

**Extended Delegated Decisions Meeting:** 02 July 2020

**Application No:** [W 20 / 0629](#)

**Town/Parish Council:** Kenilworth

**Case Officer:** Helena Obremski

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**Registration Date:** 05/05/20

**Expiry Date:** 30/06/20

**127 Warwick Road, Kenilworth, CV8 1HY**

Resubmission of W/19/2092: proposed change of use of former public house (A4) to four apartments (C3) and associated works. FOR Esprit Homes Construction Ltd

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This application is being presented to the Head of Development Services and Chair of Planning Committee due to the number of objections and an objection from the Town Council having been received.

**RECOMMENDATION**

The Head of Development Services in conjunction with the Chair of Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The application seeks planning permission for the proposed change of use of the existing Public House (Use Class A4) into four 1 bedroom flats (Use Class C3), with associated on-site parking, along with additional landscaping. Access to the rear of the site and the associated parking area would be from the existing access road adjacent to 131 Warwick Road. Waste storage would be shared with the neighbouring site at 131 Warwick Road. The external amenity space serving 131 Warwick Road would also be shared with the future occupiers of the development.

The scheme has been re submitted in order to overcome concerns identified by Officers under the previous submission. The number of bedrooms have been reduced and the layout of the flats have been revised to ensure that adequate privacy and outlook has been provided for the future occupiers, whilst ensuring that the development does not impact detrimentally on neighbouring amenity.

There are only minor external alterations proposed as part of the conversion, which includes the installation of additional doors and windows, and alterations to the single storey rear wing.

**THE SITE AND ITS LOCATION**

The application relates to an existing Public House, within the Kenilworth town centre. There is an existing flat in the upper floor within the Public House and the site is located adjacent to the Kenilworth Conservation Area.

## **RELEVANT PLANNING HISTORY**

W/19/2092 - Proposed change of use of former public house (A4) to four apartments (C3) and associated works - Withdrawn.

## **RELEVANT POLICIES**

- National Planning Policy Framework
- The Current Local Plan
- H1 - Directing New Housing
- HS8 - Protecting Community Facilities
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE5 - Protection of Natural Resources
- FW3 - Water Conservation
- HE1 - Protection of Statutory Heritage Assets
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Kenilworth Neighbourhood Plan
- Parking Standards
- General Design Principles
- Non-designated Heritage Assets

## **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** Objection on the following grounds:

- Members cannot accept that the access is not dangerous. Explicit regard is required to the aggregated total of vehicles now associated with all of the existing dwellings, including major recent redevelopment, who have shared use of this access road.
- Concerns were raised as to potential traffic movement. The modelling methodology used provides a conservative estimate. Averaging hourly traffic movement over a 24 hour period ignores rush hour build up.
- The proposal is contrary to Neighbourhood Plan Policy KP13 and Local Plan Policy TR1.
- Members commented that the bedrooms could easily be subdivided, creating additional parking demands. If approved, a condition should be attached to prevent this.
- Existing bollards at the entrance junction give implied priority to vehicles. Pedestrians should be given priority, using appropriate signage and layout.
- If approved, the Town Council requests that the applicants address matters relating to the environmental impact of the development and ensuring that water efficiency is optimised.

**WCC Highways:** No objection, subject to condition.

**WCC Landscape:** No objection, the proposed amenity space appears to be very narrow given the number of apartments proposed. Queries whether it receive enough natural light to support plants.

