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| Planning Committee Report | |
| Planning Ref: | FUL/2019/2671 |
| Site: | Land to North and South of A45 |
| Ward: | Bablake |
| Proposal: | Construction of grade separated junction with associated access roads, landscaping, drainage and engineering works |
| Case Officer: | Nigel Smith |

SUMMARY

The development of the northern section of this grade separated junction in the Green Belt would constitute appropriate development as local transport infrastructure requiring a Green Belt location. This issue was discussed and considered in some detail at Local Plan site allocation stage.

Whilst it may be preferable to deal with the junction and wider development together, it is not considered essential to do so. The principle of development of the wider SUE has been established by its allocation in the Local Plan, and there is no risk that the junction would be built without any accompanying development.

The design of the junction is considered to be safe and the proposal would not have a significant adverse impact upon highway safety, residential amenity, ecology, flood risk or heritage assets.

BACKGROUND

The proposal comprises a new grade separated junction on the A45 which will provide a primary access road for the Eastern Green Sustainable Urban Extension (SUE) development (as allocated in the local plan (policy reference H2:2), as well as the first parts of the primary road network within the site. The application is submitted now in order to help facilitate an infrastructure led development that is supported by a grant from the National Housing Infrastructure Fund. This proposal will thereby enable the early delivery of the SUE.

This application does not seek approval for any built development. It seeks only operational development to deliver the A45 junction and other access and road infrastructure, as well as associated drainage works and landscaping.

KEY FACTS

| | |
|--|---|
| Reason for report to committee: | Representations from 5 or more people, contrary to officer recommendation |
| Current use of site: | Agricultural |
| Proposed use of site: | Road junction |

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions.

REASON FOR DECISION

- The proposal is acceptable in principle.

- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours; result in flooding; adversely affect heritage assets; or adversely affect ecology.
- The proposal makes provision for necessary developer contributions.
- The proposal accords with Policies: DS3, DS4, H2, GB1, GE3, GE4, DE1, HE2, AC1, AC2, AC4, AC5, EM4, EM5, EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The proposal comprises a new grade separated junction on the A45 which will provide a primary access road for the Eastern Green SUE development, as well as the first parts of the primary road network within the site. The application is submitted now in order to support infrastructure led development and help facilitate a HIF grant for the proposed new junction works, thereby enabling the early delivery of the SUE.

This application does not seek approval for any built development. It seeks only operational development to deliver the A45 junction and other access and road infrastructure, as well as associated drainage works and landscaping.

The proposed highway works for the new junction and primary access road comprises:

- A45 Westbound: a slip road from the A45 leading to a roundabout with three exits, the first two provide access east and south into the site and the third connects back on to the westbound A45;
- A45 Eastbound: a slip road from the A45 leading to a roundabout with two exits, the first loops to the east and south and provides an access into the site via a bridge over the A45, the second connects back on to the eastbound A45. The eastbound loop also provides a pedestrian / cycle link to Brick Hill Lane which runs north of the A45;
- Primary access road: the proposed road will connect from the grade-separated junction over the Pickford Brook and begin to loop through the site with secondary access roads provided which head north and east.

The proposal includes landscaping proposals including extensive planting of trees and shrubs on embankments leading down from the proposed road junction. Sustainable drainage features in the form of attenuation ponds are also proposed to attenuate surface water flows to Greenfield rates.

SITE DESCRIPTION

The application site forms part of the Eastern Green SUE and comprises 22.10ha of land which extends in a south-easterly direction from the A45 towards the centre of the main SUE site. The application site boundaries have been drawn around the proposed new grade separated junction on the A45, around Brick Hill Lane and Pickford Green Lane, and the first parts of the primary access road and secondary road links.

The site is in agricultural use and includes groups of trees and hedgerows. Pickford Brook winds its way from the north west of the site through to the south east and electricity cables cross the site from south west to north east.

There are two existing public right of ways (PROWs) which run from north to south across the A45. The PROW to the west crosses the A45 at Pickford Green Lane whereas the PROW to the east crosses the A45 and runs through the centre of the Eastern Green SUE.

The majority of the site has been removed from the Green Belt through the allocation of the Eastern Green SUE in the adopted Local Plan. However, land north of the A45 remains in the Green Belt.

