

Planning Committee: 19 June 2018

Item Number: **13**

Application No: [W 18 / 0744](#)

Town/Parish Council: Barford

Case Officer:

Helena Obremski

01926 456531 Helena.Obremski@warwickdc.gov.uk

Registration Date: 01/05/18

Expiry Date: 26/06/18

8 Carter Drive, Barford, Warwick, CV35 8ET

Proposed erection of a four bedroom family house and associated garaging and parking. FOR Harrison Projects Ltd

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed in the report.

DETAILS OF THE DEVELOPMENT

The application seeks planning permission for the erection of a detached, two storey, four bedroom dwelling, to be positioned within the existing front amenity area serving 8 Carter Drive. The proposed dwelling would benefit from it's own newly formed private access from Carter Drive and 8 Carter Drive would retain the existing access.

The proposal has been amended to remove the proposed detached garage which was considered to be incongruous and harmful to the street scene. This will also ensure that the existing hedgerow between the application site and neighbour can be retained. A small shed has been included on the revised scheme to the rear/side of the proposed dwelling.

The proposed dwelling has also been moved slightly further forwards on the site and the windows serving the bedrooms towards the west of the site have been relocated to the rear of the property, and removed from the side elevations at first floor. This is to ensure that there would be no overlooking caused towards the private amenity area serving 8a Carter Drive.

THE SITE AND ITS LOCATION

The application site currently benefits from one existing detached dwelling, with a detached garage and driveway parking. This is a generous plot at the end of a cul-de-sac with large amenity areas to the front and rear of the dwelling. The application specifically relates to the amenity area to the front of the existing dwelling, and there are TPO trees within close proximity of the site boundaries. The site is positioned next to a turning head and is surrounded by other

residential properties. The application site is located within the Conservation Area.

PLANNING HISTORY

There is no relevant planning history relating to this site.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Open Space (Supplementary Planning Document - June 2009)
- Vehicle Parking Standards (Supplementary Planning Document)
- Barford Village Design Statement (September 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- LES - Low Emission Strategy Guidance for Developers (April 2014)
- Barford Neighbourhood Development Plan 2014 - 2029.

SUMMARY OF REPRESENTATIONS

Barford Parish Council: Objection, owing to the height of the land of the site, this would lead to a loss of privacy, overlooking, overshadowing and loss of outlook to neighbouring properties; overdevelopment of the site as a result of loss of garden land and open aspect of neighbourhood; the visual impact of the development is unacceptable; the development would have an adverse impact on the character of the area; the development is overbearing, out of scale and out of character in comparison nearby development; the development would have a detrimental impact on the Conservation Area and setting of nearby listed buildings; the development would have an adverse impact on highway safety and convenience of road users.

Waste Management: No objection.

WCC Ecology: No objection, subject to conditions and notes.

Open Space: No objection, subject to a contribution of £3,368 towards the improvement of local open spaces.

WCC Landscape: No objection.

Tree Officer: No objection, subject to the development being carried out in accordance with the recommendations in the tree report provided.

Public Responses: 11 Objections: Loss of light, privacy and outlook to neighbouring properties; detrimental impact on the landscape and character of the area; negative impact on the Conservation Area and setting of nearby listed buildings; increase levels of noise from construction works and increased number of people living on the site; the development will add to existing on street parking stress and would block the turning head, causing highway safety implications; there is a covenant on the site which states that there should be only one dwelling on each plot; properties in the area have a right of vehicular access over a pathway at 8a Carter Drive and the proposal could jeopardise this; concern expressed regarding the impact on nearby TPO trees; housing need has already been met locally and district wide, and the local infrastructure cannot support additional housing; reduction in green space to Carter Drive; proximity of proposed garage to boundary and existing hedge.

1 Support: The proposal represents a legitimate infill or windfall site, reducing the pressure to develop within the Green Belt; the design meet Local Plan requirements; the covenant referred to by objectors is not a planning consideration.

ASSESSMENT

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

- Principle of the Development
- The impact on the Character and Appearance of the Area
- The impact on the Conservation Area and setting of nearby listed buildings
- The impact on the living conditions of nearby dwellings and amenity of the future occupiers of the dwelling
- Parking and Highway Safety
- Ecological Impact and Trees
- Open Space
- Waste
- Health and Wellbeing
- Other Matters

Principle of the Development

Local Plan policy H1 states that new housing will be permitted within the boundaries of Growth Villages as identified on the Policies Map. Barford is identified as being a Growth Village in which the application site lies, and therefore, the principle of housing on this site is considered to be acceptable.