**WCC Ecology:** No objection, subject to inclusion of notes relating to bats and nesting birds.

**Environmental Protection:** No objection, subject to pre-commencement conditions.

**Public Response:** 7 objections have been received on the following grounds:

- the proposal will impact on congested on-street parking within Moorlands Avenue, making it difficult for emergency services to pass;
- inadequate parking provision;
- the Road Safety Audit ignores 6 dwellings on Warwick Road which use the lane as vehicular access to their properties;
- pedestrians can easily step in front of car exiting the existing access;
- the existing bollards will continue to degrade and potentially become a hazard;
- the existing access surface is not adequate and has many potholes;
- emergency vehicles will not be able to access the rear of the site;
- requests that the exit is made into a proper bell-mouth without bollards but with kerbs, textured paving and give way signs to ensure that those using the pavement realise they are crossing an active two way road;
- requests that the turning circle in Chandlers Court is made available to users of the new development for perpetuity, this would involve the removal of the gates to the Chandlers Court development to allow vehicles to turn there and a requirement that the marked spaces are left clear for turning only;
- the sweep path for large vehicles doesn't show how they can turn around, large vehicles will damage the proposed bollards;
- TRICS data has been proven incorrect;
- concerns that the developer will not adhere to any planning conditions imposed on an approval;
- works have already commenced on site without permission.

## **ASSESSMENT**

The main issues relevant to the assessment of this application are as follows:

- Principle of Development
- The Impact on the Character and Appearance of the Area
- Impact on the Setting of the Conservation Area
- Impact on Neighbouring Residential Amenity and Amenity of the Future Occupiers of the Flats
- Access, Parking and Highway Safety
- Waste Management
- Ecology
- Drainage
- Other Matters

## Principle of the Development

Local Plan Policy HS8 (Protecting Community Facilities) states that redevelopment or change of use of community facilities that serve local needs will only be permitted where it can be demonstrated that there are similar facilities accessible to the local community by means other than the car and the facility is redundant and no other user is willing to acquire and manage it. The site is located within Kenilworth Town Centre and there are a number of other Public Houses in the town centre. The Public House was disposed of by the brewery.

Local Plan Policy H1 states that new housing development will be permitted within the urban areas. Kenilworth is identified as being an urban area on the proposal maps and therefore meets this criteria.

The proposal is therefore considered to be acceptable in principle.

## The Impact on the Character and Appearance of the Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 Policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan requires development to be constructed using the appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. The Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing importance features; respecting the surrounding buildings and using the right materials.

Kenilworth Neighbourhood Development Plan (KNDP) Policy KP13 states that development proposals should achieve a standard of design that is appropriate to the local area and demonstrate that there is a positive response to the site characteristics and surroundings in terms of the proposed layout, density, building scale, height, proportions, massing, orientation, architectural detail, materials and landscape.

The existing property is a traditional building which fronts on Warwick Road. The frontage would be kept largely as existing, with only replacement doors and windows which are of an appropriate design. Therefore, there would be very little impact on the street scene and character of the area as a result of the proposed conversion.

There would be some minor alterations to the exterior of the building at the rear and sides, including the insertion of windows and doors, but again, these would be in keeping with the existing building. The single storey rear wing would be extended to the rear, but also made narrower, thus having overall little impact

and is considered to be acceptable. The proposed parking area is already an area of hardstanding, so there would be no material change to the character of the area as a result of this element of the proposal.

WCC Landscape note that the proposed amenity space appears to be very narrow and queries whether it receive enough natural light to support plants. However, these comments were made before the amended plans were received. It should be noted that part of the boundary wall between 131 Warwick Road and the application site has been removed, thus opening up the courtyard. Furthermore, this courtyard was already approved under a previous application for the neighbouring site.

The proposed development is therefore considered to be in accordance with Local Plan Policy BE1, and KNDP Policy KP13.

### Impact on the Setting of the Conservation Area

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Section 66 of the same Act imposes a duty to have special regard to the desirability of preserving a listed building or its setting when considering whether to grant a planning permission which affects a listed building or its setting.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. The explanatory text for Policy HE1 clarifies that in considering applications relating to Conservation Areas, the Council will require that proposals do not have a detrimental effect upon the integrity and character of the building or its setting, or the Conservation Area.

KNDP Policy KP13 states that heritage assets and their settings in the locality must be respected in accordance with their significance.

