED OUT FROM WOODFORD LANE INTO ITS PATH, MINOR INJURY TO LEFT HAND OF DRIVER OF VEHICLE 2. BOTH VEHICLES A POTENTIAL WRITE OFF										

<b>Key</b>	<b>Involved</b>	<b>Factors</b>	<b>Special Conditions</b>
PED	Pedestrian	+VE	ATS OUT
HGV	Heavy Goods Vehicle	R TURN	Traffic Lights Not Working
GV	Goods Vehicle	O/TAKE	Traffic Lights Defective
M/C	Motor Cycle	S. VEH	SIGNS
P/C	Pedal Cycle		Road Signs Defective or Obscured
PSV	Bus/Coach		RD WRKS
			Surface
			Road Surface Defective



**D-PRINT CRASH REPORT**

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
13	Road No A5 Section Grid 433785E Ref 296398N WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE, MANCETTER, WARWICKSHIRE	SERIOUS	25/02/2023	7	12:59	Daylight	Dry	Fine		R.TURN North Warwickshire	Casualties 1 Vehicles 2
<p>VEHICLE 1 WHICH WAS A RED FORD ESCORT V1 WAS TRAVELLING FROM WOODFORD AND AT THE JUNCTION TURNING RIGHT ON TO A5 TOWARDS HINCKLEY</p> <p>VEHICLE 2 WHICH WAS A GREY SEAT IBIZA V2 WAS TRAVELLING ON THE A5 TOWARDS TAMWORTH. VEHICLE 1 HAS PULLED OUT OF THE JUNCTION, THIS IS WHEN VEHICLE 1 HAS COLLIDED WITH VEHICLE 2 AND HAS CAUSED DAMAGE TO BOTH VEHICLES AND MINOR INJURY TO PASSENGER OF VEHICLE 2</p>											
14	Road No A5 Section Grid 433796E Ref 296395N WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE	SLIGHT	03/04/2023	2	17:36	Daylight	Dry	Fine		R.TURN North Warwickshire	Casualties 1 Vehicles 2
<p>VEHICLE ONE HAS BEEN WAITING TO TURN RIGHT FROM THE A5 ONTO WOODFORD LANE. THERE WERE TWO VEHICLES TRAVELLING IN THE OPPOSITE DIRECTION ALSO WAITING TO TURN INTO WOODFORD LANE. VEHICLE ONE HAD RIGHT OF WAY HOWEVER THE VEHICLES LOOKED LIKE THEY WERE GOING TO GO ANYWAY SO VEHICLE ONE STOPPED TO LET THEM GO. THE DRIVER WAS CONCENTRATING ON THOSE TWO VEHICLES SO ONCE THEY HAD GONE, VEHICLE ONE WENT TO TURN RIGHT, BUT DID NOT SEE VEHICLE TWO WHICH WAS TRAVELLING STRAIGHT ON THE A5 IN THE OPPOSITE DIRECTION TO VEHICLE ONE. THE TWO VEHICLES HAVE THEN COLLIDED WHILST VEHICLE ONE WAS TURNING RIGHT AND VEHICLE TWO WAS CONTINUING STRAIGHT ON.</p>											

**Key**

**Involved**  
 PED Pedestrian  
 HGV Heavy Goods Vehicle  
 GV Goods Vehicle  
 M/C Motor Cycle  
 P/C Pedal Cycle  
 PSV Bus/Coach

**FACTORS**  
 +VE  
 R.TURN  
 O/TAKE  
 S.VEH

**Special Conditions**  
 ATS OUT  
 ATS DEF  
 SIGNS  
 RD WRKS  
 Surface

Traffic Lights Not Working  
 Traffic Lights Defective  
 Road Signs Defective or Obscured  
 Road Works  
 Road Surface Defective

**Positive Breath Test**  
 Right Turn Manoeuvre  
 Overtaking Manoeuvre  
 Single Vehicle

**D-PRINT CRASH REPORT**

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
15	Road No A5 Section Grid 433796E Ref 296394N WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE	SERIOUS	20/11/2023	2	15:10	Daylight	Dry	Fine	North Warwickshire	R.TURN	Casualties Vehicles 1 3
<p>V001 has travelled along the A5 towards Nuneaton. V002 is travelling the opposite direction. At a T-junction V001 has entered the filter lane to turn right, and has then turned right across the path of V002. V002 had no chance to stop. V003 is a secondary collision whereby the driver had to take evasive action and struck V001</p>											
16	Road No A5 Section Grid 433796E Ref 296395N WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE	SLIGHT	10/01/2024	4	19:00	Dark: lit	Wet/Damp	Fine	North Warwickshire	R.TURN	Casualties Vehicles 1 2
<p>VEH 001 COMING DOWN A5 TOWARDS WOODFORD LANE, STOPPED IN TURNING JUNCTION TO TURN RIGHT IN WOODFORD LANE. VEH 001 HAS THEN BEGAN TO TURN ACROSS CARRIAGE WAY AND HAS COLLIDED WITH VEH 002. IMPACT WAS AT REAR OFFSIDE AND FRONT OFFSIDE FOR VEH 001. VEH 002 HAS SPUN ACROSS ROAD INTO OPPOSITE CARRIAGE WAY AND ENDED UP IN A DITCH AT SIDE OF THE ROAD.</p>											
17	Road No A5 Section Grid 433785E Ref 296401N WATLING STREET (A5) AT JUNCTION WITH WOODFORD LANE, MANCETTER, WARWICKSHIRE	SERIOUS	03/02/2024	7	21:13	Dark: lit	Dry	Fine	North Warwickshire	R.TURN	Casualties Vehicles 2 2
<p>Police have been made aware of a two vehicle RTC at the junction of the A5 and WOODFORD LANE. V001 has been reported to have been in the designated turning bay from the A5 and into WOODFORD LANE whereby V001 has contacted an oncoming vehicle V002 which was travelling in the direction towards Atherton. V002 has received extensive damage to the front end of the vehicle resulting in a full airbag deployment. At the scene both occupants of V002 were complaining of injuries.</p>											

**Key**  
Involved  
PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

**FACTORS**  
+VE Positive Breath Test  
R TURN Right Turn Manoeuvre  
O/TAKE Overtaking Manoeuvre  
S.VEH Single Vehicle

**Special Conditions**  
ATS OUT Traffic Lights Not Working  
ATS DEF Traffic Lights Defective  
SIGNS Road Signs Defective or Obscured  
RD WRKS Road Works  
Surface Road Surface Defective

D-PRINT CRASH REPORT

25 October 2024  
12:01:23

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
18	Road No A5 Section Grid 433797E Ref 296395N WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE	SLIGHT	22/03/2024	6	16:28	Daylight	Dry	Fine	North Warwickshire	R.TURN	Casualties 2 Vehicles 2
	Vehicle 1 waiting in central reservation on A5 to turn right onto WOODFORD LANE. Vehicle 2 travelling along A5 towards ATHERSTONE. Veh 1 has turned right towards WOODFOOD LANE in front of Veh 2 causing collision.										
19	Road No U Section Grid 433780E Ref 296397N WOODFORD LANE NEAR JUNCTION WITH WATLING STREET (A5), MANCETTER, WARWICKSHIRE	SLIGHT	20/05/2024	2	16:15	Daylight	Dry	Fine	North Warwickshire		Casualties 1 Vehicles 2
	I WAS FULLY STOPPED AT THE JUNCTION WAITING FOR THERE TO BE A GAP IN THE TRAFFIC TO MOVE ONTO THE A5 NORTHBOUND. THE CAR THEN HIT ME FROM BEHIND PUSHING ME THREE LANES ACROSS INTO ONCOMING TRAFFIC HEADING SOUTHBOUND ON THE A5. MY CAR CUT OUT STRAIGHT AWAY BUT FROM THE IMPACT I WAS ABLE TO TURN THE STEERING WHEEL AND MOVE INTO THE MIDDLE LANE (WHICH TURNS RIGHT INTO WOODFORD LANE). I WAS IN SHOCK, INJURED AND MY GLASSES HAD FLEW OFF IN THE IMPACT SO I WAS UNABLE TO SEE THE CAR THAT HIT ME OR THE DRIVER.										
20	Road No A5 Section Grid 433797E Ref 296395N WATLING STREET (A5) NEAR JUNCTION WITH WOODFORD LANE, HARTSHILL, WARWICKSHIRE	SLIGHT	28/07/2024	1	15:29	Daylight	Dry	Fine	North Warwickshire	R.TURN	Casualties 7 Vehicles 3
	V001 HAS BEEN TRAVELLING ON THE A5 WATLING STREET. SIGNALLING TO TURN RIGHT INTO WOODFORD LANE AND ENTERING THE DEDICATED LANE TO TURN RIGHT. V001 HAS PULLED OUT ONTO THE OPPOSITE CARRIAGEWAY, FAILING TO JUDGE THE SPEED OF V002. V002 HAS HIT V001 SPINNING IT INTO V003 WAITING AT THE WOODFORD LANE JUNCTION										

Key

Involved	PED	Pedestrian	FACTORS	Special Conditions
	HGV	Heavy Goods Vehicle	+VE	ATS OUT
	GV	Goods Vehicle	R.TURN	ATS DEF
	M/C	Motor Cycle	O/TAKE	SIGNS
	P/C	Pedal Cycle	S.VEH	RD WRKS
	PSV	Bus/Coach		Surface

Positive Breath Test  
Right Turn Manoeuvre  
Overtaking Manoeuvre  
Single Vehicle

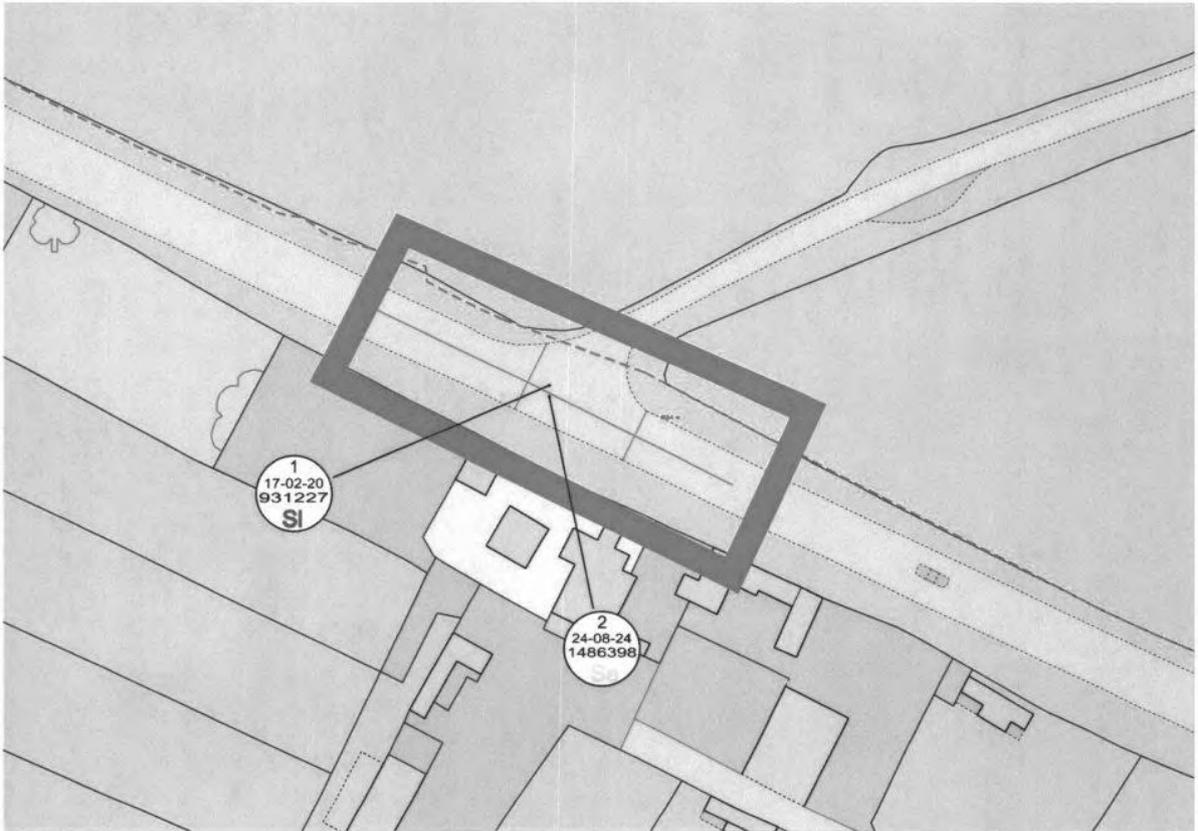
Traffic Lights Not Working  
Traffic Lights Defective  
Road Signs Defective or Obscured  
Road Works  
Road Surface Defective



**Drayton Lane 01/0/2019 - 17/10/2024  
17 Feb 2020 to 24 Aug 2024**

Report produced: 28/10/2024

Road Safety Intelligence Team  
Tel: 01926 412740  
Email: [rsinfo@warwickshire.gov.uk](mailto:rsinfo@warwickshire.gov.uk)



ALL ROAD USERS - ACCIDENTS

Year	Fatal	Serious	Slight	Total	Time	Fatal	Serious	Slight	Total	District	Fatal	Serious	Slight	Total
2020	0	0	1	1	0000-0059	0	0	0	0	North Warwickshire	0	1	1	2
2024	0	1	0	1	0100-0159	0	0	0	0	Road Class	Fatal	Serious	Slight	Total
Month	Fatal	Serious	Slight	Total	0200-0259	0	0	0	0	M	0	0	0	0
January	0	0	0	0	0300-0359	0	0	0	0	A(M)	0	0	0	0
February	0	0	1	1	0400-0459	0	0	0	0	A	0	0	1	2
March	0	0	0	0	0500-0559	0	0	0	0	B	0	0	0	0
April	0	0	0	0	0600-0659	0	0	1	1	Other	0	0	0	0
May	0	0	0	0	0700-0759	0	0	0	0	Speed Limit	Fatal	Serious	Slight	Total
June	0	0	0	0	0800-0859	0	0	0	0	20	0	0	0	0
July	0	0	0	0	0900-0959	0	0	0	0	30	0	0	0	0
August	0	1	0	1	1000-1059	0	0	0	0	40	0	0	0	0
September	0	0	0	0	1100-1159	0	0	0	0	50	0	1	1	2
October	0	0	0	0	1200-1259	0	0	0	0	60	0	0	0	0
November	0	0	0	0	1300-1359	0	1	0	1	70	0	0	0	0
December	0	0	0	0	1400-1459	0	0	0	0	Obstruction (Veh Totals)	Fatal	Serious	Slight	Total
Day	Fatal	Serious	Slight	Total	1500-1559	0	0	0	0	Sign/Signal	0	0	0	0
Sunday	0	0	0	0	1600-1659	0	0	0	0	Lamp Post	0	0	0	0
Monday	0	0	1	1	1700-1759	0	0	0	0	Pole	0	0	0	0
Tuesday	0	0	0	0	1800-1859	0	0	0	0	Tree	0	0	0	0
Wednesday	0	0	0	0	1900-1959	0	0	0	0	Bus Stop	0	0	0	0
Thursday	0	0	0	0	2000-2059	0	0	0	0	Barrier	0	0	0	0
Friday	0	0	0	0	2100-2159	0	0	0	0	Other	0	0	0	0
Saturday	0	1	0	1	2200-2259	0	0	0	0	Junction Type	Fatal	Serious	Slight	Total
Ped Crossing	Fatal	Serious	Slight	Total	2300-2359	0	0	0	0	Not at Junction	0	0	0	0
Not at crossing	0	1	1	2	Lighting	0	1	0	1	Roundabout	0	0	0	0
Zebra	0	0	0	0	Daylight	0	0	1	1	Mini R'about	0	0	0	0
Pelican	0	0	0	0	Darkness	0	0	0	0	T or Staggered	0	1	1	2
Ped Phase	0	0	0	0	Weather	Fatal	Serious	Slight	Total	Slip Road	0	0	0	0
Footbridge	0	0	0	0	Fine without high winds	0	1	1	2	Crossroads	0	0	0	0
Refuge	0	0	0	0	Raining without high winds	0	0	0	0	Multiple Junct	0	0	0	0
Unknown	0	0	0	0	Snowing without high winds	0	0	0	0	Private Drive	0	0	0	0
Bends (Veh Totals)	Fatal	Serious	Slight	Total	Fine with high winds	0	0	0	0	Other Junction	0	0	0	0
Left Hand Bend	0	0	0	0	Raining with high winds	0	0	0	0	Unknown	0	0	0	0
Right Hand Bend	0	0	0	0	Snowing with high winds	0	0	0	0	Road Surface	Fatal	Serious	Slight	Total
					Fog or mist - if hazard	0	0	0	0	Dry	0	0	0	0
					Other	0	0	0	0	Wet/Damp	0	1	1	2
					Unknown	0	0	0	0	Snow	0	0	0	0
					Road Surface	Fatal	Serious	Slight	Total	Frost/ice	0	0	0	0
					Dry	0	0	0	0	Flood	0	0	0	0
					Wet/Damp	0	1	1	2	Unknown	0	0	0	0
					Snow	0	0	0	0					
					Frost/ice	0	0	0	0					
					Flood	0	0	0	0					
					Unknown	0	0	0	0					



ALL ROAD USERS - CASUALTIES

Junction Type	Fatal	Serious	Slight	Total
Not at Junction	0	0	0	0
Roundabout	0	0	0	0
Mini R/about	0	0	0	0
T or Staggered	0	1	2	3
Slip Road	0	0	0	0
Crossroads	0	0	0	0
Multiple Junct	0	0	0	0
Private Drive	0	0	0	0
Other Junction	0	0	0	0
Unknown	0	0	0	0

D-PRINT CRASH REPORT

28 October 2024  
07:21:07

No	Location	Severity	Date	Day	Time	Street Lighting	Road Surface	Weather	Pedestrian Direction	Factors	Involved
1	Road No A5 Section Grid 433624E Ref 296482N A5 AT JUNCTION WITH DRAYTON LANE	SLIGHT	17/02/2020	2	06:15	Drk: no SL	Wet/Damp	Fine		R,TURN	HGV
	VEH 001 CAME OUT OF THE JUNCTION TURNING RIGHT, CARRIED ON COMING OUT WHEN VEHICLE 002 COULD NOT STOP IN TIME ANBD HIT THE BACK END OF VEHICLE 001.										
2	Road No A5 Section Grid 433624E Ref 296480N A5 AT JUNCTION WITH DRAYTON LANE, NORTH WARWICKSHIRE, WARWICKSHIRE	SERIOUS	24/08/2024	7	14:35	Daylight	Wet/Damp	Fine		O/TAKE	M/C
	V002 WAS DRIVING DOWN THE A5 AND INDICATED INTO A FARM TO DO A U-TURN. V001 WAS DRIVING DOWN THE CENTRE OF THE A5 AT EXCESSIVE SPEED OVERTAKING VEHICLES. AS V002 HAS INDICATED OFF, V001 HAS HIT INTO THE RIGHT REAR SIDE OF V002 AND GONE OVER THE TOP OF THE VEHICLE AND HIT THE CURB. MALE WAS WEARING A HELMET BUT SUFFERED INJURIES.										
	Veh1, car, NE → NW Veh2, goods > 7.5t, NW → SE										
	North Warwickshire										
	Casualties 1 Vehicles 2										
	Veh1, m/cycle > 500cc, SE → NW Veh2, car, SE → SE										
	North Warwickshire										
	Casualties 2 Vehicles 2										

Key

Involved  
PED Pedestrian  
HGV Heavy Goods Vehicle  
GV Goods Vehicle  
M/C Motor Cycle  
P/C Pedal Cycle  
PSV Bus/Coach

FACTORS

+VE R,TURN  
O/TAKE  
S,VEH

Positive Breath Test  
Right Turn Manoeuvre  
Overtaking Manoeuvre  
Single Vehicle

Special Conditions

ATS OUT  
SIGNALS  
RD WRKS  
Surface

Traffic Lights Not Working  
Traffic Lights Defective  
Road Signs Defective or Obscured  
Road Works  
Road Surface Defective

## **General Development Applications**

**(5/c) Application No: PAP/2023/0259**

**Church Farm, New Street, Baddesley Ensor, Atherstone, CV9 2DY**

**Outline application for the proposed development is for the demolition of six farm buildings, the retention and conversion of the Threshing Barn to two residential units and development of 44 further dwellings (Use Class C3) with associated infrastructure, access and open space. Access being considered, with all other matters being reserved, for**

### **Park Top Limited**

#### **1. Introduction**

1.1 The receipt of this application was referred to the Board in August 2023 when it resolved to note the case and also to undertake a site visit. The previous report is attached at Appendix A.

