



STATEMENT OF COMMON GROUND

BETWEEN BRANDON ESTATES LIMITED AND RUGBY BOROUGH COUNCIL

APPEAL AGAINST THE REFUAL OF PLANNING APPLICATION
REFERENCE R18/0186 FOR THE DEMOLITION OF EXISTING
BUILDINGS AND OUTLINE PLANNING APPLICATION (WITH
MATTERS OF ACCESS, LAYOUT, SCALE, AND APPEARANCE
INCLUDED) FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3)
INCL MEANS OF ACCESS INTO THE SITE FROM THE RUGBY ROAD,
PROVISION OF OPEN SPACE AND ASSOCIATED INFRASTRUCTURE
AND PROVISION OF SPORTS PITCH, ERECTION OF PAVILION AND
FORMATION OF ASSOCIATED CAR PARK.



STATEMENT OF COMMON GROUND

On behalf of: BETWEEN BRANDON ESTATES LIMITED AND RUGBY BOROUGH COUNCIL

In respect of: APPEAL AGAINST THE REFUAL OF PLANNING APPLICATION REFERENCE R18/0186 FOR THE DEMOLITION OF EXISTING BUILDINGS AND OUTLINE PLANNING APPLICATION (WITH MATTERS OF ACCESS, LAYOUT, SCALE, AND APPEARANCE INCLUDED) FOR RESIDENTIAL DEVELOPMENT (USE CLASS C3)

Date: 21st August 2023

Reference: SoCG0001.3992CA/V4

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A handwritten signature in blue ink, appearing to be 'G. Hooper', written over a light blue dotted line.

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Date: 21/08/2023

Signed for and on behalf of Rugby Borough Council

A handwritten signature in black ink, appearing to be 'E. Casey', written over a light blue dotted line.

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Position: Senior Major Projects Officer, Rugby Borough Council

Date: 22/08/2023

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1.0 Introduction

- 1.1 This Statement of Common Ground (SoCG) between Brandon Estates Limited (the “Appellant”) and Rugby Borough Council (The “Local Planning Authority”) as part of a Section 78 appeal (‘the Appeal Application’) against the refusal of planning permission ref. R18/0186 by Rugby Borough Council dated the 16th November 2022 for the following proposal (‘the Appeal Proposal’) at Coventry Stadium, Rugby Road, Coventry, CV8 3GJ.

“Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development (Use Class C3) including means of access into the site from the Rugby Road, provision of open space and associated infrastructure and provision of sports pitch, erection of pavilion and formation of associated car park.”

- 1.2 This SoCG has been prepared in accordance with PINS Procedural Guide.
- 1.3 The SoCG sets out matters agreed between the Appellant and the Local Planning Authority, together with areas of disagreement.
- 1.4 The SoCG covers the following matters:
- Matters in agreement
 - Matters not in agreement
 - Draft planning conditions

2.0 Matters in Agreement

Site Description

- 2.1 The proposed development is located at Coventry Stadium, Rugby Road (A428). The site is situated to the east of the rural settlement of Binley Woods and within Brandon Parish. The settlement of Brandon is also situated broadly to the south of the site. The site location plan is provided in **Core Document CD1.2**.
- 2.2 In terms of the site's immediate surroundings, the site lies on the north side of Rugby Road (A428) which is the main route from Rugby to Coventry.
- 2.3 To the southeast, the site is bound by Speedway Lane, which accommodates a number of existing dwellings and which front onto the site. Likewise, the southwest boundary of the site is bound by residential properties located on the north side of Rugby Road. There is a group of trees along the southern boundary of the site, the majority of which are protected by a Tree Preservation Order.
- 2.4 The site is bound to the north predominantly by New Close/Birchley Wood, which is comprised of Ancient and Semi-ancient natural woodland.
- 2.5 There are no public rights of way across the site, however there is a public right of way adjacent to the boundary of the site.
- 2.6 The site itself comprises an irregularly shaped 10.86 hectare parcel of land. The entire site also lies within the Green Belt.
- 2.7 The now disused Coventry Stadium is located within the site, comprised of the track, two grandstands, and various smaller ancillary structures. The stadium has previously been used for the hosting of speedway, stock car and greyhound racing events. The use of the site for racing events ceased in 2016 and the site and buildings has since been subjected to vandalism and a number of arson attacks. Much of the paraphernalia associated with motor sports (e.g. the score board / lighting columns etc) have been largely destroyed, and subsequently removed by the Appellant in the interests of health and safety.
- 2.8 The remainder of the site, namely the western section, is comprised of a large area of gravel and hardstanding and has previously been used for vehicle parking associated with events.
- 2.9 Access into the site is gained via two access points located from Speedway Lane and Rugby Road respectively.
- 2.10 There is also direct pedestrian access to Binley Woods which is connected via an illuminated footway located on Rugby Road. Binley Woods is served by the number 86 Stagecoach bus, which runs between Coventry and Rugby, and provides access to various employment, leisure, commercial and education centres. There are a number of bus stops located within the vicinity of

the site, which are served by a half hourly service that runs along Rugby Road to both Coventry and Rugby, and provides access to both Coventry and Rugby railway station.

