

## Regulatory Committee

18 February 2014

### **Construction of a new dual carriageway north of the village of Gaydon between the B4100/Jaguar Land Rover Site and the B4451 (Gaydon Road).**

**SDC/13CC029**

Application No: SDC/13CC029

Advertised date: 14<sup>th</sup> November 2013

Applicant Warwickshire County Council  
PO Box 43  
Shire Hall  
Warwick  
Warwickshire  
England  
CV34 4SX

Agent Louise Thorne  
Atkins Limited  
Trent House  
RTC Business Park  
London Road  
Derby  
Derbyshire  
DE24 8UP

Registered by: The Strategic Director for Communities on 4<sup>th</sup> November 2013.

Case Officer: Mohammed Nasser

Proposal: Construction of a new dual carriageway north of the village of Gaydon between the B4100/Jaguar Land Rover Site and the B4451 (Gaydon Road).

Site & location: Land between M40 J12 and Jaguar Land Rover/Heritage Motor Centre, Gaydon, Warwickshire.

[Grid ref: 436425.254634].

## **See plan in Appendix A**

### **Recommendation**

That the Regulatory Committee authorises the grant of planning permission for the construction of a new dual carriageway north of the village of Gaydon between the B4100/Jaguar Land Rover Site and the B4451 (Gaydon Road) subject to the conditions and for the reasons contained within Appendix B of the report of the Strategic Director for Communities.

#### **1. Application details**

- 1.1 This planning application seeks consent for the provision of a new dual carriageway from a point approximately 150m south west of junction 12 of the M40 to the entrance of the Heritage Motor Centre and the Jaguar Land Rover (JLR) site.
- 1.2 The proposed new carriageway would form part of both the existing B4100 and B4451 (Gaydon Road) north of Gaydon village and would be constructed to a length of approximately 1.6km. In total the proposed construction works would result in a land take of approximately 16.1ha which includes the provision of a temporary construction compound measuring 1.46ha. This compound area would be reinstated to its previous condition upon completion of the works.
- 1.3 The proposal would primarily consist of a 4 lane carriageway (2 lanes in each direction) with additional filter lanes at the two proposed signalised junctions. The first junction would be located centrally along the proposed new carriageway and would form a new junction for the B4100 and B4451. This junction would be traffic light controlled and would also provide a new access from this junction in a northwards direction into adjacent fields. Access to the village of Gaydon would be through this junction.
- 1.4 The second signalised junction would be located at the western most section of the proposed carriageway and would provide a revised vehicle and pedestrian access point into the Heritage Motor Centre and JLR site. In addition, this traffic light controlled junction would provide a revised access road to land east of the existing B4100 which includes commercial premises, agricultural land and a sewage treatment works. The existing access to these premises would be revised.
- 1.5 Two shared pedestrian and cyclist crossing points (Toucan Crossing) would be provided at the signalised junction where the B4100 meets the B4451 and would allow both pedestrians and cyclists to cross the new carriageway (B4100) and the revised B4451 (Gaydon Road). In addition, a further Toucan crossing would be provided across the new

Heritage Motor Centre/JLR access road. The carriageway would also provide a shared cycleway/footway along its entire length.

- 1.6 The proposal also includes the provision of drainage channels that would be located along the southern boundary of the new carriageway, along the western boundary of the realigned B4100 heading towards the Gaydon roundabout and along the north eastern boundary of a section of the existing B4100 carriageway that is to be stopped up.
- 1.7 In addition, a drainage attenuation pond is to be constructed and positioned to the south of the proposed new carriageway and to the east of the realigned B4100 carriageway which will provide capacity for surface water drainage from the new carriageway.
- 1.8 The proposed carriageway would result in the removal of existing hedgerow and vegetation, specifically those adjacent to the existing B4100 and B4451 carriageways and those that demarcate field boundaries. The proposal seeks to provide new planting adjacent to the proposed carriageway and to those carriageways realigned. In addition, post and rail wooden fencing would be erected along the route of the carriageway. No screening bunds, noise attenuation fencing or lighting along the carriageway is proposed.
- 1.9 The existing B4100 would be stopped up approximately 50m north of 'Ferndale' property. This existing stretch of the B4100 would provide access to existing properties and would also provide space for a turning area. The existing B4100 north of the turning area would be closed to vehicular access and become a shared pedestrian/cycleway linking Gaydon to the Heritage Motor Centre/JLR access road junction.
- 1.10 The existing B4451 that would not be contained within the revised carriageway arrangement would be stopped up approximately 240m north of the Gaydon roundabout. A new field access and turning area would be provided approximately 180m north of the Gaydon roundabout and the redundant B4451 carriageway would be removed and landscaped.
- 1.11 The proposal has been put forward to address the serious congestion and road safety issues on the M40 motorway and the existing B4100 and B4451 and the surrounding road network and to also provide increased capacity on the road network to facilitate the approved expansion of the Heritage Motor Centre/JLR employment site.

#### **Additional information submitted by applicant**

- 1.12 Additional information has been submitted seeking consent to install road lighting along the route of the proposed carriageway.
- 1.13 The proposal seeks consent to install 86 lighting columns along the edge of the proposed carriageway. The lighting columns would provide

LED lighting erected to a height of either 8m or 12m dependent upon the columns location along the route and would be operated during the hours of darkness.

- 1.14 The original planning application stated that the proposed carriageway would not incorporate lighting as part of the proposal. However, a safety audit has been undertaken that has concluded that the proposed carriageway should be lit to achieve sufficient levels of highway safety.

## **2. Consultation**

- 2.1 **Stratford-on-Avon District Council (Planning)** – No comments received.
- 2.2 **Stratford-on-Avon District Council (Environmental Health)** – No comments received.
- 2.3 **Councillor Williams** – No comments received as of 28<sup>th</sup> January 2014.
- 2.4 **Councillor Stevens** – No comments received as of 28<sup>th</sup> January 2014.
- 2.5 **County Museum (Ecology)** – Comments received;
- That the provision of a (Construction and Protected Species) Environmental Management Plan (C&PSEMP) is undertaken.
  - That a Biodiversity Offsetting Scheme shall be entered into should the landscaping scheme for the proposal result in a residual loss in net Biodiversity.
  - That the lighting scheme is installed and operated in a manner so that it does not light above 3 lux at the bat crossing points as identified within the submitted Ecological Impact Assessment.
- 2.6 **County Museum (Archaeology)** – No objection, subject to conditions;
- That an existing historic mile post is retained and relocated.
  - That a programme of archaeological works is undertaken in accordance with a written scheme of investigation approved the County Planning Authority.
- 2.7 **Warwickshire County Council Rights of Way** – No comments received.
- 2.8 **Warwickshire County Council Public Health** – No comments received.
- 2.9 **Warwickshire County Council Flood Risk & Water Management** – No objection, provided that the proposal is implemented in accordance with the submitted Drainage Strategy.
- 2.10 **Natural England** – No objection.

2.11 **Warwickshire Police Highway Safety Unit** – No objection.

2.12 **Environment Agency** – No comments received.

2.13 **Highways Agency** – No objection.

2.14 **Bishops Itchington Parish Council** – Comments received;

- Understands the need to improve safety of the J12 of the M40,
- Concerns regarding the speed and volume of traffic along the B4451 as a result of the proposal,
- Serious consideration should be given to the provision of traffic calming in affected villages, particularly those along the B4451.

Additional comments were received related to the additional lighting details submitted as outlined below;

- That the lights along the carriageway should be switched off outside of peak times.

2.15 **Chesterton & Kingston Meeting** – No comments received.