1.2 In respect of updates, then there has been no change to the Development Plan since the last report. However, the National Planning Policy Framework (the "NPPF") was updated in late December 2024 and any references in this current report will be to that edition. The mandatory 10% nett biodiversity gain requirements do not apply in this case, as the application was submitted before the Regulations took effect in mid-February 2024.

1.3 As indicated in Appendix A, the Local Plan allocates land at Church Farm for around 47 dwellings. There is also a specific policy in the Plan in respect of the delivery of this housing - Policy H7. This is attached at Appendix B.

1.4 A plan illustrating the application site is at Appendix C and the land additional to the allocated site at H7 is shown hatched on that plan.

1.5 An illustrative layout is at Appendix D with the access details at Appendix E.

1.6 For the benefit of Members, Appendix F is a plan illustrating the heritage assets affecting this proposal.

#### **2. Representations**

2.1 Eight letters have been received referring to the following matters:

- Additional traffic will be created which will travel through the village on unsuitable roads.
- There could be extra on-street car parking on local roads.
- There will be a loss of bio-diversity.
- The illustrative design guide shows houses, typical of new developments elsewhere not reflecting the character of Baddesley.
- This will act as a precedent for further "creeping development".
- Flooding will be exacerbated.

- There will be loss of natural habitat.
- light pollution.
- the access points will be hazardous.
- increased noise from extra traffic.
- Construction timings may affect Church services.
- The views of the Church should be retained.
- The schools are already under pressure as are other services.
- There will be disruption during construction.

2.2 Baddesley Ensor Parish Council - Its comments include:

- The site is larger than the allocation in the Local Plan.
- Consideration needs to be given to the impact on local services such as education.
- The impact of construction traffic.

### **3. Consultations**

The Council's Heritage and Conservation Officer – There is an objection as it has not been adequately shown that the farmhouse is not capable of re-use through conversion into residential units and because its retention would add value to the whole development by keeping a building of interest, age and local distinctiveness that contributes to the character of the area as noted in the Local Plan.

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

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

Warwickshire County Council (Public Rights of Way) - No objection

Warwickshire Ecologist – No objection subject to conditions and a Section 106 Agreement for off-site enhancements.

Warwickshire Infrastructure – See below in Section 5.

Environmental Health Officer – No objection subject to conditions

Warwickshire Fire and Rescue Services - No objection subject to conditions.

Environment Agency - No comments to make.

Sport England - As the proposal will generate additional demand for sporting activity, the Local Planning Authority should secure new or improved facilities to be delivered.

NWBC Leisure and Community Development – See below in Section 5.

George Eliot NHS Trust – See below in Section 5.

## **4. Observations**

### **a) The Principle of the Development**

4.1 Members are aware that the Local Plan allocates 2.2 hectares of land at Church Farm for residential development, with an indicative figure of 47 dwellings. This is known as site H7. The current application site includes the whole of this allocated land together with an additional 0.3 hectares and is an outline application for 44 dwellings. As a consequence, the presumption here is that the proposal should be supported in principle. However, Members will need to assess whether the increase in size of the site materially alters this presumption, notwithstanding that the number of dwellings accords with the allocation.

4.2 The Board will also need to assess the proposal against the content of Policy H7 of the Local Plan to see if it accords with its requirements for the development, even if the additional land is included, together with an assessment of other policies that are relevant to its determination.

### **b) The Additional Land**

4.3 The additional land amounts to around a 14% increase over the allocated site and is located to the north of the allocation - see Appendix C. It has been included in the application in order to satisfy the Highway Authority's requirements. The access into the site is set off New Street and thus the engineering requirements to ensure access and to respect the levels of the site necessitated additional land being involved. The land in essence was thus needed to actually deliver the allocation. In this case, that land is small in area and does not materially impact on the overall redevelopment of the site – i.e. it doesn't lead to more houses, or to a dilution of the main policy requirements set out in Policy H7. As such it is considered that any harm caused is outweighed by the benefit of delivering the residential allocation, and thus the current application can be supported in principle.

### **c) Policy H7 Requirements**

4.4 It is now necessary to assess the proposal against the policy approach set out in policy H7 - Appendix B. This will be summarised below, but then dealt with in more detail in subsequent paragraphs.

4.5 The overall approach is that the residential development should be "heritage-led". This is because there are a number of designated heritage assets close to the site. If not directly affected, then the proposals would be very likely to impact on their settings. The policy explicitly refers to named assets. Additionally, it indicates that the design of the development should emphasise the outlook and views through the site including those to the heritage assets. In particular, it says that any proposal should enable the retention and re-use of the former Church Farm dwelling and related historic buildings to reflect the historic character of the site and its relationship with the village. However, if there is evidence that the complex cannot be retained in full or in part, then any new development should seek to reflect the farm "setting". Due the nature of the site, the design of the layout should also incorporate high value bio-diversity features.

## **d) Heritage Matters**

4.6 The Council is also under a statutory obligation to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.

4.7 Local Plan policy LP15 says that the quality, character, diversity and local distinctiveness of the Borough's historic environment will be conserved and enhanced. In order to do so, an assessment has to be made of the potential impact of the proposals on the significance of heritage assets that might be affected by the proposal. In this particular case, there is an explicit recognition in Policy H7 that the proposed redevelopment here should be "heritage-led".

4.8 Section 16 of the NPPF deals with conserving and enhancing the historic environment. In determining applications, Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal including that which affects the setting of an asset. This has to be taken into account when considering the impact of a proposal on a heritage asset to avoid or minimise conflict - (para 208). As such, para 210 says that in determining applications, account should be taken of the desirability of sustaining and enhancing the significance of the asset; the positive contribution that these assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. Where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (para 215).

4.9 There is no Conservation Area in Baddesley Ensor and the site itself does not contain a Listed Building. The range of buildings here – the farmhouse and the former agricultural buildings are neither identified as non-designated assets, but because of the content of Local Plan Policy H7, it is considered that they should be treated as such for the purposes of this case. Apart from the Victorian farmhouse, they include an earlier threshing barn and six other buildings dating from the mid-19<sup>th</sup> Century through to the mid-20<sup>th</sup> Century. The closest Listed Building is the Grade 2 Church House which sits opposite the northern end of the site where the access is proposed; the Grade 2 Church of St Nicholas to the north and the nearby Grade 2 War Memorial – see Appendix F.

4.10 The proposal needs to be reviewed against this background.

4.11 The matter to look at first, is that Local Plan Policy H7 sets out that any redevelopment scheme "should enable retention and re-use" of the farmhouse, but if not, and "evidence proves the complex cannot be retained in full or in part", that scheme should "seek to reflect the farm complex". It is not proposed to retain the farmhouse. In support of this, the applicant has submitted a Conditions Survey which concludes that the existing building is beyond repair and that satisfactory modern residential requirements could not be met without significant intervention. He continues by saying that any retention would necessitate much demolition and re-building, such that effectively it would be a new building and that the cost of full repair and conversion, would materially affect the viability of the whole proposal. He therefore argues that full demolition and a fresh "new build" with a large block reflecting the massing, design and scale of the existing would, in the terms of Policy H7, "reflect the farm complex".

4.12 The counter argument from the Council's Heritage Officer is that it is agreed that the integrity of the roof and all of the internal structures would mean that the building would have to be "gutted", just leaving the shell, but importantly, the external visible structure appears to be in relatively good order, as evidenced by an independent surveyor and the review of costs associated with retention has not been undertaken by a surveyor with expertise in traditional buildings. The review that has been undertaken is considered to have exaggerated the works involved and is not based on a structural survey carried out by a professional consultant. Its refurbishment into three or four apartments should thus remain as a possibility, particularly as internally it need not replicate or respect former internal features. The cost of such work may well be equivalent to the cost of demolition and complete re-build.

4.13 Turning to assessing the significance of the heritage value of the farmhouse, it is necessary to look at the history of the site. Ordnance survey records show that the current three storey farmhouse dates from around 1889, when it replaced the former 16<sup>th</sup> Century Baddesley Old Hall. It stands within a farm complex consisting of a threshing barn and other farm buildings. It has been vacant however for around the last thirty years. In respect of its significance, the applicant considers that the development of coal mining in the area stimulated an increase in grain production from the mid-17<sup>th</sup> Century which accounts for the threshing barns on the site. However, in the 19<sup>th</sup> century there was a significant level of re-organisation and rebuilding of farmsteads within North Warwickshire, associated with the move to livestock and dairy production, which is the case here. This redevelopment included the present farmhouse, the adaptation of some of the existing buildings and the subsequent more modern agricultural buildings. This was widely typical of other farmsteads in the Borough and the applicant considers that there is not anything unusual here, that might represent a loss to this pattern of redevelopment in the Borough. The conclusion of the applicant is that the significance of the farmhouse is derived from the contribution it makes to the farm complex, with its own historic and architectural value being limited. With the demolition and removal of the majority of the other farm buildings, this contribution is removed as it no longer has an "agricultural" setting.

4.14 The counter-argument is that its historic link to the site is important because it retains the historic evolution of the site here through from the former Old Hall and because it is perhaps the only remaining farmhouse in the settlement. Moreover, it still has a visual link to the retained threshing barn and that is reinforced through the dominance of the two structures in the street scene.

4.15 These matters have to be balanced.

4.16 To do so it is necessary to establish the significance of the heritage asset here as required by the NPPF. This lies in the historic link to the former farm here and the retention of the range of former farm buildings as a consequence. There is a visual link too because of the prominence of the building in the street scene and there is a communal link with the farm complex being the last remaining in the village. The proposals will impact on this significance and that will be harmful – the loss of the farmhouse in particular. However, the issue here for Members to assess, is the weight that has to be assigned to that harm. The building is not a Listed Building and neither is it in a Conservation Area. The weight therefore to be given to the asset here is at the

lower end of the scale as recognised by the NPPF – para 211. It can however be treated as a non-designated asset given the content of Policy H7. Here regardless of the differing views expressed above, the building is clearly in a poor state of repair; its significance as a non-designated heritage asset is compromised by the loss of its functional, historic and visual link from its setting because of the loss of the other buildings and it is considered that it carries little architectural merit. As such, the overall level of harm caused is considered to be “less than substantial” in the terms expressed by the NPPF. If the building had been Listed or in a Conservation Area, this would not have been the conclusion.

4.17 It is now necessary to turn to looking at the proposal’s impact on other heritage assets.

4.18 The proposal does not directly affect the fabric of any of the nearby Listed Buildings and thus it is the impact of the proposal on their settings that has to be assessed here.

4.19 The significance of the setting of the Grade 2 Church of St Nicholas and the Grade 2 War Memorial lies in their rural character reflected in the open fields between them and the village to their east and to the much wider countryside to the south and west. This is amplified by the Church standing on high ground and with well-established tree cover such that it has a strong visual presence. This significance is retained through the proposed illustrative layout as the pronounced open valley through the site is retained thus preserving the open views of these two assets and the proposed built development is kept to the sides of the site and away from the northern boundary which is closest to the Church. The heights of the buildings too and the drop in levels from the Church mean that the new built form would not “compete” with the prominence of the Church either visually or spatially. The only concern is the “limb” of the perimeter access road that crosses this northern part of the site. This is essential for the delivery of the site but can be significantly mitigated through new low-level planting and through its engineering. Overall, therefore it is considered that the proposal would have less than substantial harm on these two assets.

4.20 The significance of the setting of Grade 2 Church House is its views across open fields of the Church and also of the House from the Church. This will be impacted because of the principle of the allocation but has been mitigated through the retention of the open frontage to New Street, albeit through having the access here, and there being no development that spatially or visually interrupts the views between the two assets. Any built development here would be single storey. However, the road and the activity it generates cannot be fully mitigated. Overall, it is considered that the impact on the setting of Church House is less than substantial.

4.21 All of these matters now need to be out together. The combined level of heritage harm as identified above, is that of “less than substantial”. In the terms of the NPPF, this has to be balanced against the public benefits of the proposal and in respect of non-designated assets, a balanced judgement will be required having regard to the scale of any harm and the significance of the asset. The public benefits are the delivery of a housing allocation within the Council’s up to date Development Plan, the improvement to the Council’s five-year housing supply, the use of previously developed land and the removal of a largely derelict and unkempt site which is highly visible in the public

domain together with bio-diversity enhancements and the delivery of bespoke affordable housing.

4.22 Before assessing the final balance here, it is necessary to identify whether there are any other harms that should be added into that assessment.

### **e) Design Matters**

4.23 Local Plan Policy LP30 contains a number of considerations that need to be taken into account when assessing new built form. In particular it says that all development should reflect and respect the existing pattern, character and appearance of its setting. As a consequence, any proposal should relate well with its immediate setting and wider surroundings. In this case, the approach to be taken is set out in Policy H7.

4.24 In general terms and as indicated in the previous report and the Appendices now attached, the proposal does respect its immediate setting and the wider surroundings - the disposition of the layout recognising the open valley that runs through the centre of the site, the retention of views to the Church, the retention of the ponds within the site and much of the associated tree cover, linkages to the surrounding footpaths and avoidance of a street frontage to New Street.

4.25 In this case there is more explicit guidance set out in Policy H7. As set out in section (d) above it was concluded that the proposal does not substantially harm the setting of the nearby Listed heritage assets, that it retains the threshing barn and that overall, the proposal along the New Street frontage does replicate in part the “farmyard” setting. The central issue is the loss of the farmhouse, but this may not be fatal to the outcome of the proposal, as the policy explicitly recognises and allows for this potential possibility.

4.26 Given this position, it is important that it is taken through into the grant of any planning permission – remembering that this is an outline application. This can be done by treating the illustrative layout as a Parameters Plan together with the Design Code for the site as included in Appendix A. The Code identifies individual character areas whereby different designs would be considered – eg. the development around the access, the frontage to New Street and the area on the western side of the central valley.

4.27 It is considered that this approach would enable the proposal to accord with the relevant plan policies at this stage, as it would set the framework for the development of the site.

### **f) Ecology**

4.28 Local Plan Policy H7 also refers to the bio-diversity value of the existing site and seeks to incorporate the existing “high-value” features within its redevelopment.

4.29 Local Plan policy LP16 says that the quality, character, diversity and local distinctiveness of the natural environment is to be protected and enhanced as appropriate, relative to the nature of the development proposed and net gains for biodiversity should be sought where possible. The NPPF at para 180 sets out objectives for conserving and enhancing the natural environment and in particular para

187 places a greater emphasis on enhancing biodiversity in a measurable way. The Board is also aware of the new Regulations introduced in February last year which provide the approach to this objective. However, as this proposal was submitted prior to their introduction, there is no mandatory 10% nett gain required. Nevertheless, the proposal still has to show a net bio-diversity gain, where possible, in order to accord with Policy LP16.

4.30 The applicant is showing an overall 10% gain in habitat units and a 54 % gain in hedgerow units. This has been calculated using the appropriately recognised metrics and has been verified by the Warwickshire Ecologist. The layout has been designed in order to retain the highest value habitats on site – the woodland and ponds in the central area and the majority of the hedgerows. The woodland has been identified as a Priority Habitat and therefore is of high value. The future maintenance of these features would remain with the applicant. Additionally, the applicant has been looking at enhancements elsewhere on his land and has identified the Baddesley Common Local Wildlife Site for these. These would include the enhancement of existing lowland acid grassland which is presently in poor condition and of the parcels of broadleaved woodland that are presently in moderate condition. This would be achieved through an obligation in a Section 106 Agreement.

4.31 It is considered that overall, the proposal does accord with both of the relevant Local Plan policies – H7 and LP16.

#### **g) Highway Matters**

4.32 Local Plan policy LP29 (6) says that all developments should provide safe and suitable access for all users. The NPPF says 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” – para 116.

4.33 At the present time there are a number of access points along New Street and the proposal is to consolidate these. As such, the main point of access is to be off New Street opposite Church Row, but there would be a subsidiary access further south on New Street, to access a small parking area for use by the occupiers of a number of the new units. The existing bus-stop in New Street close to the main access would be retained, although slightly re-located, and this would be accessible for the majority of the new occupiers. Although the layout as submitted is an early illustration of what this might be, there are many opportunities within the site to provide connections from the new houses to the surrounding perimeter public footpaths.

4.34 As this is an outline application, the internal access and highway details will only be available for consideration in any future reserved matters applications. This would include car parking provision and its location. However, the illustrative layout is welcomed as an indication as to how the access and highway arrangements could retain the particular features of this site. It can be referred to in general terms in any planning conditions and in particular through the Design Code referred to above.

4.35 It is of substantial weight that the Highway Authority has not objected and at this stage it is thus considered that the proposals accord with the relevant highway policies.

## **h) Drainage and Flooding**

4.36 Local Plan policy LP33 requires water runoff from new development to be no more than the natural greenfield runoff rates and developments should hold this water back on the development site through high quality sustainable drainage arrangements which should also reduce pollution and flood risk to nearby watercourses. The NPPF at para 181 says that major developments should incorporate sustainable drainage systems and that these should take account of the advice from the lead local flood authority.

4.37 Even although this is an outline application, the topography of the site, the retention of the significant water bodies and the need for a new foul water system have led to the applicant and the Lead Local Flood Authority into a series of significant detailed exchanges. It is thus of substantial weight that as a consequence of this, the Lead Local Flood Authority has not objected. As such, it is considered that the proposal does accord with the appropriate planning policies.

## **i) Affordable Housing**

4.38 Local Plan policy LP9 requires all major developments to provide at least 30% affordable housing on-site unless it is a green field site – which this is not. In this case that would amount to 14 dwellings. The policy does say that if there is evidence that such provision would materially affect the viability of the scheme, then a lower proportion might be accepted.

4.39 Here the proposal is that in lieu of this policy, six single storey alms-houses would be provided to meet local housing need for the elderly or infirm and that these would be retained and managed in perpetuity by the applicant for the benefit of local elderly people. Each dwelling would be fully accessible to the appropriate Building Regulations standard.

4.40 Officers consider that this approach can be supported as it meets a specific need that is unmet at the present time and without cost to the Council.

## **j) Other Matters**

4.41 Local Plan policy LP29 amongst other things requires new development proposals to ensure that land is appropriately remediated where there is contamination. The site is in an area where coal mining has historically taken place and a Coal Mining Risk Assessment has been undertaken. This found that the site was in a low-risk area in relation to shallow coal mining. However, there is a potential for mine gas emissions which would require further investigation. It was also found that there is a single recorded mine shaft cap in the east of the site and this needs to be accurately recorded, assessed and properly considered in the design of the layout and the provision of site infrastructure. As a consequence, further investigation is necessary, and this can be conditioned.

4.42 Local Plan policy LP29 also seeks to protect the residential amenity of neighbouring residential occupiers and in this case that is not considered to be material given the separation distances and the intervening topography and landscaping as well as dealing with these issues at the later reserved matters stage within the context of the Design Code.

4.43 Finally it is considered that the matters raised through the representations received have been appropriately and proportionately dealt with through the comments made in this section bearing in mind that the site is an allocated site and that this proposal is in outline.

## **k) Conclusion**

4.44 The bulk of this site is within an allocation to be delivered through the Local Plan. In order to deliver this, the Highway Authority has agreed that the only acceptable means of access and the consequential route of the access road, is that shown on the submitted plans. However, these involve an increase in the extent of the allocated site. As recorded in this report, this is considered to have no material impact on the main planning considerations affecting the delivery of the allocation – the setting, the topography of the site, the farm-yard and its range of now dilapidated buildings.

4.45 These considerations are highlighted in the relevant planning policy affecting the allocation. The most significant of these is that the proposed layout and design should reflect the sites' wider setting and its historic use. It is considered that it does. This conclusion inevitably involves making an assessment on the balance between these issues and the most significant of these is the proposal to demolish the farmhouse.

4.46 Given that there are no other harms identified, the determining issue here for the Board is to establish the outcome of the balance set out in para 4.21 above – the “less than substantial” heritage harm against the public benefits. It is considered that the delivery of an allocated residential site and the consequent impact on the Council's five-year housing supply together with the bio-diversity and affordable housing benefits are of a combined weight to outweigh that heritage harm.

4.47 Members will be aware that this a proportionate conclusion based on a planning judgement. It has to be “planning” based and that involves a broader assessment than just focussing on the heritage matter. Policy H7 has to be read as a whole. It does allow for the demolition of the farmhouse. It is agreed that there is a difference of view in respect of the available evidence about its structural stability and its potential conversion. It may indeed be preferable to retain it, but the issue is whether its loss as is proposed, would cause substantial heritage harm and whether the proposed Parameters Plan is appropriate to the setting of the site. It is considered that overall, the proposals are proportionate and reasonable.