It is noted that Local Plan policy H1 states that development on garden land will not be permitted unless the development reinforces, or harmonises well with the established character of the area, and respects surrounding buildings. This matter is discussed below.

Barford Neighbourhood Development Plan (BNDP) states that new housing will be permitted within the settlement boundary where it does not conflict with the policies of the Neighbourhood Development Plan, in particular:

- it would not lead to the loss of open space preserved under policy B10, the views described at paragraph 5.39, shops or other local facilities;
- it has appropriate access; and
- parking is in accordance with policy B13

The application site is located within the settlement boundary and the above matters are discussed below.

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 calls for development to be constructed using 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 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 important features; respecting the surrounding buildings and using the right materials.

Policy B7 of the BNDP echoes Local Plan policy BE1 and calls for development to accord with the Barford Village Design Statement. Paragraph 5.39 identifies the protected views and vistas which the Plan seeks to protect, and policy B10 specifies the protected areas of Local Green Space from development.

There have been objections from members of the public which consider that the development would have a detrimental impact on the landscape and character of the area, and that there would be a loss of green space. Barford Parish Council consider that: the proposal represents overdevelopment of the site as a result of loss of garden land and open aspect of neighbourhood; the visual impact of the development is unacceptable; the development would have an adverse impact on the character of the area; the development is overbearing, out of scale and out of character in comparison with nearby development.

The Barford Design Statement identifies that Carter Drive is characterised by a historic core of five old cottages and larger detached "executive houses". The

guidance identifies that there is little opportunity for infill development within the zone in which Carter Drive lies, however, stipulates that any new dwellings should be of a similar size and height to their neighbours and not designed merely to fill the space available.

Carter Drive benefits from large two storey detached dwellings and the application site lies at the head of the cul-de-sac, which is surrounded by relatively modern housing. 8 Carter Drive has an unusually large plot in comparison to the nearby properties, which would still benefit from its own rear garden and front amenity area, even if the site is separated as proposed. 8 Carter Drive has been recently renovated, and benefits from two storey front gables, a grey tiled roof, olive green window frames and is fully rendered. Other nearby properties benefit from a mixture of different colour facing brickwork, some with white window frames, and others with brown frames. There are a variety of design features within the street scene, including large front facing cat-slide roofs and a two storey circular front extension, which all highlight the diversity within the existing street scene.

The proposed dwelling would be a two storey detached dwelling, with a front facing gable which is similar to those found on 8 Carter Drive, next to where it would be positioned. The scheme as amended proposes a rendered property, with aluminium or timber doors and window frames, and a tiled roof. A condition would be imposed to provide sample materials to ensure that these are appropriate and ensure a high quality design.

Objectors have concerns that the development would look out of keeping with the wider area and would be harmful to the character of the area. However, as detailed above, the proposed dwelling is considered to sit comfortably within this varied context and would assimilate with the design of the neighbouring property. Objectors consider that the proposed development would represent overdevelopment of the site, however, the size of the dwelling is similar to that of neighbouring properties, and would provide a similar sized amenity area as 8a Carter Drive. The proposal is therefore not considered to represent overdevelopment of the site. It is also noted that WCC Landscape have no objection to the proposal.

The proposed dwelling would have a traditional relationship with the highway and would have its own street frontage. Furthermore, the development is considered to harmonise well with the established character of the area. The development is not considered to detract from the other built form within the nearby area.

A small outbuilding has been included on the amended plans. This would have a very limited impact on the street scene, being positioned behind/side to the main dwelling and is considered to be acceptable.

The proposed development would not interrupt any of the protected views identified in paragraph 5.39 of the BNDP. Furthermore, the proposal would not result in the loss of any of the Local Green Space identified by policy B10 of the BNDP.

Therefore, whilst the concerns of neighbours and the Parish Council are acknowledged, the proposed development is not considered to have a harmful impact on the character of the area. The development is therefore considered to be in accordance with the NPPF, Local Plan policy BE1, Residential Design Guide and BNDP policy B7.

Impact on the Conservation Area and setting of nearby listed buildings

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 132 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 134 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 B6 of the BNDP states that all new development within the Conservation Area will be expected to preserve and wherever possible enhance the positive attributes of the heritage asset.

There have been objections from the Parish Council and members of the public that the development would have a detrimental impact on the Conservation Area and setting of nearby listed buildings.

As detailed above, the street scene and wider Conservation Area is characterised by a range of styles of properties and materials. There is no prevailing architectural character which should be replicated or respected in relation to this site. The proposed dwelling is considered to respond well to the immediate setting and would not appear out of keeping within this context.