Planning History

2.11 The site has been the subject of numerous planning applications over the years, the majority of which relate to the now ceased use of the site as a speedway stadium. The most relevant applications are listed as follows:

- 2212 – Proposed grandstand – Approved 06/05/1929
- 1038/7 – Proposed floodlighting tower on car park – Approved 29/09/1952
- 878/10 – Proposed covered area to spectators' terrace – Approved 17/07/1961
- 901/12 – Greyhound kennels and paddock – Approved 31/01/1966
- 1243/12 – Grandstand and sewer – Approved 31/01/1966
- 987/13 – New turnstiles and supporters shop – Approved 06/11/1967
- 1105/13 – Grandstand with bar buffer and toilets – Approved 08/01/1968
- 140/14 – Grandstand extensions – Approved 28/10/1968
- 695/14 – Construction of road and footpath and improvements to access to car park – Approved 06/10/1969
- 989/14 – Lighting of car park – Approved 13/04/1970
- 1425/14 – Public Grandstand – Approved 16/11/1970
- R03/0055/6592/P – Cladding of two existing workshops and refurbishment of existing turnstiles – Approved 04/03/2003
- R03/0684/6592/P – Erection of two storey brick building with tiled pitched roof offices and veterinary treatment rooms – Approved 22/10/2003
- R03/1085/6592/P – Erection of kennel building – Approved 18/02/2004
- R04/1252/6592/P – Outline Application for erection of two storey building to accommodate hospitality/training & restaurant facilities, office and retail unit – Refused 03/02/2005
- R22/0071 - Change of use of hangar 1 to museum (Use Class F1). Change of use of understand bar area into a gymnasium and training centre (Use Class E(d)). Change of use of the existing dog kennels into a bar and catering outlet (Use Class E(b)). – Extension of time granted until 04/07/23.

2.12 Separately to planning history, a Notice Pursuant to Section 43 of the Anti-Social Behaviour Crime and Policing Act 2014 Community Protection Notice, was served on the appellants on 11th September 2017. The serving of the Notice required a number of actions to be taken by the appellants to secure the site to prevent illegal access which had resulted in anti-social behaviour and associated damage to the site. Following action being taken by the Appellant and further dialogue with the Council, the Community Protection Notice was withdrawn by the Council on 20th May 2023.

The Appeal Proposal

- 2.13 This Appeal Application seeks the grant of outline planning permission for the following description of development:

“Demolition of existing buildings and outline planning application (with matters of access, layout, scale, and appearance included) for residential development (Use Class C3) including means of access into the site from the Rugby Road, provision of open space and associated infrastructure and provision of sports pitch, erection of pavilion and formation of associated car park.”

- 2.14 The total number of dwellings proposed as part of this appeal is 124. The dwellings will comprise 34 two-bedroomed dwellings, 65 three-bedroomed dwellings and 25 four-bedroomed dwellings. The proposed dwellings are all two-storey in nature and a mix of detached, semi-detached and terraced. These dwelling types will be distributed across the site.
- 2.15 25 (20%) of the dwellings proposed will be affordable, the provision of which is controlled through the submitted S106 Agreement.
- 2.16 A range of housing styles are proposed including a range of materials (brick and render) and features (canopy porches, bay windows). Some of the dwellings have integrated garages whilst others have detached single and double garages.
- 2.17 The proposed development includes the creation of green open spaces, including an area of public open space to the north of the site adjoining the existing woodland. This will be accessible to all. The open space contains an area for play and additional tree planting in the northern section of the site, as well as along the eastern and southern boundaries.
- 2.18 The proposed development includes a new access off Rugby Road (A428), to the south of the site’s boundary. The access will take the form of a T-junction. The two existing accesses along Rugby Road will be stopped up. Additional pedestrian links are proposed across the site.
- 2.19 The proposal also includes the provision of a 3G football pitch with a pavilion and the formation of a car park. This dedicated car park will serve the pitch and the pavilion, and will be accessed from the primary access road into the wider development.

The Reason for Refusal

- 2.20 The reason for refusal as listed on the Decision Notice is as follows:

“The development would result in the loss of a sporting facility that has both local and national significance and although an alternative sporting provision is proposed there is not a clearly identified need for the alternative sporting provision and therefore it is considered that the proposed benefits of the new facility do not clearly outweigh the loss of the stadium. The proposal would therefore be contrary to Policy HS4(C) of the Local Plan (2019), Policy LF1 of the Brandon and

Bretford Neighbourhood Development Plan (2019) and Paragraph 99(c) of the National Planning Policy Framework (2021)."

Planning Policy

2.21 The relevant planning policies for this appeal as a whole are as follows.

National Planning Policy Framework (July 2021)

2.22 It is common ground that the following sections of NPPF are of particular relevance to the Proposed Development:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 5: Delivering a sufficient supply of homes
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting Sustainable Transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 13: Protecting Green Belt Land
- Section 16: Conserving and enhancing the natural environment
- Section 17: Conserving and enhancing the historic environment

2.23 The NPPF is included at **Core Documents CD13**.

The Development Plan

2.24 It is agreed between the Parties that the adopted Development Plan for the Site comprises the Rugby Borough Local Plan 2011-2031 and the Brandon and Bretford Neighbourhood Plan (both adopted June 2019).