4.48. A recommendation is made below, but it is accepted that Members may well take a different view about the future of the farmhouse, particularly as there are differing views on the evidence currently available.

## **5. Section 106 Matters**

### **a) Introduction**

5.1 Members will be familiar with requests from a number of Agencies and Bodies towards infrastructure delivery. These are of interest also to the applicant as they can, in total, have an impact of the overall viability of the proposal. This is why each of these

requests has to be justified as meeting the statutory tests for such contributions. The report will now review each of the individual requests to establish statutory compliance.

5.2 The statutory tests are that any obligation must be necessary to make the development acceptable in planning terms; they must be directly related to the development and finally they must be fairly and reasonably related in scale and kind. From these and from experience with other cases, Members will know that contributions and requests that might be suggested to rectify existing issues or matters that are outside of the control of the applicant, would not pass these tests.

## **b) Education**

5.3 Warwickshire County Council as Education Authority is requesting a sum of £97,015 based on the number of dwellings proposed, taking account that some of these would be occupied by the elderly. This contribution would go towards expansion of existing secondary accommodation.

5.4 The contribution is considered to meet all of the statutory tests identified above. It is necessary to make the development acceptable in planning terms, because education provision was identified in the Infrastructure Delivery Plan 2020 (IDP) which accompanied the Local Plan. This identified projects that are necessary with particular residential allocations in the Local Plan to ensure sustainable development. Here that Delivery Plan refers to the need to provide additional Secondary places in respect of growth at Grendon and Baddesley Ensor. Additionally, the contribution would satisfy Local Plan Policies LP1 on sustainable development and LP21 on the provision of services and facilities. It would also comply with the NPPF at para 97 in general and paras 99 and 100 in particular. It is also considered that the contribution is directly related to the development in that it has been calculated with reference to the up-to-date local evidence and the nature of the proposal. It also satisfies the final and third test as it has been calculated on the up-to-date Government Guidance on calculating pupil numbers in each Local Education Authority area. As such the contribution is supported in principle.

## **c) Recreation and Leisure**

5.5 A request in total of £271,426 has been made for recreation and leisure provision. This is made up of £27,871 towards indoor provision; £197,829 for play and youth provision with the remainder for outdoor sports provision. The figure for indoor provision would go towards either the proposed provision at Polesworth or Atherstone, with the play/youth provision coming to the Borough Council with its purpose being focussed on enhanced provision in Baddesley Ensor itself. The remainder would be used in the Borough.

5.6 The overall contribution is considered to satisfy the relevant tests. There is reference in the IDP to the need for the provision of play areas throughout the Borough, for the replacement/refurbishment of leisure facilities and in the Council's Playing Pitch Strategy of 2023 for additional outdoor sports facilities. It would also accord with Local Plan policies LP1, LP21 and LP29 (4). Of note amongst these, is LP29 (4), which seeks to promote healthier lifestyles for activity outside of homes and places of work. This is reflected in the NPPF at paragraphs 96(c) and 97. It is also soundly based on the evidence available in the Council's adopted documents and strategies and it has been

calculated in line with the appropriate up-to-date 2023 “Planning Obligations for Sport, Recreation and Open Space”. It thus satisfies the third test concerning being fairly and reasonably related in scale and kind. Members will be aware that the Council is committed to the commencement of feasibility studies for new leisure centres at Polesworth and Atherstone; the related commencement of a procurement process and to ringfence a reserve fund for that purpose. Additionally, it is anticipated that the Parish Council and the applicant will welcome the play/youth contribution, so as to enhance the existing recreation ground just to the south of the application site.

5.7 For all of these reasons it is considered that the request does satisfy the statutory tests.

#### **d) Bio-Diversity**

5.8 The recognition of bio-diversity enhancements in Policy H7 has been advanced here on-site, but perhaps of more consequence is the off-site enhancements to a nearby recognised Wildlife Site within the ownership of the applicant. As such, the obligation to commit to this would satisfy Policy H7 and thus be directly related to the planning application. The evidence for the case has been supported by the County Council and the final Enhancement Plan can be agreed following commencement of work and its requirement written into the Agreement. As such it is considered that this would satisfy the statutory tests.

#### **e) Other Contributions**

##### **i) Footpaths and Travel**

5.9 The County Council as Highway Authority has requested a contribution of £6,571 towards the ongoing maintenance and improvements to public rights of way within a kilometre radius of the site.

5.10 The proposal makes links to the most immediate public footpaths that adjoin the site and these are all well-used. This linkage and use would accord with Local Plan policies LP1 and LP27 as well as the relevant paragraphs in Section 9 of the NPPF. It has also been estimated on the County’s formula for an average cost per dwelling. The contribution can be seen as being directly related to the proposal because of the very likely increased use of these footpaths by future residents over and above their current use. However, all land-owners have a legal obligation to maintain public rights of way and as such the request is considered by the applicant, not to be necessary – particularly as in this case applicant is the land owner. This is accepted and therefore whilst the request could be considered as meeting some of the “tests”, it is not considered to be “fair and reasonable”.

5.11 Additionally, the County Council is seeking a contribution towards the re-surfacing of the footpath/track alongside the site at its southern side which runs from New Street to Watery Lane, between it and existing development. A figure of £38,000 is requested. The applicant however has indicated that this work, which would improve the state of that footpath/track, could be conditioned as part of any approval. This makes sense, as the timing of the works could be linked to the construction of works at the site itself and thus its implementation delivered prior to occupation of the new dwellings, rather than wait within a Highway Authority programme.

5.12 The County Council as Highway Authority has requested a contribution towards sustainable travel packs to be given to new occupiers. The applicant has suggested that this can be dealt with by a planning condition and the County has agreed to that alternative. However, a small contribution of £2200 has been agreed by the applicant to be paid towards road safety initiatives and associated education.

### **ii) The NHS Trust**

5.13 Members should be aware that at the time of the initial consultation period, the George Eliot NHS Trust requested a financial contribution of £49,238 to assist the provision of its services. Since that time, there is now case-law which has established that contributions sought to close a funding gap that an Infrastructure provider may be experiencing, do not satisfy the Section 106 “tests” referred to in para 5.2 above. Hence it should not be included in the Heads of Terms in this case.

### **iii) Affordable Housing**

5.14 It can be seen from this report that the applicant is proposing to include six almshouses in the proposal in-lieu of the affordable housing provision set out in Local Plan policy LP9. This has been supported by the Council’s Housing Officer, provided that there is agreement on a lettings policy which recognises the local need in Baddesley Ensor for elderly persons accommodation.

### **iv) The Agreement**

5.15 The Agreement here would thus include the education, recreation and leisure contributions outlined above, together with the off-site bio-diversity enhancements, the particular affordable housing delivery for this site and the sustainable travel contribution.

## **Recommendation**

That planning permission be GRANTED subject to the completion of a Section 106 Agreement in respect of the matters raised in this report and the following conditions.

## **Standard Outline Conditions**

1. Details of the appearance, layout, scale and landscaping (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the Local Planning Authority and the development shall then be carried out in accordance with the details that have been approved.

### **REASON**

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. Application for the approval of all reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004 and to prevent the accumulation of unimplemented planning permissions.

3. The development hereby permitted shall be begun before the expiration of two years from the date of the approval of the reserved matters application.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Act 2004 and to prevent the accumulation of unimplemented planning permissions.

**Defining Conditions**

4. The development hereby permitted shall not be carried out except in accordance with the following approved plans and documents:
  - a) The Site Location Plan numbered 221506/PA/003 received on 13/6/23.
  - b) Access Plan numbers 8211091/6102/D and 8211091/6103/D

REASON

In order to define the extent and scope of this planning permission.

5. For the avoidance of doubt the development hereby permitted is for no more than 46 dwellings all within Use Class C3.

REASON

In order to define the extent and scope of this planning permission.

6. Any application for reserved matters should be made in general accordance with the submitted Illustrative Layout numbered 221506/PA/100/C received on 12/3/24, and follow the principles set out in the Design Code dated June 2023 and received on 13/06/23

REASON

In order to define the implementation of the permission

## Pre- Commencement Conditions

7. No development shall commence on site – including demolition; ground works and vegetation clearance - until a Construction Environmental Management Plan (CEMP) for the development has been submitted to and approved in writing by the Local Planning Authority This shall include:
- a) Details of the hours when demolition works will commence and finish.
  - b) Details of the hours when construction work, including site clearance and preparation will commence and finish.
  - c) Details of the hours for the delivery of all goods, plant, equipment, machinery, materials and infrastructure to the site.
  - d) Details of how deliveries outside of the hours is to be managed.
  - e) Details for the parking of vehicles on site for site operatives and visitors.
  - f) The routing for all vehicles accessing the site associated with the demolition of buildings, site clearance and the construction of the development together with the details of the signage to identify the route.
  - g) Details of the manoeuvring of vehicles within the site.
  - h) Details of the location for the loading and unloading of plant and materials used in the construction of the development, including top-soil.
  - i) Details of the location of the site compounds.
  - j) Details of the location of the storage areas for plant and materials.
  - k) Details of the location for and specification of the erection of security hoarding/fencing together with details of its maintenance.
  - l) Details of wheel washing facilities.
  - m) Details of the measures to control the emission of dust and dirt during construction.
  - n) Measures to control and mitigate disturbance from noise.
  - o) A scheme for the recycling/disposal of waste resulting from the construction works.
  - p) A Risk Assessment of potentially damaging construction activities on the biodiversity of the site.
  - q) The identification of “biodiversity protection zones” and the measures to avoid or reduce impacts on these zones – including the location and timing of works to avoid such impacts.
  - r) The times during demolition and construction when a specialised ecologist needs to be on site to oversees works.

- s) Details of the security lighting to be installed during the demolition and construction periods, recognising the ecological consequences of the specifications and locations proposed.
- t) Measures to protect existing trees and hedgerows proposed for retention.
- u) The means by which the terms of the CEMP will be monitored including details of the procedure for reporting and resolving complaints as well as the details of the person or persons to contact in such circumstances.

The approved CEMP shall be adhered to at all times throughout the demolition and construction periods.

## REASON

In the interests of reducing potential harm to residential amenity, ensuring highway safety and to ensure that protected species and habitats are not harmed and to safeguard bio-diversity.

8. No development shall commence on site until a Habitat Management and Monitoring Plan (HMMP) for a minimum of 30 years shall be submitted to and approved in writing. The HMMP shall include:
  - a) A description and evaluation of the features to be managed.
  - b) Any ecological trends and constraints on site that might influence management.
  - c) The aims and objectives of management.
  - d) The appropriate management options for achieving the aims and objectives.
  - e) Prescriptions for management actions
  - f) The preparation of a work schedule (including an annual work plan capable of rolling forward over a five-year period)
  - g) Ongoing monitoring and remedial measures.
  - h) The completed statutory metric applied to the site to demonstrate that the bio-diversity net gain will be achieved.
  - i) Locations and numbers of all bat and bird boxes, reptile and amphibian refugia, and invertebrate boxes.
  - j) Details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its implementation, delivery and maintenance.

The Plan shall also set out (where results from monitoring show that conservation aims and objectives of the HMMP are not being met), how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the biodiversity objectives of the originally approved scheme.

## REASON

To ensure a net gain in bio-diversity in accordance with the NPPF and the Development Plan.

9. No development shall commence on site - including demolition, site clearance and preparation - until a Contaminated Land Investigation and Risk Assessment for the site has been submitted to and approved in writing by the Local Planning Authority. The submission shall identify and assess the nature and extent of any contamination on the land, whether it originates on the site or not. This shall include a survey of the extent, scale and nature of any contamination and an assessment of the potential risks to human health, property, adjoining land, ground and surface waters as well as ecological systems. In particular, it shall address the issue of potential min-gas emissions.

## REASON

In the interests of reducing the risk of pollution.

10. Where the Assessment as submitted under Condition 9, identifies unacceptable levels of contamination or risks, a detailed remediation scheme to bring the land to a condition suitable for the intended use by removing unacceptable risks to human health, property, adjoining land, ground and surface waters as well as ecological systems, shall be submitted to and approved by the Local Planning Authority in writing. The scheme shall also identify any requirements for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency emergency action. The scheme as approved shall then be implemented in full in accordance with an approved timetable. Following completion of measures identified in the approved remediation strategy, and prior to occupation of any part of the development, a Post Remediation Verification Report that demonstrates the effectiveness of the remediation carried out shall be submitted to and approved in writing by the local planning authority.

## REASON

In the interests of reducing the risk of pollution.

11. In the event that contamination is found at any time when carrying out the approved development that was not previously identified under condition 9, it must be reported immediately in writing to the Local Planning Authority and all work shall cease on site. An investigation and risk assessment must be undertaken in accordance with Condition 9 and where remediation is necessary, a remediation strategy must be prepared in accordance with condition 10. The Assessment and the Strategy shall be submitted to the Local Planning Authority in writing. Work shall then only commence following written approval of any Remediation Strategy. Following completion of measures identified in the approved remediation strategy a Post Remediation Verification Report shall be submitted to and in writing by the local planning authority.

## REASON

In the interests of reducing the risk of pollution.

12. With the exception of demolition and site clearance works, no development shall commence on site until a detailed surface water drainage scheme based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details. The scheme shall include:

- Evidence in accordance with BRE365 guidance that infiltration testing has been undertaken to clarify whether or not an infiltration type drainage strategy is appropriate;
- Where evidence has been submitted to show that infiltration is demonstrated not to be feasible, limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an 40% allowance for climate change) critical rain storm, to the QBar Greenfield runoff rate in line with the outline drainage strategy 8211091/SK05/P8 dated 6/8/24.
- Evidence of the location, ownership, purpose and condition of any third party asset and confirmation of the right to connect into it.
- Drawings and plans illustrating the proposed surface water drainage scheme.
- Feature specific drawings and cross sections of all proposed features such as infiltration structures, attenuation features and outfall structures in line with “The SUDS Manual”, CIRIA Report C753.
- Detailed network level calculations demonstrating the performance of the proposed system to include:
  - i) Suitable representation of the proposed drainage scheme, details of the design criteria use (including consideration of a surcharged outfall) and justification of such criteria;
  - ii) Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events.
  - iii) Demonstration that the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and networks status. The results should be provided for each return period.
  - iv) Evidence to allow cross-checking of calculations and the proposals.
- Plans and external levels plans supporting the exceedance and overland flow routeing. The overland flow routeing should:

- i) Demonstrate how runoff will be directed through the development without exposing properties to flood risk and
- ii) Give consideration to property finished floor levels and thresholds to exceedance flows.
- iii) Recognise that exceedance can occur during any storm event due to a number of factors and thus exceedance management should not rely on calculations demonstrating no flooding.

#### REASON

In order to reduce the risk of flooding and to improve and protect water supply

13. No development – including demolition, site clearance and preparation works – shall commence on site until such time as a detailed schedule of bat mitigation measures, to include timing of works, ecological supervision of destructive off works, toolbox kit, replacement roost details (to include types, locations and timetable for installation and monitoring) has been submitted to and approved in writing by the Local Planning Authority. The approved measures shall thereafter be implemented in full.

#### REASON

In the interests of conserving a protected species.

14. No development – including demolition, site clearance and preparation works – shall commence in the area identified on drawing P22 441 (Mineshaft Investigation Plan) in the Coal Mining Risk Assessment dated 8 March 2023 until such time as a detailed site investigation has taken place to identify the location of a potential former mine shaft. The result of this investigation shall then inform a Method Statement with proposed treatment to be undertaken on any located mine shaft and on the land within a ten-metre diameter as measured from the edges of any shaft, in order to stabilise that shaft with pressurised grout and to cap it with competent strata. This Method Statement shall be submitted to the Local Planning Authority and no work whatsoever shall commence on site within the area identified on the Mineshaft Investigation Plan until a Method Statement has been approved in writing by the Local Planning Authority. Work shall then only proceed in full accordance with the approved Method Statement. Following completion of measures identified in the approved Method Statement, and prior to occupation of any part of the development, a Verification Report to evidence that the above measures have been fully completed shall be submitted to and approved in writing by the local planning authority.

#### REASON

In the interests of public safety.

## **The Reserved Matters Application**

15. The reserved matters application shall include details of finished site and ground floor levels in relation to the existing site levels and adjoining land and also of the proposed grading and mounding of land areas, with cross sections to show the relationship with adjoining landform, within the site covered by that application. The development shall only proceed in accordance with the details as are approved in writing by the Local Planning Authority.

### **REASON**

In the interests of the visual amenities of the area.

16. The reserved matters application shall include details for the storage of household refuse and waste within the curtilage of the dwellings approved under this permission, for the site covered by that application. The development shall only proceed in accordance with the details as are approved in writing by the Local Planning Authority.

### **REASON**

In the interests of sustainable development.

17. The reserved matters application for the development shall include details for the provision of vehicle electric charging points within the curtilage of the dwellings hereby approved under this permission, together with any communal or public car parking areas, for the site covered by that application. The development shall only proceed in accordance with the details as are approved in writing by the Local Planning Authority.

### **REASON**

In the interests of sustainable development.

18. The reserved matters application for the development shall include details of secure cycle storage within the curtilage of the dwellings hereby approved under this permission. The development shall only proceed in accordance with the details as are approved in writing by the Local Planning Authority.

### **REASON**

In the interests of sustainable development.

19. The reserved matters application for the development shall include details of a scheme for the provision of adequate water supplies and fire hydrants for firefighting purposes throughout the site.

REASON

In the interests of public safety

20. The reserved matters application for the development shall not show any gates erected or placed across either of the two access points approved under Condition 4.

REASON

In the interests of highway safety.

21. The reserved matters application for the development shall include details of a car parking management plan to show how any communal/shared car parking areas are to be managed and their use restricted to occupiers of the houses hereby approved.

REASON

In the interests of highway safety by reducing the potential for on-street parking.



# APPENDIX A

## **General Development Applications**

**(7/b) Application No: PAP/2023/0259**

**Church Farm, New Street, Baddesley Ensor, Atherstone, CV9 2DY**

**Outline application for the proposed development is for the demolition of six farm buildings, the retention and conversion of the Threshing Barn to two residential units and development of 44 further dwellings (Use Class C3) with associated infrastructure, access and open space. Access being considered, with all other matters being reserved, for**

### **Park Top Limited**

#### **Introduction**

The receipt of this application is being reported to the Board so as to introduce the proposal to Members before a full determination is tabled. It will describe the site and the outline the proposals together with drawing attention to the most important planning policies relevant of its determination.

#### **The Site**

This is to the west of residential properties on The Common and to the south of the churchyard to St Nicholas Church which is separated from it by a grass field. It includes the former Church Farm buildings and its hard standings. To the south are New Street and Church Farm Road. Watery Lane to the west is a traffic free route for cyclists and provides an agricultural access. A public footpath runs along the north-western boundary connecting to a wider network by the Church.

The site covers an area of around 2.5 hectares. It is essentially divided by a stream which runs through the whole site in a noticeable valley. There are a couple of ponds here too and this part of the site has much woodland. It is generally flat at its northern end, but there is a definite slope running towards the south with a drop of around 10 metres.

A general location plan is at Appendix A.

#### **The Proposals**

This is an outline application with all matters reserved except for access details. As indicated in the description above the proposal is for 44 new dwellings plus two conversions. An indicative site layout has been submitted as attached at Appendix B.

This shows two areas of development – separated by the central valley, the stream and the ponds. Access into the site would be from New Street opposite Church House and this would then provide access to both halves of the site by a road constructed to adoptable standard. Additionally, there is an access from New Street to serve five apartments as a separate “block” with no connections through to the remainder of the site. There would be footpath connections from the site to the public footpath running along the north-western boundary as well as onto New Street.

7b/9

The proposals include the demolition of all of the farm buildings – including the house – apart from the threshing barn which has a gable directly onto New Street. Indicative proposals suggest that this would be converted to two dwellings. The former farm-house would be replicated by the new block referred to above. The suggested mix of houses shown on the illustrative layout would 10 one-bedroom dwellings (including six alms houses); 12 two-bed dwellings, 19 three-bed and five four-bed units. The alms-houses would be the on-site affordable provision.

The application is accompanied by a significant amount of supporting documentation which is all available on the website. Amongst this is the Planning Statement which provides a helpful summary of the conclusions reached by the applicant's consultants on a number of matters. This is copied in full at Appendix C, but if Members wish to understand the analysis of the detail behind these conclusions, they are advised to review the submitted documentation itself.

