

Council

25 July 2019

Addition of three Developer-Funded Schemes to the 2019/2020 Capital Programme

Recommendation

That Council gives approval to the addition of the following three schemes to the Capital Programme for 2019/2020:

- A3400 Shipston Road, Stratford-upon-Avon. Developer – St Modwen Developments Ltd. Approximate value £2.5 million
- A426 Rugby Road / B4429 Ashlawn Road, Rugby. Developer – David Wilson Homes. Approximate value £2.3 million
- C43 Gallows Hill, Warwick. Developers – L&Q Estates, Galliford Try Partnership and Warwick District Council. Approximate value £3.5 million

Please note that the appendices referred to in this report are available on the website and in the Group Rooms.

1.0 Key Issues

- 1.1 These schemes will be fully funded by developer contributions ring-fenced for the works specified. In the case of Section 278 schemes there are no alternative uses for the contributions and the addition of these schemes will not affect the overall level of available capital resources.
- 1.2 Within the following section of this report there are references to plans showing the proposed highway improvements in accordance with the appropriate planning conditions. Statutory and public consultation on these proposals was undertaken through the planning process. These schemes are subject to on-going technical approval processes and the final detail of the schemes may differ slightly to that shown here.
- 1.3 Where the proposed highway improvements include certain forms of traffic calming, a traffic signal controlled pedestrian or cycle crossing or there is a need for a traffic regulation order in respect of a speed limit or waiting restrictions, then it will be necessary to carry out a separate statutory notice and consultation procedure which will be reported to the relevant Portfolio Holder if objections are received.
- 1.4 Where a highway scheme is considered and approved as part of the planning process, the courts have made it clear that the highway / traffic authority is expected to co-operate in its implementation unless some exceptional or changed circumstances call for a different approach.

2.0 A3400 Shipston Road, Stratford-upon-Avon

- 2.1 A planning application was submitted to Stratford-on-Avon District Council by St Modwen Developments Ltd in respect of a development on land at Meon Vale, Campden Road, Long Marston. Planning permission was granted on 02 April 2015 (ref: 14/01186/OUT). The planning permission requires the Developer to undertake mitigation measures at the junctions of Shipston Road and Clifford Lane and of Shipston Road and Trinity Way prior to the occupation of the 650th dwelling on the Meon Vale site.
- 2.2 Plans showing the current design of the proposed highway improvement is included in **Appendix A**, however this may be subject to change as the detailed designs evolve. The implementation of the new controlled crossing facility as part of this scheme is subject to separate statutory notice and consultation procedure and any representations will be reported to the Portfolio Holder for Transport and Planning.
- 2.3 Subject to the recommendation to add this scheme to the Capital Programme being agreed, the County Council will enter into a Section 278 agreement with the Developer to undertake the works, once technical approval has been completed, at an estimated cost of **£2,500,000** to include fees and under the agreement the costs will be fully funded by the Developer. Subject to the signing of the Section 278 agreement, works are expected to commence within the 2019/2020 financial year and be completed within the 2020/2021 financial year.

3.0 A426 Rugby Road / B4429 Ashlawn Road, Rugby

- 3.1 A planning application was submitted to Rugby Borough Council by David Wilson Homes and Gallagher Estates Ltd for a residential development on land west of Ashlawn Road, Rugby. Planning permission was granted on appeal on 10 July 2017 (ref: APP/E3715/W/16/3147448 and R13/2102). The planning permissions require the Developer to implement the following highway improvements:
- New roundabout at western site access on Ashlawn Road
 - New ghost right turn lane at eastern site access on Ashlawn Road
 - Works at the traffic signal junction at Rugby Road / Coventry Road, Dunchurch (the “Dun Cow crossroads”)
 - Works at the roundabout at Dunchurch Road / Ashlawn Road (the “Cock Robin roundabout”)
 - New traffic signal junction at Ashlawn Road / Barby Lane.
- 3.2 Plans showing the current designs of the proposed highway improvements are included in **Appendix B**, however these may be subject to change as the detailed designs evolve. The implementation of new or amended controlled crossings and speed limits are subject to separate statutory notice and consultation procedures and any representations will be reported to the Portfolio Holder for Transport and Planning.
- 3.3 Subject to the recommendation to add this scheme to the Capital Programme being agreed, the County Council will enter into a Section 278 agreement with

the Developer to undertake the works, once technical approval has been completed, at an estimated cost of **£2,300,000**. This amount includes fees and under the agreement the costs will be fully funded by the Developer. Subject to the signing of the Section 278 agreement, works are expected to commence within the 2019/2020 financial year and be completed within the 2020/2021 financial year.

4.0 C43 Gallows Hill, Warwick

- 4.1 A planning application was submitted to Warwick District Council by Gallagher Estates in respect of a residential development to the south of Gallows Hill with points of access from Europa Way (south) and Gallows Hill. Planning permission was granted on appeal on 14 January 2016 (ref: APP/T3725/A/14/2229398 and W/14/0681).
- 4.2 A separate planning application was submitted to Warwick District Council by Savills in respect of a residential development to the north of Gallows Hill with points of access from Europa Way (north) and Gallows Hill. Planning permission was granted on 03 April 2015 (ref: W/14/0967). This development is now being taken forward by Galliford Try Partnerships and Warwick District Council.
- 4.3 A single traffic signal controlled junction on Gallows Hill is being designed which will serve both developments. Plans showing the current design of the proposed highway improvement are included in **Appendix C**, however this may be subject to change as the detailed design evolve.
- 4.4 Subject to the recommendation to add this scheme to the Capital Programme being agreed, the County Council will enter into a Section 278 agreement with the consortium of Developers to undertake the works, once technical approval has been completed, at an estimated cost of **£3,500,000** to include fees and under the agreement the costs will be fully funded by the Developers. Subject to the signing of the Section 278 agreement, works are expected to commence within the 2019/2020 financial year and be completed within the 2020/2021 financial year.

5.0 Financial implications

- 5.1 Section 278 schemes are fully funded by developer contributions which are ring-fenced for the works described in the sections above. There are no alternative uses for the contributions and the addition of these schemes will not affect the overall level of available capital resources.
- 5.2 The financial years within which the works are expected to start and to finish are included in the sections above. However, the commencement of the works is dependent on the completion of the technical review, procurement and contractor mobilisation processes and may slip. Any slippage will be reported in the normal quarterly monitoring process.

Background papers

Appendix A - A3400 Shipston Road, Stratford-upon-Avon

Appendix B – A426 Rugby Road / B4429 Ashlawn Road, Rugby

Appendix C – C43 Gallows Hill, Warwick

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The report was circulated to the following members prior to publication:

Local Members:

Cllr Rolfe – Stratford South

Cllr Roberts – Dunsmore and Leam Valley

Cllr Kaur – Bilton and Hillside

Cllr Birdi – Warwick South

Other Members: None.