The Conservation Officer has commented on the application and has no objection to the proposed design of the dwelling. He recommended the use of more sensitive materials for the property and a condition will be imposed for the provision of samples prior to commencement of works.

Objectors make reference to a detrimental impact which the proposed development would have on the setting of listed buildings. However, the application site is not considered to be read in the context of the setting of any nearby listed buildings, the closest of which would be over 25 metres from the proposed dwelling. The Conservation Officer had no concerns regarding this matter.

It is therefore considered that the proposed development would have no detrimental impact on the Conservation Area and is not considered to be harmful to the setting of any listed buildings. The proposal is therefore considered to

comply with the NPPF, Local Plan policies HE1 and HE2 and policy B6 of the BNDP.

Impact on Neighbouring Residential Amenity and Amenity of the Future Occupiers of the Dwelling

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 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 the window of the nearest front or rear facing habitable room of a neighbouring property.

There have been objections from members of the public and the Parish Council that owing to the height of the land of the site, this would lead to a loss of privacy, overlooking, overshadowing and loss of outlook to neighbouring properties.

The proposed dwelling has been moved forward on the site and would be 23 metres away from the properties at the rear of the site. The required distance separation between the rears of two storey properties with windows serving habitable rooms would be 22 metres, and therefore as the proposal exceeds this, the development is not considered to have such a harmful impact on the amenity of the neighbours at the rear of the site which would warrant reason for refusal of the application.

The first floor side facing windows have been removed from the proposed dwelling as these were considered to provide overlooking, particularly into the private amenity area serving 8a Carter Drive. There would be no 45 degree conflict from this neighbour or any others as a result of the proposed development.

The proposal would provide adequate levels of amenity for the future occupiers of the dwelling.

Therefore, it is considered that the proposed development would not cause an unacceptable level of harm to neighbouring residential amenity and therefore the proposal is in accordance with the NPPF and Local Plan policy BE3.

Parking and Highway Safety

There have been objections from the Parish Council that the development would have an adverse impact on highway safety and the convenience of road users. Members of the public have concerns that the development will add to existing on street parking stress and would block the turning head, causing highway safety implications.

The proposal would provide a new access for the dwelling directly leading from the turning head. In photos provided by members of the public, it is noted that vehicles are known to park in the turning head, making manoeuvring difficult, and neighbours express concerns that the increase in traffic would further exacerbate parking stress. WCC Highways also noted during a site visit that cars were parked in the turning head, which may obstruct larger vehicles from turning. WCC Highways consider that the proposed access would prevent vehicles from parking in the turning head, which would result in a betterment to highway safety. WCC Highways therefore have no objection to the proposed dwelling subject to various conditions for the protection of highway safety during and after the construction works.

Policy B13 of the BNDP requires dwellings with four bedrooms or more to have 3 car parking spaces, plus 1 visitor space, generating a total requirement of 4 spaces for the proposed development. The agent has provided a drawing showing that both the proposed dwelling and the existing dwelling can accommodate this level of parking. Secure cycle storage can be accommodated within the site boundaries.

A member of the public states that properties in the area have a right of vehicular access over a pathway at 8a Carter Drive and the proposal could jeopardise this. However, the Council has no reason to believe that the introduction of a new access could lead to any right of way being obstructed.

Therefore, it is considered that the proposal is in accordance with the NPPF, adopted Local Plan policies TR1, TR3 the Council's Vehicle Parking Standards guidelines and policies B11 and B13 of the BNDP.

Waste Management

Waste Management have no objection to the proposed development and adequate waste and recycling storage can be accommodated within the site boundaries.

Open Space

The Open Space department have commented on the application and note that the additional residents brought about by the development will put pressure on existing open space and a contribution is required to mitigate the impact of this additional use. The Open Space department have therefore requested a contribution of £3,368 towards the improvement of local open spaces. As the Council do not manage any local open spaces in Barford, the Parish Council were asked what the contribution could be put towards. Barford Parish Council have confirmed that the open space contribution would be put towards the further development of King George's Field. The contribution would be put towards fencing, drainage and surfacing of public footpaths; levelling, surface water drainage, over-seeding, weed killing and surface treatments; and augmentation of the outdoor gym area. Barford Parish Council have confirmed that there are Section 106 agreements in place for improvements to public footpaths but that these would not cover the total costs of the proposed improvements and there are no other Section 106 agreements in place.

No open space contribution has been received by the Council, however this could be secured by condition. The development is therefore considered to be in accordance with Local Plan policy HS4 and the Council's adopted relevant supplementary planning document.