The following matters are of interest within the Statement:

- The vehicular access into the site off New Street has been proposed following highway advice from the Warwickshire County Council as Highway Authority.
- Work has found that the farmstead buildings are so dilapidated that their restoration would be impracticable. However, the proposed layout aims to retain their dispersed location, whilst retaining the most significant building (the threshing barn) and views into and out of the site to the Church and to Church House.
- A Design Code is submitted with the application in order to respond to the particular heritage and visual/landscape characteristics of this site.
- A Bio-Diversity Assessment indicates that there would be habitat loss. The applicant proposes to respond to this by providing off-site mitigation on nearby land within his control through a Section 106 Agreement.
- The site is in Flood Zone One which means that it has a low risk of fluvial flooding. To mitigate the risk of surface water flooding, surface water will be attenuated and discharged via infiltration to the underlying soils. A foul water pumping station is proposed south of Watery Lane in order to pump sewerage to the main public sewer in New Street.
- The proposal involves the loss of some 7 trees and three tree groups. New planting however will mitigate this loss but the majority of the trees on site would be retained – some 45 trees.

### **Background**

The site is one that is allocated for residential development in the North Warwickshire Local Plan 2021 – known as site H7- for up to 47 dwellings.

The Plan has a site-specific policy for proposals to implement this site. This is Policy H7 and it is attached in full at Appendix D.

It can be seen that there are particular heritage and ecological matters to consider in association with the assessment of any proposals for the land. The Policy refers to the need for a "high level of design and care" required to address the nearby heritage assets and the sensitive landscape edge and setting of the village. The applicant has submitted a Design Code to address this requirement. It is attached in full at Appendix E.

### **Development Plan**

The North Warwickshire Local Plan 2021 – LP1 (Sustainable Development); LP2 (Settlement Hierarchy), LP9 (Affordable Housing Provision), LP14 (Landscape), LP15 (Historic Environment), LP16 (Natural Environment), LP17 (Green Infrastructure), LP22 (Open Space and Recreation Provision), LP23 (Transport Assessments), LP27 (Walking and Cycling), LP29 (Development Considerations), LP30 (Built Form), LP35 (Water Management), LP34 (Parking), LP35 (Renewable Energy), LP37 (Housing Allocations) and H7 (Land at Church Farm, Baddesley Ensor)

### **Other Material Planning Considerations**

The National Planning Policy Framework

The North Warwickshire Landscape Character Assessment 2010

The Council's SPD on Air Quality

The Council's SPD on Open Space

### **Observations**

As this is a site allocated for residential development in the Local Plan there is no objection in principle. However, the Board will wish to be satisfied that there are no adverse or harmful impacts arising from its assessment of the range of planning matters that need to be addressed – e.g. access and surface water disposal. In this case however, there are additional and particular site-specific requirements that are set out in Policy H7 and the final planning balance will involve an assessment of the current proposal against its content.

In these circumstances and in order that Members may better understand the characteristics of the site, a visit is recommended prior to determination.

### **Recommendation**

That the report be noted and that the Board visits the site prior to determination of the application.



APPENDIX C

PAP/2023/0259

**PLANNING STATEMENT**

**OUTLINE PLANNING  
APPLICATION FOR THE  
DEMOLITION OF SIX FARM  
BUILDINGS, CONVERSION OF  
THRESHING BARN TO TWO  
DWELLINGS AND  
DEVELOPMENT OF 44 NEW  
HOMES WITH ASSOCIATED  
ACCESS, INFRASTRUCTURE  
AND LANDSCAPING**

**AT**

**CHURCH FARM  
BADDESLEY ENSOR  
CV9 2DZ**



**SWORDERS**  
Agricultural Commercial Residential

**JUNE 2023**

7b/13

5c/196



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## 1.0 INTRODUCTION

- 1.1 This Planning Statement has been prepared on behalf of Park Top Limited (hereafter referred to as 'the Applicant') in support of an outline planning application with all matters reserved except for access for the demolition of six farm buildings, the renovation and conversion of the Threshing Barn to create two residential dwellings and development of an additional 44 new homes with associated access, infrastructure and landscaping at Church Farm, Baddesley Ensor.
- 1.2 The site lies to the west of residential properties on The Common, and to the south of St Nicholas Church and its churchyard, separated from it by grazing land. The site comprises an area of brownfield land (the former Church Farm farmstead buildings and hard standing), and grazing land. There are two ponds connected by a small stream within the site. To the south are New Street and Church Farm Road, and existing 1980s housing. To the west is Watery Lane, which is a traffic free route for cyclists and also provides an agricultural access. A public footpath (Ref 116/AE50/3) runs along the north western boundary of the site, connecting to a wider footpath network by the Church.
- 1.3 The site covers an area of circa 2.52 hectares, and slopes from a height of 125m AOD in the north east to 115m AOD in the south west corner. It is generally flat in much of the north and eastern areas, sloping down by the ponds to a further plateau in the south west corner.



## 2.0 PRE-APPLICATION

2.1 This outline application follows a Pre-Application enquiry made to North Warwickshire Borough Council in July 2022, which sought advice on:

- The proposal to extend the site boundary to accommodate a foul water pumping station to the west of Watery Lane;
- The principle of the proposed delivery of 42 new homes;
- The impact on designated and undesignated heritage assets, and on the proposed replacement of the majority of the farmstead buildings to provide sympathetic new buildings in their place;
- The appropriate market housing mix;
- The affordable housing provision;
- Additional work required to support a future planning application; and
- The Local Planning Authority's expectations in terms of stakeholder engagement.

2.2 In addition, pre-application advice was sought from Warwickshire County Council on 1<sup>st</sup> December 2022. A response was received on 26<sup>th</sup> January 2023. This was followed by a meeting between WCC and Glanville (the Applicant's highway consultant) on 15<sup>th</sup> March 2023. These Highways discussions can be summarised as follows:

- Vehicle tracking for 11.73m refuse wagon and Scania fire tender to be undertaken to understand if the main access can be narrowed to improve pedestrian safety at this access;
- WCC confirmed that they are happy with refuse vehicles collecting on New Street. However, all bins should be stored within the plot and NWBC would then need to agree collection from these stores to avoid bins being left out on the street. This is however not a policy requirement. Engagement with the refuse team at NWBC will need to be addressed under a Reserved Matters application;
- WCC do not generally support parking courts, however, agree that they can be appropriate in some cases;



- WCC would need to see a swept path analysis of a delivery vehicle within the parking court for the flats. The main concern with the other parking courts (those close to the almshouses) is that residents will want to park close to their door and they are concerned it will encourage parking along the main access road;
- A plan illustrating the extent of land to be offered for adoption and a parking allocation plan are not required for the Outline Application;
- WCC would like to see tracking of delivery vehicles in parking courts and private drives where the houses are located at the end of a road only, and not all private drives. This can be captured under the Reserved Matters application;
- A gradient of 1:21 for the Primary Access is acceptable and should extend across the first 15m into the site as a minimum. WCC require a minimum gradient of 1:50 and a maximum gradient of 1:20;
- WCC do not adopt shared surfaces, and these should be avoided if possible. However, a shared surface could be used to serve less than 6 units and remain private;
- Streetlights should be provided rather than low level bollard lighting;
- Road tables are not required, the gradient and meandering route of the road will be sufficient to slow vehicles. Dropped kerbs and tactile paving at pedestrian crossing points are sufficient;
- If NWBC are to adopt the footpaths and cycleways, bound gravel and granite setts should be fine but if WCC are to adopt these, they would want bituminous macadam/asphalt; and
- No guidance was received from the Transport Planning Team on trip generation.

7b/17

5c/200



2.3 In addition to the submission of the pre-application advice requests, the Applicant and Applicant's agents have also held two informal meetings with officers and members to discuss and refine the proposals. Planning Committee Members have also carried out a site visit, on 25<sup>th</sup> March 2023. Specifically, these meetings have resulted in a number of amendments to the scheme as presented at application stage, including:

- Reduction in the number of vehicle access points provided from New Street from four to two;
- Delivery of a footpath and cycle way onto New Street to improve access for new residents to village amenities;
- Provision of single storey almshouses which will be retained and managed in perpetuity by the Applicant to provide accommodation for local, older people, in lieu of policy compliant affordable housing provision;
- Removal of the proposed Locally Equipped Area of Play (LEAP) and an agreement that instead, a financial contribution will be provided by the Applicant to upgrade facilities at the recreation ground in the village;
- Creation of smaller car parking areas to reduce the dominance of car parking within the site; and
- The preparation of a Design Code to support the planning application.

2.4 In addition, the Applicant and Agent met Baddesley Ensor Parish Council on 7<sup>th</sup> December 2022. They briefed the Parish Council Members on the proposals for the site and sought their feedback. Specific issues raised were:

- In principle, cautious support was given for the redevelopment of the site;
- The importance of providing good connections between the site and the surrounding area, so that the development does not turn its back on Baddesley Ensor, particularly an additional pedestrian connection through to New Street;
- Opportunity to improve the footpath along the north side of New Street along the site frontage;



- The importance of the almshouses to be fully accessible and to provide at grade car parking; and,
- In principle support for the proposal to provide a financial contribution to the upkeep of the recreation ground, rather than providing a play area within the site.

### 3.0 PROPOSAL

- 3.1 This application proposes the demolition of six farm buildings, the renovation and conversion of the Threshing Barn to create two residential dwellings and development of an additional 44 new homes with associated access, infrastructure and landscaping at Church Farm, Baddesley Ensor. While this application is submitted in outline with all matters reserved except for access, an indicative site Plan, informed by pre-application discussions, is submitted alongside this application.
- 3.2 The dwellings are proposed to be arranged in two distinct areas, separated by an extensive green space and two ponds in the centre of the site. Six almshouses will be arranged along the street frontage, overlooking a green at the entrance to the site. Properties adjacent to New Street will be arranged in a pattern which reflects the former farmyard pattern of development. Properties in the northern part of the site will be arranged around a village green, facing the central area of the site.
- 3.3 The proposal will utilise the eastern most existing vehicular access to the site as the main entrance to the development. The spine road through the site is 5.5m wide, with pavements either side of 2m width. There is one further vehicular access from New Street to serve a development of five flats but there is no vehicular access through here to the rest of the development. The road layout as shown on the indicative plan is of an adoptable standard and will accommodate refuse trucks, emergency vehicles and delivery vehicles.



- 3.4 The indicative layout proposes that there will be a footpath connection between the site and the public right of way on the north western boundary, and a footpath connecting the site to the junction of New Street and Church Farm Road. Footpaths through the green amenity area in the centre of the site will be provided on natural desire lines.
- 3.5 The proposal will require the removal of a number of trees, however, it is proposed to retain the majority of the trees around the ponds and around the boundary of the site, and to introduce new planting on the north eastern and north western boundaries.
- 3.6 The proposed housing mix as shown on the indicative layout is: 10 x one bed dwellings (including 6 almshouses), 12 x two-bed dwellings, 19 x three bed dwellings and 5 x four bed dwellings. A table showing the mix of houses and flats is at paragraph 7.60.

#### 4.0 BACKGROUND

- 4.1 There is no relevant planning history associated with the site.

#### 5.0 NATIONAL PLANNING POLICY

- 5.1 National planning policy is contained within the National Planning Policy Framework (NPPF) adopted in 2012 (as amended in July 2021) and is of material importance to the consideration of the application at hand.
- 5.2 The NPPF identifies at paragraph 7 that: *"the purpose of the planning system is to contribute to the achievement of sustainable development"* and identifies three overarching objectives, which are economic, social and environmental.



5.3 Paragraph 10 goes onto state: *“So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).*

*For decision-taking this means:*

*c) Approving development proposals that accord with an up-to-date development plan without delay; or*

*d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*

*i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*

*ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”*

5.4 Government seeks to encourage local planning authorities (LPAs) to be positive in their decision making, stipulating at paragraph 38 that they: *“... should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with Applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.”*

5.5 Of specific relevance is Paragraph 69c which states that *“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:*

*c) support the development of windfall sites through their policies and decisions – giving **great weight to the benefits of using suitable sites within existing settlements for homes;**” [emphasis added].*

7b/21

5c/204



## 6.0 LOCAL PLANNING POLICY

6.1 Local planning policy is contained within the North Warwickshire Local Plan 2021. The most relevant policies to this proposal are as follows:

- Policy LP2 – Settlement Hierarchy.
- Policy LP5 – Amount of Development.
- Policy LP7 – Housing Development.
- Policy LP9 – Affordable Housing Provision.
- Policy LP14 – Landscape.
- Policy LP15 – Historic Environment.
- Policy LP16 – Natural Environment.
- Policy LP22 – Open Spaces and Recreational Provision.
- Policy LP23 – Transport Assessments.
- Policy LP29 – Development Considerations.
- Policy LP30 – Built Form.
- Policy LP33 – Water and Flood Risk Management.
- Policy LP37 – Housing Allocations.
- Policy H7 – Land at Church Farm, Baddesley

6.2 Consideration has also been given to the following Supplementary Planning Documents (SPDs) and other planning guidance:

- Car Parking Standards (Local Plan 2021).

5.3 Baddesley Ensor does not have a Neighbourhood Plan.

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## 7.0 MATERIAL CONSIDERATIONS

### PRINCIPLE OF DEVELOPMENT

- 7.1 Policy LP37 allocates the site for the development of 47 new homes as one of the Local Plan site allocations which will provide a total of 6,183 new homes over the plan period.
- 7.2 Policy H7 allocates 2.2 hectares of land at Church Farm for residential development.
- 7.3 The boundary of the proposed development differs slightly from the allocation boundary in two respects; the proposed development site includes a small parcel of land to the west of Watery Lane which is also in the Applicant's ownership, where it is proposed a pumping station will be located, to pump foul water up to the mains sewer on New Street. The second difference is that the site boundary also extends slightly further north than the allocation boundary. This enables the spine road to curve around the north of the steep area, avoiding a Category B Oak tree and delivering an adoptable road layout.
- 7.4 Both departures from the allocation boundary have been discussed informally with the LPA and are understood to be acceptable in principle. Together, the boundary changes result in an increase of the site area of 0.33ha above that of the allocation, to a total of 2.53ha.
- 7.5 Policy LP37 allocates the site for the development of 47 new homes. Detailed work to understand the constraints within the site, and to deliver a heritage led scheme which respects the nearby heritage assets and landscape character, has resulted in an indicative layout which has the potential to deliver 46 new homes.
- 7.6 Policy LP29 requires that development makes effective use of brownfield land in appropriate locations, reflecting the settlement hierarchy. The proposed development seeks to retain as much of the existing built form on the brownfield element of the site as is possible, and then to re-develop the remainder on the brownfield land in a layout which is sympathetic to the former pattern of buildings on the site.
- 7.7 It is therefore considered that the principle of the Proposed Development, on a site allocated in the Local Plan, complies with the development plan.



#### **AFFORDABLE HOUSING**

- 7.8 Policy LP9 (Affordable Housing Provision) requires that all major developments will provide at least 30% of affordable housing on-site except in the case of greenfield (previously agricultural use) sites where 40% on-site provision will be required.
- 7.9 Informal discussions with the LPA has suggested that in lieu of the affordable housing policy requirement, six single storey almshouses will be provided to meet local housing need for the elderly or infirm, and that these almshouses will be retained and managed in perpetuity by the Applicant, for the benefit of local, elderly people who need accommodation. The almshouses will be fully accessible to Buildings Regulations Part M 4 (2).
- 7.10 It is proposed that a 'cascade' type approach will be taken to accommodating residents; in the first place, priority will be given to those who currently live in the parish where the development is taking place, secondly, the needs of those living in the wider ward and then in adjacent wards will be considered and, lastly, providing for the wider needs of the Borough.

#### **SUSTAINABLE DEVELOPMENT**

- 7.11 The NPPF establishes three overarching objectives for achieving sustainable development (economic, social and environmental) and sets out that these are interdependent and need to be pursued in mutually supportive ways so that opportunities can be taken to secure net gains across each of the different objectives.
- 7.12 The application site is situated within a sustainable location for residential development. Policy LP2 (Settlement Hierarchy) categorises Baddesley with Grendon as one of five Local Service Centres in the Borough. The Plan notes that these Local Service Centres 'provide important local services and facilities'. The site lies within walking or cycling distance of Baddesley Ensor Post Office and Stores, Fish Bar, barbers, health centre, social club (which contains a small library) and park and recreation ground.
- 7.13 Baddesley Ensor benefits from regular bus services which connect it with Atherstone, Tamworth, and Nuneaton respectively. There is a bus stop on the site frontage on New Street.



- 7.14 New residents therefore do not need to use their cars to access local shops and services, and have the option to use regular bus services to local towns.
- 7.15 The additional population associated with the application proposal would have a positive influence on the local economy, providing additional custom to shops and services on offer in the locality, thus enhancing the prospect of their future retention and growth. It is likewise the case that the construction of 46 dwellinghouses would generate localised economic benefits. Local tradespeople and suppliers would benefit from the construction project and the ongoing maintenance of the dwellings and services required by the occupants in future years. Taylor Wimpey estimates that 1.5 full-time direct jobs are created for each new dwelling built, plus an additional 3 jobs per home in the wider supply chain.
- 7.16 The proposed development will provide a net gain in biodiversity and will retain and enhance a significant area in the centre of the site of trees and ponds, which will provide wildlife corridors through the site.
- 7.17 A Statement of Significance considers the impact of the proposed development on the built heritage resource within and in the vicinity of the site. It notes that the importance of the farmstead buildings derives from them forming a legible historic group and from buildings which have had minimal change to their traditional form. However, it notes that the buildings are extremely dilapidated which limits their significance as a whole and their present state makes retention, conversion and reuse more difficult and costly, potentially rendering it uneconomic and virtually impossible to keep sections of the original fabric in some cases.
- 7.18 Given the above, residential development of the site is considered to meet the objectives for sustainable development established in the NPPF and Policy LP1 (Sustainable Development) of the Local Plan.

#### HERITAGE

- 7.19 Policy H7 allocates 2.2 hectares land at Church Farm for residential development, including conversion and regeneration of Church Farmhouse and ancillary/associated barn and outbuildings, although the policy notes that if evidence proves the complex



cannot be retained in full or in part, new development should seek to reflect the farm complex.

- 7.20 Policy H7 notes that a high level of design and care is required to address the setting of the nearby Church of St Nicholas and Grade 2 listed war memorial.
- 7.21 Policy LP15 (Historic Environment) states that all development proposals that affect any heritage asset will be required to provide sufficient information and an assessment of the impacts of those proposals on the significance of the assets and their setting.
- 7.22 There are four designated Grade II Listed Buildings within the study area. The Grade II Listed Church House (NHLE: 1186159) lies on the opposite side of New Street. The Grade II listed Church of St Nicholas lies to the north of the site. In the churchyard is the Grade II listed Baddesley Ensor War Memorial. Further to the south lies the former Quaker Meeting House, adjoining the north of the Methodist Chapel.
- 7.23 As required by Policy H7, a heritage Statement of Significance was prepared in 2022 to support a pre-application advice request, and an addendum statement has since been prepared in support of the current planning application. The statements assess the significance of designated and non-designated heritage assets within and adjoining the site and the contribution of setting to that significance. This heritage assessment has informed the indicative layout of the site and has advised on the potential of the farmstead buildings for conversion.
- 7.24 The Statement notes that the present buildings at Church Farm date from the mid-19th century through to the mid-20th century, and the farm has associations with the now demolished 16th century Baddesley Old Hall. The farm comprises seven, undesignated structures: a farmhouse, cart shed, threshing barn/parlour, steel framed animal shelter, two adjoining cow houses, and a shelter shed, most recently used as a car garage.
- 7.25 The Statement notes that, in heritage terms, the value of the farm buildings on site is in the intelligibility of the farm complex. However, a survey of the buildings has found that the majority of the buildings are very dilapidated and structurally unstable, and as such the cost and effort involved in restoring them may be impracticable. It proposes that the threshing barn/parlour on the east side of the complex is the exception to this and would



be capable of preservation and conversion.

- 7.26 The planning application, informed by this assessment, therefore seeks planning permission for demolition of six of the seven structures, and for conversion of the threshing barn to two residential units.
- 7.27 The proposed layout plan is informed by the intelligibility of the farm's current layout and seeks to replace those farm buildings to be lost with dwellings of a sympathetic size, design and materials, thus broadly maintaining the farm's intelligibility, and reducing the impact on the settings of the building to be renovated.
- 7.28 The development within the farmyard will have a negligible impact on the settings of the Church of St Nicholas. At present, due to intervening foliage, only glimpses of red-brick and tiled buildings can be had of the farm buildings from the church. Similar materials will be used, the new buildings will be of a similar scale and massing, and a number of trees will be retained together with new planting, thus the view from the church should continue to be of glimpses of buildings that adhere to the local vernacular.
- 7.29 Development in the field to the west of the farm presents the potential for a greater impact on the settings of the church. This impact may be mitigated to a large extent by use of the steep slope and planting to screen and break up the view of the development. If this can be done, it is adjudged that this part of the proposed development would create a "less than substantial harm (lower end)" to the settings of the church.
- 7.30 The Statement of Significance has noted the importance of the view from Church House towards St Nicholas Church and this view has been preserved along the access route into the site, which is flanked by single storey almshouses grouped around green space, to minimise the visual impact of proposed development in this view corridor.