PLANNING HISTORY

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

| Application Number | Description of Development | Decision and Date |
|--------------------|---|-------------------|
| OUT/2018/3225 | Residential led development of up to 2400 dwellings, Including 'extra-care' accommodation; new vehicular access from the A45 and via Pickford Green Lane, with other non-vehicular access points; 15ha of employment land (B1, B2 and B8); a District Centre of approximately 10,000 sq.m. retail space; a Local Centre of approx. 1000 sq.m. local convenience retail plus other community facilities; provision of a Primary School; open spaces, substantial landscaping, green infrastructure and sports provision; earthworks including the provision of new drainage features; and associated demolition and groundworks. | Pending |

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

The National Planning Practice Guidance (NPPG) adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy DS4: (Part A) – General Masterplan Principles

Policy DS4: (Part D) – Eastern Green SUE specific masterplan principles

Policy H2: Housing Allocations

Policy GB1: Green Belt and Local Green Space

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy DE1: Ensuring High Quality Design

Policy HE2: Conservation and Heritage Assets

Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC4: Walking and Cycling
Policy AC5: Buses and rapid transit
Policy EM4 Flood Risk Management
Policy EM5 Sustainable Drainage Systems (SuDS)
Policy EM7 Air Quality
Policy IM1 Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City
SPD Coventry Connected

CONSULTATION

No Objections received from:

- National Grid
- British Telecom
- Historic England
- West Midlands Fire Service
- Coventry Airport
- Conservation (CCC)

No objections subject to conditions have been received from:

- Tree officer (CCC)
- Ecology (CCC)
- Archaeology (CCC)
- Drainage (CCC)
- Highways England
- Environmental Protection (CCC)
- Highways (CCC)

Objections have been received from:

- Allesley Parish Council

Immediate neighbours and local councillors have been notified; Site and press notices have been posted.

78 letters of objection have been received, raising the following material planning considerations:

- a) The slip road to Brick Hill Lane should be removed from the plans as Brick Hill Lane is very narrow and would not cope with the extra traffic. It would be dangerous for all road users.
- b) Brick Hill Lane access should be restricted to pedestrians / cyclists / horses
- c) It makes no sense to determine the access without the development it will serve. The junction may not cater for the required flows. The predicted flows look low. It should not be considered prematurely just because of a funding deadline. Why grant permission for a road to nowhere?
- d) Adverse impact upon noise / air quality / light pollution
- e) Adverse impact upon wildlife / loss of trees and hedgerows

- f) Inappropriate development in Green Belt / Meriden gap
- g) Loss of outlook for adjacent houses
- h) Disruption / pollution during construction
- i) No provision for bus stops for X1 service along A45
- j) Removal of footpath to south side of A45
- k) Increased flood risk from extra building in flood plain / inadequate FRA
- l) Alternative junction designs may be possible with less impact upon Green Belt. Option 3 appears to have been dismissed due to the applicant not controlling all of the land.
- m) Landscaping should be as mature as possible when planted to aid screening of the road
- n) The junction has not been designed with cycle safety in mind
- o) The junction would be unsafe / would not meet national standards. The queues on the slip road will extend on A45. Access to Landrover garage will be difficult. The distance between the westbound on slip and the B4104 to Meriden would be inadequate. The radius would be too tight on the bend before the eastbound on slip, which leads to an unnecessary roundabout. The on slips are too short.
- p) Impact on rights of way
- q) Impact on locally listed Blythe House
- r) Impact on archaeology
- s) Harm to character of area

Within the letters received the following non-material planning considerations in respect of this application were raised, these cannot be given due consideration in the planning process:

- t) Objections to principle of housing / development on wider SUE site
- u) Traffic impact of development on wider SUE site upon existing road network
- v) Impact of wider development of SUE upon services such as schools, GP's etc

Cllr Williams objects due to concerns regarding: impact on the outlook of houses next to the junction; the design of the junction; the inclusion of a spur road into Brick Hill Lane.

Cllr Birdi objects due to concerns regarding traffic on surrounding roads and noise for neighbouring residents.

Further consultation letters and site and press notices were posted following receipt of amended plans. Following this a further 34 objections have been received, with the following additional material planning considerations:

- w) Why not expand the A45 at the same time to cope with the traffic
- x) The foot / cycle path to Brick Hill Lane should be bollarded to prevent unauthorised vehicular access
- y) The cross sections should go up to the western boundary of the SUE to envisage impact upon the area / residents
- z) Landscaping details should be provided / should be denser and planted as mature
- aa) Lighting details should be provided
- bb) Why has exploration of light rail link through this junction not been considered
- cc) The capacity of the A45 has been assessed as an 'urban road', but the A45 is not urban at this point
- dd) HS2 traffic should be included in the traffic assessments
- ee) Impact upon badgers

- ff) The road should angle away from 1 Brickhill Lane and compensation should be payable to affected homeowners

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area and heritage assets, the impact upon neighbouring amenity, highway considerations, flood risk, noise, contaminated land, air quality, ecology and contributions.

Principle of development

Green Belt

The portion of the site to the north of A45 remains within the Green Belt. As such it is necessary to consider whether the development of a grade separated junction in this location constitutes appropriate development or not.

Policy GB1 states that “Inappropriate development will not be permitted in the Coventry Green Belt unless very special circumstances exist. Development proposals, including those involving previously developed land and buildings, in the Green Belt will be assessed in relation to the relevant national planning policy”.