The proposal would result in very few external changes which would impact on the setting of the Conservation Area. The Conservation Officer has been consulted and recommends the provision of sample materials. However, as this is not a listed building and the proposal would only result in a limited number of minor changes to the existing building, which is not located within the Conservation Area itself, it is not considered reasonable to request the provision of sample materials in this instance. A condition will however be added for the use of materials which match those of the existing building to ensure consistency of design. It is also not

considered reasonable to insist on the retention of the timber windows at the front of the property owing to the site's location outside of the Conservation Area boundary and context of the adjacent development.

The proposal is therefore is not considered to have a harmful impact on the Conservation Area and would preserve its setting. The development is considered to be in accordance with Local Plan Policy HE1 and KNDP Policy KP13.

#### Impact on Neighbouring Residential Amenity and Amenity of the Future Occupiers of the Flats

Warwick District Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide SPD provides a framework for Policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of nearest front or rear facing habitable room of a neighbouring property.

KNDP Policy KP13 states that the impact on residential amenity of existing and future residents must be assessed and addressed.

#### *Impact on Neighbouring Residential Amenity*

Initially, Officers had concerns that the proposed conversion into 4 flats would lead to an unacceptable impact on neighbouring amenity, particularly the occupiers of 131 Warwick Road, by virtue of a loss of privacy and increased overlooking. However, the layout of the flats has been amended so that there would be no additional overlooking as a result of the development in comparison to the existing arrangement. The side facing windows serving the first floor flat which face towards the neighbouring site are existing and already provide amenity to the flat associated with the Public House, therefore this relationship would be no different. The ground floor side facing windows facing towards 131 Warwick Road would not serve habitable spaces, so will be conditioned to be permanently obscured glazed and non-opening unless above 1.7 metres from the ground level.

The alterations to the rear wing would not impact on light and outlook to neighbouring properties.

Environmental Health Officers recognise that the proposed development will be located in close proximity to existing residential dwellings that are likely to be affected by construction activities. To minimise the impacts arising from the construction of the proposed dwellings, they recommend a suitably worded planning condition that shall require the developer to implement the Council's construction guidelines. This has been added to ensure the protection of residential amenity.

It is therefore considered that the proposed development would have an acceptable impact on neighbouring residential amenity.

### *Living Conditions for the Future Occupiers*

The Council's Residential Design Guide SPD states that all dwellings should have access to outdoor amenity space which is not overlooked from the public realm and provides a reasonable level of privacy. The guidance gives minimum size standards which new dwellings should provide, but notes that flats can be provided with communal garden areas. Initially, Officers had concerns that inadequate private amenity areas had been provided for the future occupiers. The scheme has been amended to provide a small individual amenity area for three of the flats which meet with the required standards.

The red line site also includes the courtyard area serving 131 Warwick Road which is owned by the applicant. The scheme has been amended to remove part of the wall which separates the two sites so that they now relate to one another and read more comprehensively, being designed to share the communal space. Under planning permission ref: W/17/2343 (131 Warwick Road) a condition was attached for a financial contribution for offsite open space improvements and the report does not reference the courtyard as being provided as a dedicated private amenity area for the occupiers of the development. Only one of the proposed four flats would generate the need to use the shared amenity area, because the remaining three have been provided with their own private amenity spaces. Based on these circumstances, it is considered that the impact of the occupiers of a one bedroom flat using this amenity area would not be harmful to the neighbouring properties and would also provide adequate levels of amenity for the future occupiers of this flat.

As amended, all of the habitable rooms serving the proposed development would be provided with adequate light, outlook and privacy. It should be noted that the outlook from the side facing windows serving the upper floor flat would experience the same level of amenity as the existing arrangement, so are acceptable on this basis.

The Environmental Health Officers note that the residential accommodation would be located adjacent to a busy, and noisy road. They therefore recommend the inclusion of a condition requiring the provision of a noise assessment prior to commencement of construction. This is considered to be reasonable and necessary to ensure the provision of adequate amenity for the future occupiers.

The proposed development is considered to be in accordance with Local Plan Policy BE3 and KNDP Policy KP13.