7b/27

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7.31 The impact on the Listed Church House would be 'no harm' to 'minor beneficial' given that although new dwellings will be erected opposite it, those buildings will be single storey, in a style, materials and size sympathetic to the local vernacular, and will largely occupy the area of the 20th century steel framed animal shelter which currently detracts from the settings of Church House. Sympathetic renovation of the eastern threshing barn would also produce a minor benefit for the settings of Church House.

#### **LANDSCAPE**

7.32 Policy H7 notes that a high level of design and care is required to address the setting of the nearby Church of St Nicholas and Grade 2 listed war memorial, the sensitive landscape edge and setting of the site as highlighted in the Council's Landscape Character Assessment for the settlement.

7.33 Policy LP14 (Landscape) states that within landscape character areas as defined in the Landscape Character Assessment (2010) and the Historic Landscape Characterisation project (2010) development should look to conserve, enhance and, where appropriate, restore landscape character as well as promote a resilient, functional landscape able to adapt to climate change. It notes that new development should, as far as possible, retain existing trees, hedgerows and nature conservation features such as water bodies with appropriate protection from construction where necessary and strengthen visual amenity and bio-diversity through further hard and soft landscaping.

7.34 A Landscape and Visual Impact Assessment has been prepared to inform the layout of the proposed development. The main recommendations from the report are set out below, with a description of the corresponding elements of the indicative layout plan.

7.35 The LVIA notes that the site lies within the Baddesley to Hartshill Uplands Landscape Character Area, a characteristic of which is the complex land use pattern of settlement, woodland, recreation, quarrying, associated industry and farmland.

7b/28

5c/211



- 7.36 Paragraph 4.26 of the LVIA states that the site itself is not considered to be of high landscape quality, given its derelict condition along New Street and the southern boundary, along with the overgrown and unmanaged area of woodland and ponds within the central section.
- 7.37 The report notes that the site's relationship with its landscape setting is influenced by the existing settlement edge to the immediate south and east, along with the site's more open, pastoral character to the north.
- 7.38 Adverse landscape impacts of Moderate significance were identified upon the presence of the Grade II Listed Church House, to the immediate south of the site. However, the report notes that this is in the context that the Listed Building lies along a street of existing residential dwellings to the immediate west and south, with derelict built form to the north-west and existing residential built form to the north-east. All other adverse landscape impacts were identified to be of either Moderate/Minor or Minor significance.
- 7.39 The visual impact assessment concluded that immediate views of the site are largely limited to the existing settlement edge to the south and east, and Public Footpaths 115/AE51/1 and 115/AE50/1 to the immediate north, and that these views are generally partial and do not include the whole site, but are also largely influenced by the settlement edge itself.
- 7.40 Adverse visual impacts of Moderate significance were identified upon these two adjacent public footpaths (115/AE51/1 and 115/AE50/1), as a result of the more open character to the north of the site.
- 7.41 All other visual receptors were judged to have either an adverse impact of Moderate/Minor or Minor significance, or a neutral impact of Moderate/Minor and Minor significance. In addition, the residents and users of New Street were judged to experience a beneficial impact of Moderate and Minor significance respectively as a result of the overall improvement of the streetscape.



7.42 To address the landscape impacts and the impacts on the views, the LVIA identifies a number of mitigation measures to ensure that the development proposals relate positively to the character of the site and the settlement, and do not appear incongruous when viewed from the wider village and landscape setting. These are:

- All existing boundary vegetation will be retained and enhanced where possible to preserve the degree of visual containment to the site, and to ensure that the proposals are set within an established green infrastructure. The central area of the site, comprising ponds, shrubs and trees will be retained and actively managed.
- Footpaths within the proposed development will connect the north-western part of the site to the existing public footpath along the site's north-western boundary, along with a footpath connection in the southern section of the site which will connect to New Street.
- Additional landscape planting is proposed along the north-eastern boundary of the site, to create a green edge to the proposed development when viewed from the existing settlement edge and the Grade II Listed Church of St Nicholas to the north, and along the site's north-western edge, which will help to soften views of the proposed development from the adjacent Public Footpath 115/AES0/1, as well as longer distance views from Public Rights of Way to the west of the settlement edge.
- The inclusion of street tree, shrub and hedgerow planting will also serve to create green infrastructure connections through the proposed development, as well as creating visual interest and areas of shade.

7.43 These recommendations have been used to inform the planting shown on the indicative layout plan around the boundaries of the site and within it, and the provision of footpaths which connect the site to the wider area. As such, it is considered that in landscape terms the proposed development complies with the relevant policies in the Local Plan.



#### NATURAL ENVIRONMENT

7.44 Policy LP16 (Natural Environment) seeks to minimise impacts on and provide net gains for biodiversity.

7.45 An Ecological Impact Assessment has been prepared for the site and is submitted in support of this planning application.

7.46 The key findings of the report are that:

- Two hedgerows matching the criteria for Habitats of Principal Importance (HPI) are present.
- A stand of Japanese knotweed is present adjacent to the north of the derelict barns but has been the subject of a programme of eradication over winter 2022/2023.
- Day roosts of common pipistrelle and brown long-eared bats were confirmed in three buildings on the site, namely the main farmhouse and two associated barns. An open barn (cow shed) was also being used by foraging bats. No evidence of maternity roosting was identified.
- A range of bat species were recorded foraging on the site, both from on-site roosts and commuting from off-site roosts to the south and north-east. Areas of highest foraging activity were the central copse containing two ponds, and the immediate surroundings of the buildings.

7.47 The report finds that there are no sites designated for their ecological importance either within the site or within 2km of the site. The closest non-statutory designation is the Mineral Railway Baddesley Ensor Local Wildlife site, which lies some 250m to the south west of the site.

7.48 An Extended Phase 1 habitat survey and desk study were undertaken in February 2022, with an updated walkover then undertaken in September 2022. Further targeted surveys for protected species were completed as follows:

- Great Crested Nets (April 2022).
- Bat activity surveys (April-October 2022).



- Nocturnal bat surveys of buildings with identified roosting bat suitability (June-August 2022).
- Reptiles (April, May, June and September 2022).

7.49 Details of the surveys are found in the EclA document. The nocturnal bat surveys were conducted on 8th, 9th, 22nd, and 23rd June; 12th and 26th July and 4th and 15th August 2022. All the surveys were carried out in suitable weather conditions. Table 13 of the EclA sets out the results of the nocturnal bat surveys; three buildings, including the former farmhouse, were found to accommodate day roosts of pipistrelle bats.

7.50 The bat transect surveys between April-October 2022 recorded relatively high levels of bat activity across the site, with the majority of bat passes recorded of common Pipistrelle bats, in particular foraging in and around the barns, woodland margins and over the ponds on the site. Soprano pipistrelle, noctule, brown long eared and myotis bats were also recorded foraging within the site. Table 15 of the EclA sets out the results of the automated survey.

7.51 Appendix 1 of the EclA provides a Phase 1 Habitat Survey Map which identifies all the habitats, features of ecological interest and target notes. The EclA also provides a detailed description of each of the habitats on site. No evidence of protected species, for example badgers or reptiles was seen during the survey.

7.52 Great Crested Newt surveys were undertaken of Ponds 1 and 3 within the site but no great crested newts were found. Smooth newts and toads were seen.

7.53 The reptile survey found no evidence of reptiles within the site.

7.54 The EclA concluded that the hedgerow, woodland and waterbody habitats are of up to Medium ecological value.

7.55 The report proposes a range of mitigation measures to address the above findings. These include:

- Retention of semi-natural habitats within the site where possible, including all areas of the central woodland copse. Any losses must be compensated via new areas of planting.



- There is land available offsite at Baddesley Common, which is in the Applicant's ownership, which could be used for habitat enhancement, with the aim being to achieve a net gain in biodiversity through the proposals. To achieve this, any landscape planting should incorporate native species of local provenance, including those species known to provide foraging opportunities for breeding birds and nectar sources for invertebrates. Where new habitat is created from a lower biodiversity baseline (for example arable land or improved grassland) a mosaic of rough grassland with areas of scrub, waterbodies and woodland planting will provide the greatest value for biodiversity.
- Opportunities to connect the central woodland and the biodiversity offsetting area to the southern boundaries should be sought.
- Demolition of the buildings with confirmed bat roosts must be covered under a Natural England Mitigation licence for bats, applied for after receipt of planning consent.
- It is recommended that clearance works avoid the bird nesting season between March and August (inclusive). If this is not possible, a pre-clearance check should be carried out by an ecologist.
- A sensitive lighting scheme is recommended for the site to avoid excessive illumination of retained and boundary vegetation and to minimise impacts on foraging bats.

7.56 A biodiversity impact assessment has been undertaken using the Biodiversity Metric 4.0. The assessment is based on the indicative layout of the site. It finds that the Proposed Development will result in a decrease in habitat units within the Site, totalling a net loss in biodiversity of **1.17 habitat units (8.71%)**. An additional **2.513 habitat units** must be delivered to meet the 10% increase in Biodiversity Net Gain.

7.57 The Proposed Development will however result in an increase of hedgerow units within the Site, totalling a net gain of **0.71 hedgerow units (61.46%)**.



7.58 Appendix 6 of the BIA identifies four areas in the wider Merevale Estate (in the Applicant's ownership), which could potentially provide opportunities for biodiversity offsetting and these are currently being discussed with the owner. They could involve restoration of degraded areas of grassland within Baddesley Common to neutral or dry acid grassland, or potentially heathland restoration in larger clearings.

#### DESIGN AND LAYOUT

7.59 Policy LP7 (Housing Development) states that housing is expected to be built at a net density of no less than 30 dwellings per hectare. The proposed development has a net dwelling density of more than 30 dwellings per hectare, within the two development areas identified in the illustrative masterplan.

7.60 The policy requires that a housing mix is provided, which provides for a mix of types and tenures that reflect the needs of the Borough and of the settlement. The indicative layout plan is based on a proposed housing mix set out in Table 1 below, comprising: 6 x 1 bed almshouses (with roof space room for carer – use only to be ancillary to main resident), 4 x 1 bed flats, 3 x 2 bed flats, 6 x 2 bed houses, 19 x three bed houses, 5 x four bed houses.

	Flats	Houses	
1 Bed	4		
1 + Carer		6	
2 Bed	3	9	
3 Bed		19	
4 Bed		5	
Sub Total	7	39	
<b>Total</b>			<b>46</b>

Table 1 – indicative housing mix



- 7.61 The policy also notes that development proposals should make serviced plots available for self-build. As this is an outline application, there are no specific plots identified for self-build and custom build, but these could be made available in any subsequent reserved matters application.
- 7.62 The size of each dwelling exceeds the minimum space standards as established in the Technical housing standards – nationally described space standard set out by the Ministry of Housing, Communities and Local Government (MHCLG) and each dwelling also benefits from direct access to an area of private outdoor amenity space.
- 7.63 Policy LP29 (Development Considerations) requires that development should avoid and address unacceptable impacts upon neighbouring amenities through overlooking, overshadowing, noise, light, air quality or other pollution.
- 7.64 Policy LP 30 (Built Form) requires that all development in terms of its layout, form and density should respect and reflect the existing pattern, character and appearance of its setting. Local design detail and characteristics should be reflected within the development. It sets out a number of matters for consideration, which are addressed below.
- 7.65 The layout of the proposed development has been informed by the need to respect the heritage buildings and assets around through the careful siting of the entrance to the proposal for a landscaped buffer along the northern boundary. The Design Code sets out how the characteristic architectural styles, patterns and features in the local area have informed the proposed layout and indicative elevations.
- 7.66 The layout has been designed to ensure that that it connects with the wider environment, providing good permeability with paths and roads, and having a number of properties (the almshouses and market properties) facing New Street so that the development does not turn its back on the existing built form.
- 7.67 The proposed layout will ensure that all the dwellings benefit from natural light and solar gain.



- 7.68 The proposal layout has been designed to reduce opportunities for crime and antisocial behaviour by incorporating private enclosed amenity areas to the rear of each dwelling with the principal elevations overlooking the green spaces and footpaths within the development to provide natural surveillance of the space, in line with national Secured by Design standards.
- 7.69 Existing water courses have been incorporated into the layout by retaining the two ponds and the stream which connects them, and making these water features a focal point within the site.
- 7.70 While design is a reserved matter, it should be noted that the design principles are set out in a Design Code to support the planning application. This identifies:
- Design principles.
  - Indicative layout.
  - Building form, height and scale.
  - Green space provision.
- 7.71 It is anticipated that this Design Code will form the basis of a condition of any planning permission, which requires any subsequent Reserved Matters applications to adhere to the principles set out in the Design Code. The intention of this is to provide some certainty to the LPA of the quality of the proposed development.
- 7.72 Given the above, the proposal is considered to be in accordance with relevant development and design considerations.

#### **ARBORICULTURE**

- 7.73 An Arboricultural Impact Assessment (AIA) has been prepared, which informs the indicative layout of the site. It comprises a tree schedule, tree constraints plan, arboricultural impact plan and a draft tree protection plan.
- 7.74 A tree survey was undertaken at the site in accordance with the guidelines provided in BSS837 (2012) Trees in relation to design, demolition and construction – Recommendations. This survey identified a total of 35 trees and 19 groups of trees. These trees have been categorised as follows:



- 2 of high arboricultural quality (Category A).
- 14 of moderate arboricultural quality (Category B).
- 36 of low arboricultural quality (Category C).
- 2 as unsuitable for retention (Category U)

7.75 The proposed development will require the removal of seven individual trees (T001, T008, T010, T012, T021, T022 and T030) and three groups (G002, G003 and G053). The partial removal of small sections of groups G027 and G041 will also be required.

7.76 The loss of T012, which was noted during the arboricultural survey to be of moderate arboricultural quality, is expected to incur some impacts to visual amenity of the local area. Provision has been made within the proposed scheme for replacement planting across the site. It is considered that this will offer sufficient mitigation for any such impacts. The remaining trees and hedgerows to be removed or partially removed were noted to be of low arboricultural quality. These trees are proposed for removal because they are located within such proximity to the proposed development that their retention would be impractical.

7.77 The main vehicular access point into the site has been sited to avoid having an impact on the Category A pedunculated oak (T054), which is located on the south eastern boundary of the site, and, as discussed above, the spine road is located slightly further north than the original allocation boundary, to accommodate the root protection area of T042, a further pedunculated oak, (Category B tree).

#### **HIGHWAY SAFETY, ACCESS AND PARKING**

7.78 Policy LP23 (Transport Assessments) notes that Transport Assessments appropriate to the scale of development proposed, will be required to accompany development proposals.

7.79 Policy LP34 (Parking) states that adequate vehicle parking provision commensurate to a proposed development should be provided, as guided by the standards in the Document "Parking Standards".



- 7.80 Policy LP29 (Development Standards) states that development should encourage forms of transport focussing on pedestrian access and provision of bike facilities; and provide safe and suitable access to the site for all users.
- 7.81 In compliance with Policy LP23, a Transport Statement is submitted in support of this application, along with a pre-application advice report which has been obtained from WCC highways and an analysis of that advice.
- 7.82 As set out in section 2.2, pre-application advice was sought from Warwickshire County Council on 1 December 2022. A response was received on 26 January 2023. This was following by a meeting between WCC and Glanville on 15 March 2023.
- 7.83 Much of the advice provided was for a detailed planning application and this Transport Statement is provided to support an outline application with all matters reserved except for access. Thus, many of the points raised will be dealt with through a reserved matters application that would provide the details for the internal layout.
- 7.84 However, all points raised by WCC have been taken on board and the design of the proposed two accesses on New Street and the proposed illustrative layout have been amended accordingly.
- 7.85 Policy LP29 seeks to make sustainable transport, walking and cycling an attractive and viable choice for people, in line with the Government's intentions towards sustainable patterns of movement. The site provides ample opportunity for sustainable travel. The location of the scheme offers some options for walking, cycling, bus and train use as alternatives to car use to reach some local facilities and services as well as commuting options for major employment destinations including London and Crewe. The local primary school and shop lie within 550m of the site. New Street Bus Stop and Atherstone Train Station are within 10m and 4.8km respectively.
- 7.86 The existing bus pole and flag that border the site on New Street are proposed to be relocated a few metres to the west of the proposed eastern access.



- 7.87 The number of accesses along New Street is proposed to be consolidated with two accesses to serve the site. Following pre-application advice, the eastern access has been adjusted to ensure that the pedestrian crossing width does not exceed 11m. A second access, further west of New Street will be 5m in width and will serve a parking court adjacent to the proposed block of flats.
- 7.88 A visibility splay commensurate with the 20 mph speed limit along New Street is achievable to the left and right upon egress from both the eastern and western site accesses. Drawings are included at Appendix D and E of the TS.
- 7.89 The extent of highways to be offered for adoption is illustrated in the proposed arrangement drawing (Ref 221506 PA 100 Rev A at Appendix C of the Transport Statement, which shows the grey roads to be adopted). The majority of the internal road network is proposed to be adopted. The internal access road will take the form of a cul-de-sac. A road width of 5m is proposed for the majority of the internal layout except when serving less than 6 dwellings. A shared surface treatment is proposed for smaller 2m wide footways. Where a drive serves more than 6 dwellings, the road will need to be adopted and footways would be required rather than a shared surface treatment.
- 7.90 In line with both North Warwickshire Local Plan, Policy LP34 and the Council's Parking Standards document, adequate vehicle and cycle parking provision can be provided. The six almshouses will be provided with one disabled car parking bay. All other dwellings will be provided with two standard parking bays. There are no specific cycle parking requirements, but provision will be made within gardens.



- 7.91 The illustrative layout shows the use of parking courts. Whilst WCC generally do not support their use, at Church Farm they are supported by NWBC and the Parish Council. The parking courts only serve nine units of the 46 in total. They protect key elevations and street scenes by removing cars from on-street parking, and they reduce the need for multiple entrances onto New Street. Following pre-application discussions, the use of parking courts within the illustrative layout has been increased in number but reduced in size, so that they are less dominant within the proposed development. The Design Code sets out that parking courts will not serve more than six dwellings, will be lit by low level lighting and will incorporate landscaping to soften their appearance. Parking courts will be screened from the road with brick walls and railing with planting behind.
- 7.92 All dwellings will provide an electric charging point.
- 7.93 2m footways are proposed through the site for pedestrians. There is direct access from the proposed development to the PROW along the north west edge of the site.
- 7.94 The Transport Statement notes that swept path analysis of the site demonstrates that large waste collection vehicles (11.73m) can safely access and egress the site via the eastern access. In addition, a home delivery vehicle can safely access and egress the site and turn within the turning head proposed on the western access.
- 7.95 The layout allows for an 8.1m Fire Tender to get within 45m of all proposed homes.
- 7.96 Pre-application discussion with WCC Highways recommended that streetlighting is installed on the site. The Design Code however proposes that only low-level bollard lighting is used. This is for three main reasons; firstly, it is considered that conventional street lighting would be highly urbanising in an otherwise rural fringe location, secondly that it would impact on the setting of nearby listed properties particularly views of the listed church, and thirdly it could cause disturbance to bats.



- 7.97 As set out in section 7.55 of this statement, the ecological impact assessment finds that there are a number of groups of bats which use the site for foraging. Illuminating a bat roost can cause disturbance and this may result in the bats deserting the roost or even becoming entombed within it. Light falling on a roost access point will at least delay bats from emerging and this shortens the amount of time available to them for foraging. Street lighting may also disturb bat flight. Low level lighting is therefore preferred. A proposed lighting scheme would need to be agreed under any Reserved Matters application.
- 7.98 No guidance was received from the Transport Planning Team on trip generation. In lieu of a response, it is assumed that the trip generation methodology used in the Transport Statement is acceptable.
- 7.99 The proposed development would lead to a worst case of 21 two-way trips in the AM peak hour and 17 two-way trips in the PM peak hour. The increase in traffic as a result of this development would have no significant impact on the local road network in terms of operational capacity and highway safety. As such the proposed development is not considered to be severe in the context of paragraph 111 of the NPPF.
- 7.100 The highway proposals are considered to comply with both national and local planning policies and would not give rise to any significant adverse impacts.