Paragraph 146 of the NPPF explains that some forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. One of these is the provision of local transport infrastructure which can demonstrate a requirement for a Green Belt location.

Policy H2:2 of the Local Plan requires a new grade separated junction from the A45 to provide primary site access to the Eastern Green SUE. Furthermore, the commentary to Policy H2 states that, “Having regard to national policy alongside the essential requirements outlined in Policy H2, the Master planning principles outlined in policy DS4 and the proposed Green Belt boundaries in policy GB1 the following sites will require local transport infrastructure that clearly demonstrates a requirement for a Green Belt location...Eastern Green SUE – the new junction from the A45 will require land to the north of the A45 to ensure traffic flows on the road are not compromised”.

This issue was discussed and considered in some detail at Local Plan site allocation stage, hence the clear statement in the commentary to Policy H2. Furthermore, the junction has been designed in a way that will reduce its impact on the surrounding area, helping to preserve the openness of the wider Green Belt whilst not conflicting with the purposes of including land within it. For example, the scale and size of the junction has been carefully considered to help reduce its impact on the wider area, whilst a comprehensive landscaping scheme supports the proposals to help soften its appearance within the environment. In terms of the purpose of land being included in the Greenbelt in this location, this will also not be compromised by this proposal. The clear and defensible boundary to the Green Belt in this location is the A45. Notwithstanding, there is already existing development within the Green Belt to the north, including homes, agricultural premises and other highway junctions for the A45 and local roads. All largely benefit from supporting landscaping to help soften their impact on the surrounding area. This junction would be no different and would not constitute a need to review the Green

Belt boundaries or weaken the defensible nature of the existing boundary along the main A45.

Therefore it is concluded that the development of the northern section of this grade separated junction in the Green Belt would constitute appropriate development as local transport infrastructure requiring a Green Belt location.

Considering the junction on its own

Many objections have been received to the consideration of the junction as a standalone application, separate from consideration of the development within the SUE. Whilst it may be preferable to deal with both matters together, it is not considered essential to do so. The principle of development of the wider SUE has been established by its allocation in the Local Plan, and there is no risk that the junction would be built without any accompanying development at some point in the future, subject to appropriate development proposals agreed through the planning process (including matters of design and infrastructure etc).

Furthermore, and focusing specifically on the capacity of the proposed junction, granting permission for the junction does not mean that the existing application for the wider SUE must automatically be granted. Whilst the junction has to accommodate flows from the allocated site development (ie. 2250 houses plus other uses) any proposal for increased development over and above that allocated in the Local Plan would have to be assessed for its impact upon the road network, as part of that application.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

The Highway Authority has fully reviewed and assessed all the necessary documentation and design drawings in relation to this application.

Operational Considerations

All the proposed junction elements have been correctly assessed using industry standard software - Junctions 9, using the baseline traffic flow output from the Coventry Area Strategic Model (CASM) model. The baseline traffic flow that has been utilised is deemed acceptable and robust in predicting the level of vehicles that will travel through the junction. This traffic flow data is robust as it does not take into consideration any modal shift to alternative modes of travel and is based on all modes being by a motorised form. The Junctions 9 models are all built correctly based upon the geometric designs and constraints.

In order to interpret the results of the capacity assessment, it should be understood that, for un-signalised roundabouts, generally a Ratio of Flow to Capacity (RFC) of below 0.85 indicates that a junction operates within capacity for the assessed flows. An RFC between 0.85 and 0.99 indicates that a junction is approaching theoretical capacity and queues and delay may start to occur. An RFC above 1.00 indicates that a junction has exceeded theoretical capacity. Above an RFC of 1.00 the model will show that queues and delay will increase exponentially and may not be representative of on-street performance.

In reviewing the capacity assessments presented to demonstrate that all the proposed junction elements operate within capacity for the assessed flows the outcomes are that all the proposed junction elements are shown to operate within RFC value equal to or below 0.85. There was only one junction element whereby the RFC equalled 0.85, which is the internal roundabout on ARM A in the PM Peak Period 17.00 to 18:00, see below on Figure 1:

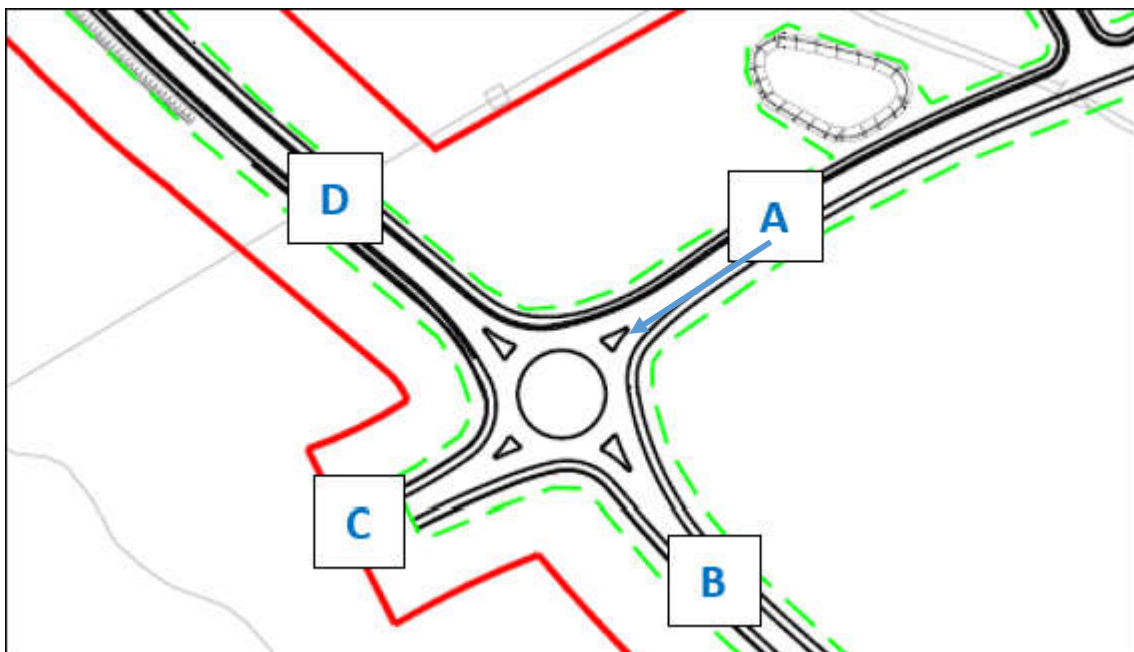


Figure 1

Notwithstanding this RFC value of 0.85, the resultant queue was only 6 passenger car unit (pcu) and does not raise any detrimental highway implications on the overall operation of the junction. This is because all of the other junction elements resulted with RFC values ranging from 0.02 to 0.49, which are way below the RFC value of 0.85 whereby capacity issues may be experienced.

On the basis of the above the Highway Authority is satisfied that the junction operation is acceptable and raises no reason for objection.

Design Considerations

As designed the junction will result in the construction of new grade separated junction with associated slip roads and roundabout junction elements. This reflects the principle identified within the Local Plan (policy DS4 and H2) and responds to the importance of maintaining traffic flow in the A45. To test the most appropriate form of the junction a

number of options were considered to ensure the most appropriate and sustainable solution was taken forward. This included looking at moving the location of the junction, the length and orientation of slip roads and impacts on trees and hedgerows etc.

It is the Highway Authority's consideration that the design parameters for this junction should be based upon an Urban Road classification. In formulating this position, the Highway Authority is recommending that under their powers as the Highway Authority for the A45, at this location, to review the existing speed limit of 60 mph with the intention of lowering it to 50mph. It is on this basis the design of the junction has been assessed with the understanding that the costs associated with the installation of the necessary infrastructure and all associated legal costs in implementing the changes to the traffic regulation order will be funded through the HIF.

In reviewing the design elements of the junction, it has been recognised by the design team that a number of departures from the (Design Manual for Roads and Bridges) DMRB standards are required. This is standard practice whereby site constraints cannot be overcome in order to meet with the full design requirements. A departures report has been produced and considered by the Highway Authority and as a consequence the following departures from standards have been accepted by the Highway Authority: -

Departure 1 – A45 Westbound diverge weaving distance between junctions.

The location of the new westbound diverge lane is such that it will fall below the minimum stated length measured to an existing merge lane from the Windmill Hotel and a private dwelling access.

This is a departure from the Design Manual for Roads and Bridges CD122 Section 4.

Departure 2 – A45 Westbound merge weaving distance between junctions

The location of the new westbound merge is such that it will fall below the minimum stated length measured to an existing diverge lane for Pickford Green Lane and the Guy Salmon Land Rover car dealership.

This is a departure from the Design Manual for Roads and Bridges CD122 Section 4.

Departure 3 – A45 Eastbound diverge weaving distance between junctions

The location of the new eastbound diverge is such that it will fall below the minimum stated length measured to an existing simply priority junction for Oak Lane.

This is a departure from the Design Manual for Roads and Bridges CD122 Section 4.

Each of these departures have been accepted by the Highway Authority based on the required speed limit reduction from 60mph to 50mph.

As part of the design process and review an Independent Stage 1 Road Safety Audit (RSA) was undertaken and that raised a total of three potential road safety problems, which are summarised below:

Problem 1 - Length of Acceleration Lane (Merge Taper) – this related to the eastbound on slip, travelling towards Coventry City centre.