### Access, Parking and Highway Safety

Members of the public and the Town Council have raised concerns regarding the impact of the development on highway and pedestrian safety. Town Council

members state that they cannot accept that the access is not dangerous, and they play explicit regard to the aggregated total of vehicles which would be associated with all the existing dwellings, including major recent redevelopment. Concerns is also raised as regards to potential traffic movement and that the modelling methodology used provides a conservative estimate of vehicle numbers. Town Council members consider that the averaging hourly traffic movement over a 24 hour period ignores rush hour build up and members of the public state that it has been proven that TRICS data is unreliable.

Town Council members commented that the bedrooms could easily be subdivided, creating additional parking demands. Objectors state that the existing bollards at the entrance junction give implied priority to vehicles, whereas pedestrians should be given priority, using appropriate signage and layout. Objectors consider that the bollards will continue to degrade and potentially become a hazard. Members of the public also have concerns that the proposal would lead to increased parking on congested on street parking within Moorlands Avenue, making it difficult for emergency services to pass. Objectors consider that inadequate parking is provided and that the existing access surface is not adequate, with many potholes. Objectors consider that emergency vehicles will not be able to access the rear of the site, or turn around.

Requests have been made that the exit to the site is made into a proper bell-mouth without bollards but with kerbs, textured paving and give way signs to ensure that those using the pavement realise they are crossing an active two way road. A request is also made that the turning circle in Chandlers Court is made available to users of the new development for perpetuity, this would involve the removal of the gates to the Chandlers Court development to allow vehicles to turn there and a requirement that the marked spaces are left clear for turning only.

Officers note that the access serving the proposed development has formed part of a number of other applications and wish to confirm that there would be no changes to the width of the access or pavement in comparison to the scheme which was allowed at appeal under application ref: W/18/2199.

Under the previously withdrawn application, which was for 4no. two bedroom flats, rather than 4no. 1 bedroom flats proposed under this application, WCC Highways raised concerns regarding the proposal on the basis of increased intensification of the access, recommending that a Stage 1 Road Safety Audit was provided and that updates to the access, to show that pedestrians have priority was provided. Officers also considered that the rooms labelled as studies could be used as bedrooms, thus increasing the parking requirement, which was not accommodated for.

Under the current application, the layout as been amended to provide 4no. one bedroom flats, each with an allocated parking space, meeting the required standards set out in the Council's Vehicle Parking Standards SPD.

A Stage 1 Road Safety Audit was also provided as requested by WCC Highways, and the recommendations contained within it have been provided as part of the



proposal. This document identifies safety issues associated with the access and makes recommendations to overcome them. The document notes the potential risk of vehicular collisions, and potential for pedestrians to be struck by traffic.

The Audit recommends that the give way markings are removed and replaced with a speed hump and that bollards are installed to delineate the extent of the vehicular crossover. These measures will slow down traffic entering and exiting the site and also ensure that it is made clearer to pedestrians that they are passing over a vehicular crossing. Although these improvements do not include all of the measures which have been requested by members of the public, WCC Highways considers that these are sufficient in ensuring that the access could accommodate the additional vehicular movements, without harm to highway safety. WCC Highways raise no concerns regarding access for emergency vehicles or turning within the site.

Whilst members of the public may not consider that the use of TRICS data is appropriate, this is the standard means of assessing the impact of increased capacity at an existing or proposed access, and to deviate from using this information would be unreasonable unless evidence can be presented to indicate otherwise.

Cycle storage is provided within the site boundaries.

Therefore, it is considered that the proposal is in accordance with Local Plan Policies TR1 and TR3 and KNDP Policy KP12.

#### Waste Management

Policy BE3 of the Warwick District Local Plan 2011-2029 states (inter alia) that proposals will be expected to demonstrate that they make sufficient provision for sustainable waste management (including facilities for kerbside collection, waste separation and minimisation where appropriate) without adverse impact on the street scene, the local landscape or the amenities of neighbours.