#### **FLOODING AND DRAINAGE**

- 7.101 Policy LP29 states that development should protect the quality and hydrology of ground or surface water sources so as to reduce the risk of pollution and flooding, on site or elsewhere.
- 7.102 Policy LP33 (Water and Flood Risk Management) states that in line with the objectives of the Water Framework Directive, development proposals must not detrimentally affect the ecological status of a waterbody and where appropriate, incorporate measures to improve its ecological value. Water runoff from new development must be no more than natural greenfield runoff rates and developments should hold this water back on the development site through high quality Sustainable Urban Drainage (SuDS), reducing pollution and flood risk to nearby watercourses.



- 7.103 In order to improve and protect water quality, infiltration measures are the preferred means of surface water disposal where ground conditions are appropriate and where practicable, the separation of surface water from sewers should be undertaken.
- 7.104 New development proposals should be accompanied by a Water Statement that includes evidence to demonstrate that there is adequate sewerage infrastructure in place or that it will be in place prior to occupation.
- 7.105 A Flood Risk Assessment and Drainage Strategy has been produced to support this planning application.
- 7.106 The site lies in fluvial Flood Zone 1, the area at least risk of flooding.
- 7.107 The Environment Agency Surface Water flood risk map indicates that the majority of the site is at 'very low' risk of surface water flooding, with an annual probability of flooding of less than 0.1%. The mapping also shows an overland flow path passing from east to west through the centre of the site. This overland flow path is shown to consist of areas at 'low' risk of surface water flooding (between 0.1% and 1% annual probability of flooding) and an area of 'medium' risk (between 1% and 3.3% annual probability of flooding).
- 7.108 Overlaying the surface water flood map onto the topographical survey and carrying out a site visit has highlighted that the flow path is erroneously shown to the north of the existing pond on-site - at a higher level along the side of a slope. This is not considered to show a true representation of the site conditions as any water running off the existing agricultural land falls with the topography towards the pond rather than the route shown at the higher elevation.
- 7.109 The extents of the flow path have therefore been redrawn by inspection of the on-site levels to show what is considered to be a more realistic flow path, should one occur. It can be seen that the area highlighted as being at 'medium' risk of surface water flooding is aligned with the existing pond in acknowledgement of the greater depth of water stored in this basin; this is shown on the plan at Appendix F to the FRA.



- 7.110 The surface water drainage strategy for the proposed development employs soakaways through the site to facilitate the attenuation and discharge of surface run-off via infiltration to the underlying soils. The strategy employs domestic soakaways in property gardens where stand-off distances and the general topography of site permits this. Shared soakaways have been located in rear gardens and public open spaces on-site. Highway and parking areas will be drained using permeable paving with a deepened porous sub-base to enable attenuation of flows generated by the highway areas. The outline strategy is illustrated on the drawing included in Appendix G to the FRA. The proposed SuDS features have been sized to accommodate all flows up to the 1 in 100 year +40 % climate change storm event without flooding from surface water.
- 7.111 It is intended that surface water drainage infrastructure located within private areas will be owned and be the responsibility of the property owner. Shared infrastructure within public open spaces will be maintained by the management company, while shared soakaways between neighbours will be jointly maintained.
- 7.112 Should it be proven that infiltration drainage is not feasible following an intrusive site investigation, onsite drainage ditches extending to the watercourse to the west of Watery Lane would provide a suitable outfall, with attenuation being provided on-site to ensure discharge is limited to the greenfield run-off rate which would accord with the pre- redevelopment baseline situation.
- 7.113 In respect of foul water management, flows from individual dwellings will discharge via a gravity foul water sewer system towards a foul water pump station. This pump station will be located on the western side of Watery Lane, within the neighbouring agricultural field, which is also under the Applicant's control.
- 7.114 Foul water flows will discharge to the existing Severn Trent network via the pump, with the route of the proposed rising main shown on the drawing included in Appendix G as passing through Church Farm Road, along the southwestern boundary of the site to manhole 0301.



#### **CONTAMINATION**

- 7.115 Policy LP29 states that development should not sterilise viable known mineral reserves; degrade soil quality or pose risk to human health and ecology from contamination or mining legacy and ensure that land is appropriately remediated.
- 7.116 Given the site's location in an area where coal mining has historically taken place, a site wide Coal Mining Risk Assessment (CMRA) has been undertaken and is submitted in support of the planning application. The CMRA found that the site is located within a low risk setting in relation to shallow coal mining and as such no further investigation works are considered necessary with regards to ground stability.
- 7.117 However, the CMRA identified that there is the potential for mine gas emissions on site, which will require further investigation as part of a ground investigation. It also found that there is a single recorded mine entry in the east of the site and it recommended that the location of the mine shaft cap is accurately located and recorded so that the cap can be avoided by proposed structures or infrastructure.
- 7.118 A further site investigation to determine the accurate location of the mineshaft has been undertaken. Only part of the area identified by the Coal Authority as the potential location for the mineshaft has been able to be excavated due to the presence of utilities in the area. The CMRA sets out details of the work done to date, and shows the extent of the area which has been investigated.
- 7.119 The Applicant is aware that further work is required. The Applicant intends to divert the overhead cable as part of the development works and would thus be happy to accept a condition on any permission which would require the remainder of the area to be searched prior to commencement of development.

#### **SUSTAINABILITY AND ENERGY STATEMENT**

- 7.120 While details of design are a reserved matter, the proposal will incorporate sustainable design and construction practices.



- 7.121 Materials derived from the excavation and demolition of the existing building will be reused where reasonable possible to minimise wastage in accordance with Step 2 of the Waste Hierarchy. A Construction Management Plan could be secured by way of an appropriately worded condition which should include details to reduce waste in accordance with Step 1 of the Waste Hierarchy.
- 7.122 The design of the fenestration arrangement will be considered to maximise the opportunity to benefit from passive solar gain to reduce energy consumption while avoiding overheating. The dwellings would likewise be designed with high levels of thermal efficiency to reduce the need for energy.
- 7.123 Subject to viability, the use of appropriate renewable and zero carbon energy generating technologies will be considered at the detailed design stage.
- 7.124 To enable the sustainable lifestyle of future occupants and promote the transition to zero emission vehicles, electric vehicle charging points should be secured by way of an appropriately worded condition.
- 7.125 Measures to limit water use to no more than 110 litres per person per day within the home in accordance with the optional standard 36 (2b) of Approved Document G of the Building Regulations 2010 (as amended) should be secured by way of an appropriately worded condition.

#### **OTHER CONSIDERATIONS**

- 7.126 Given the scale and nature of the proposal, the development is not considered to result in significant adverse impacts on sensitive receptors, including human health, sensitive habitats and any sites designated for their nature conservation value, from any sources of emissions to air. The site is not located within an Air Quality Management Area. Given the above, an Air Quality Assessment is not required, and the proposal is in accordance with the provisions of Policy P11.



## 8.0 CONCLUSIONS AND PLANNING BALANCE

- 8.1 This planning statement has been prepared on behalf of Park Top Limited in support of an outline planning application with all matters reserved except access for the demolition of six farm buildings, the renovation and conversion of the threshing barn to create two residential dwellings and development of an additional 44 new homes with associated infrastructure and landscaping at Church Farm, Baddesley Ensor.
- 8.2 A series of pre-application discussions have taken place with the Borough Council, the County Council Highways department and the Parish Council. The planning statement sets out how each of these has informed the submitted application.
- 8.3 National and local planning policies support the principle of the proposed development. The site is allocated for the development of 47 new homes in Policy H7 of the North Warwickshire Local Plan 2021. The proposed development makes use of some brownfield land as well as greenfield land.
- 8.4 The planning section demonstrates that the proposed development represents, economic, social and environmentally sustainable development. It lies in a sustainable location which can be accessed by public transport, and which has access to local services by cycling or walking. The proposal will provide almshouses to meet a local need for elderly persons' housing. It will provide a 10% net gain in biodiversity, and the new residents would contribute to the local economy. The proposal includes conversion of the threshing barn, to re-use a building which is of heritage interest and is viable for conversion.
- 8.5 Heritage work to support the application has found that the majority of the farmstead buildings are dilapidated and that restoring them would be impractical and the cost uneconomic. The illustrative layout of the site has been informed by the heritage assessment and maintains the view from Church House through to the Church and has been informed by the layout of the existing farmstead buildings.



- 8.6 In landscape terms, the site itself is not of high landscape quality. There are partial views of the site from public footpaths to the north, but these are influenced by the settlement edge itself. All other receptors were judged to have a moderate/minor or minor significance. The residents of New Street were judged to experience a beneficial impact of moderate and minor significance as a result of the proposed improvement of the overall streetscape. Landscape mitigation measures such as additional planting are proposed.
- 8.7 An ecological impact assessment found that three buildings on the site, including the former farmhouse, were found to accommodate day roosts of pipistrelle bats and a number of bat species use the site for foraging. A number of mitigation measures including sensitive lighting and additional planting are proposed. A biodiversity impact assessment concluded that although there will be a loss of 8.71% BNG associated with the proposed development, an additional 2.513 habitat units, to result in an overall 10% increase in BNG, can be provided offsite on land within the Applicant's ownership, in close proximity to the site.
- 8.8 The illustrative masterplan provides for a mix of housing types and sizes, with 4 x 1 bed flats, 3 x 2 bed flats, 6 almshouses, 9 x 2 bed houses, 19 x 3 bed houses and 5 x 4 bed houses.
- 8.9 A Design Code is submitted with the application, which provides details of design principles, indicative layout, building heights, form and scale, materials and green space provision.
- 8.10 A tree survey has been undertaken and shows that on the site there are two high quality trees, 14 of moderate arboricultural quality and 36 of low arboricultural quality, with 2 unsuitable for retention. The proposed development would require the removal of 7 individual trees and three tree groups. Planting will take place to mitigate this loss and the majority of trees are being retained, with the access and new homes being designed around them as far as possible.



- 8.11 The proposed development will be served by a main site access from New Street, and one further vehicular access which will only serve five flats. The application has been informed by WCC pre-application advice. The site lies within 10m of a bus stop and within 4.8km of Atherstone train station. New path connections are proposed onto New Street and to join the public right of way. Visibility splays commensurate with the 20mph speed limit along New Street can be delivered. Policy compliant cycle and vehicle parking are provided on the illustrative layout. Trip generation associated with the development would not have a severe impact on the highway.
- 8.12 The site lies in fluvial Flood Zone 1, the area at least risk of flooding. Surface water will be attenuated and discharged via infiltration to the underlying soils. A foul water pumping station is proposed as part of the development, to pump sewerage to join the Mains sewer on New Street.
- 8.13 A coal mining risk assessment identified that there is potential for mine gas emissions on site and found a single recorded mine entry in the east of the site. A partial site investigation has been undertaken and the Applicant is aware that further work will be required.
- 8.14 The planning statement has demonstrated that the proposed development complies with the full suite of relevant planning policies, is supported by an allocation in the Local Plan, and would constitute sustainable development. As such, it is requested that the Borough Council approved the application without delay.

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**North Warwickshire Local Plan  
Adopted September 2021**

the form of the final development.

**H7 Land at Church Farm, Baddesley Ensor**

Land at Church Farm New Street, Baddesley Ensor, comprising 2.2 hectares is allocated for a heritage led residential development including conversion and regeneration of Church Farmhouse and ancillary/associated barn and outbuildings. A high level of design and care is required to address the setting of the nearby Church of St Nicolas and Grade 2 listed war memorial, the sensitive landscape edge and setting of the site as highlighted in the Council's Landscape Character Assessment for the settlement. Development of the site will need to provide for in particular:

An assessment of the significance of designated and non-designated heritage assets within and adjoining the site and the contribution of setting to that significance will be provided via a heritage assessment, with particular reference to;

- Church of St Nicholas
- the Grade 2 Listed war memorial,
- Church House, New street.
- the historic farmstead and farmhouse, Church Farm,
- The site of Baddesley Old Hall and any remaining associated structures, and the cottages site off Watery Lane.

1 The approach to development should be to maintain and emphasise the outlook and views through the site between these assets, reflecting the relationship and sensitivity with the historic setting of the wider landscape. Any harm, including taking account of any mitigation, should require clear and convincing justification. Views from the existing settlement through the site to the Church and war memorial shall be retained.

2 Development should enable retention and re-use of the former Church Farm dwelling and related historic farm buildings, which is recognised as a fine historic agricultural complex, as part of any development proposal to reflect the historic character of the site and aid in integrating the site with the existing village. If evidence proves the complex cannot be retained in full or in part, new development should seek to reflect the farm complex. The new developments details, scale and massing should reflect the existing buildings and their rural (partial wooded) setting, retaining the outlook and open nature of views between the site, heritage assets listed above.

3 The site design should incorporate high value biodiversity features and aim to protect neighbouring designated sites for nature conservation via the appropriate use of seminatural buffers. A programme of landscaping, tree planting and sensitive boundary treatment and planting will be required to address the sites sensitive setting in landscape and built heritage terms. Given the sensitive nature of the site, proposals will require an agreed, appropriately staged programme of archaeological investigation, evaluation and recording before the development of the site.

14.56 Land to the north of the Grendon Community Hall which was formerly the Youth centre is owned by Warwickshire County Council. It is relatively small site but can provide for a small development that can be integrated into the village and other properties along Boot Hill.



PAP/2023/0259

APPENDIX E  
DESIGN CODE

NORTH WARWICKSHIRE  
BOROUGH COUNCIL  
**RECEIVED**  
13/06/2023  
PLANNING & DEVELOPMENT  
DIVISION

PROPOSED RESIDENTIAL DEVELOPMENT  
CHURCH FARM, BADDESLEY ENSOR. CV9 2DZ

JUNE 2023

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## Introduction—Purpose and Use of the Design Code

### Introduction

This Design Code is submitted in support of the Outline Planning Application for the land at Church Farm, Baddesley Ensor. The proposed development is for the demolition of the existing farm buildings, retention and conversion of the threshing barn to create two residential units and the development of a further 44 residential units. The application is in outline with all matters reserved except for access.

The purpose of the Design Code is to confirm the key design principles applicable to the development and therefore seeks to

- Establish the principles of the main elements and the structure of the site layout.
- Establish principles for the public realm within the site.
- Establish design parameters for individual housing types.

### Use of the Code

It is intended that this Design Code will be approved as part of the Outline Application and any subsequent Reserved Matters Application will be implemented in accordance with the approved Design Code.

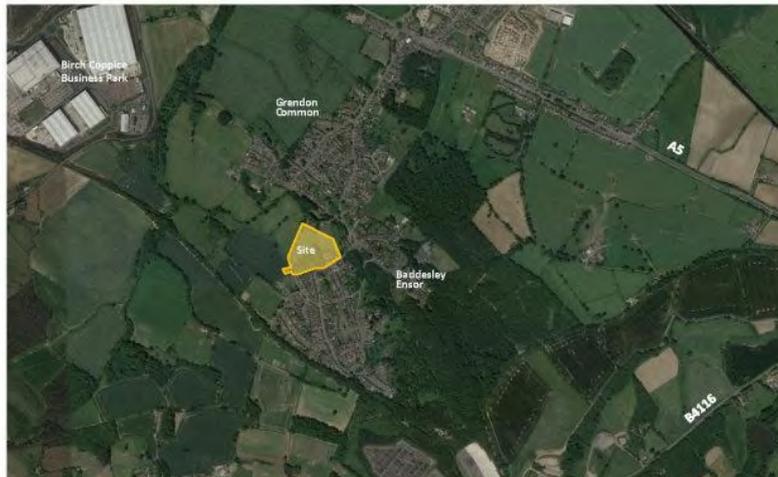
It will address the following :

- The Indicative Layout submitted with the Outline Application
- Design Principles, Layout and Public Realm
- Building Form, Height and Scale
- Materials

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## Introduction—Site Location



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## Indicative Layout—Site Analysis

### Indicative Layout

The site lies to the north of New Street, on the western edge of Baddesley Ensor. It covers an area of approximately 2.53 Ha. St Nicholas Church and grazing land lie to the north of the site, a public footpath between Watery Lane and the Church forms the western edge. There is existing residential development to the east and south.

The leading design principle is to establish a high quality, heritage led residential development that has a distinct sense of community yet fits seamlessly into the existing village, which reflects the historic farm, maintains the important views through the site and positively contributes and enhances the site biodiversity.

The outline proposals have been developed with this in mind and will provide up to 46 residential units. The indicative layout delivers a policy compliant scheme of in excess of 30 dwellings per hectare.

There are a number of site specific constraints and opportunities which have informed the indicative layout:

- Steep site gradient
- Ponds and water course
- Existing farm buildings
- Existing site access
- Existing trees and hedges
- Frontage onto New Street and the listed Church House on the corner with Church Row
- Views across the site towards St Nicholas Church

These features divide the site into three distinct character areas:

**Area 1** – Fronts onto New Street and contains the existing farm buildings including the three storey farmhouse, several brick barns and a large utilitarian building. The buildings create two informal courtyards. There are presently four entrances to the site from New Street.

**Area 2** – A lightly wooded basin runs down the centre of the site and contains two ponds.

**Area 3** – The area to the north west of the pond is a green field that slopes down in a south west direction towards Watery Lane.

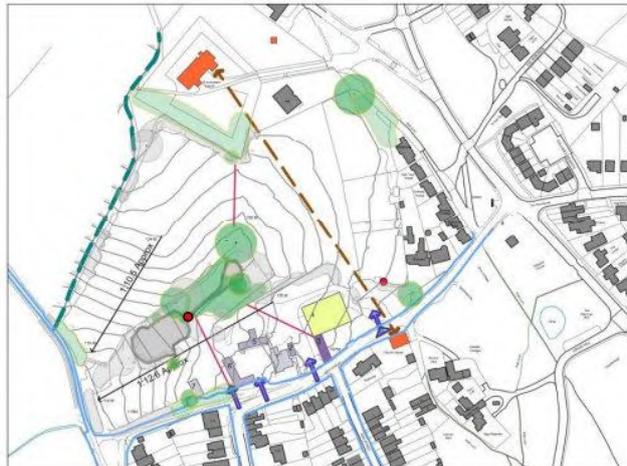


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## Indicative Layout — Constraints

- Listed Buildings
- Historic Building - to be Retained
- Historic Building - Poor Condi-
- Historic Building - Low Significance
- Modern Building
- ◆ Existing Access
- Highways Boundary
- Public Right of Way
- Visual Link
- Higher Category Trees
- Low Category Trees
- Bat Corridor
- Possible Location of Mine Shaft



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## Indicative Layout — Layout Strategy

### Layout

The central wooded area and ponds clearly divide the site into two separate plots for development and will create a beautiful focus for the scheme. The dwellings either side of this area will respond to the specific characteristics inherent to their respective locations. The existing boundary planting will be retained and strengthened and the majority of the central green corridor will also be maintained.

### Area 1—Village Edge

The main site access will be adapted from the most eastern of the existing site entrances on to New Street. A clear entrance to the site should be provided addressing the listed Church House opposite and improving its setting. The visual link between Church House and the Church should be maintained. Dwellings should be arranged to face on to New Street so that a street frontage is maintained thus connecting the new development to the existing settlement. In discussions with the heritage consultant it was agreed that the threshing barn and the adjacent wall will be retained as part of the new scheme so these need to be incorporated into the design. Additionally it was suggested that the farmyard layout together with the larger farmhouse could be reflected in the new layout.

In order to avoid the street scenes and the house frontages being dominated by cars, parking courts could be used. Houses can be close to the street and boundary treatment and front garden landscaping can be formal.

### Area 2—Green Space

This should be preserved as an amenity green space and to improve biodiversity across the site. Foot paths and cycleways which follow desire lines should make the area accessible to residents. The dwellings that face this area should be orientated to make the most of the views across the pond.

### Area 3 - Village Green

Following discussions with North Warks District Council the development to the west of the pond is arranged round a central green space. This is to foster sense of a traditional village green and has the benefit of maximising the views across to the pond. The character of this area should reflect the countryside it abuts and could have a different feel to the area adjacent to New Street. The houses can be set back from the street more and vehicles parked within the curtilage. The house types should be more varied by using different materials, ridge lines and building details in order to create a more village feel.

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## Indicative Layout



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## Spatial Arrangement—Access and Routes

### Access

The site access points have been determined following discussions with the Highways Consultants and North Warks District Council. The site is presently served by four existing entrances from New Street. There is a public footpath that runs along the western boundary and the southern boundary comprises Church Farm Road and New Street. North Warks District Council were keen that the number of vehicle access points onto New Street was minimised and that pedestrian links were created to increase the integration of the site into its location.

### Primary Access

The primary vehicle access to the site will be developed from the most easterly existing access point. It will be widened to enable two way traffic, cycle and pedestrian access. Widening and straightening the access enables a visual link to be created between Church House and St Nicholas Church, especially as one enters the site. A 1:21 gradient is required at the main site entrance.