2.16 **Gaydon Parish Council** – Comments received, as outlined below;

- The Gaydon roundabout should be removed to ensure a free flow of traffic. This would result in cost savings through the removal of associated street lighting.
- Flood water from a field adjacent to the Heritage Centre enters Gaydon village due to insufficient capacity of drainage ditches/pipes.
- The applicant agreed to include engineering works to alleviate this issue which has not been undertaken.
- The traffic lights from Gaydon village to the dual carriageway should ensure that their mechanism is not biased to traffic from the M40.
- Gaydon residents should be afforded noise and visual protection from the proposal through the provision of bunds and planting. The provision of such was agreed by the applicant but has not been shown on the submitted plans.
- Councillors would wish to be involved with the provision of the planting scheme.
- There is no safe route for horse riders across the dual carriageway or for a link for them, cyclists and pedestrians to access bridleways in Bishops Itchington.
- The road name 'Wade Lane' as shown on the submitted plans is incorrect and should be changed to Warwick Road as the electoral roll states.
- The applicant has confirmed that the provision of an access from the signalised junction is a field access. As this junction is the main access

north from Gaydon we would ask that this access is not congested with livestock vehicles.

- The field access would attract flytipping, parking and abandoned vehicles.
- The field access should be moved to the Castle Farm driveway access.

Additional comments were received related to the additional lighting details submitted as outlined below;

- The previous submission (including the Atkins report) states that the proposal would not be lit and therefore provide no form of illumination.
- The proposal is contrary to the NPPF, specifically policy 7 which requires good design which should function well and add to the overall quality of the area, establish a strong sense of place, respond to local character and history and respect the identity of local surroundings and be visually attractive as a result of good architecture and landscaping.
- It is considered that the proposal (lighting) does not add to the overall quality of the area.
- For some residents the proposal would create light pollution.
- Residents who live in Gaydon have chosen to live in a village and not a town and the introduction of urbanising lighting would not make the area attractive or comfortable to existing residents.
- Residents want less lighting.
- There are a number of listed buildings in the locality whose character would be affected by the proposal.
- The area is rich in wildlife and the provision of lighting would destroy the environment for both wildlife and residents.
- The provision of lighting in a rural parish does not create a visually attractive scene.
- The parish council fully endorses the alternative proposal submitted by a local resident which provides a long term solution and considers the local community. This has been submitted to the local authority but never acted upon.
- The proposal does not accord with policies DEV1 (Layout and Design) and CS10 (Design and Distinctiveness) as contained within the Stratford-on-Avon Adopted Local Plan and Core Strategy (Draft Submission).
- The operation and maintenance costs will fall upon the tax payers of Warwickshire.
- The lights are not a legal requirement and should therefore not be given consideration by the County Council.
- We see the introduction of lighting as a waste of public money.
- The authority should be setting an example to local businesses by reducing lighting.
- We request that in accordance with EU and national legislation that due to the addition of lighting this application and the possible environmental effects should be reassessed.
- We originally requested that the existing 30 street lighting columns at Gaydon roundabout be removed. This has been ignored.

- Alternative funding options should be investigated in order to remove the existing Gaydon roundabout which falls outside of the current scheme.

**2.17 Lighthorne Parish Council** – Comments received, as outlined below;

- Insufficient information has been provided regarding how traffic will leave the road and enter the Heritage Centre site.
- There is no filtering process from the dual carriageway to the joining single roads.
- The revised plans show nothing beyond the Heritage Centre.
- Concern that public money is being used to provide a new inappropriately located field access when this field already has 2 other accesses.
- That a roundabout should be considered rather than signals to allow traffic to flow freely.

Additional comments were received related to the additional lighting details submitted as outlined below;

- Object to any and all lighting proposed along the carriageway.
- The proposal would cause extreme light pollution.
- The previous application guaranteed that no lighting would be provided and that existing lighting would be removed.
- The cost of such provision makes the proposal objectionable.
- The lighting is purely for the benefit of JLR site uses at peak times and is disproportionate.
- Any lighting requirements on the road would be met by the 4,000 plus vehicles illuminating the carriageway through the use of headlights.
- All roundabouts along the route are currently lit.
- The proposed units are large, ugly and imposing street furniture.
- The proposal results in the urbanisation of a rural area.
- We query the sustainability of the scheme.
- Is this an efficient use of tax payers' money?
- Should JLR instead fund such works as congestion at peak times relates to the JLR site?
- This is an extremely late amendment given that Parish Councils have already made their comments regarding the scheme.

**2.18 Lighthorne Heath Parish Council** – No comments received.

2.19 8 site notices posted on 14<sup>th</sup> November 2013.

2.20 Press notice posted on 14<sup>th</sup> November 2013.

2.21 45 nearest residential properties individually notified on 14<sup>th</sup> November 2013.

### 3. Representations

#### 3.1 7 letters of objection from local residents on the following points;

- The old sections of the B4100 and B4451 need to be protected against unauthorised parking and fly tipping.
- The roundabout between the B4100 and B4451 at Gaydon should be removed as it would now be redundant given that it was provided for JLR traffic.
- Residents were originally promised a bund between the village and the bypass. This has not been provided.
- Planting of trees along the route should be undertaken.
- No details are provided as to what will happen to the triangle of land bounded by the bypass, B4100 and B4451.
- None of the inbound junctions have left turn slip roads which would smooth the passage of traffic from the motorway into the JLR site.
- This is a rural area used by walkers, horse riders and cyclists and no provision to enable safe passage across the dual carriageway has been made.
- The motorway bridge will also be altered to make full use of its width and will not make provision for pedestrians, cyclists or horse riders to cross the motorway.
- The latest submission does not extend beyond the entrance to the Heritage Motor Centre whilst the original scheme did.
- No details have been provided as to how traffic will be managed once it enters the JLR and Heritage Centre site which if left unresolved will result in traffic backlogs on the dual carriageway or the M40.
- If previously proposed improvements are not implemented then bottlenecks around the JLR roundabout may occur.
- Many people will use the B4100 from Warwick/Leamington Spa rather than use the M40 and new bypass which could result in bottlenecks.
- The JLR roundabout should be modified to include a southbound 'through' lane.
- There is no filtering process from the dual carriageway to the joining single roads.
- Concern that public money is being used to provide a new inappropriately located field access when this field already has 2 other accesses.
- The provision of a roundabout should be considered rather than traffic signals to allow traffic to flow freely.
- The applicant provides a current figure of 4000 vehicle movements at peak periods but this does not take into account the JLR site and Stratford District Councils future expansion which could result in over 10,000 vehicle movements and invalidate the applicants report.
- This would add further traffic disruption to residents of Gaydon, especially at peak times.
- Whilst the applicant has stated that the area is at low risk of flooding a number of properties south of the proposed bypass have flooded and



this has only occurred since the introduction of the Gaydon roundabout.

- There is an existing issue with mud on the road at the Heritage Centre which has cleaning facilities. However, by locating a farm access on the proposed dual carriageway which would not have cleaning facilities how will the highway be kept clear of mud?
- Are noise bunds or is noise absorbing fencing proposed?
- What is the expected operation time during the construction period? (i.e. will it be 24 hours, 7 days a week?)

3.2 2 letters of support from local residents outlining the following points;

- Much needed change to ease congestion into and out of Gaydon village at peak times.
- Provides a safer route for JLR employees.

3.3 Councillor Kondakor has objected to the proposal on the basis that a safe alternative route for cyclists to cross the M40 at Junction 12 has not been provided.