2.25 The policies relevant to the determination of the Proposed Development are:

Rugby Borough Local Plan 2011-2031, June 2019

- Policy GP1: Securing Sustainable Development
- Policy GP2: Settlement Hierarchy
- Policy GP3: Previously Developed Land and Conversions
- Policy GP5: Neighbourhood Level Documents
- Policy DS1: Overall Development Needs
- Policy H1: Informing Housing Mix
- Policy H2: Affordable Housing Provision
- Policy HS1: Healthy Safe and Inclusive Communities
- Policy HS3: Protection and Provision of Local Shops, Community Facilities and Services

- Policy HS4: Open Space, Sports Facilities and Recreation
- Policy HS5 Traffic generation and Air Quality
- Policy NE1: Biodiversity
- Policy NE2: Blue and Green Infrastructure
- Policy NE3: Landscape Protection and Enhancement
- Policy SDC1: Sustainable Design
- Policy SDC2: Landscaping
- Policy SDC4: Sustainable Buildings
- Policy SDC5: Flood Risk Management
- Policy SDC6: Sustainable Urban Drainage
- Policy SDC7: Protection of the Water Environment and Water Supply
- Policy D1: Transport
- Policy D2: Parking Facilities
- Policy D3: Infrastructure and Implementation
- Policy D4: Planning Obligations

2.26 Full details of the Rugby Borough Council LDP policies included below are available at **Core Documents CD09**.

Brandon and Bretford Neighbourhood Plan June 2019

- Policy H2: Development of Brownfield Land
- Policy H3: Affordable Housing
- Policy CON2: Environmental Heritage Assets
- Policy BNE1: Respecting Local Character
- Policy BNE2: Design Principles
- Policy BNE4: Protection of Natural Features
- Policy BNE6: Valued Rural Character and setting
- Policy LF1: Community Facilities
- Policy LF2: Safe Walking, Cycling and Horse Riding

2.27 Full details of the Brandon and Bretford Neighbourhood policies included below are available at **Core Documents CD10**

Supplementary Planning Guidance (SPG)

2.28 The SPG's relevant to the determination of the Proposed Development are:

- Planning Obligations March 2012
- Housing Needs July 2021
- Sustainable Design and Construction February 2012

3.0 Material Planning Considerations not in Dispute – Principle of Development

- 3.1 **Previously Developed Land** – It is a matter of agreement that the site is recognised as previously developed plan as confirmed by Paragraph 1.2 of the Committee Report. It is also agreed that the Proposed Development is compliant with Local Plan Policy GP3.
- 3.2 **Green Belt** – As concluded in paragraph 5.8 of the Committee Report:
- “It is considered that the proposed development would not have a greater impact on the openness of the Green Belt than currently exists therefore the proposal complies with paragraph 149 of the NPPF.”*
- 3.3 It is agreed that the Proposed Development is compliant with paragraph 149 of NPPF and Policy H2 of the Brandon and Bretford Neighbourhood Plan.
- 3.4 It is agreed that the methodology, including the selection of views assessed were agreed in advance with the LPA and are considered to meet the required guidance.
- 3.5 The findings and conclusions of the Landscape Visual Impact Assessment are agreed.
- 3.6 **Sports Need** – The proposal will introduce a new facility which will be made available to the community as secured through a community use agreement as required by the submitted S106 Legal Agreement.
- 3.7 **Viability of Former Stadium** – It is agreed that the LPA will not be presenting their own evidence in relation to the future viability of the stadium use at the site.

4.0 Material Planning Considerations not in Dispute - Housing Supply and Mix

4.1 **Housing Supply** – The latest Housing Land Supply Assessment (2022-2027) demonstrates a 5.6 year housing land supply. It is a matter of agreement that the five-year housing land supply is a minimum requirement.

4.2 **Housing Mix** – Although the proposed housing mix is inconsistent with Policy H1 as no one-bedroomed dwellings are provided; this is considered acceptable given the site's location in a rural part of the authority. This is confirmed in paragraph 7.4 of the Committee report:

"It is considered that a wide choice of homes, suitable for this location, would still be provided which would meet the need within the community. Therefore, the conflict with the policy is limited as a social and balanced community can still be achieved."

4.3 **Affordable Housing** – The Appeal Proposal includes 25 affordable units on site. RBC Housing have raised no objections to the scheme.

4.4 The tenure of affordable housing originally proposed was 56% social rent and 44% shared ownership. Whilst this is not consistent with the Local Plan requirement of 84% social rent and 16% intermediate, officers stated at paragraph 7.9 of the Committee Report that:

"Due to the lack of demand for social rent in this location this divergence from policy is considered acceptable and therefore these percentages will be secured within the S106 agreement. Overall, a conflict with Policy H2 is present however in this instance the scheme is still considered acceptable for the reasons given."

4.5 The Rugby Borough Local Plan 2011-2031 does not set a policy target for the annual or total delivery of affordable housing over the plan period. Instead, Policy H2 requires that affordable housing should comprise 20% of homes on brownfield sites of 11+ dwellings or at least 0.36ha in size. The proposed development would accord with the 20% target level of affordable housing required by Policy H2.

4.6 The evidence to support the Rugby Borough Local Plan 2011-2031 included the Updated Assessment of Housing Need: Coventry-Warwickshire HMA (the SHMA Update 2015). The SHMA Update 2015 is an evidence base document not a policy document. The reasoned justification text for Policy H2 at paragraph 5.14 refers to the SHMA Update 2015 as identifying an affordable housing need of 171 affordable dwellings per annum for Rugby Borough between 2011/12 and 2030/31.

4.7 More recently, the Coventry and Warwickshire Housing and Economic Development Needs Assessment 2022 (the HEDNA 2022) is an evidence base document which has been commissioned to inform future Local Plan production. Table 8.13 at page 169 shows an estimated net need for 407 affordable rented dwellings per annum for Rugby Borough between 2022/23 and 2031/32 and

Table 8.27 at page 183 shows an estimated net need for 88 affordable home ownership dwellings per annum.