The design of this entrance has been undertaken by a Highways Engineer and forms part of the Planning Application.

### Secondary Access

A secondary access will be delivered to the small block of flats on New Street, however there will be no vehicle access to the main site through this entrance. This secondary access again utilises an existing entrance. Turning space is provided.

### Pedestrian Access

A new pedestrian access into the southern part of the site is proposed at the junction of New Street and Church Farm Road. Additionally two pedestrian links are to be created connecting the site to the public footpath that runs along the western boundary.

### Street Design

The site is well located to facilitate pedestrian links to Baddesley Ence via the existing public rights of way and New Street. The scheme should enhance this relationship and establish safe pedestrian routes through the development that connect with the wider community, promoting car free movements.

The main route around the site has been informed by the topography, the Category B tree at the top of the site, the proposed access point and the design principle of creating street frontage along New Street. All the internal roads will be built to adoptable standards. Though only the primary route will be adopted.

### Primary Street

The site is divided into two halves by the central pond and surrounding trees. Hence the main route around the site wraps round the central area and around the north of the ponds. The slope is steep and there will be a significant amount of cut and fill required to even out the gradient. The indicative layout plan as shown has a maximum gradient is 1 in 10.

### Secondary Street

There are several minor streets, which are solely for access to the residential units. These could be shared surfaces though they should accommodate all vehicles, pedestrians and cyclists safely. Shared surfaces can be used to control speed.

### Pedestrian & Cycle Routes

The route around the site is completed with a pedestrian/ cycle path. This facilitates access from the western side of the site to the existing village.

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## Spatial Arrangement—Access and Route

Diagram showing the relationship between primary and secondary streets. The final street layout should be based on these principles

-  Primary Site Access
-  Private Access
-  Pedestrian Access
-  Primary Route
-  Secondary Route
-  Pedestrian Route
-  Vehicle Turning Area
-  Public Footpath
-  Existing PROW



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## Spatial Arrangement - Public Realm

### Site Approach

The landscape layout will be heavily influenced by the site's physical characteristics and the design should make the most of the opportunities these present. As drawn the layout provides 4190 sqm of informal public amenity space and 1330 sqm of more formal green space.

### Central Area

The majority of trees, some of which are Category B, will be retained and managed. The steep sides of the area around the ponds is unsuitable for formal public space. However, it provides a perfect place for informal recreation. The pond also offers the opportunity to enhance the biodiversity on the site and make it into a unique feature. It is recommended that there is no formal boundary treatment. Any footpaths/cycleways that cross this area should be lit with low level bollard lighting.

### Village Green

The village green lies to the north west of the ponds and provides a focus for the housing in this area. Linking it directly to the informal area it will help to create the feeling that the development has grown organically. It is recommended that if a boundary treatment is required, estate type railings are specified.

### Semi-Private Green Areas

Several semi private amenity spaces have been created. The enclosure created between the threshing barn, new dwellings facing New Street and the existing boundary wall gives the opportunity for a landscaped area at the entrance to the site. The proposed block of apartments together with adjacent rows of houses are

located around a central square which faces on to the pond. Both of these reflect the former farmyard arrangement of buildings that are presently located in the site as suggested by North Warwickshire Planning Authority.

### Site Edges

The hedgerows on the southern and western boundaries, which run adjacent to public rights of way, will be enhanced and strengthened. The new northern boundary should be planted so as to screen the development from the church and the houses on New Street.

### Site Planting

Public Open and Semi-Private spaces should be planted with trees so that views across the site are broken up with landscaping.

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## Spatial Arrangement - Public Realm

Diagram showing the location of greenspaces across the site

-  Informal Amenity Area
-  Village Green
-  Semi-Private Green Space
-  Boundary Planting
-  Tree Planting



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## Design Principles—Streets

### Site Entrance

It is important that the entrance to the site forms an attractive gateway to the development, setting the tone of the high quality development beyond. To this end the boundary to either side of the entrance should be formal with a stone wall to match the existing retained wall on the southern side.

### Primary Street

The primary street enters the site from New Street and then splits to go either side of the ponds. At the entrance the carriageway is 5.5m wide with 2m footpaths on both sides. The gradient at the entrance to the site should be 1 in 21. This works particularly well in the proposed scheme as Almshouse are proposed at the site entrance and this shallow gradient facilitates access for the residents.

Once the carriage splits the first fork remains at 5.5m wide with a single 2m footway on the side adjacent to the houses. The site here has an overall gradient of 1:12.6 so a significant amount of cut and fill will be required. With a careful design the maximum gradient of 1 in 10 need only be used over a short distance.

The remaining carriageway starts at 5.5m but is widened to 6.5m in order to enable refuse trucks to perform the turn around the tree at the top of the site. Again only one footway is required. The maximum speed should be 20mph.

### Surface Treatment

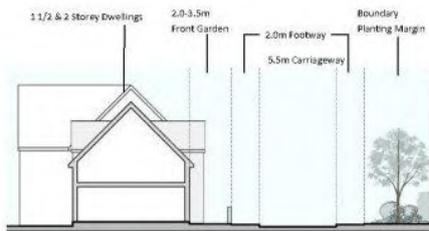
The gradient and road layout will ensure that traffic remains at a suitable speed, 20 mph is recommended. The road surface will be tarmac. The footpaths should have a raised kerb. Granite kerbs and sets are to be used subject to discussions with the Highways Authority.

### Road Edges

The carriageway and pavements should be abutted with either front gardens or a deep planting margin. Front gardens should be semi formal in design. The planting areas should contain hedges and small to medium trees where appropriate. Larger trees could be used at key points.

Any boundaries should be demarked with brick or stone walls or estate railings and hedges. The streets should be lit by low level lighting and not cause any light pollution.

Parking spaces accessed from the primary routes should be demarked by high quality materials and be placed so there is sufficient distance and visibility for the cars to leave and enter the road safely. Parking courts should be small with a boundary that prevents the cars being seen from the road.



Section through Street at Entrance to Development

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## Design Principles—Streets

### Secondary Street

Secondary streets have reduced traffic flows and should be designed with a less formal more intimate private driveway feel. Streets within this area vary between 5.5m and 6.5m wide and will be a shared surface with pedestrians and cyclists. Any visitor's parking should be located streetside. The maximum speed should be 10mph.

### Surface Treatment

The surface material should be clearly defined from the primary route. It should be a material that creates a private feel such as block paving or rolled gravel. Any kerbs and edges will be flat and formed in materials such as stone or granite sets.

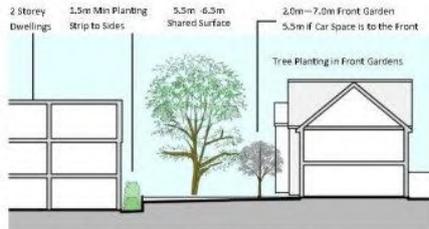
### Road Edges

The streets should be abutted with front gardens or a planting zone. The front gardens can be deeper than the primary streets and contain on plot parking. The planting areas should contain hedges and trees where appropriate. The trees planted should be low water demand types achieving a maximum of 5m when fully grown. Any boundaries should be demarked with brick or stone walls or estate railings and hedges. The streets should be lit by low level lighting and not cause any light pollution.

### General

#### Front Gardens

A clear distinction should be drawn between private and public space, however, it is important that should barriers be used, they do not prevent connectivity and natural surveillance. Therefore walls or fencing should be no higher than 1.2m. There should be a minimum of 1.5m to the street to the side of any houses.



Section Through Secondary Street that Leads to Public Footpath

### Refuse Storage

There should be no wheeled bins or refuse stores visible on any streets on the development or on New Street. All bins should be concealed in brick bin stores, in rear gardens or garages.

### Street Furniture and Road Signage

All streets should be designed to give a clear indication of speeds and give way points. Road markings should be kept to a minimum. Speed humps should not be used.

In principle street furniture should be simple, functional and uncluttered and should be cohesive though the development. Where possible road signs should be mounted on boundary walls to avoid unnecessary visual clutter. Street lighting should be low level and not cause any light pollution.

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## Design Principles—Refuse Collection

Diagram showing refuse Collection Points



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## Design Principles—Buildings

### Buildings

#### General Principles

- Vistas through the development should either be finished with buildings, key planting or lead to areas of public open space
- Buildings should be arranged to front the streets or open green spaces
- Primary entrances and windows should face the streets or open space.
- Primary entrances should be clear and articulated with projecting canopies where appropriate.
- Buildings on the corners should be designed so that they are dual fronted to ensure that natural surveillance is preserved and blank elevations or gable walls are not visible from the streets
- Where houses are terraced the street elevation should be articulated to create architectural interest.

- Where houses are semi-detached or terraced different eaves and ridge heights should be considered
- Buildings should have generous window openings to maximise natural light. Additionally the overlooking of the streets will provide a sense of security for residents



Hasting Road Grendon



Grendon Point, Grendon  
Architectural detail on corner buildings add interest and aids legibility

Diagram showing Articulated Street Frontages and Dual Facing Corner Buildings



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## Design Principles—Buildings

### Building Heights

The majority of the buildings should be two storeys high, however, there is some scope for two and a half height buildings at the lower end of the site towards Watery Lane. The apartment block which nominally replaces the farmhouse could be three storeys.

Six one-storey almshouse (with an ancillary attic bedroom for a carer) are to be provided. The preferred location for these is towards the entrance at the most elevated part of the site where the impact on the listed Church House will be minimised. Additional one and a half storey houses could also be located here to reflect the surrounding threshing barn and almshouses.

A minimum floor to ceiling height of 2.5M is required. The ground level changes across the site should be reflected in the roof ridge heights.

### Car Parking

Car parking provision is in accordance with local policy at two spaces per dwelling over two bedrooms and one space for one bedroom units. Spaces for the Almshouses should be fully compliant with wheelchair accessibility standards.

To avoid parking dominating the street frontage small parking courts can be used, these should be adequately screened from the road.

At least one carparking space per unit should provide sufficient space to the side to allow for future widening to 3.3m for accessibility.

Diagram showing Building Heights



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## Design Principles—Buildings

### Housing Mix

The indicative layout has the following housing mix and the principle has been agreed with North Warwickshire District Council

	Flats	Houses	
1 Bed	4		
1 + Carer		6	
2 Bed	3	9	
3 Bed		19	
4 Bed		5	
<b>Sub Total</b>	<b>7</b>	<b>39</b>	
<b>Total</b>			<b>46</b>

### Housing Sizes

Housing should meet Government Document - Technical housing standards - nationally described space standards.

Diagram showing House sizes



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## Design Principles—Indicative Layout Rationale



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## Design Principles — Materials and Design Criteria

### General

In order to deliver high quality buildings and a development that has a cohesive environment, materials should be of a good quality, generally natural and be selected from a common material palette. This will help to reinforce continuity across the site and provide important unifying themes. The materials can be used both traditionally or in a modern way as the design dictates. The facades should be well proportioned with interesting features to create a distinct character. The two areas each side of the ponds should have distinct characters. There should be a variety of house types, particularly around the 'village green'.

Many traditional materials can be reclaimed such as roof tiles and brick. Use of reclaimed materials will help to settle new buildings into the area and they are often more sustainable.

All materials will be subject to approval by the Local Planning Authority.

### Exterior Walls

Exterior walls should be finished predominantly in red brick with some stone. Small amounts of render or timber cladding can also be used as part of the design. Where used on one facade they should be returned around the corner by 1.0m minimum. Render, with a smooth finish, can be used occasionally throughout the development. Fully rendered properties should have a red brick plinth of at least 0.6m from ground level.

Cladding can be both natural or stained in finish.

Brickwork detailing should be used on key buildings.

### Roofing

All roofs should be predominantly pitched and be of a pitch that is typical of the area. (35-45°) They should be generally pitched parallel to the street with an occasional gable end use to provide articulation and interest. The roof line should be varied and interesting and avoid monotony.

Eaves and gable ends are to be simply detailed. Brick detailing is to be encouraged and should echo the brickwork details on the existing farm buildings.

Roof tiles can be traditional clay or day-style composite in type. Roman tiles or concrete tile should not be used. Other natural materials can be used to prevent the site becoming too monotonous.

### Windows & Glazing

Windows should be formed in natural hardwood, timber composite or aluminium. To be used consistently across the site. Windows should be simple in design and avoid ornate details. The use of glazing bars should be limited and dummy sashes should be used so opening lights are not obvious. Window and doors frames should not be formed in uPVC.

Bay windows can improve the streetscape and increase surveillance. Square bays are preferred and double height bays should be encouraged. Integrating porches and entrance canopies with any bay windows is also supported. The windows should match the rest of the fenestration. Oriel windows should also be considered where appropriate.

Stone cills and lintels should be used on visually key buildings.

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## Design Principles — Materials

### Masonry



Red Brick to match local vernacular



Stone to match local vernacular

### Roof Tiles



Reclaimed clay roof tiles

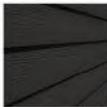


Clay tiles



Slate tiles

### Cladding



Weatherboarding should avoid bright colours and be of natural hues to match the local brick and stone colours.

Render where used should be light coloured neutral tones. Bright colours should be avoided

### Render



21.



## Design Principles — Materials and Design Criteria

### Chimneys

Chimneys are an important element of the domestic roofscape and help to articulate rooflines. They should be considered for key buildings. They should not be over elaborate and be located on the ridgeline. Chimneys could be used to integrate other services.

### Porches

Entrance canopies should be designed to be practical whilst signifying the entrance and contribution to the elevational treatment. They should not be over elaborate and where possible integrated with other features such as bay windows. They should avoid looking as if they are 'stuck on' as an afterthoughts.

### Front Doors

Entrance doors should act as a focal point and be of high quality.

It is recommended that all doors are formed in the same style and are not over elaborate. Colours can vary though should be of a similar colour palette.

### Railings

All metal work should be black.

### Rainwater Goods

All gutters and rainwater down pipes should be black and concealed where possible to avoid them dominating the street scene.

### Low Level Lighting



### Road Signs

Road signs to be attached or inset in walls where possible to keep the street scene uncluttered.



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## Design Principles— Materials

### Exterior Surface Treatment

#### Primary Street

Carriageway—Bituminous macadam

Footway—Bituminous macadam

Kerbs—Granite with sett edging. To be discussed with Highways Authority.

#### Secondary Street

Shared surface—Permeable block paving. Large areas in one colour, especially where brick is the predominant material for the houses, should be avoided. The kerbs should be demarked using granite setts.

#### Driveways and parking areas

Driveways and parking areas should be permeable block paving.

#### Parking courts

Parking courts can be bituminous macadam however the apron between the street and the parking area should be granite setts to clearly define the separation from the road. Spaces should be demarked with gravel setts.

#### Footpaths and cycleways

Footpaths and the cycleway in the green area should be bound gravel with granite setts edges.

A maximum of three to four variations in colour and style of material should used. They should be of a similar colour palette.



Granite with sett edging



Definition between parking courts and roads



Permeable block paving



Granite setts



Bound gravel with granite sett edges



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## Design Principles—Car Parking

### General

- Electrical Vehicle charging points should be provided for all units including those in parking courts.
- All parking spaces and internal garage dimensions should meet North Warwickshire District Council standards
- Spaces for the Almshouses should be fully compliant with wheelchair accessibility standards.



### Parking Courtyards

- Where used courtyard parking should be limited in size and not serve more than six dwellings
- All dwellings served by rear parking courts should have direct access to rear gardens
- Must be large enough to incorporate landscaping to soften appearance
- Must be lit at night with low level lighting
- Must be screened from the road with brickwalls, railings and planting behind.



### Frontage & On Plot Parking

- Must be located so as to be convenient to the dwellings they serve
- Should be overlooked by habitable windows
- Should be broken up and softened by landscape
- Driveways or garages should be primarily situated between houses to the side
- Garages should be set back from the building line

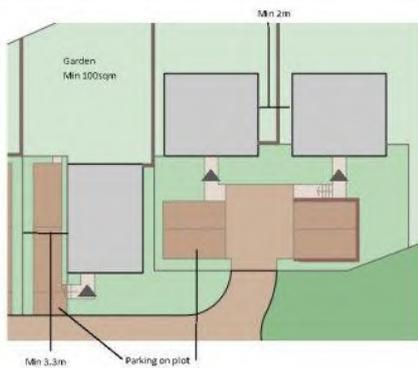
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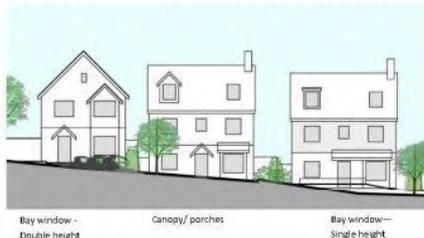
Building Type — Detached Houses



Detached Houses

- Have front doors facing the street elevation
- Have parking within their curtilages
- Have large or bay windows that face the street or public open space.

Pitched Roofs 2 or 2 1/2 Storeys Dormer Windows for room in roof



Building Heights

Detached houses should be two storeys with the potential of two and a half at the lower end of the site adjacent to Watery Lane. All roofs are to be pitched.

Building Parameters

Eaves Height	5.25m—5.6m
Ridge Height	8.0—9.6m
Building Width	6.5m-10m
Building Depth	7.0m—10.0m

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**RECEIVED**  
 13/06/2023  
 PLANNING & DEVELOPMENT DIVISION

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Building Type — Detached Houses

Boundary Treatment

Front gardens should have an open fence treatment and should not exceed 1.2M in height. Rear gardens should use fencing of a high quality and sufficient to provide privacy and reduce the impact of sound. Where rear gardens are adjacent to the road brick or stone walls should be using instead of fencing.

Front Gardens should be either planted or gravel with planting. No artificial grass should be used

Private Amenity Space

Private amenity space should be provided in rear gardens and should have a minimum garden area of 100sqm.

Refuse bins should be stored in the rear garden or to the side of the dwelling but not be visible from the street.



Alberstone Conservation Area



Existing Local Houses

Detached houses on New Street at corner with Newlands Road and facing the Common



Features of Local Houses

Pitched roofs, chimneys, oriel windows, defined lintels and sills, covered porches, brickwork details, bay windows and gables at eaves front gardens with hedges and gates.



Modern Interpretation of 2 1/2 storey house

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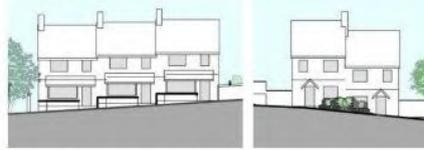
## Building Type — Semi-Detached & Terraced Houses



### Semi-Detached and Terraced Houses

- Have front doors facing the street elevation
- Have large or bay windows that face the street or public open space
- Roof lines should have a variety of ridge height to avoid over conformity
- Street elevations should be articulated
- Should be two storeys
- All roofs are to be pitched

### Variety of ridge heights



Porch created by extended bay window roof

Canopy to protect entrance

### Building Parameters

Eaves Height	4.4m—5.4m
Ridge Height	8.0—9.5m
Building Width	5.6m-6.6m
Building Depth	7.0m—10.0m

### Boundary Treatment

Front gardens should have an open fence treatment and should not exceed 1.2M in height. Rear gardens should use fencing of a high quality and sufficient to provide privacy and reduce the impact of sound. Where rear gardens are adjacent to the road brick walls should be using instead of fencing.

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## Building Type — Semi-Detached & Terraced Houses

### Private Amenity Space

Private amenity space should be provided in rear gardens. Three bedroom units should have a minimum garden area of 100sqm and two bedroom units should have a minimum garden area of 50sqm. Artificial grass surfaces should not be used.

All rear gardens should be at least 50% terraced with retaining walls and not sloped. Refuse bins should be stored in the rear garden or to the side of the dwelling but not be visible from the street. All rear gardens should have separate access from the side or rear.



Conservation Area—Atherstone  
2 storey bay windows, gables along roof line, red brick, prominent chimneys and lintels



Meadow View, Wood End



The Square, Dunchurch  
Red brick, pitched roof porches, prominent chimneys



New Street  
Tiled porches, gables on eave line, walled front gardens

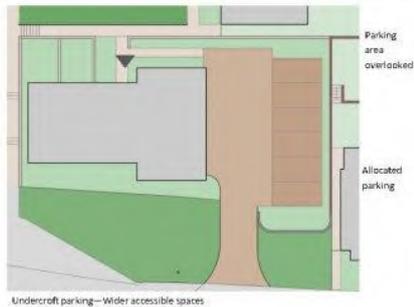
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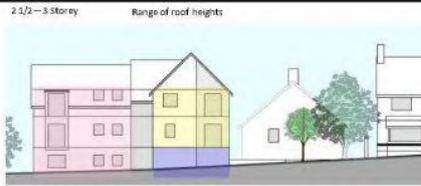
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## Building Type —Flats



### Apartments

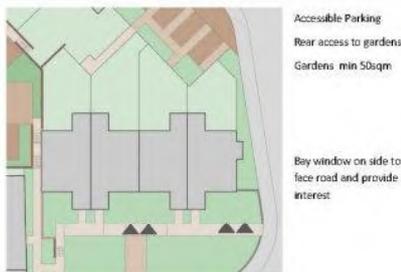
- Have large or bay windows that face the street or public open space.
- Should be two and a half to three storeys. A variety of ridge heights should be used to help to reduce the overall scale.
- All roofs are to be pitched.
- Elevations should have sufficient interest from all sides.
- Undercroft parking can be used.