Problem 2 - Inter-visibility at Give Way – this related to proposed access link onto Brick Hill Lane

Problem 3 - Queuing onto A45 – this related to the roundabout directly off the westbound off slip, travelling towards Solihull/Birmingham.

Under RSA procedures the Designer responded to the problems raised by the RSA Audit Team. The Highway Authority, in its role as Project Sponsor under the RSA process, has reviewed the RSA and Designer's Response and is satisfied in the resulting actions outlined to mitigate against the three potential road safety problems. These being:-

Problem 1 – the reduction of the speed limit from 60mph to 50mph

Problem 2 – the design has been amended such that the access to Brick Kiln Lane is now only for cyclists and pedestrians.

Problem 3 – the modelling demonstrates that there will be no queueing on this element of the junction.

As part of the design it is proposed to prohibit vehicles from travelling onto the A45 from Brick Hill Lane and Pickford Green Lane which is accepted by the Highway Authority. The necessary legal procedures will need to be followed and completed before the junction is open to all traffic.

Walking/Cycling

Policy AC4 states that, "Development proposals should incorporate appropriate safe and convenient access to walking and cycling routes. Where these links do not exist, new and upgraded routes will be required and these must appropriately link into established networks to ensure that routes are continuous. The expected type of provision will depend on the scale, use and location of the site. For larger developments, financial contributions may be required to support improved pedestrian and /or cycling routes on the wider network".

The application as proposed does have impacts on existing Public Rights of Way (PRoW) and therefore mitigation is required. Any proposed diversions of public footpaths will need to be applied for under different legislation.

The design has been revised and amended to ensure that proposed walking and cycling access is acceptable to the Highway Authority. A route is proposed to link the existing PRoW's alongside Pickford Brook, as well as a safe and convenient pedestrian / cycle route across the A45 on the new bridge (which currently does not exist in this location). A pedestrian / cycle link is also proposed to Brick Hill Lane from the new junction, as is a route down to Pickford Green Lane. Conditions are recommended to secure full details and implementation.

Buses

Policy AC5 states that, "New major development proposals should have safe and convenient access to the existing bus network and comply with the TfWM access standards. In areas where this is not achieved, new development may be required to include the provision of appropriate bus infrastructure to enable

services to be fully integrated into the development site. The level of need and expected provision will be determined through Transport Assessments and Travel Plans”.

The proposal would result in an existing bus stop on the northern carriageway of the A45, adjacent to Brick Hill Lane, being moved. A condition is required to secure details of exactly where this piece of infrastructure will be relocated.

Flood Risk/Drainage

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met.

The proposed junction crosses a watercourse known as Pickford Brook on three occasions, two to the north of the A45 and once to the south. Land immediately to the side of the watercourse is identified as flood zone 3. Therefore, the impact of the junction upon flood risk is a material consideration.

Initially, the Environment Agency raised concerns with regard to the details submitted in support of the application as well as the proposed culverting of the watercourse under the proposed road. Following this, discussions have taken place and the culverts will be replaced by clear span bridges and compensation for loss of flood plain provided. Compensation means identifying alternative land within the application site which can be used as flood plain. Indicative details of both bridges and flood plain compensation have been provided and are acceptable to the Environment Agency, subject to conditions requiring final design detail.

Aside from flood risk, the development needs to ensure that it manages surface water to ensure that the flow rate from the site is no greater than the existing Greenfield site. A conceptual sustainable drainage strategy has been produced, including open air attenuation basins. The drainage team are now satisfied with the development, subject to a condition that full details are submitted and approved.

Impact on residential amenity

The proposal would have most impact upon 1 Brick Hill Lane, which is a detached dwelling situated to the north of the A45, immediately opposite the proposed junction as it rises up to cross the A45. The affected dwelling has its front elevation facing towards the embankment, which has its base 24m from windows in the front elevation of the dwelling. The top of the embankment would be circa 6.5m high at this point and 42m from the affected windows. Whilst the structure would undoubtedly adversely affect the view from this property, it would not result in significant harm to its outlook. It is important to distinguish between the two, as the view from a private property is not a material consideration for a planning application. In order for there to be a significant adverse impact upon outlook, a proposal would have to result in a property feeling ‘hemmed in’ such as when the side of a new dwelling is constructed immediately at the end of a rear garden of another. By way of comparison, such a relationship (side of one house to the rear of another) is permitted at a distance of 12m by the Council’s guidance. In this case, the landscaped bund, which would support the new road, would commence at a distance

of 24m from the front elevation of 1 Brick Hill Lane and would be over 40m away by the time it reached circa 6.5m in height. This relationship would be acceptable in terms of its impact upon the outlook from this property.