- 4.8 The Council's Freedom of Information Response dated 16 March 2023 identifies the completion of 1,424 gross affordable dwellings between 2011/12 and 2021/22 at an average of 129 dwellings per annum. After accounting for Right to Buy sales and associated acquisitions of existing stock (set out in DLUHC Live Tables 691, 693 and Private Registered Provider Statistical Data Returns), there have been net completions of 1,212 affordable dwellings between 2011/12 and 2021/22 at an average of 110 dwellings per annum.

5.0 Material Planning Considerations not in Dispute - Design and Amenity

5.1 **Layout and Design** – As confirmed in paragraph 8.6 of the Committee Report, it is agreed that:

“It is considered that the overall layout and design of the scheme complies with policy SDC1 of the Local Plan and Policies BNE1 and BNE2 of the Neighbourhood Plan subject to conditions 7, 10, 11, 16 and 23.”

5.2 Details of these conditions can be found in Section 5 of this Statement of Common Ground.

5.3 **Residential Amenity** – It is agreed that the Appeal Proposal will not have a detrimental impact upon the residential amenity of existing neighbouring dwellings and the scheme has been designed to ensure good residential amenity for future occupiers. The noise report produced by REC Consultants Ltd also confirms that with appropriate site layout and mitigation measures, the noise produced may slightly affect the acoustic character of the area but not such that there is a perceived change in the quality of life. As such, it is agreed that the proposed development is compliant with Policy SDC1 of the Local Plan subject to conditions relating to the sports pitch (condition 45 within this document).

5.4 It is agreed that in operation, the Council received a number of noise and dust complaints from residents about the former stadium.

5.5 It is agreed that since the closure of the former stadium, the Council has received a number of complaints about anti-social behaviour taking place at the site.

6.0 Material Planning Considerations not in Dispute - Natural Environment

- 6.1 **Ecology** – No objection has been received from either WCC Ecology or Warwickshire Wildlife Trust. It is also a matter of agreement that the scheme complies with Policy NE1 of the Local Plan subject to conditions.
- 6.2 **Biodiversity** - It is agreed that the proposed development achieves a biodiversity net gain. The Proposed Development is therefore in compliance with Paragraph 174, part d of the NPPF.
- 6.3 **Landscape** – Whilst it is acknowledged that the Landscape Officer raised concern that harm would result in relation to the need to fell three TPO protected mature oak tree to achieve the proposed access; it is agreed that the loss of the semi mature oak tree can be compensated by replacement planting delivered pursuant to condition 4. In this respect, in paragraph 11.9 of the Committee Report, officers state:
- “It is considered that overall, the scheme complies with Policy NE3 of the Local Plan and BNE6 of the Neighbourhood Plan. There is however conflict with Policy BNE1 of the Neighbourhood Plan due to the removal of three protected trees.”*
- 6.4 Taking this into consideration, despite the conflict with Policy BNE1 of the Neighbourhood Plan, it is agreed that the scheme complies with Policy NE3 of the Local Plan and BNE6 of the Neighbourhood Plan and is acceptable with regards to landscaping.
- 6.5 **Flood Risk** – There is no objection from the Lead Local Flood Authority subject to conditions. As such, it is a matter of agreement that subject to the imposition of conditions 26, 32 and 33, the proposal is compliant with Policy SDC5 of the Local Plan and the NPPF.

7.0 Material Planning Considerations not in Dispute - Environmental Health

- 7.1 **Air Quality** – Environmental Health do not object to the Appeal Proposal subject to implementing on-site mitigation measures proposed, details of which will be secured via draft condition 12. As such, it is a matter of agreement that the Appeal Proposal complies with Policy HS5.
- 7.2 **Ground Contamination** – It is a matter of agreement that subject to a Phase 2 Site Investigation being undertaken to determine the presence of any current contamination on site prior to commencement of development, there is no objection to the proposals on contaminated land grounds from Environmental Health. The Proposed Development is therefore in accordance with Paragraph 183 of the NPPF.
- 7.3 **Noise Pollution** - It is agreed that the Proposed Development would be acceptable and compliant with paragraphs 174 and 183 of the NPPF subject to conditions. There is no objection from Environmental Health.

8.0 Material Planning Considerations not in Dispute - Historic Environment

- 8.1 **Heritage** – Whilst Coventry Stadium can be considered a significant structure, which has played an important role in the history of the surrounding area, it is a matter of agreement that this is not a designated historic asset with a heritage status which would preclude its demolition or warrant its protection under Policy SDC3.
- 8.2 It is a matter of agreement that there are no heritage assets close to the appeal site.
- 8.3 It is a matter of agreement that the proposals will not result in harm to any designated or non-designated heritage assets.
- 8.4 **Archaeology** - WCC Archaeology do not object to the principle of development. They have requested that some archaeological work in the form of a building recording is undertaken prior to the demolition of any buildings. This work is required pursuant to draft condition 25, and thus it is agreed that this approach conforms with Section 16 of the National Planning Policy Framework and Policy SDC3 of the Local Plan.