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## Building Type —Almshouses



### Almshouses

- Have front doors facing the street elevation
- Ridgelines should be consistent
- Covered entrances should be provided
- Should be single storey with attic space for one bedroom for a carer. This could be conditioned and controlled by tenancy agreement.
- All roofs are to be pitched
- Four should reach Part M4 (2) Adaptable
- No dormers but rooflights are to be used



### Front Boundary

Almshouse will have level threshold and access from the public footpath. Fences should not exceed 1.2m in height.

### Car Parking

Parking for the Almshouses will be within reasonable distance and with level access.

### Refuse Storage

Should be concealed from the street and be located in the rear gardens.

### Private Amenity Space

Should be enclosed with fencing of a suitable quality and height to provide privacy and reduce the impact of noise. The minimum garden size should be 50sqm. Rear access should be provided.

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## Building Type - Almshouses

### Local Examples of Almshouses

- Rhythm of elevational features
- Local materials
- Dominant chimneys
- 1–1.1/2 Storeys
- Low eaves



Dame Alice Leigh's Almshouses, Stoneleigh



Shustoke



Cramers Almshouses, Mancetter



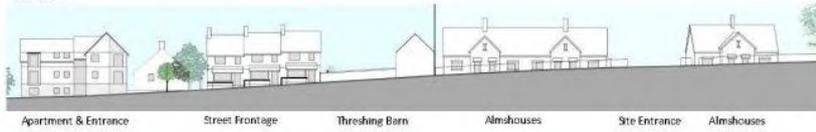
Atherstone

31.



## Building Types— Street Elevations

### New Street



### 2.1/2 Story Houses at Lower Part of Site Facing Ponds



### Houses Facing Village Green Area



32.



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### Design Precedent—Corner Buildings

Corner sites provide an important contribution to way finding and establishing character. Corner plots should be addressed by either corner turning buildings or ensuring that both street frontages are articulated by fenestration on each site. This ensures natural surveillance onto the public routes.



Single dwelling designed to provide fenestration to both street facades



Curved corner building on New Street



Blank facades should be avoided at corners.



Local Examples Wood End and Grendon.

Windows can provide a positive enhancement to both streets

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### Design Precedent—Boundary Treatment



Estate Railings with planting behind



Local stone wall with planting behind



Low red brick walls, with grey brickwork coping on New Street



Low red brick wall



Red and grey brick gateway with metal gate in Atherstone conservation area



Low red brick walls, with grey brickwork coping in Atherstone conservation area



Stone wall at entrance to site with brick coping

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Design Precedent— Building Features

Porch Examples



Porches combined with bay windows.  
Stone lintels.



Recessed Porch



Recessed Porch



Porch on New Street using clay tiles and



Recently constructed house in Atherstone Conservation Area

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Design Precedent—Front Garden Treatment



Shallow garden with low hedge at front



Enclosed garden with brick wall



Estate style railings with planting to front and side



Trees behind boundary hedges



Planting and railings with low level lighting



Brick bound front gardens in New Street



Estate style railings with brick garden wall



Trees planted in gardens where possible

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Design Precedent—Local Building Details



Listed Church House



Gables along eaves line



Brickwork details on existing farm buildings



Oriel windows



Brickwork details at eaves on existing farm buildings



Patterned brickwork



**North Warwickshire Local Plan  
Adopted September 2021**

the form of the final development.

**H7 Land at Church Farm, Baddesley Ensor**

Land at Church Farm New Street, Baddesley Ensor, comprising 2.2 hectares is allocated for a heritage led residential development including conversion and regeneration of Church Farmhouse and ancillary/associated barn and outbuildings. A high level of design and care is required to address the setting of the nearby Church of St Nicolas and Grade 2 listed war memorial, the sensitive landscape edge and setting of the site as highlighted in the Council's Landscape Character Assessment for the settlement. Development of the site will need to provide for in particular:

An assessment of the significance of designated and non-designated heritage assets within and adjoining the site and the contribution of setting to that significance will be provided via a heritage assessment, with particular reference to:

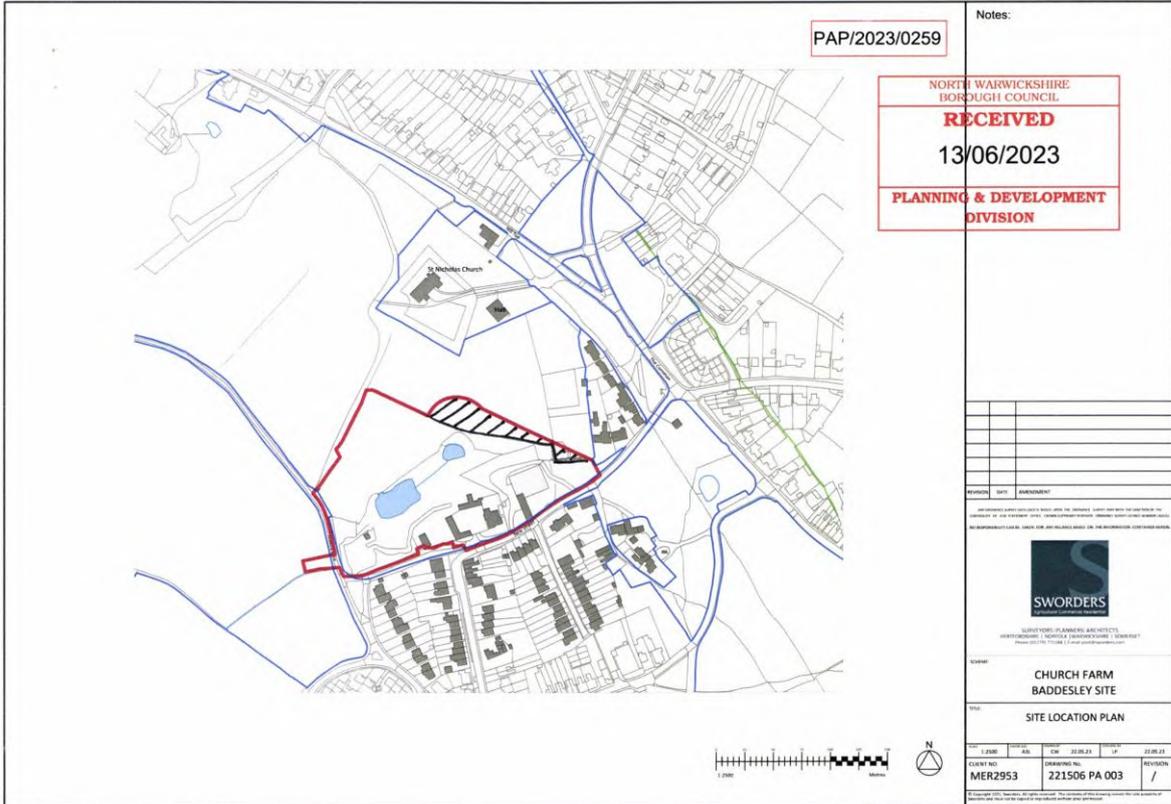
- Church of St Nicholas
- the Grade 2 Listed war memorial,
- Church House, New street,
- the historic farmstead and farmhouse, Church Farm,
- The site of Baddesley Old Hall and any remaining associated structures, and the cottages site off Watery Lane.

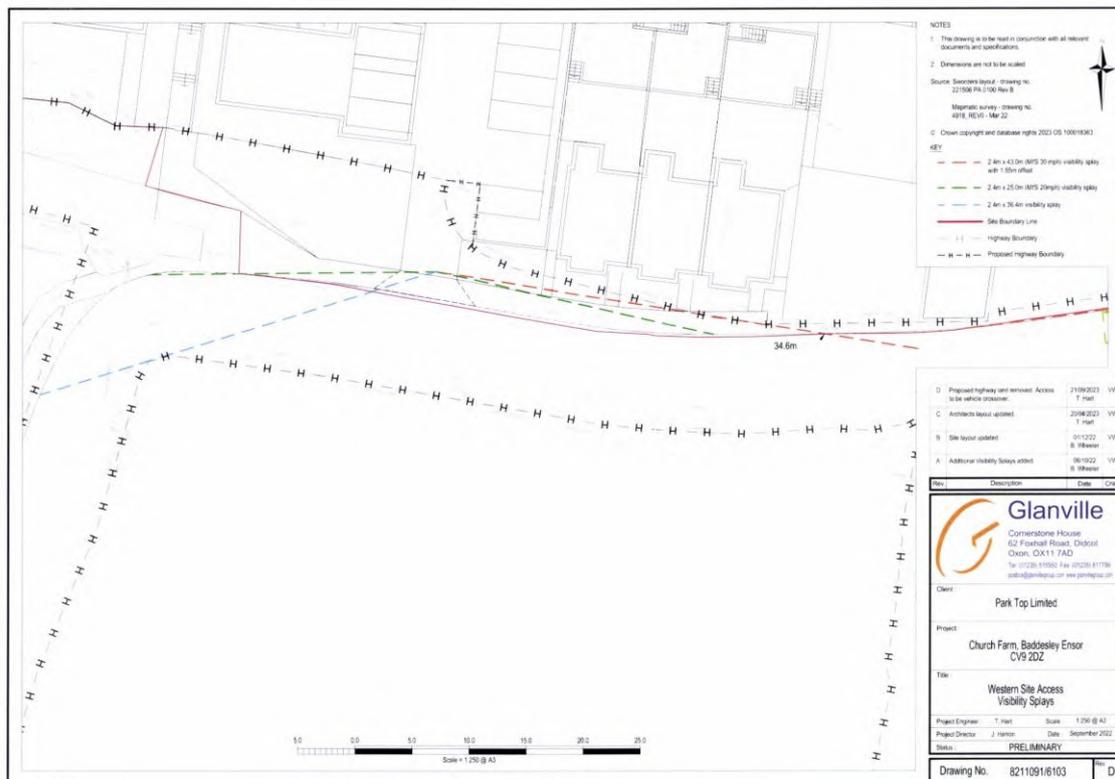
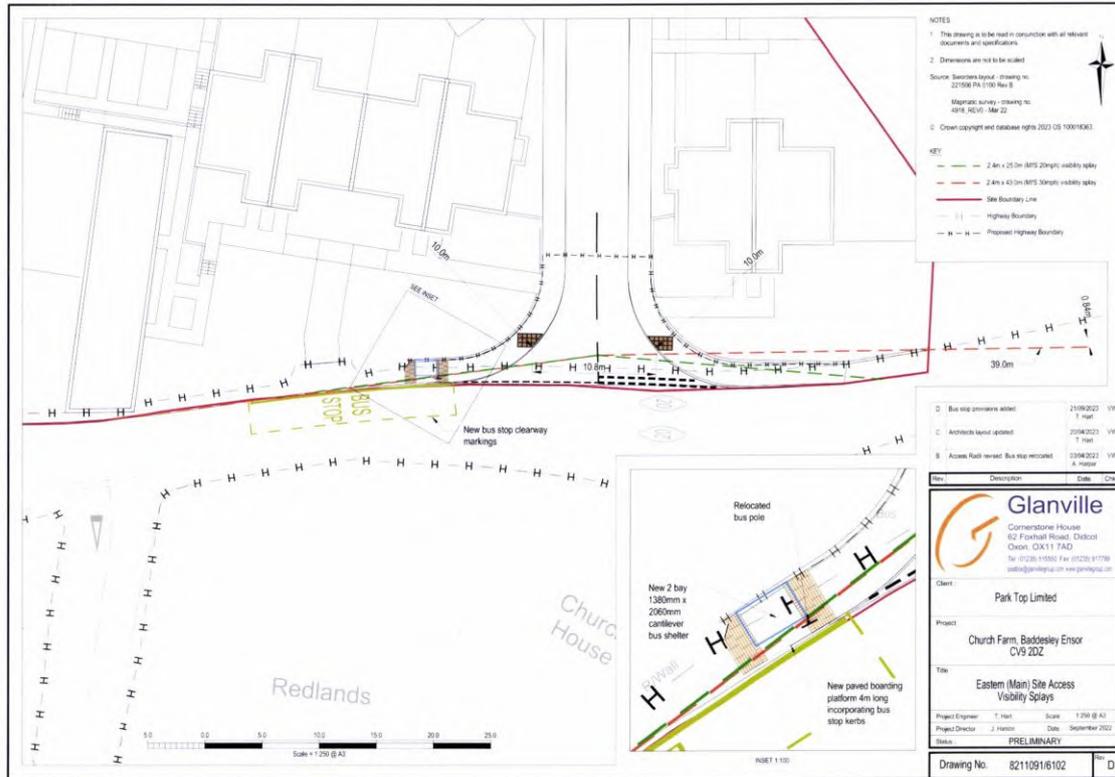
1 The approach to development should be to maintain and emphasise the outlook and views through the site between these assets, reflecting the relationship and sensitivity with the historic setting of the wider landscape. Any harm, including taking account of any mitigation, should require clear and convincing justification. Views from the existing settlement through the site to the Church and war memorial shall be retained.

2 Development should enable retention and re-use of the former Church Farm dwelling and related historic farm buildings, which is recognised as a fine historic agricultural complex, as part of any development proposal to reflect the historic character of the site and aid in integrating the site with the existing village. If evidence proves the complex cannot be retained in full or in part, new development should seek to reflect the farm complex. The new developments details, scale and massing should reflect the existing buildings and their rural (partial wooded) setting, retaining the outlook and open nature of views between the site, heritage assets listed above.

3 The site design should incorporate high value biodiversity features and aim to protect neighbouring designated sites for nature conservation via the appropriate use of seminatural buffers. A programme of landscaping, tree planting and sensitive boundary treatment and planting will be required to address the sites sensitive setting in landscape and built heritage terms. Given the sensitive nature of the site, proposals will require an agreed, appropriately staged programme of archaeological investigation, evaluation and recording before the development of the site.

14.56 Land to the north of the Grendon Community Hall which was formerly the Youth centre is owned by Warwickshire County Council. It is relatively small site but can provide for a small development that can be integrated into the village and other properties along Boot Hill.





ARCHAEOLOGY  
WARWICKSHIRE  
Church Farm Farmhouse, Baddesley Ensor, Warwickshire  
STATEMENT OF SIGNIFICANCE  
October 2023

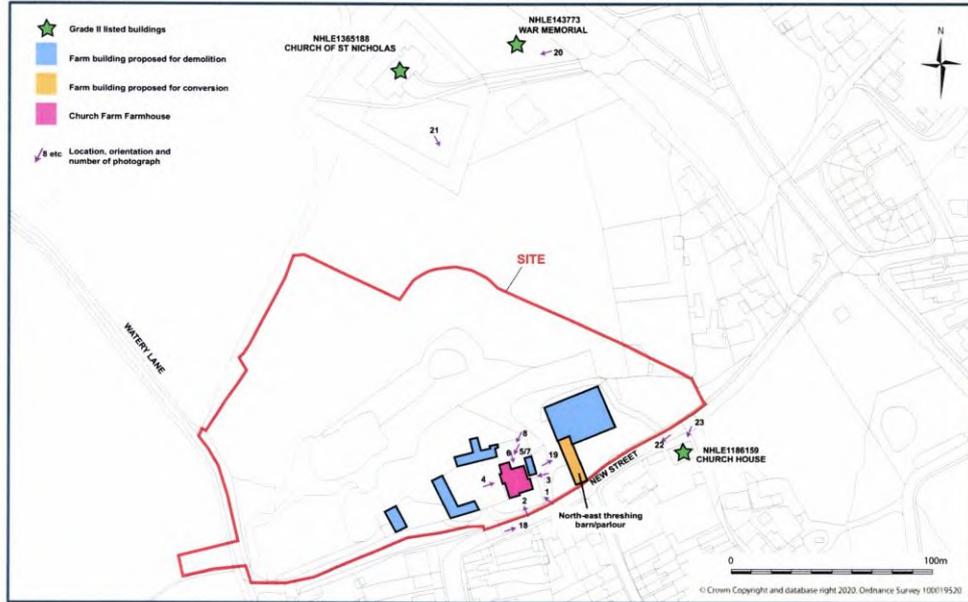


Fig 5: Settings Assessment and positions of photographs

farmhouse would constitute only a negligible impact upon extant examples of such buildings.

**Agenda Item No 6**

**Planning and Development Board**

**6 January 2024**

**Report of the  
Head of Development Control**

**Improving Planning Performance**

**1 Summary**

- 1.1 The Government is proposing to change the criteria for designation of a Local Planning Authority if it is deemed not to be performing against National Indicators. The report explains the changes.

**Recommendation to the Board**

**That the report be noted should the new measures be introduced.**

**2 Background**

- 2.1 Members will be aware from previous reports that the Government has a number of Key Performance Indicators in order to assess Local Planning Authorities in the determination of planning applications submitted to them. In particular, if these Indicators are not achieved, an Authority can be “designated” and potentially this means that applicants can by-pass the Council and submit their applications directly to the Planning Inspectorate for determination. However, this excludes householder and retrospective planning applications which would continue to be dealt with by the Authority. There are two main Indicators – quantitative and qualitative measures. The former deals with the looking at the speed of determining applications (in particular whether the Statutory periods for determination are being met) and the second looks at the number of times the Planning Inspectorate overturns an Authority’s own determination on appeal.
- 2.2 As part of the Government’s “growth” agenda and the already announced changes to the National Planning Policy Framework in late 2024, as well as the introduction of the Planning and Infrastructure Bill later in the year, it also proposes to revise one of the measures outlined above. In short it proposes to “tighten” the quantitative measure by reducing the time period over which the measure used to operate.
- 2.3 The new measures have been laid before Parliament for a 40-day period. They will take effect if, at the end of this period, there has been no resolution in either House that they should not be approved.

### **3 The New Measures**

3.1 The previous measures allowed the time period over which an Authority would be assessed in its performance to be 24 months. This is now reduced to 12 months in respect of the quantitative measure, but it will remain at 24 months in respect of the qualitative measures.

The % of applications determined within the statutory time periods remains as before. It's just that the "accounting" period is halved.

3.2 Hence the quantitative measures which would make an Authority eligible for designation would be:

- Determining less than 60% of applications for Major Development over a twelve-month period, within the statutory determination period or such extended time period as agreed in writing with the applicant.
- Determining less than 70% of applications for non-major Development over a twelve-month period, within the statutory determination period or such extended time period as agreed in writing with the applicant.

3.3 The qualitative measure remains as:

- 10% of an Authority's total number of decisions on both major and non-major developments over a two-year period, being overturned at appeal.

### **4 The Current Position**

4.1 The Council has never been "designated" under the previous measures. Going into the period for the new measure, then provided we continue as before, we should not be so. Our present position dating over the latest complete year, from 1/10/23 to 30/9/2024, is 80% and 89.6% of applications determined within the definition for majors and non-majors respectively. The issue we have with appeal decisions is that have few non-major appeals. So even one "overturn" would be more than 10%. However, for major applications there has been no "overturns".

### **5 Report Implications**

#### **5.1 Financial and Value for Money Implications**

5.1.1 Whilst the Indicators would have no financial implications, Members will be aware of the potential of costs awards being awarded against the Council in the case of an "overturned" appeal, and for the issue of refunds on planning fees, if statutory time periods are not adhered to.

## 5.2 Risk Management Implications

- 5.2.1 Failure to meet these Indicators could result in the Authority being “designated” which carries the risk of loss of reputation.

The Contact Officer for this report is Jeff Brown (719310).

**Agenda Item No 7**

**Planning and Development Board**

**6 January 2025**

**Report of the  
Chief Executive**

**Exclusion of the Public and Press**

**Recommendation to the Board**

**To consider, in accordance with Section 100A(4) of the Local Government Act 1972, whether it is in the public interest that the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.**

**Agenda Item No 8**

**Authorisation to begin prosecution proceedings for failure to comply with Remedial Notice – Report of the Head of Development Control**

Paragraph 7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

In relation to the item listed above members should only exclude the public if the public interest in doing so outweighs the public interest in disclosing the information, giving their reasons as to why that is the case.

The Contact Officer for this report is Julie Holland (719237).