Trees

There have been objections to the proposal from members of the public who have concerns regarding the impact of the proposed development on nearby TPO trees. A comprehensive tree survey incorporating tree protection measures has been provided as part of the application which was assessed by the Council's Tree Officer. They have no objection to the proposed development, subject to the proposal being carried out in accordance with the recommendations in the tree report provided. It is therefore considered that adequate tree protection measures have been provided and a condition will be imposed to ensure that these are followed. It should also be noted that the dwelling has been moved further away from the protected trees as part of the amended scheme.

Ecology

WCC Ecology have assessed the application and note that a cherry tree will be removed as part of the scheme and that therefore replacement planting should be secured by condition, with a note relating to the protection of nesting birds. WCC Ecology also note that the development should result in a biodiversity gain and recommend a condition to require the installation of a bat box and a note in relation to the protection of hedgehogs.

These conditions and notes are considered to be reasonable and will be added.

Other Matters

There have been objections from members of the public in relation to the increased levels of noise from construction works and increased number of people living on the site. The noise created during construction works will be temporary and is not considered to be so harmful as to warrant reason for refusal of the application. Furthermore, the application site is located within an established residential area and the noise generated by one additional household is not considered to be harmful to neighbouring properties.

Members of the public draw attention to the fact that there is a covenant on the site which states that there should be only one dwelling on each plot. A covenant is a private legal matter and does not represent a material planning consideration in the assessment of this application.

Concern is also expressed in relation to the fact that housing need has already been met locally and district wide, and the local infrastructure cannot support additional housing. Although the Council has a 6.2 Year Housing Land Supply, this does not preclude the approval of additional housing sites in appropriate, sustainable locations. Furthermore, it should also be noted that Barford is identified as a Growth Village which can support additional housing. The addition of one dwelling is not considered to put such additional pressure on local infrastructure which would warrant reason for refusal of the application.

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 the new dwelling. A condition can be added to secure this.

Conclusion

The proposal would provide an additional dwelling which would not have a harmful impact on neighbouring amenity or the street scene. The proposal is not considered to be harmful to the Conservation Area or setting of any listed buildings. The proposal provides adequate parking and access arrangements and is considered to provide adequate living conditions for the future occupiers of the dwelling. The proposal should therefore be approved.

- 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 amended drawing 18/CAR/01/C and block plan, and specification contained therein, submitted on 7th June 2018 and 8th June 2018 respectively. **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 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy HS4 of the Warwick District Local Plan 2011-2029:
 - (i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and
 - (ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented in strict accordance with the approved details.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy HS4 of the Warwick District Plan 2011-2029.
- 4 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a

satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 5 No part of the development hereby permitted shall be commenced until a scheme for the provision of 1 bat box to be erected on tree/building within the site, has been submitted to and approved in writing by the District Planning Authority. The scheme to include details of box type, location and timing of works. Thereafter, the box shall be installed in accordance with the approved details and maintained in perpetuity. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.
- 6 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the anticipated movements of vehicles; 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; a turning area within the site for construction vehicles; 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. **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, TR4 and NE5 of the Warwick District Local Plan 2011-2029.
- 7 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 8 The development hereby permitted shall not commence until details of both hard and soft landscaping works have been submitted to an approved in writing by the Local Authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance

with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. Thereafter, the development shall be carried out in accordance with the approved details. **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 BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 9 No development shall commence until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 & BE3 of the Warwick District Local Plan 2011-2029.
- 10 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place for the full duration of any such construction work. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 11 The access to the site for vehicles shall not be used unless a public

highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON:** To ensure the protection of highway safety and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 12 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for its whole length as measured from the near edge of the public highway carriageway. **REASON:** To ensure the protection of highway safety and pedestrian safety in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.
- 13 The gradient of the access for vehicles to the site shall not be steeper than 1 in 20 for its whole length, as measured from the near edge of the public highway carriageway. **REASON:** To ensure the protection of highway safety and pedestrian safety in accordance with Policies TR1 of the Warwick District Local Plan 2011-2029.
- 14 Any fruit tree removed to accommodate the proposed new dwelling in pursuance of this permission shall be replaced by trees of a similar size and of the same species in a nearby place within the site unless otherwise agreed in writing by the District Planning Authority. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.
- 15 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted . Any tree(s) or shrub(s) removed, dying, or being severely damaged or diseased or becoming, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, [as soon as practicable/ within the next planting season] with tree(s) and shrub(s) of the same size and species as that originally planted . All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those landscape features which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 16 The dwelling shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings (*numbered and dated*) have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies BE1, BE3 and TR4 of the Warwick District Local Plan 2011-2029.