9.0 Material Planning Considerations not in Dispute - Highways

- 9.1 **Highways** – It is a matter of agreement that the proposed site access would not have a highway safety impact. There is also no objection relating to the proposed parking and access arrangements from WCC Highways. WCC Public Rights of Way also confirm they have no objection to the link between the proposed footpaths links to the public rights of way outside the site.
- 9.2 Paragraph 16.10 of the Committee report also confirms:
- “WCC Highways have undertaken a full assessment of all of the submitted information and raise no objections to the scheme subject to conditions (CONDITIONS 14, 20, 24, 35, 36, 37 and 43) and financial obligations. The scheme therefore complies with Policy D1, D2 and HS1 of the Local Plan and the wider policies in the NPPF.”*
- 9.3 It is agreed that the Proposed Development is compliant with Local Plan policies D1, D2, HS1 and Paragraphs 110, and 111 of NPPF.

10.0 Material Planning Considerations not in Dispute - Legal Agreement

- 10.1 **Planning Obligations** – The Appellant has agreed to meet all contributions requested.
- 10.2 The contributions requested will be secured via the completion of a Section 106 agreement, which. Following the completion of a S106 agreement, it is a matter of agreement that the Proposed Development would be in accordance with Policy D3 of the Local Plan.

11.0 Matters not in Agreement

11.1 The matters not in agreement as follows.

1. That there is not a clearly identified need for the alternative sporting provision in this location, which takes the form of the proposed 3G pitch.
2. That the stadium has not been proved to be surplus to requirement in accordance with paragraph 99a of the NPPF.
3. That the proposed benefits of the new facility do not clearly outweigh the loss of the former use of the site and therefore the application is not in accordance with para 99 criterion (c) of the Framework, bullet point 3 of Policy HS4 (C) of the Local Plan, and Policy LF1 of the Brandon and Bretford Neighbourhood Development Plan (2019).
4. The weight to be given to the delivery of 25 affordable homes.
5. The Principle of Development.
6. It is not agreed that the proposed alternative sports provision would bring additional benefits to the community which would outweigh the loss of the existing sporting provision.

12.0 Draft Planning Conditions

12.1 Should the inspector be minded to allow this Appeal, the Appellant agrees that the conditions listed below are appropriate and would enable the Appellant to manage the impacts of the Appeal Proposal:

1. The development hereby permitted, excluding demolition, must be begun not later than the expiration of two years from the final approval of reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

REASON: To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Application for approval of the reserved matters specified in Condition 3 below, accompanied by detailed plans and full particulars, must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON To comply with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Details of the following reserved matter shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is commenced and shall be implemented as approved to the satisfaction of the Local Planning Authority:

a - Landscaping

REASON: To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with policies GP1 and SDC1 of the Local Plan (2019).

4. With the submission of the Reserved Matter application (and any subsequent reserved matters relating to landscape) a scheme which details the proposed semi mature Oak Tree planting shall be submitted. The development shall then be completed in accordance with the approved details.

REASON: To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with policy BNE1 of the Brandon and Bretford Neighbourhood Plan.

5. The development shall be carried out in accordance with the plans and documents detailed below:

- 343A08_101_G_Site Layout
- 343A08_104 E Area of Development Plan
- 343A08-110 Barwick Brick
- 343A08-111 Beaufort Brick

- 343A08-112 Beaufort Render
- 343A08-113 Carlton Brick
- 343A08-114 Carlton Render
- 343A08-115 Cofton Brick
- 343A08-116 Cofton Render
- 343A08-117-A Crawford Brick
- 343A08-118 A Crawford Render
- 343A08-119 B Freemont Brick
- 343A08-120 B Freemont Render
- 343A08-121 Montague Brick
- 343A08-122 Montague Render
- 343A08-123B Olton Brick
- 343A08-124B Olton render
- 343A08-125B Ravenhurst Brick
- 343A08-126B Ravenhurst Render
- 343A08-127B Tansley Brick
- 343A08-128B Tansley Render
- 343A08-129 Garage-Brick
- 343A08-140A Streetscenes
- 343A08-141A Character Area Elevations
- 27510 - BRL-L-001 Illustrative Landscape Masterplan Rev_LR
- BR-L-SK003_3G Sports Pitch & Car Park Landscape Concept RevH
- 343A08_102_E_Road Hierarchy Plan
- 343A08_103_E_Adoptability Plan
- 27510 900 Rev B Site Plan
- 8135 AA B

Documents

2018

- Air Quality Report
- Noise Report
- Phase 1 Contamination Report
- Transport Assessment
- Foul Sewerage and Utilities Assessment
- Design and Access Statement;
- Sustainability and Energy Statement;
- Landscape and Visual Assessment;
- Ecological Appraisal, Bat Report and Biodiversity Impact Assessment Calculator;
- Tree Survey;
- Archaeology Desk Based Assessment and Trenching Results;

- Flood Risk Assessment;
- Financial Assessment Non-Technical Summary.

2021

- Revised Application Forms and Certificate
- Application Letter
- Planning Statement
- Design and Access Statement 2021
- Surface Water Drainage 2021
- Flood Risk Assessment 2021
- Noise Report Addendum 2021
- Transport Assessment Addendum 2021
- Updated Landscape and Visual Assessment
- Updated Tree Survey
- Updated Air Quality Assessment
- Viability Assessment
- Speedway Viability Appraisal
- 3G Artificial Grass Pitch Feasibility Study
- Updated Archaeological Assessment
- Ecology Report 2022

REASON: To ensure that the details of the development are acceptable to the Local Planning Authority in accordance with policies GP1 and SDC1 of the Local Plan (2019).

6. The development shall consist of no more than 124 dwellings.

REASON For the avoidance of doubt.