3.4 FORSE Warwickshire (Friends of a Rural and Sustainable Environment) have objected to the proposal on the following points;

- Insufficient information has been provided regarding how traffic will leave the new road system (i.e. clearing the public highway).
- There is no filtering process from the new dual carriageway to the joining 'single' roads.
- It is requested that a roundabout be considered rather than signal to allow traffic to flow freely.
- Concerns that public funds are being spent on an inappropriately located road entry to a field, especially as the field already has two existing accesses.
- The revised plans show nothing beyond the Heritage Centre. Is there now no modification to the roundabouts beyond the site?
- How is it anticipated that these roads/roundabouts will cope with the extra JLR/Aston Martin traffic?
- Object to any and all lighting proposed along the carriageway.
- The proposal would cause extreme light pollution.
- The previous application guaranteed that no lighting would be provided and that existing lighting would be removed.
- The cost of such provision makes the proposal objectionable.
- The lighting is purely for the benefit of JLR site uses at peak times and is disproportionate.
- Any lighting requirements on the road would be met by the 4,000 plus vehicles illuminating the carriageway through the use of headlights.
- All roundabouts along the route are currently lit.
- The proposed units are large, ugly and imposing street furniture.
- The proposal results in the urbanisation of a rural area.
- We query the sustainability of the scheme.

- Is this an efficient use of tax payers' money?
- Should JLR instead fund such works as congestion at peak times relates to the JLR site?
- This is an extremely late amendment given that Parish Councils have already made their comments regarding the scheme.
- We query whether this is stealth urbanisation of a rural area, with lighting akin to a new town.

#### **4. Assessment and Observations**

##### **Location**

- 4.1 Land to the north of the proposed dual carriageway comprises of agricultural fields beyond which the M40 and junction 12 of this motorway runs in a north west to south east alignment. Agricultural fields also border the application site to the east and south east.
- 4.2 To the south and south east of the new road lies the village of Gaydon which has a population of approximately 400 people beyond which lies further agricultural fields. The application site is bordered to the west by a number of existing uses, including the Jaguar Land Rover (JLR) employment site, the Heritage Motor Centre, a sewage treatment works and additional agricultural land.
- 4.3 The nearest residential properties are situated along the existing B4100 and are approximately 200m away from the main carriageway in a south westerly direction. The existing B4100 carriageway would remain in front of these properties, albeit only for access to these properties.

##### **Noise**

- 4.4 The proposal realigns the existing B4100 and sections of the B4451 further away from residential properties than at present.
- 4.5 The submitted noise assessment has demonstrated that the proposal would result in a significant decrease in noise levels for properties located south of the proposed dual carriageway (approximately 200m away) of between 0.9dB L and 4.9 dB L. The assessment has also demonstrated that there would be a negligible increase in noise experienced at two nearby properties, namely Castle Farmhouse and Swallowfields Farm which are approximately 380m and 110m away from the proposed carriageway in a northerly direction to a noise level of less than 3dB L.
- 4.6 Concerns have been raised by local residents that the proposal does not include the provision of either noise attenuation fencing or bunding along the route of the carriageway. However, the noise assessment has demonstrated that the proposal would not significantly increase noise levels for the majority of properties and for those that do

experience an increase it would be negligible. As such it is concluded that mitigation measures are not required in this instance.

- 4.7 Concerns have also been raised regarding potential noise nuisance associated with the construction period and what times of day construction works are to take place. The specific times as to when they expect works to occur on site have not been identified and it is not proposed to impose planning conditions on the hours of operation of temporary construction given that there are other bodies and legislation that can deal with issues associated with noise nuisance.

### **Air Quality**

- 4.8 A submitted Air Quality Assessment has looked at the proposal both during the construction phase and during its operation. The proposal is located outside of an Air Quality Management Area (AQMA) and the existing air quality within the area is described as good.
- 4.9 The air quality assessment outlines that the proposal would not give rise to unacceptable levels of Nitrogen Dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>) as a result of exhaust fumes from users of the highway based upon the predicted traffic levels with changes in air quality deemed to be either imperceptible or small. The small change relates to a reduction in NO<sub>2</sub> levels at the existing Gaydon roundabout through a reduction in traffic levels once the proposal is in full use.
- 4.10 The air quality assessment does conclude however that dust associated with the construction phase of the proposal has the potential to cause an adverse impact upon nearby receptors. However, the assessment concludes that these concerns can be suitably mitigated against. As such, it is recommended that a condition requiring a dust suppression mitigation scheme to be submitted and implemented be attached to any planning permission approved.

### **Anti-Social Behaviour**

- 4.11 Local residents are concerned that the provision of the new dual carriageway would create areas along the redundant highway network, specifically the proposed turning head areas on the existing B4100 and B4451 that could be used as unofficial parking areas that would cause disturbance to local residents.
- 4.12 The possibility of implementing yellow lines to restrict the parking of vehicles has been investigated in these areas. However, to make such provision would require action under separate legislation (i.e. Traffic Regulation Order) which in itself has criteria that determines whether such provision can be made. As such, this is not something that could be conditioned as part of a planning consent. If these issues were to arise then they would need to be addressed by the relevant highway

enforcement officers with appropriate measures undertaken where necessary.

- 4.13 Concerns have been raised by both local residents and local parish councils with reference to the possibility of fly tipping, specifically related to the turning head areas on the redundant sections of the B4100 and B4451. It is acknowledged that fly tipping could be a possibility, albeit not just in these areas but at any location along the public highway. However, the turning areas are required in order to provide access to existing properties and should fly tipping occur those matters would be dealt with under separate legislation.

### **Visual Impact**

- 4.14 The surrounding landscape is generally undulating arable farmland with land topography ranging between 80m and 136m above AOD. There are a variety of land uses surrounding the proposed route of the carriageway that encompass arable land, residential properties, including Gaydon village and employment uses such as the Heritage Motor Centre and Jaguar Land Rover.
- 4.15 The proposed new road would pass through an undulating landscape and would have a limited visual impact. This limited impact can be further reduced by further planting along the route of the carriageway.
- 4.16 The proposed lighting columns, when in use, would have a significantly greater impact than the road and would be seen over long distances from a variety of vantage points in the landscape to the south and east such as Pimple Lane (250m away) and Burton Dassett hills (some 2km away).
- 4.17 It should be noted however that these long distance views would be limited and filtered by intervening vegetation and would be seen from some vantage points against the general background light created by the M40 and nearby houses and communal areas.
- 4.19 In addition, the positioning and type of lighting proposed (i.e. LED and directional onto the carriageway) ensures as far as possible that potential light spill and sky glow impacting upon the surrounding landscape is minimised. Whilst it is acknowledged that the provision of such lighting would have an adverse impact upon the surrounding rural landscape the provision of such lighting has been designed to reduce these impacts and it is required in order to bring sufficient levels of lighting to the carriageway to render the proposal acceptable in highway safety terms.
- 4.20 The applicant has stated that the street lighting along the proposed carriageway would be operational during the hours of darkness (dependent upon the time of year). Although Warwickshire County Council operate a part night lighting scheme whereby street lighting is

switched off during the hours of midnight and 5.30am, the proposed lighting scheme along the carriageway would not be included within the part night lighting scheme. The proposed road encompasses a variety of features, including signalised junctions, central carriageway islands and formalised crossing points that need to remain lit for highway safety reasons.

- 4.21 The proposed street lighting would detrimentally impact upon several listed structures that are located nearby within Gaydon village. However, the nearest listed structure to the proposed carriageway, The Gaydon Inn, which is a Grade II listed building, is located approximately 290m from the proposal, specifically the revised B4451 carriageway.
- 4.22 The proposal would not adversely impact upon the character and appearance of this listed building and other listed structures within the village as the proposal is located at some distance from these buildings which lie within the village of Gaydon. Further, these properties are predominantly screened as a result of the distances involved, landform, vegetation and existing built structures within the village.
- 4.23 The proposals would include landscaping in the form of new planting along the route of carriageway. This includes new hedgerow planting and the provision of post and rail fencing along carriageway boundaries. Whilst general locations for planting have been outlined, specific details regarding the species and densities of planting proposed have not been provided within the submission.
- 4.24 However, it is considered that these details and appropriate provision can be secured through the imposition of planning conditions ensuring their provision and maintenance once provided on site.
- 4.25 The provision of additional planting however is deemed to be insufficient by objectors who wish to see noise attenuation fencing and the placement of landscaped earth bunds along the route, specifically along the southern section closest to residential receptors of Gaydon Village, to screen the road from view (and to also act as noise pollution buffers).