Waste Management have no objection to the proposal, subject to larger waste storage units being provided, which can be accommodated within the site boundaries.

The proposal is thereby considered to be in accordance with Local Plan Policy BE3.

#### Ecology

WCC Ecology have assessed the application and recommend that notes relating to bats and nesting birds are attached to any approval, which have been included.

It is considered that the proposed development is in accordance with Local Plan Policy NE2.

## Drainage

The Town Council request that if approved, the applicants address matters relating to the environmental impact of the development and ensuring that water efficiency is optimised. A condition will be added to ensure compliance with Local Plan Policy FW3, to increase the water efficiency of the site.

## Other Matters

### *Air Quality*

The anticipated vehicle use by residents of the new development is likely to cause an incremental increase in traffic in areas of poor air quality within the district. To offset this it is recommended that the developer is required to provide electric vehicle charging facilities for each flat, which are shown on the drawings. A condition will be added to ensure the provision of adequate electric charging points, which meet with the requirements of the Council's Air Quality and Planning SPD.

### *Land Contamination*

Environmental Health Officers note that the proposed development is located adjacent to an area of land formally used as a builder's merchant and a warehouse. Given the previous uses, there is a potential that residual land contamination could still remain at the site. On this basis they recommend that the developer maintains a watching brief throughout the works in the event that any previously unidentified contamination is discovered. If contamination is identified, the works will need to stop and the local planning authority will need to be notified. This can be secured by condition which will be added.

### *General Queries*

Members of the public state that they have concerns that the developer will not adhere to any planning conditions imposed on an approval. However, this is not a material reason to refuse permission, and if the requirements set out in the proposed conditions were not adhered to, this would be a matter for Planning Enforcement.

Members of the public also state that works have already commenced on site without permission. However, during the site visit, Officers saw no evidence that this was the case.

## **Conclusion**

The proposed development would provide the addition of four apartments, with adequate parking and living conditions, within a sustainable town centre location. Whilst the proposal would intensify the use of the access, this would only be by 4 additional vehicles and would also result in alterations to the access to improve vehicular and pedestrian safety. There would be no detrimental impact on

neighbouring amenity which could not be adequately controlled by condition, and there are no detrimental ecological impacts as a result of the development. The application is therefore recommended for approval.

### **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings PL100 Rev J, PL200 Rev N, PL500 Rev P, and specification contained therein, submitted on submitted on 3rd June 2020. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 The development hereby permitted (including any works of demolition) shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; 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 construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website ([https://www.warwickdc.gov.uk/downloads/file/5811/construction\\_management\\_plan](https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan)) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.
- 4 Prior to works of construction commencing a noise assessment of road traffic noise shall be submitted to and approved by the local planning authority for approval. The noise assessment shall demonstrate that the proposed dwellings will be able to achieve the recommended sound levels for residential dwellings set out in British Standard 8233:2014 and the World Health Organization (WHO) Guidelines for Community Noise (1999). Prior to the first occupation of the building any necessary mitigation measures required to achieve these recommended sound levels shall have been implemented in full accordance with the recommendations of the noise assessment and thereafter shall not be removed or altered in any way without the prior written approval of the local planning authority. **REASON:** To ensure that future occupants do

not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 5 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.
- 6 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029
- 7 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029.
- 8 The development shall not be occupied until the existing vehicular access to the site has been improved in accordance with the details shown on submitted plan number T19618-001-D. **REASON:** In the interests of vehicular and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 9 Prior to the occupation of the development hereby permitted, the ground floor side facing windows in the south west elevation and the first floor rear facing window serving the ensuite bathroom to plot 4 in

the north east elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.

- 10 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.
- 11 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON:** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
- 12 No additional bedrooms shall be permitted within the development hereby permitted. **REASON:** An increase in the number of bedrooms and associated parking demand cannot be accommodated on site and would be contrary to the requirements of Warwick District Local Plan Policy TR3 and the Vehicle Parking Standards SPD.
-