7. Prior to the commencement of development, excluding demolition, full details of the Sports Pavilion shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) the siting, design and materials of the proposed bin and cycle stores
- b) the design and materials of the pavilion
- c) internal layout of the car park associated with the pavilion and Sports Pitch

The Sports Pavilion shall then be constructed in accordance with the approved details.

REASON: To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality in accordance with policy SDC1 of the Local Plan (2019).

8. The Sports Pavilion provided shall be a minimum of 350 square metres, when measured externally.

REASON: To ensure adequate facilities are provided in association with the sports facility in accordance with the National Planning Policy Framework (2021).

9. The Sports Pavilion associated with the sports pitch shall be constructed and made available for use before occupation of 50% of the dwellings.

REASON: To ensure adequate facilities are provided in association with the sports facility in accordance with the National Planning Policy Framework (2021).

10. Notwithstanding the details submitted as part of the application no above ground development shall commence unless and until full details of the colour, finish and texture of all new materials to be used on all external surfaces, together with samples of the facing bricks and roof tiles have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: To ensure a satisfactory external appearance and in the interests of the visual amenities of the locality in accordance with Policy SDC1 of the Local Plan (2019).

11. No above ground development shall commence, excluding demolition, unless and until details, including elevations, of all proposed walls, fences, railings and gates, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

REASON: In the interest of visual amenity in accordance with Policy SDC1 of the Local Plan (2019).

12. No above ground development shall begin until a scheme detailing the on-site measures to be incorporated within the development in order to meet the air quality mitigation requirements of policy HS5 has been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of the development, the approved scheme shall be implemented and maintained in perpetuity.

REASON: In the interests of air quality in accordance with Policy HS5 of the Local Plan (2019).

13. No development shall commence unless and until a full Asbestos Survey of buildings to be demolished along with a removal and Disposal Plan has been submitted to and approved in writing by the Local Planning Authority. The removal of the asbestos would need to be carried out by appropriate contractors and the demolition of the buildings shall be carried out in accordance with the approved removal and disposal plan.

REASON: In the interest of health and safety in accordance with the National Planning Policy Framework (2021).

14. No development shall commence unless and until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details relating to:

(i) Hours of demolition, construction and deliveries;

(ii) The control of noise and vibration emissions from construction/demolition activities including groundworks, plant/generators and the formation of infrastructure as well as arrangements to monitor noise emissions from the development site during the construction/demolition phase;

(iii) The control of dust including arrangements to monitor dust emissions from the development site during the construction/demolition phase;

(iv) Any temporary site compound, including buildings/structures, lighting, fencing and storage provision;

(v) The parking of vehicles of site operatives and visitors during the demolition/construction phase;

(vi) Measures to prevent deleterious material being carried onto the highway network; &

(vii) Construction Phasing Plan and Heavy Goods Vehicle construction/demolition routing plan;

Development shall not be carried out other than in accordance with the approved Construction Management Plan.

REASON: In the interests of the amenities of the area and Highway safety in accordance with Policies SDC1 and D1 of the Local Plan (2019).

15. a) A Phase II geoenvironmental/contamination investigation should be undertaken to confirm the presence or otherwise of contaminants sources and quantify the risks to identified receptors. A hazardous gas investigation is required to determine the need or otherwise for gas protection measures in future buildings. It is recommended that the further site investigations set out in part 7 of the preliminary report should be followed and a report submitted for approval to the Local Planning Authority prior to any development works, including demolition commencing.

b) A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be

undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

d) In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part a, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of part b, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part c.

REASON: To ensure the site is suitable for its proposed use in accordance with paragraph 183 of the National Planning Policy Framework (2021).

16. No development shall commence on site, excluding demolition, until such time as the existing and proposed ground levels of the site, and proposed finished floor levels have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

REASON: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy SDC1 of the Local Plan (2019).

17. The dwellings hereby approved shall incorporate 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).

REASON: In the interests of sustainability and water efficiency in accordance with SDC7 of the Local Plan (2019).

18. Prior to the first occupation of each dwelling a passive electric vehicle charging point shall be provided to that dwelling.

REASON: To encourage the use of electric vehicles in the interest of sustainability to accord with paragraph 112 of the National Planning Policy Framework (2021).

19. Prior to the first occupation of each dwelling broadband infrastructure shall be provided to that dwelling to allow broadband services to be provided.

REASON: To provide broadband connectivity for future occupiers to accord with paragraph 112 of the National Planning Policy Framework (2021).

20. The development shall not be first occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the kerb, footway and verge have been reinstated in accordance with the standard specification of the Highway Authority.

REASON: In the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework (2021).

21. Prior to the commencement of development, excluding demolition, a Tree Protection Plan/Method Statement shall be submitted to and approved in writing by the Local Planning Authority. Development shall not be carried out other than in accordance with the approved plan/statement.

REASON: In the interest of visual amenity in accordance with Policy NE3 of the Local Plan (2019).

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

REASON: In the interest of visual amenity in accordance with Policy NE3 of the Local Plan (2019).

23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order, no wall, fence, railing, gate or other means of enclosure shall be erected, constructed or placed in front of the dwellings without the prior written permission of the Local Planning Authority.

REASON: In the interest of visual amenity in accordance with Policy SDC1 of the Local Plan (2019).

24. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking or re-enacting that order,

the garages shall not be converted to living accommodation and retained in perpetuity for the parking of vehicles.