There was a concern that the new road would result in increased traffic noise to occupiers of 1 Brick Hill Lane in particular. Therefore a study has been carried out to establish how much extra noise, if any, would result from the development. The outcome is that there would be an increase of 2dB in noise level, which is below the level of discernible change. Therefore, Environmental Protection are satisfied that the increase in noise level would be acceptable.

Noise and some disturbance during construction is inevitable with a project of this size, therefore a condition is proposed for a construction method statement to deal with issues such as construction hours, parking of construction traffic and management of piles of dust / dirt etc.

Heritage character of the area and Heritage Assets

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail. The nearest above ground heritage asset is the locally listed Blythe House, which is positioned to the east of Pickford Green Lane, to the south west of the proposed junction. However, due to the distance between the junction and the building (around 80m at its closest point), it is accepted that the impact upon this asset would be low and the conservation officer raises no objection to the scheme.

In terms of archaeology, the archaeology officer has raised no objection to the scheme, subject to a condition to secure a programme of archaeological works. A survey in 2009, as part of the Coventry Historic Environment project, recorded ridge and furrow across the entire area of the Pickford House site. In addition, the HER records possible Roman ceramic building material and post medieval pottery near Pickford Grange Farm, and there is a possible moated site adjacent to the A45 close to where the junction is proposed. Whilst none of these specific locations fall within the red line of this application, they are in close proximity and suggest the land covered by this application could have some archaeological value. Therefore, a programme of trenching is required, details of which have been agreed between the relevant consultant and CCC archaeology.

Air quality

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality. However, as the proposal does not seek permission for any traffic generating uses (it is simply a junction leading to fields) it would not result in any increase in air pollution. The issue of air pollution arising due to increase trips on the network will be dealt with under the main outline application.

Ecology / Trees

Policy GE3 of the Local Plan states that Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced.

Policy GE4 seeks to retain important landscape trees.

A total of four tree groups (two category A, one category B and one category C) were recorded along the southern side of A45, within the application site boundary. Three individual trees were recorded to the northern side of A45 within the site boundary (Category B Sycamore, Ash and Oak) as well as two Category C hedgerows. A single group of Category B Ash trees was also recorded to the south of A45 within the application site.

The three individual trees to the north of A45 plus most of the hedgerow would be removed to make way for the junction. As would most of three tree groups and a hedgerow to the south of the existing highway. Such removal is, unfortunately, unavoidable in this location due to the presence of extensive hedgerow and tree planting along this section of the A45. Such impacts were considered through the options testing for the junction, but some impact was deemed necessary in all cases.

To compensate for this loss, a detailed landscape planting scheme has been proposed, with native structural planting (trees) supplemented by native shrub planting, extra heavy standard street trees, bulbs and various seed mixes.

The tree officer concurs that the trees are required to be removed to make way for the junction, and considers that the proposed landscape planting scheme would furnish the area and entrance with an attractive mixture of native and decorative tree and shrub species. A landscape maintenance schedule will be required by condition, as well as detailed tree and hedgerow protection details.

Turning to ecological matters, the current site is largely agricultural and as identified above, has an extensive hedgerow and tree belt along the A45. No statutory wildlife sites will be affected by the scheme, but bats, great crested newts, badgers and other wildlife have all been recorded within or very close to the site. An ecological appraisal has been submitted with the application along with the proposed landscape strategy.

The scheme originally proposed three culverts for the Pickford Brook under the new road. That has been amended to clear span bridges, which is a positive development from an ecological perspective, as it allows the watercourse to continue on its gentle more naturalistic course, without being forced into a pipe. Ecology would also like to see routes for species to be able to travel under the road to the south of the A45 in order to link habitats. A condition is recommended to secure this, along with a Construction and Environmental Management Plan to protect species during construction and a Landscape and Ecological Management Plan to ensure any created habitat is looked after effectively.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, heritage assets, flood risk or ecology, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, DS4, H2, GB1, GE3, GE4, DE1, HE2, AC1, AC2, AC4, AC5, EM4, EM5, EM7 and IM1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS:/REASON

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

Reason: *To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)*

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 10290 PB 01 J - HIF planning boundary; 6285 L 100 A - location plan; 6285 L 101D; 6285 L 102D; 6285 L 103D; 6285 L 104D; 6285 L 105D; 6285 L 106D; 6285 L 107D; 6285 L 108D; 6285 L 109D - landscape strategy plans; 10290 CS 01 A - cross sections; 10290 HL 40 G - general arrangement sheet 1; 10290 HL 41 G - general arrangement sheet 2; 10290 PK 100 C - surface finish sheet 1; 10290 PK 101 C - surface finish sheet 2; 10290 HL 45 - westbound visibility check

Reason: *For the avoidance of doubt and in the interests of proper planning*

3. No development (including any demolition or preparatory works) shall take place unless and until a written scheme of archaeological investigation, which shall include a detailed programme of archaeological works, has been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in full accordance with these approved details

Reason: *The submission of these details prior to the commencement of development is fundamental to mitigate the effect of the works associated with the development upon any heritage assets and to ensure that information regarding these heritage assets is preserved by record for this and future generations in accordance with Policy HE2 of the Coventry Local Plan 2016*

4. Before any development commences on site (including any demolition, site clearance or other preparatory works) the following shall be submitted to and approved in writing by the Local Planning Authority:
- a) a Dimensioned Tree and Hedgerow Protection Plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1), site monitoring (6.3) of British Standard BS5837:2012 - Trees in relation to design demolition and construction - Recommendations. The plan shall include an active site monitoring sheet for the sign offs of tree pen construction and take-down, prior to site activity taking place, and again following physical build phase; and
 - b) Specialist survey methodology (SSM) veteran tree survey and management plan, levels 1-6.
 - c) A landscape maintenance schedule to confirm water maintenance visits and duration, plus the phase at which the final removal of tree stakes and tree ties will take place.
- The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work. The measures contained within the approved management plan and maintenance schedule will be implemented in accordance with the approved details.

Reason: *To protect those trees which are of significant amenity value to the Conservation Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3, GE4 and HE2 of the Coventry Local Plan 2016.*

5. The existing hedges indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge(s) falls below 2m at any point. Any hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes; in the opinion of the Local Planning Authority; seriously damaged or defective, shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the Local Planning Authority. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

Reason: *To protect those landscape features which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policies GE3, GE4 and HE2 of the Coventry Local Plan 2016.*

6. The trees and shrubs indicated on the approved landscape strategy drawings shall be planted within the first planting season following first use of the road. Any tree(s) or shrub(s) removed, dying, or becoming; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in

accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.*

7. Within one month of vehicular use of the grade separated junction commencing, the footpaths and cyclepaths indicated on drawing numbers 40G and 41G shall be completed, in accordance with the details approved under condition 18 of this consent, and open for use by the general public.
8. Notwithstanding the submitted details, prior to the occupation of the development hereby permitted the following drainage details shall be submitted to and approved in writing by the Local Planning Authority:
 - a) A scheme for the provision of surface water drainage, fully incorporating open air suds with particular emphasis on attenuation techniques. surface water attenuation shall be located outside the flood plain;
 - b) development discharge rates to be managed to Qbar greenfield rates minus 20%;
 - c) provisions must be made for the drainage of the site to ensure there are no temporary increases in flood risk, on or off site, during the construction phase;
 - d) evidence to show the management of overland flow routes in the event of exceedance or blockage of the drainage system;
 - e) provisions must be made for the drainage of the site to ensure there is no discharge of surface water to the existing Public Highway;
 - f) where new or redevelopment site levels result in the severance, diversion or the reception of natural or engineered drainage flow, the developer shall maintain existing flow routes (where there are no flood risk or safety implications) or intercept these flows and discharge these by a method approved by the Local Planning Authority;
 - g) where an attenuation structure is located adjacent to Public Highway boundary, the applicant should demonstrate the structural adequacy of the attenuation structure to safeguard Public Highway;
 - h) the drainage strategy should not result in top water levels of attenuation structures being above the natural ground level and must achieve a 300mm freeboard, in relation to this existing ground level, at the 1 in 100 year plus climate change event; and
 - i) A detailed strategy for the long-term maintenance of the suds and other surface water drainage systems on site.The drainage details shall be installed in full accordance with the approved documentation prior to occupation of the development and thereafter shall be maintained and shall not be removed or altered in any way.

Reason: *To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with policies EM1, EM4 and EM5 of the Coventry Local Plan 2016 and Coventry City Council's adopted Supplementary*

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9. In the event that contamination or unusual ground conditions are encountered during the development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared for submission to and approval in writing of the Local Planning Authority. Following completion of the measures identified within the approved remediation scheme, a verification report must be prepared for submission to and approval of the Local Planning Authority.

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

10. No development (including any demolition or preparatory works) shall commence unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include the following:
- (a) a risk assessment of potentially damaging construction activities;
 - (b) identification of biodiversity protection zones (e.g. buffers to trees and hedges or to protected wildlife habitat);
 - (c) practical measures (both physical measures and sensitive working practices, such as protective fencing, exclusion barriers and warning signs) to avoid or reduce impacts during construction (particularly in relation to works within canopy and root protection areas for hedgerows or protected trees);
 - (d) the location and timing of sensitive works to avoid harm to biodiversity features (in relation to breeding birds in particular);
 - (e) the times during construction when specialist ecologists need to be present on site to oversee works (as required);
 - (f) responsible persons and lines of communication; and
 - (g) the role and responsibilities on site of an Ecological Clerk of Works (ECoW) or similarly competent person (as necessary).
- The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: *In order to safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016.*

11. Prior to the first use of the highway hereby permitted a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. 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, including mitigation and enhancement for species identified on site;
 - d) Appropriate management option 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 ten-year period);

g) Details of the body or organisation responsible for implementation of the plan, along with funding mechanism(s) for that body or organisation;

h) Ongoing monitoring and remedial measures, including where monitoring shows that conservation aims and objectives of the LEMP are not being met.

The LEMP plan shall be implemented in strict accordance with the approved details within three months of the first occupation of the development and thereafter shall not be withdrawn or amended in any way.

Reason: *In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016*

12. Prior to commencement of development to the south of the A45, details of road crossing points for species, including great crested newts, shall be submitted to and approved in writing by the local planning authority. The details shall include the timing of works. The works shall be implemented in accordance with the approved details.

Reason: *In order to safeguard and enhance habitat on or adjacent to the site in order to secure an overall biodiversity gain in accordance with Policy GE3 of the Coventry Local Plan 2016*

13. No development shall take place unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include details of:
- hours of work;
 - hours of deliveries to the site;
 - the parking of vehicles of site operatives and visitors during the demolition/construction phase;
 - construction traffic routes and the delivery access point;
 - the loading and unloading of plant and materials;
 - anticipated size and frequency of vehicles moving to/from the site;
 - the storage of plant and materials used in constructing the development;
 - the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
 - wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
 - measures to control the emission of dust and dirt during demolition and construction;
 - measures to control the presence of asbestos;
 - measures to minimise noise disturbance to neighbouring properties during demolition and construction;
 - details of any piling together with details of how any associated vibration will be monitored and controlled; and
 - a scheme for recycling / disposing of waste resulting from demolition and construction works.
- Thereafter, the approved details within the CMP shall be strictly adhered to

throughout the construction period and shall not be amended in any way.

Reason: *The agreement of a Construction Management Plan prior to the commencement of development is fundamental to ensure a satisfactory level of environmental protection; to minimise disturbance to local residents and in the interests of highway safety during the construction process in accordance with Policies [EM7], AC1 and AC2 of the Coventry Local Plan 2016.*

14. Prior to commencement of the watercourse crossings, plans shall be submitted to, and approved in writing by the Local Planning Authority for the watercourse crossings. These designs must show the bridges are clear spanning from bank top to bank top and have soffit levels at least 600mm above the 1 in 100 year plus climate change flood level. Bridge crossings shall be constructed in accordance with the plans submitted to and approved in writing by the Local Planning Authority.

Reason: *To reduce the risk of flooding to the proposed development and future occupants by ensuring flood flows are not obstructed in an extreme event.*

15. A scheme for floodplain compensation must be submitted to, and approved in writing by, the local planning authority for any ground raising within the 1 in 100 year plus climate change extent. Floodplain compensation must be provided on a “level for level” and “volume for volume” basis within the boundary of the application site. The compensation area must be hydraulically connected to the watercourse which the site floods from and adhere to the following design principles:
 1. The equal (or larger) volume must apply at all levels between the lowest point on the site and the 1 in 100 year plus climate change flood level. This must be calculated by comparing volumes taken by the development and the volume offered by the compensatory storage for a number of horizontal slices starting from the 1 in 100 year plus climate change critical flood level down to the existing ground level.
 2. The thickness of a slice must be 0.2 metres.
 3. Compensatory storage must be provided equal to or exceeding the development for each of these slices.
 4. Details of the floodplain compensation scheme including plans and calculations must be provided as part of a site specific flood risk assessment. The calculations must include the upper and lower levels over which the compensation works will apply, the slice thickness to be used and the location of the works.
 5. Floodplain compensation scheme information should be detailed in a table and on drawings. The 200mm slices shall be shown on a detailed plans and cross section drawing/s, of existing and proposed ground levels (please ensure drawing scales are appropriate to show the slices on all drawings).
Prior to the commencement of any level raising within the flood plain, flood

compensation works must be completed in accordance with the designs submitted to and approved in writing by the Local Planning Authority. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: *To ensure there is no net loss in floodplain storage capacity within the site and to ensure there is no increase in flood risk to third parties*

16. Prior to use of the junction hereby approved, the existing bus stop / layby on the northern carriageway of the A45 shall be relocated in accordance with details to be submitted and approved in writing by the local planning authority.

Reason: *To ensure access to public transport in accordance with Policy AC5 of the Coventry Local Plan 2016.*

17. Prior to commencement of development, full engineering drawings of the: (i) carriageway; (ii) footpaths; and (iii) cycleways shall be submitted to and approved in writing by the local planning authority. The works shall be carried out in accordance with the approved details.

Reason: *To ensure a satisfactory standard of development and to ensure highway safety, in accordance with Policies AC2 and AC4 of the Coventry Local Plan 2016.*