### **Pedestrian and Cycle Facilities**

- 4.26 Concerns have been raised by local residents that insufficient provision for the crossing of the new carriageway for pedestrians, cyclists and horse riders has been provided. However, the proposal provides three sets of signalised crossings, one positioned across the revised Heritage Motor Centre/JLR site access road and two situated at the new B4100 and B4451 junction which allows access across both new carriageways in a north/south and east/west direction.

- 4.27 In addition, all 3 crossings are signalised 'Toucan' crossing linked to the traffic signal phasing that allows crossing for both pedestrians and cyclists (but not horse riders) allowing a continuation of the shared cycleway and footway that follows the length of the carriageway. This is considered to be an improvement upon the existing situation as there is currently no signalised crossing provision along the existing affected stretches of carriageway and there is no footway provision at all along the B4451 from Gaydon village towards the M40 junction 12.
- 4.28 Concerns have also been raised by objectors that the proposal does not provide a safe alternative route for pedestrians, cyclists or horse riders to cross the M40 at the junction 12 road bridge. However, whilst works to the M40 junction 12 are planned by the Highways Agency, this scheme has yet to be submitted and does not form part of this current planning application. As such, the provision of alternative pedestrian access across the motorway bridge would be for the Highways Agency to consider as part of their proposals.

### **Highway Infrastructure and Traffic Levels**

- 4.29 Whilst the proposal does not seek the removal of the existing Gaydon roundabout a number of objectors have suggested that its removal would reduce traffic congestion further and would save money through the removal of associated street lighting around the roundabout.
- 4.30 Traffic modelling has been undertaken regarding the roundabouts retention and this has not shown any negative impacts upon traffic flows or capacity locally. As a result the applicant has indicated that they do not consider it to be appropriate to remove the roundabout.
- 4.31 The provision of a new field access incorporated into the B4100 and B4451 signalised junction is proposed which has raised a number of concerns from local residents. Primarily they relate to three areas, the possibility that mud from the adjacent fields could be deposited upon the highway, that the access would instead be used for future development and that the access would encourage agricultural equipment/livestock vehicles to use the junction.
- 4.32 The provision of a field access has been put forward in order to provide the adjacent land owner with access to their land as the construction of the proposed dual carriageway would remove the existing access to the adjacent fields. The signalised junction has been chosen as the safest point as it allows dedicated access for vehicles in conjunction with other users of the carriageway. In addition, users of the carriageway (including those of the farm access) are required to do so in a safe manner abiding by the rules of the public highway.
- 4.33 Local residents also consider that the proposed signalised junctions along the stretch of new carriageway should instead be constructed with a roundabout. This point has been investigated with the conclusion

that the provision of a signalised junction has a number of benefits, the main benefit being that traffic conditions can be managed remotely through changes to the signal phasing system (i.e. at peak times) which in turn can reduce traffic congestion. This is something that cannot be achieved if a roundabout is constructed.

- 4.34 Objectors are also concerned that the proposal does not satisfactorily deal with traffic once it leaves the B4100 and enters the Heritage Motor Centre/JLR site. However, the internal traffic management of the Heritage Motor Centre/JLR site are outside of the applicants control and it is for that landowner to ensure that an internal layout does not detrimentally impact upon the surrounding public highway network.
- 4.35 In addition, objectors are concerned that the proposal does not include revisions to the main JLR site entrance further north along the B4100. Again, this area is outside of the planning application area submitted.
- 4.36 The current road network suffers from chronic traffic congestion at peak times (i.e. rush hour) that impacts upon the existing B4100, B4451 and the M40 motorway with vehicles queuing along the hard shoulder. At present, current traffic levels are recorded at approximately 6000 vehicles accessing the JLR site daily and the proposed dual carriageway would accommodate existing traffic levels and provide an increase in capacity to accommodate extant planning consents related to the expansion of the JLR employment site which would provide up to a further 2600 jobs.
- 4.37 Bishops Itchington Parish Council has also suggested that additional road safety features (traffic calming) should be put forward for nearby villages along the B4451, including Bishops Itchington. However, whilst there may be existing highway safety issues within villages along the B4451 it is not considered that the current proposal would result in increased traffic levels along this section of highway that would render such works to be necessary. As such it is considered that further works, including traffic calming measures in villages along the B4451 fall outside the scope of this proposal and should be addressed as separate issues outside of this planning application.

### **Drainage**

- 4.38 Concerns have been raised by local residents and Parish Councils that the local area suffers from flooding with surface water runoff from agricultural land impacting upon residents of Gaydon village due to insufficient capacity of drainage ditches/pipes which they state that the applicant agreed to remedy as part of the proposal, which they believe has not been undertaken.
- 4.39 The proposed dual carriageway makes provision for new drainage facilities along the route of the carriageway and on land adjacent to it. The drainage strategy submitted with the application makes provision

for new drainage channels that would direct surface water from the surrounding area through new inlet pipes into a new attenuation pond.

- 4.40 The proposed drainage channels would be located along the southern boundary of the carriageway from the Jaguar Land Rover site entrance to the proposed B4100/B4551 signalised junction, along the western boundary of the revised B4451 carriageway to the existing Gaydon roundabout and the northern boundary of the existing B4100 opposite the existing residential properties along that section of existing highway.
- 4.41 In addition an attenuation pond is to be created that would be located adjacent (south east direction) to the proposed B4100/B4451 signalised junction. The attenuation pond has been designed so as to provide sufficient capacity (2306.5m<sup>3</sup>) for surface water runoff from the road and is designed to constantly retain 1m depth of water.
- 4.42 The proposal is not located within a high risk flood area (flood zones 2 or 3 as defined by the Environment Agency) and as discussed is supported by a detailed drainage strategy which incorporates the provision of drainage channels along the carriageway and an adjacent surface water attenuation pond to satisfactorily deal with surface water runoff.
- 4.43 Subject to the imposition of conditions to ensure that the drainage scheme is implemented prior to the carriageways first use and maintained to ensure effectiveness, the proposal would not result in an increase in flood risk to both nearby residents and adjacent land uses.

### **Archaeology**

- 4.44 A Historic Environment Assessment submitted with the application has concluded that the overall potential for the presence of prehistoric buried remains of low to medium significance within the site is currently inconclusive but moderately likely.
- 4.45 The findings also discussed within the submitted Historic Environment Assessment have been analysed by Warwickshire County Museum Services, specifically in relation to archaeology who have concluded that the site contains two pre-historic mounds which have previously been recorded in the immediate vicinity of the application site and that whilst there has previously been a lack of survey work undertaken this does not necessarily reflect the lack of archaeological remains and that the proposal has the potential to disturb archaeological deposits pre-dating the medieval and later agricultural use of the site.
- 4.46 It is recommended that a planning condition is imposed ensuring that the applicant undertakes a programme of archaeological works in accordance with a written scheme of investigation approved by the



County Planning Authority to ensure that the proposal does not detrimentally impact upon archaeological deposits.

- 4.47 There is an historic mile post located on the existing B4451. The proposal would result in the realignment of the existing B4451 at this point and as such would place the mile post into an adjacent field rather than alongside the carriageway. As such, it is recommended that a condition is attached to any permission granted ensuring that the mile post is retained and relocated to a suitable location alongside the proposed carriageway.