REASON: In the interest of highway safety in accordance with Policy D2 of the Local Plan (2019).

25. No development shall take place until a programme of archaeological work, including photographic recording of the existing buildings on site, has been implemented in accordance with a written scheme of investigation which has been submitted and approved in writing by the Local Planning Authority.

REASON: In the interest of archaeology in accordance with Policy SDC3 of the Local Plan (2019).

26. The development hereby permitted, excluding demolition, shall not commence until drainage plans for the disposal of surface water and foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

REASON: To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy SDC5 of the Local Plan (2019).

27. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the Local Authority prior to the commencement of the development, excluding demolition. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving 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 five-year period).
- g) Details of the body or organisation responsible for implantation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which long-term implementation of the plan will be secured with the management body(ies)

responsible for its delivery. The plan shall also set out (where results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning official biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

The LEMP shall be accompanied by an updated Biodiversity Impact Assessment using the DEFRA Biodiversity Metric version 4.0 to correspond with the habitat creation and management within the LEMP and demonstrate a measurable biodiversity net gain.

The approved LEMP and associated measures shall be maintained in full and in perpetuity. If within a period of 10 years from the date of planting, any planting/tree/shrub/hedgerow is removed, uprooted, destroyed or dies, (or becomes in the opinion of the Local Planning Authority seriously damaged or defective), another tree/shrub/hedgerow/planting of the same species and size originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any non-material variations.

REASON: To ensure a net biodiversity gain in accordance with paragraph 174 of the National Planning Policy Framework (2021).

28. The development hereby permitted, including site clearance work, shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the Local Planning Authority expect to see details concerning pre-commencement checks for badger, bats, breeding birds, reptiles and amphibians and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on Site. The agreed Construction Environmental Management Plan shall thereafter be implemented in full.

REASON: To ensure that protected species are not harmed by the development in accordance with Policy NE1 of the Local Plan (2019).

29. No works to commence on site, including site clearance, until an ecological scheme has been submitted and approved in writing by the Local Planning Authority (in consultation with Warwickshire County Council Ecological Services). The scheme must include all details of habitat creation, bat/bird box locations and access gaps for hedgehogs in fences. The agreed scheme shall be fully implemented before/during development of the site as appropriate.

REASON; In accordance with the National Planning Policy Framework (2019), ODPM Circular 2005/06.

30. Prior to the installation/erection of any external lighting, details of the type, design and location of all external light fittings and external light columns shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted on the western edge of the site and adjacent to vegetated areas, particularly woodland and scrub and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

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

Any lighting shall only be erected/installed in accordance with the approved details.

REASON: In accordance with the National Planning Policy Framework (2021), ODPM Circular 2005/06 and to ensure a satisfactory external appearance and in the interests of the visual amenities of the locality.

31. Prior to the first use of the Sports Pitch, details of the floodlighting and boundary treatments shall be submitted to and approved by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details prior to the first use of the Sports Pitch.

REASON: In the interest of residential amenity in accordance with Policy SDC1 of the Local Plan (2019)

32. No development, excluding demolition, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the dwellings are occupied. The scheme to be submitted shall:

1. Where infiltration is demonstrated to not be feasible, limit 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 to the QBar Greenfield runoff rate of 16.1l/s for the site in line with the approved surface water drainage strategy (ref: INV109/2021/FRA, dated July2021).

2. Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date 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.
3. Provide an assessment of potential water quality hazards and provision of appropriate mitigation.
4. Provide detailed drawings including cross sections, of proposed features such as attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
5. Provide detailed, network level calculations demonstrating the performance of the proposed system.
6. Provide overland flow routing, supported by plans such as external levels.

REASON: To prevent the increased risk of flooding; to improve and protect water quality; and to improve habitat and amenity in accordance with Policies SDC1 and SDC5 of the Local Plan (2019).

33. No first occupation and subsequent use of the development shall take place until a detailed, site specific maintenance plan is submitted and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and implemented in accordance with those approved details. Such maintenance plan should:

1. Provide the name of the party responsible, including contact name, address, email address and phone number;
2. Include plans showing the locations of features requiring maintenance and how these should be accessed;
3. Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development; &
4. Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance.

REASON: To ensure the future maintenance of the sustainable drainage structures in accordance with Policy SDC5 of the Local Plan (2019).

34. No above ground development, excluding demolition, hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in

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

REASON: In the interests of Public Safety from fire, and the protection of Emergency Fire Fighters.

35. Prior to first occupation of any dwellings the highway access arrangements shall be constructed and laid out and implemented in accordance with drawing number 16115-05 Rev E or another appropriate scheme and submitted and approved in writing by the Local Planning Authority, in consultation with Warwickshire County Council Highways.

REASON: In the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework (2021).

36. Unless there are any other non-material variations agreed with the Local Planning Authority, the widening of the footway to provide shared pedestrian and cycle use between Gossett Lane and the proposed crossing shall be done prior to the occupation of the first dwelling. The footway widening shall also include shared pedestrian and cycle use between the proposed crossing and Ferndale Road.

REASON: In the interest of highway safety in accordance with paragraph 111 of the National Planning Policy Framework (2021).

37. The development hereby permitted shall not be occupied until such time as the parking and turning facilities for each dwelling have been implemented. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021)

38. The provision of car parking for the Sports Pitch shall be provided in accordance with the approved details prior to the Pitch being brought into use.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021)

39. No development shall commencement, excluding demolition, until details of the specification of the 3G Sports Pitch have been submitted to and agreed in writing by the Local Planning Authority. The development shall then be implemented in accordance with the approved details.