## **Ecology**

- 4.48 An ecological assessment has been prepared which outlines the key subject points that the proposal impacts upon. Whilst the application site does not fall within any statutory designated sites, it does fall within the Gaydon Proving Ground Ecosite. However, the proposal only impacts upon a small section of this area, the eastern edge, where the habitats are recorded as of lower value and the impacts upon it are not considered to be significant.
- 4.49 A survey for the presence of Great Crested Newts has been carried out and no great crested newts were observed within the application site but were observed utilising ponds within 500m of the application site. The site is described as providing suitable terrestrial habitats for foraging with possible links via existing hedgerows allowing newts to move through the landscape.
- 4.50 Although Great Crested Newts are not located within the application site, the species are afforded protection under the Wildlife and Countryside Act (1981) and the Conservation of Habitats Regulations 2010. For these reasons it is recommended that a planning condition is attached to any permission granted ensuring that appropriate mitigation measures are provided so that no Great Crested Newts are harmed as a result of the proposal.
- 4.51 There are no confirmed bat roosts within the application site although two trees were identified as having low potential for such activity. However, these trees are not to be removed as part of the proposal. Previous records of bats within 1km of the application identify one recent record of commuting Common Pipstrelle bats near to Gaydon Farm, approximately 700m south west of the application site.
- 4.52 In addition, a number of bat surveys were undertaken which identified that low numbers of bats were observed either foraging and/or commuting either within or adjacent to the application site along hedgerows and ditches which provide habitats for such activities.
- 4.53 As the proposal requires the removal of areas of existing hedgerow the proposal would have short term negative impacts upon the local bat

population as gaps along the commuting corridor would occur. Therefore, a planning condition ensuring that a robust landscaping scheme is submitted and implemented would ensure that existing gaps in hedgerows are filled, tree planting is provided ensuring that crossing points for bats are provided across the carriageway and new lengths of native species hedgerow along the route of the carriageway would provide suitable foraging habitats and commuting corridors for bat activity. With this provision it is considered that the negative impacts can be sufficiently mitigated against.

- 4.54 The proposed carriageway is to include the provision of street lighting along its route which could impact upon the local bat population due to the provision of artificial lighting. However, the area to be lit does not support a large bat population and the proposed lighting has been designed to be so as to be directional and to reduce light spillage so as to minimise its impacts.
- 4.55 In addition, the County Ecologists recommend that the proposed lighting of the carriageway at bat crossing points are designed to provide light spill levels of no more than 3 lux at these points through the use of light cowls. It is recommended that a condition is attached to any permission granted ensuring this provision. With this provision the negative impacts associated with lighting can be minimised.
- 4.56 The submitted ecological assessment discusses the provision of a (Construction and Protected Species) Environmental Management Plan (C&PSEMP) which, along with an appropriate landscaping scheme, seeks to provide measures for ecological mitigation and enhancement should the proposal be constructed which includes measures such as plugging gaps in hedgerows, enhancement of semi-improved grasslands, replanting of hedgerows, etc.
- 4.57 However, a full C&PSEMP has not been submitted as part of this application. As such, it is recommended that a planning condition is attached to any permission granted ensuring that an appropriate C&PSEMP is submitted and implemented. This would ensure that appropriate mitigation measures are provided and seek to reduce or reverse net biodiversity loss in the immediate area.
- 4.58 The application site is situated within a Biodiversity Offsetting Scheme pilot area that is operational until April 2014. The scheme seeks to ensure that development proposals do not result in detrimental impacts upon habitats which result in a reduction in local biodiversity and allocates 'units' on a points based system to areas of land defining its biodiversity worth. In this case the application site has a biodiversity value of 23.6 units.
- 4.59 At present the application results in a reduction in net biodiversity given that existing hedgerows, scrub, grassland are to be removed. However, it is considered that with the provision of a robust landscaping scheme

and drainage strategy in conjunction with a C&PSEMP that the net biodiversity of the area could be improved upon. However, if the schemes demonstrate that this is not the case then the residual loss could be offset on a suitable site using the offsetting scheme.

## **Planning Policy**

### **NPPF**

- 4.60 The NPPF, and specifically section 1, seeks to promote the building of a strong, competitive economy with the planning system supporting the governments drive to securing economic growth through the creation of jobs and prosperity with local planning authorities encouraging suitable development that supports existing businesses and promotes growth.
- 4.61 It is considered that the proposal accords with the thrust of this policy given that the proposed dual carriageway would provide further capacity on the local road network allowing extant planning permissions at the Jaguar Land Rover and Aston Martin site to be implemented with the delivery of up to 2600 jobs whilst also providing future capacity for further traffic if required. Also, by reducing congestion on surrounding roads existing rural businesses that rely upon the local road network can operate without restriction.
- 4.62 The proposed dual carriageway would help to improve highway safety in the locality and to also reduce congestion and ensure that those public transport services that operate in the area are not delayed by the traffic congestion related to the various employment sites in the area.
- 4.63 'Requiring Good Design' (Section 7) within the NPPF advises that good design is indivisible from planning and that the planning system, and development approved within it, should seek to positively contribute to making places better for people.
- 4.64 The proposed development has been designed to adopted highway standards with street furniture including the lighting chosen to ensure that the minimum of lighting columns are provided and those that are provided have a reduced impact as possible upon the surrounding landscape both visually and through light pollution.
- 4.65 Also, the proposal has been put forward in order to improve existing capacity on the local highway network and provides much improved pedestrian and cycle facilities (the existing B4451 makes no such provision) with dedicated crossings for those users.

### **Stratford-on-Avon District Local Plan (Saved Policies)**

- 4.66 There are a number of saved planning policies contained within the Stratford-on-Avon District Local Plan that are considered relevant to the development proposal. These include the following policies;

- PR.1 – Landscape and Settlement Character,
- PR.7 – Flood Defence,
- PR.8 – Pollution Control,
- EF.6 – Nature Conservation,
- EF.10 – Trees, Woodland and Hedgerow Enhancement,
- DEV.1 – Layout and Design,
- DEV.2 – Landscaping,
- DEV.4 – Access,
- DEV.7 – Drainage,
- CTY.1 – Control over Development, and,
- COM.9 – Walking & Cycling.

- 4.67 Policy PR.1 (Landscape and Settlement Character) seeks to ensure that all development proposals should respect and, where possible, enhance the quality and character of the area.
- 4.68 The submitted Landscape Visual Impact Assessment demonstrates that the proposed carriageway would have limited visual impacts upon the surrounding landscape that with the provision of additional screening secured through the submission of a robust landscaping scheme would make the provision of the carriageway acceptable.
- 4.69 The proposed lighting columns would, when in use, have a far greater visual impact than the proposed carriageway. This is regrettable however the proposed lighting columns have been designed and sited so as to minimise as far as possible their visual impact and the proposed lighting is required to make the road safe and thus forms an integral and essential part of the scheme.
- 4.70 Policy PR.1 requires development to respect and where possible enhance the character of the area. Where adverse impacts occur the policy only permits development where significant public benefit would apply as this is concluded to be the case in this instance. It is considered that the proposal accords with policy PR.1.
- 4.71 Policy CTY.1 (Control over Development) states that all development in the countryside other than those in accordance with the plan will generally be resisted in order to preserve its character and to protect its resources. The proposed dual carriageway is not provided for within the local plan but policy CTY.1 does permit such proposals if;
- They are fully justified,
  - They would not be contrary to the overall strategy of the local plan, and,
  - Their impact upon the character of the area would not be harmful.
- 4.72 Assessing this proposal against these criteria;

- There is an essential need for the development proposal related to improved safety to resolve existing problems on the nearby M40 motorway,
- The proposal will result in improved infrastructure to support existing land uses so it will not undermine the overall strategy of the plan,
- The overall impact of the proposal upon the character of the area is limited and acceptable. The scheme will result in extra light pollution after dark which is regrettable but not so visually regrettable as to render the proposal unacceptable in visual terms.

Thus it is concluded that the proposal accords with policy CTY.1.

- 4.73 Policies PR.7 (Flood Defence) and DEV.7 (Drainage) seek to ensure that development proposals do not result in increased levels of flooding and deal with the waste/surface water generated by the proposal in a suitable manner. The proposal is not located within a high risk flood area (flood zones 2 or 3) and is supported by a drainage strategy that makes provision of new drainage channels along the carriageway and an adjacent surface water attenuation pond that satisfactorily deals with surface water runoff from the proposed carriageway.
- 4.74 Subject to the imposition of conditions ensuring that the drainage scheme is implemented prior to the carriageways first use and maintained to ensure effectiveness, the proposal would not result in an increase in flood risk to both nearby residents and adjacent land uses. As such, it is considered that the proposal therefore accords with these policies.
- 4.75 Policy PR.8 (Pollution Control) seeks to ensure that development proposals do not give rise to air, noise, light or water pollution or soil contamination where the level of discharges or emissions is significant enough to cause harm to other land uses, health or the natural environment.
- 4.76 The proposal would seek to accommodate existing traffic levels and would the noise and air pollution associated would be moved further away from sensitive receptors located along the existing B4100.
- 4.77 In addition, whilst the air quality assessment concludes that dust associated with the construction phase of the proposal has the potential to cause an adverse impact upon nearby receptors this issue can be sufficiently mitigated through the imposition of a planning condition requiring that a dust suppression mitigation scheme is submitted and implemented. With the attached condition it is considered that the proposal accords with this policy.

- 4.78 Policy EF.6 (Nature Conservation) seeks to protect sites of ecological value, policy EF.10 (Trees, Woodland and Hedgerow Enhancement) seeks to protect the landscape, amenity and nature conservation value of trees, woodland and hedgerows in the determination of planning applications and policy DEV.2 (landscaping) seeks to ensure that development proposal include a high standard of landscaping.
- 4.79 Whilst the proposal does seek the removal of approximately 1.3km of existing hedgerow along the existing road network, the applicant has stated that this would be replaced along the carriageway route and adjacent land with native species planting to ensure maximum benefit to the surrounding landscape which can be achieved through the conditioning of a landscaping scheme attached to any permission granted.
- 4.80 Policy DEV.1 (Layout and Design) requires that proposals to be of an acceptable design standard, to integrate into their surroundings, to provide a convenient and safe means of access and to not detrimentally impact upon amenity.
- 4.81 The scale and nature of the proposal is designed to make best use of the land available and to connect to existing built development (i.e. the existing B4100 and B4451). In addition, the proposal is sited further away from sensitive receptors than the existing B4100 and B4451 which has positive benefits in relation to noise impacts.
- 4.82 Policy DEV.4 (Access) requires that new accesses within developments ensure the safety of its users, reflect their function and distribute traffic appropriately and minimise impacts upon the landscape. The proposal has been designed so as to address the existing traffic congestion issues on the existing road network, specifically the B4100 and B4451 and M40 Junction 12 and to allow traffic to be distributed in a more even fashion.
- 4.83 In addition, new and improved pedestrian and cycle facilities aid access for non-motorised users of the highway whilst also providing a safer, more appealing environment for residents of Gaydon through the removal of up to 4000 daily vehicles movements from the existing roundabout within Gaydon village. With these benefits, it is considered that the proposal accords with this policy.
- 4.84 Policy COM.9 (Walking & Cycling) seeks to ensure that development proposals include the provision of measures to accommodate safe, convenient and well linked walking and cycling facilities. The current proposal would provide enhanced facilities for both pedestrians and cyclists along dedicated paths both alongside the proposed dual carriageway and away from the carriageway along a section of the existing B4100.

- 4.85 In addition, the proposal would provide dedicated, signalised crossing suitable for both pedestrians and cyclists at various points along the route which are an improvement over the existing situation whereby no such facilities are currently provided. It is considered that the provision of dedicated paths and crossing points along the route would provide a safer and more attractive route between the village of Gaydon and the Heritage Motor Centre/JLR site and beyond and on that basis the proposal accords with this policy.

### **Stratford-on-Avon Draft Core Strategy (Consultation Document)**

- 4.86 Concerns have been raised that the proposal would lead to further development of the adjacent agricultural land with reference made to new housing developments. However, the current planning application makes no reference to further development and seeks consent for the new road only in order to alleviate existing traffic congestion and to accommodate committed development at the Heritage Motor centre/JLR site.
- 4.87 Stratford-on-Avon District Council have recently consulted on new housing land allocations as part of their new core strategy document. Within this consultation document land adjacent to the proposed dual carriageway has been identified as a possible site allocation (under policy NS.1) although no decision has yet been made. As the development of the plan is at such an early stage in the process, little material weight can be given to that document in the determination of this planning application.

## **5. Conclusions**

- 5.1 This small section of link road is an essential part of the infrastructure works needed to resolve the safety problems on the M40 motorway caused by peak time congestion. This proposal would also greatly reduce peak time traffic congestion on the local highway network and allow the implementation of approved expansion schemes at the Jaguar Land Rover site thereby unlocking the economic potential of this nationally important site.
- 5.2 The new road would be built further away from the village of Gaydon thus reducing noise and traffic pollution impacts currently suffered by that settlement. The road itself would be set in an undulating landscape and would have only limited visual impact which would be further reduced by new planting. The proposed lighting columns would, when in use, have a far greater visual impact than the road. This is regrettable however lighting is required to make the road safe and thus forms an integral and essential part of the scheme.
- 5.3 In view of this fact it is concluded that the overall highway safety and economic development benefits of the scheme are considerable and

outweigh the negative visual impact which will result from the lighting of the scheme and as a result this proposal should receive support.

## **6. Background Papers**

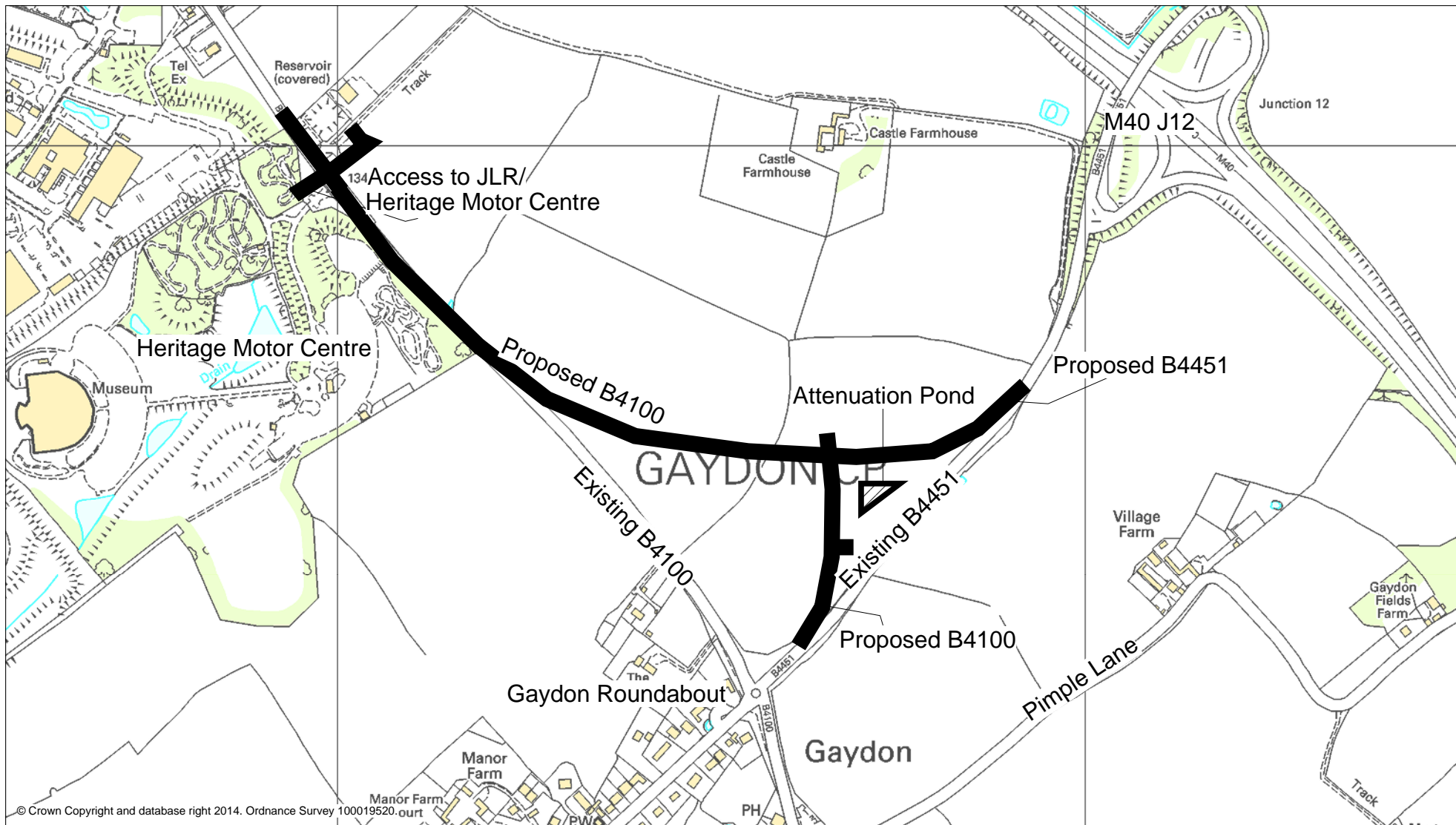
6.1 Submitted Planning Application – Planning reference SDC/13CC029

6.2 Appendix A – Map of site and location.

6.3 Appendix B – Planning Conditions.

	<b>Name</b>	<b>Contact Information</b>
Report Author	Mohammed Nasser	mohammednasser@warwickshire.gov.uk 01926 412193
Head of Service	Mark Ryder	markryder@warwickshire.gov.uk
Strategic Director	Monica Fogarty	monicafogarty@warwickshire.gov.uk
Portfolio Holder	Cllr Peter Butlin	cllrpeterbutlin@warwickshire.gov.uk





Scale: 1:7500

Ref No: SDC/13CC029

Drawn By: Mohammed Nasser

Regulatory Committee: 18th February 2014

## Proposed Dual Carriageway, Gaydon - B4100/B4451

Produced using Warwickshire Online Mapping Browser and Toolkit (WOMBAT) Corporate GIS.



Warwickshire County Council  
Shire Hall  
Warwick CV34 4SA  
Telephone: 01926 410410  
[www.warwickshire.gov.uk](http://www.warwickshire.gov.uk)

## Appendix B.

### Construction of a new dual carriageway north of the village of Gaydon between the B4100/Jaguar Land Rover Site and the B4451 (Gaydon Road).

**SDC/13CC029**

#### Planning Conditions.

1. The development hereby approved shall be commenced no later than 3 years from the date of this permission.

**Reason:** To comply with the provisions of section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with drawing numbers 9.2-B4451--029-059, 9.2-B4451--029-060, 9.2-B4451--029-042 Rev B, 9.2-B4451--029-063, 9.2-B4451--029-050, 9.2-B4451--029-019 Rev A, 9.2-B4451--029-036, 9.2-B4451--029-037, 9.2-B4451--029-038, 9.2-B4451--029-039, 9.2-B4451--029-040, 9.2-B4451--029-041, 9.2-B4451--029-053, 9.2-B4451--029-054, 9.2-B4451--029-056 and 9.2-B4451--029-057 submitted to the local planning authority on 4<sup>th</sup> November 2013, drawing numbers 9.2-B4451--029-076, 9.2-B4451--029-077, 9.2-B4451--029-078, 9.2-B4451--029-079, 9.2-B4451--029-080, 9.2-B4451--029-081 and 9.2-B4451--029-082 submitted to the local planning authority on 20<sup>th</sup> December 2013 and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

**Reason:** In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

3. The development hereby permitted shall not be commenced until a schedule of all boundary treatments, to be located around the sites boundaries have been submitted to and approved in writing by the County Planning Authority. These details shall include fencing design type and access gate type, materials, external colour, height and length and location. The development shall then be carried out in full in accordance with the said approved schedule prior to the sites first occupation.

**Reason:** In order to ensure the satisfactory appearance of the completed development.

4. The development hereby permitted shall not be commenced until a suitable landscaping scheme has been submitted to and approved in writing by the County Planning Authority. The submitted landscaping scheme shall include a planting plan showing existing trees to be retained along with new planting, written specifications, schedules of plants/trees noting plant/tree locations, species, sizes, proposed numbers and densities and to specify which construction phase each area of planting is to be undertaken within. Once approved, the scheme shall be implemented in accordance with the approved scheme.

**Reason:** To ensure the satisfactory appearance of the completed development.

5. The landscaping scheme approved subject to condition 4 of this consent shall be implemented in the first planting season following the first occupation of the site unless otherwise agreed in writing by the County Planning Authority. Should any plants/trees planted as part of the landscape scheme, die, are removed, become damaged or are seriously diseased within five years of the initial planting then they shall be replaced in the next planting season with others of a similar size and species.

**Reason:** To ensure the satisfactory appearance of the completed development.

6. The development hereby permitted shall not be commenced until a suitable street lighting scheme along the route of the carriageway has been submitted to and approved in writing by the County Planning Authority. Once approved the development shall then be carried out in full in accordance with the approved scheme and implemented before the carriageways first use.

**Reason:** To ensure the satisfactory appearance of the completed development and to aid highway safety.

7. The development hereby permitted shall not be commenced until a dust suppression scheme has been submitted to and approved in writing by the County Planning Authority. The scheme should specifically look at dust suppression in relation to the construction of the dual carriageway. Once approved the scheme shall be implemented in full at all times in accordance with the approved scheme.

**Reason:** To ensure that dust pollution does not detrimentally impact upon nearby residents and land uses.

8. The development hereby permitted shall not be commenced until a suitable Great Crested Newt mitigation scheme has been submitted to and approved in writing by the County Planning Authority. The scheme should provide details of habitat protection during construction works. Once approved the scheme shall be implemented in full at all times in accordance with the approved scheme.

**Reason:** To ensure that protected species are not adversely affected by the proposal and are afforded sufficient protection.

9. The development hereby permitted shall not be commenced until a suitable (Construction and Protected Species) Environmental Management Plan has been submitted to and approved in writing by the County Planning Authority. The management plan shall include measures to provide ecological mitigation and enhancements. Once approved the scheme shall be implemented in full at all times in accordance with the approved details.

**Reason:** To ensure that protected species are not adversely affected by the proposal and are afforded sufficient protection.

10. The development hereby permitted shall not be commenced until a scheme for the retention and relocation of an existing mile post, located along the B4451 between the M40 Junction 12 and the existing Gaydon Village roundabout, is submitted to and approved in writing by the County Planning Authority. Once approved the scheme shall be implemented in full prior to the carriageways first use.

**Reason:** To preserve items of historic interest in the locality.

11. The development hereby permitted shall not take place until a written scheme of investigation has been submitted to and approved in writing by the County Planning Authority. The written scheme of investigation shall outline the programme of archaeological works required on site and mitigation measures should items of archaeological interest be found. Once approved the scheme of works shall be implemented in full.

**Reason:** To preserve items of historic and archaeological interest in the locality.

12. The development hereby permitted shall not be commenced until a scheme for the maintenance of the Sustainable Urban Drainage Scheme (SUDS) has been submitted to and approved in writing by the County Planning Authority. Once approved the scheme shall be implemented in full in accordance with the approved details.

**Reason:** To ensure that the proposed carriageway is adequately drained and to reduce potential flood issues.

13. The approved Drainage Strategy as detailed within document titled 'Drainage Strategy Version 2.0' October 2013 prepared by Atkins and drawing number 9.2-B4451—029-050 shall be implemented in full prior to the carriageways first use.

**Reason:** To ensure that the proposed carriageway is adequately drained and to reduce potential flood issues.

- 14 The development hereby permitted shall not be commenced until a scheme for the retention of the existing redundant carriageways has been submitted to and approved in writing by the County Planning Authority. The scheme shall comprise full details of the relevant sections of the B4100 and B4451 which are to be prohibited to vehicle traffic as a result of the proposal, works required to these sections to enable use as a cycleway and measures to be used to stop vehicle traffic from entering prohibited sections of carriageway. Once approved, the scheme shall be implemented in full.

**Reason:** In order to define the exact details of the planning permission granted and to secure a satisfactory standard of development in the locality.

### **Development Plan Policies Relevant to the Decision.**

#### **Stratford-on-Avon District Council Adopted Local Plan (Saved Policies).**

**Policy PR.1 - Landscape and Settlement Character** - All development proposals should respect and, where possible, enhance the quality and character of the area.

Proposals that would damage or destroy features which contribute to the distinctiveness of the local area will not be permitted unless significant public benefit would arise from the scheme. The value attached to such features by local communities will be taken into account.

**Policy PR.7 – Flood Defence** – Seeks to resist development in areas at risk of flooding unless it can be demonstrated through a flood risk assessment that the type of development is appropriate to the level of flood risk associated with the location, there is no reasonable alternative to develop the use in a lower flood risk area, it would not reduce the capacity of the floodplain to store water or impede the flow of water in the floodplain and it would not exacerbate existing flooding problems in the locality or elsewhere.

**Policy PR.8 - Pollution Control** - Planning permission will not be granted for development which could give rise to air, noise, light or water pollution or soil contamination where the level of discharges or emissions is significant enough to cause harm to other land uses, health or the natural environment. The effectiveness of proposed mitigation measures will be fully taken into account.

**Policy EF.6 - Nature Conservation and Geology** - Features of nature conservation and geological value will be protected in the following ways:

- (a) not permitting development likely to destroy or damage, either directly or indirectly, a designated or proposed European site, or a Site of Special Scientific Interest (SSSI);
- (b) assessing development and land use change likely to have an adverse impact upon a site which is subject to a local ecological or geological designation, or is of substantive nature conservation or geological value, against the importance of the site and the extent to which that impact can be subject to mitigating or other compensatory measures; and
- (c) seeking to ensure the protection and long-term

management of features of significant ecological and/or geological importance such as wildlife corridors, links or stepping stones and fossil sites.

Where appropriate, the management of such features will be secured through the use of conditions and/or planning obligations.

In all cases, the scope for mitigation and compensatory measures will be thoroughly assessed and secured where appropriate to ensure that any adverse ecological or geological impact is minimised as far as possible.

**Policy DEV.1 - Layout and Design** - Development proposals will be required to have regard to the character and quality of the local area through the layout and design of new buildings and the extension or change of use of existing buildings.

The following principles will be taken into account in determining all planning applications:

- (a) the extent to which the characteristics that define the locality are shared by the proposals;
- (b) the manner in which the proposed development is integrated with the existing settlement in terms of physical form, patterns of movement and land uses;
- (c) the interrelationship between components making up the development, including buildings, landscaping, open space and access routes;
- (d) the effect of the development on the surrounding area in terms of its position, shape, size and height;
- (e) the provision of appropriate standards of amenity within the development and the extent to which the general amenity of adjoining properties is protected;
- (f) the extent to which important existing features on the site are retained or incorporated into the development;
- (g) the suitability of innovative design to the specific circumstances of the case; and
- (h) the use of materials and forms of detailing within the scheme.

Applications which fail to address adequately the above principles will not be permitted.

Applications should be accompanied by a statement which sets out how design issues have been taken into account in formulating the proposal.

**Policy DEV.2 - Landscaping** - The landscape aspects of a development proposal will be required to form an integral part of the overall design. A high standard of appropriate hard and soft landscape will be required. All proposals should ensure that:

- (a) important site features have been identified for retention through a detailed site survey;
- (b) the landscape character of the area is retained and, where possible, enhanced;
- (c) features of environmental, ecological, geological and archaeological significance are retained and protected and opportunities for enhancing these features are utilised;
- (d) opportunities for utilising sustainable drainage methods are incorporated;

(e) new planting comprises species which are of ecological value and appropriate to the area;

(f) in appropriate cases, there is sufficient provision for planting within and around the perimeter of the site to minimise visual intrusion on neighbouring uses or the countryside; and

(g) detailed arrangements are incorporated for the long-term management and maintenance of landscape features.

**Policy DEV.4 - Access** - New or improved access arrangements to serve development will be treated as an integral part of the overall layout and their design will be required to:

(a) ensure that the safety of all road users and pedestrians is not impaired;

(b) reflect the function of the access arrangements in the hierarchy of routes within the settlement and the character of the area;

(c) incorporate speed management measures which are appropriate to the function of the road and the development it serves;

(d) create a safe and attractive environment to promote walking and cycling;

(e) provide scope in appropriate circumstances for bus services to operate through or close to the development;

(f) allow for a range of possible uses in the detailed specification of carriageways, footways and verges;

(g) distribute vehicular traffic appropriately around the development and the wider area; (h) provide, where possible, a choice of vehicular and non-vehicular routes within the development and to connect to the wider area; and

(i) minimise impact on the landscape, existing properties and features of ecological and historic importance.

**Policy DEV.7 - Drainage** - All development proposals will be expected to incorporate sustainable drainage systems which provide for the disposal of surface water. Where this is not possible it will be necessary to demonstrate that an acceptable alternative means of surface water disposal is provided. The re-use and recycling of surface water and domestic waste water within the development will be encouraged.

**Policy COM.9 – Walking and Cycling** – All development proposals shall ensure that measures to incorporate facilities for cycling and walking which are safe, convenient to use and well linked are provided.

**Policy CTY.1 - Control over Development** - All forms of development in the countryside, other than those in accordance with provisions elsewhere in the Local Plan, will generally be resisted in order to preserve its character and to ensure that resources are protected.

Proposals for forms of development and activity in the countryside that are not covered elsewhere in the Plan will have to be fully justified and show that they would not be contrary to the overall strategy of the Plan and that their impact on the character of the area would not be harmful.

## **Reasons for the Grant of Planning Permission.**

This small section of link road is an essential part of the infrastructure works needed to resolve the safety problems on the M40 motorway caused by peak time congestion. This proposal would also greatly reduce peak time traffic congestion on the local highway network and allow the implementation of approved expansion schemes at the Jaguar Land Rover site thereby unlocking the economic potential of this nationally important site.

The new road would be built further away from the village of Gaydon thus reducing noise and traffic pollution impacts currently suffered by that settlement. The road itself would be set in an undulating landscape and would have only a limited visual impact which would be further reduced by new planting. The proposed lighting columns would, when in use, have a far greater visual impact than the road. This is regrettable however lighting is required to make the road safe and thus forms an integral and essential part of the scheme.

In view of this fact it is concluded that the overall highway safety and economic development benefits of the scheme are considerable and outweigh the negative visual impact which will result from the lighting of the scheme.

## **Compliance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012.**

In considering this application the County Council has complied with paragraphs 186 and 187 contained in the National Planning Policy Framework.