REASON: To ensure that the development has a satisfactory appearance and in the interests of visual amenity and to ensure a high specification is achieved for the Sports Pitch in accordance with Policy SDC1 of the Local Plan (2019).

40. The 3G sports Pitch shall not be used any later than 21:30 hours and the lighting for the Pitch shall be turned off 30 minutes afterwards.

REASON: To protect the amenity of nearby properties in accordance with Policy SDC1 of the Local Plan (2019).

41. The 3G Sports Pitch shall be laid out and available for use before the occupation of the first dwelling.

REASON: To ensure the replacement sports facility is made available for use in the interests of the community in accordance with Policy HS3 of the Local Plan (2019).

42. Notwithstanding the submitted plans, no above ground development, excluding demolition, shall commence until full details of the Locally Equipped Area of Play (LEAP) and all external structures, including bins, benches and goalposts, have been submitted to and approved in writing by the Local Planning Authority. The details shall include floor and elevation plans, materials, colour and finish. No dwelling shall be occupied until the Locally Equipped Area of Play (LEAP) and all external structures have been provided in accordance with the approved details.

REASON: To ensure the proper development of the site and in the interests of visual amenity in accordance with Policy SDC1 of the Local Plan (2019).

43. The development shall not be first occupied until the retained northern access identified on drawing number 16115-05 Rev E has been reconfigured in accordance with a scheme approved in writing by the Local Planning Authority in consultation with the Highway Authority. The reconfiguration shall reduce the width of the vehicular access, whilst facilitating access for pedestrians, cycles and emergency vehicles to the site, and retained vehicular access to adjacent dwellings.

REASON: In the interest of highway safety

44. Prior to occupation of the first dwelling, a scheme that makes provision for waste and recycling storage and collection across the site shall be submitted and approved in writing by the Local Planning Authority. The details should address accessibility to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

REASON: To ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with SDC1 of the Local Plan (2019).

45. Notwithstanding the submitted Noise Assessment Addendum (Ref: AC107085-1r0), prior to any above ground development, excluding demolition, commencing additional detail on the acoustic assessment of the 3G pitch and external amenity areas shall be submitted in writing to and approved by the Local Planning Authority. Regard shall be had to BS8233:2014. Any agreed works shall be completed prior to occupation of the development and shall be maintained thereafter.

REASON: In the interests of residential amenity and to ensure the details are acceptable to the Local Planning Authority in accordance with Policy SDC1 of the Local Plan (2019).

46. No development above foundation level shall take place until a detailed plan (or plans) indicating the positions, design, materials and type of boundary treatments to be erected in relation to the dwellings has been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be completed in full accordance with the approved details prior to the first occupation of the dwelling to which it relates.

REASON: To ensure that an adequate boundary treatment is provided to safeguard the visual amenities of the area, the amenities of the future occupiers of the dwelling and the occupiers of adjoining properties and in accordance with Policy SDC1 of the Local Plan (2019).

Informatives:

1. In relation to Building Regulations, the applicant/developer is reminded of the need for the development to comply with Approved Document B, Volume 1, Section B5 – Access and Facilities for the Fire Service.
2. Severn Trent Water advise that although statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under The Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and you are advised to contact Severn Trent Water to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the building. NB. We have clean water apparatus within the proposed application site, the developer will need to contact Severn Trent Water Developer Services Team as detailed below to assess their proposed plans for diversion requirements.
3. As outlined within Condition 32 above, the strategy should be treated as a minimum at this stage of the design. Further consideration should be given during the next stage of the design to incorporate additional, localised source control SuDS such as swales, rain-gardens and tree pits as part of a 'SuDS management train' approach to provide water quality, amenity and bio-diversity benefits and increase the resilience within the design. At the 'discharge of condition' stage proposals for surface water drainage should be approaching a level of detail suitable for tender or construction. Documentation should

show the drainage scheme including SuDS features, specific details (e.g. standard details or cross sections) and demonstrate the performance and of the system through calculations and exceedance management respectively. Such scheme should be in line with the original planning application/permission and where significant changes are made, justification should be provided.

Where a new connection to an ordinary watercourse is made to facilitate the developments drainage, ordinary watercourse land drainage consent should be obtained before the works are undertaken.

4. Public rights of way should remain open and available for public use at all times unless closed by legal order and should not be obstructed by parked vehicles or by materials during any works. Any damage to the surface of any public right of way caused during the works should be made good. If it is proposed to temporarily close any public right of way during the works then an application for a Traffic Regulation Order must be made to Warwickshire County Council's (WCC) Rights of Way Team well in advance. Any disturbance or alteration to the surface of any public right of way requires the prior authorisation of WCC Right's of Way Team, as does the installation of any new gate or other structure on the public right of way.
5. The development is adjacent to farmland in addition to the A428 Rugby Road to the south-west of the site and will be subject to reasonable disturbance from noise, dust, odour, vibration and light associated with farming practices and traffic movements. These may at times extend into the night or early hours, such as harvest.
6. This development is subject to a s106 legal agreement.
7. In relation to condition 32, Details required under part 5 should should include:
 - a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and justification of such criteria where relevant.
 - b. 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
 - c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period.
 - d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.

8. In relation to condition 32, Details required under part 6, such overland flow routing should:

- a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk.
- b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels.
- c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding