

Planning Committee: 24 January 2005
Application No: W 04 / 1949

Principal Item Number: 2

Town/Parish Council: Leamington Spa
Case Officer: John Beaumont
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Registration Date: 04/11/2004

Expiry Date: 30/12/2004

Including Jandene at rear, 44-46 Lillington Road, Leamington Spa, CV32 5YZ
Erection of 13 dwellings and 1 apartment (over garages) with associated works after
demolition of 3 dwellings. FOR Cala Homes Midlands Limited

SUMMARY OF REPRESENTATIONS

Town Council

Objection is raised for the following reasons:-

- (i) The intensity of use will generate considerable vehicular movement in close proximity to a busy junction, to the detriment of highway safety.
- (ii) The proposed density of the development will compromise the residential character of the area and standards of residential amenity.
- (iii) The proposed dwellings will not address the shortfall in social housing within the District. The nature of the dwellings proposed will not assist in addressing this issue.
- (iv) It is considered that the application will do little to contribute to the amenity of the area and the loss of much of the open space associated with the existing dwellings on Lillington Road will be generally detrimental to the character of this residential area.

Neighbours

1 neighbour has written to raise no objection; the proposal is considered to be a well designed scheme. 2 neighbours have raised objection on grounds of loss of daylight/sunlight, loss of privacy; loss of existing dwellings; undesirable precedent; addition to traffic congestion on local road network. (N.B. There was a previous identical application submitted for this development on this site in April 2004. At that time 17 neighbours wrote to object to the application on grounds of unsustainable and unacceptable loss of good quality houses, loss of daylight and sunlight, noise/pollution, traffic congestion/danger (access close to a roundabout creating danger to pedestrians/school children), overdevelopment, loss of privacy, loss of "green" site, poor quality of design which does not reflect the character or style of the area and hence fails to harmonise with its surroundings or reinforce local architecture/distinctiveness, harm to setting of Conservation Area, unacceptable precedent for the similar schemes in North Leamington, insufficient on-site car parking, fails to provide affordable housing, loss of sense of openness to streetscene).

W.C.C. (Highways)

No objection subject to access conditions.

W.C.C. (Planning)

No objections on planning grounds. The County Council has requested a contribution of £10,000 for a bus stop and associated infrastructure and £1,432 for library facilities; a reasoned justification had not been received at the time of agenda preparation.

W.C.C. (Ecology)

No objection subject to a bat survey being undertaken. Also protection of trees/hedgerows during construction and bat/bird notes. (N.B. The applicant has undertaken a bat survey and W.C.C. (Ecology) stated now no further comment to make).

Head of Amenities

The comments I made on application W04/0790 apply equally to this layout. The oak within the site (T1 on the Marishall Thompson survey) has been provided with a moderate area of soft surface around it, with a radius of around 7 m. It is worth pointing out that the current draft BS 5837 would expect protection to a radius nearer 13 m around a tree of this stature however.

I have concerns that highways requirements may threaten the future of the lime, T27, in the pavement to the front of the site.

If this scheme goes ahead there is a need for very thorough protection of T1. Conditions should require submission of detailed proposals for tree protection and stipulate that no development, demolition or ground works begin until the approved protection is in place and has been agreed to be adequate by the LPA.

Head of Housing

"As you know, this application was previously recommended to the Planning Committee for approval, subject to provision of a commuted sum in lieu of affordable housing, but was refused on other grounds. We have no objection to the scheme provided that satisfactory arrangements can be agreed for the delivery of affordable housing.

The re-submitted application makes no reference to this, presumably due to the recent appeal decision in respect of an alternative scheme (W20031607). Therefore, unless and until a decision is made to waive the affordable housing requirements under Policy SC9, Housing Strategy must oppose the scheme.

The applicant previously offered a commuted sum of £329,000 which equates to the subsidy required for 6 units for shared ownership sale, discounted at 25% of their market value. I referred this offer to the Finance Director for approval on 11th August 2004; it was considered acceptable due to the economic case submitted by the applicant.

Any proposal involving a reduction in the amount of the commuted sum would also require the Finance Director's approval."

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)

DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
 DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)
 PPG13 - Transport (Government guidance)
 PPG15 - Planning and the Historic Environment (Government guidance)
 GD1 - Overriding purpose (Warwickshire Structure Plan 1996-2011)
 GD3 - Overall development strategy (Warwickshire Structure Plan 1996-2011)
 H2 - Affordable housing (Warwickshire Structure Plan 1996-2011)
 T1, T4, T5 - Traffic (Warwickshire Structure Plan 1996-2011)
 T10 - Developer contributions (Warwickshire Structure Plan 1996-2011)
 ER1 - Natural and cultural environmental assets (Warwickshire Structure Plan 1996-2011)
 N.B. Planning Committee on 28th January 2002 resolved that policies H22 (on housing density) and T7 (car parking) in the Warwick District Local Plan 1995 were not in conformity with the Warwickshire Structure Plan.
 PPG3 - Housing (Government guidance)
 PPG1 - General principles (Government guidance)

PLANNING HISTORY

Planning permission, W031607, for the demolition of 3 dwellings and the erection of 8 dwellings and 16 apartments on the site of 42-46 Lillington Road, Leamington Spa was refused by the Planning Committee (following a site visit) at the meeting on 17th February 2004 for the following reasons:-

1. The application site occupies an important position on a main approach to the Leamington Conservation Area and is currently occupied by 3 detached houses set in mature, landscaped gardens. In the opinion of the District Planning Authority, the proposed use of the site for an intensive development of 24 dwellings of the scale, height, mass, layout and design proposed would constitute an overdevelopment of the site, resulting in an excessive density of development which is disproportionate to its surroundings, visually detrimental to the street scene and out of character with the locality. The proposals would thereby be contrary to policies H5 and ENV3 of the Warwick District Local Plan 1995-2001 and to policies DP1 and DP5 of the emerging Warwick District Local Plan 1996-2011.

2. The application contains no provision for affordable housing in accordance with the requirements of the emerging Warwick District Local Plan 1996-2011 and to permit the development would, therefore, be contrary to the provisions of policy SC9 of the plan.

An appeal against this refusal was allowed on 2nd November 2004 and a copy of that decision is attached as an Appendix to this report.

Prior to the determination of the above appeal, an identical application, W04/0790, to that the subject of the present application was refused planning permission by the Planning Committee, against Officer advice, for the following reasons:-

1. The application site occupies an important position on a main approach to the Leamington Spa Conservation Area, recently extended such that its boundary abuts the site frontage. In the opinion of the District Planning Authority, the proposed development would fail to positively contribute to the character and quality of its environment and would adversely affect the established character and appearance of the streetscene and the setting of the adjoining Conservation Area by reason of its inadequate design quality.

The proposals would thereby be contrary to Policies DW (ENV3), DW (ENV6) and DW (H5) of the Warwick District Local Plan 1995 and to Policies DP1, DP5 and DAP10 of the Warwick District Local Plan 1996-2011, first deposit version.

2. In the opinion of the District Planning Authority, the proposed residential redevelopment of this site would introduce substantial two storey development into an area of existing development characterised by properties sitting in substantial landscaped gardens. It would thereby be unneighbourly, being significantly detrimental to the amenity presently enjoyed by the occupants of dwellings having an outlook over this site by reason of the resulting loss of openness, the scale and bulk of the proposed development and its proximity to site boundaries and the potential for increased overlooking.

The proposals would therefore be contrary to Policies DW (ENV3) and DW (H5) of the Warwick District Local Plan 1995 and Policies DP1, DP2 and DP5 of the Warwick District Local Plan 1996-2011, first deposit version.

KEY ISSUES

The Site and its Location

The site is not within a Conservation Area albeit the boundary of the Conservation Area for Leamington Spa (as extended following the report presented to Executive in March 2004) lies along the site frontage to Lillington Road to the west of the site and to the south of Oak Tree Court to the south of the application site. No building on the site or within its immediate vicinity is 'listed' as being of special architectural or historic interest. It is understood that the 3, detached, two storey houses presently on the site were erected in the late 1950's/early 1960's, with the exception of 'Jandene' which dates from the 1990's. The site has an area of some 0.54 hectares. The existing properties are set within landscaped gardens containing a number of existing trees; an oak tree on the frontage of No. 46 Lillington Road is the subject of a Tree Preservation Order. To the north and south of the site are similar detached dwellings fronting Lillington Road and Oak Tree Close, whilst to the east are semi-detached dwellings fronting Berenska Drive whilst further south are older properties fronting Wathen Road. To the west of Lillington Road, immediately opposite the site are older villa style properties with other dwellings nearby being of a variety of ages and styles with a more modern development of two storey properties with accommodation in a mansard roof being located at the junction of Lillington Road and Lillington Avenue.

Details of the Development

The submitted scheme contains the following elements:-

- The demolition of the existing 3 detached houses.
- The felling of a number of trees within the site. An existing leylandii hedge on the eastern boundary of the site is shown to be retained, (albeit at a reduced height of 5

m) as is the TPO oak on the site frontage. It is not proposed to fell any roadside trees within the highway verge.

- The erection of 13 houses with one flat above a block of 4 garages; 8 of the houses would have accommodation within their roofspace lit by a dormer window. These would be served off a new access 5 m wide off the Lillington Road; this access would be in a similar position to an existing access serving No. 46 Lillington Road and 3 other existing accesses serving Nos. 44 and 46 Lillington Road would be closed and reinstated.
- Fronting Lillington Road would be 4 dwellings comprising 2 detached houses linked by a single garage and a pair of semi-detached houses designed to have the appearance of a larger dwelling with an attached annex; a street elevation illustrating the design of the frontage dwellings will be available at the Planning Committee meeting.
- The access road, which is proposed to be a private drive, would run between the 4 frontage dwellings to serve the balance of the development which would be erected on the site of Jandene and the gardens of that property and Nos. 44 and 46 Lillington Road. The scheme has incorporated a 6 m radius turning head to enable service vehicles to turn within the site so that they can enter and leave the public highway in a forward direction.
- The scheme includes a minimum of a garage and a car parking space for each dwelling.

The applicant has submitted a design statement and planning statement in support of the application. This confirms that the proposed density of the scheme is 26 dwellings per hectare.

Assessment

Clearly I am conscious of the planning history of this site and in particular the refusal by the Planning Committee of a previous identical planning application for its residential redevelopment, reference W040790. That decision, however, was taken before the decision of the Planning Inspectorate to grant planning permission on appeal for the redevelopment of Nos. 42, 44 and 46 Lillington Road by the erection of 8 dwellings and 16 apartments, reference W031607. That appeal decision is attached in full to this report and now constitutes a material consideration of significant weight in the consideration of the present application. Indeed D.O.E. Circular 8/93 (Award of Costs incurred in planning and other proceedings) advises:-

'A planning authority are likely to be regarded as having acted unreasonably, in the event of a successful appeal against their refusal of planning permission, if it is clear from a relevant earlier appeal decision that the Secretary of State or a Planning Inspector would have no objection to a revised application in the form which was ultimately allowed, and circumstances have not changed materially meantime.'

In reporting to the Planning Committee on planning application W040790 for an identical development to that now proposed, I identified a number of key issues and commented on them as follows:-

"Demolition of existing houses and the residential redevelopment of the site

The demolition of the existing houses is not subject to planning control and it does not require planning permission. The buildings are not of 'listable' status and the recent

extension to the Conservation Area did not include these properties. PPG3, Housing states Government is committed to promoting more sustainable patterns of development by concentrating new housing development within urban areas making more efficient use of land by maximising the reuse of previously developed land; the definition of previously developed land includes land which is, or was, occupied by permanent buildings and their curtilages.

I am conscious of the resolution of Council in May concerning PPG3 (Housing) and the issue of redevelopment and the responses from the Office of the Deputy Prime Minister and the Local Government Association, the previous refusal by the Planning Committee for a scheme for the redevelopment of this site (W031607), the extension of the Conservation Area boundary along Lillington Road and the comments made in the Council's 'appeal statement' in respect of application W031607. I do not consider, however, that these factors would justify raising objection 'in principle' to the demolition of the existing dwellings or their replacement at a higher density.

The density of the proposed development and its design

The site has an area of some 0.54 hectares so the existing 3 dwellings represent a density of 5.5 dwellings per hectare whilst the proposed density is 26 dwellings per hectare. PPG3 (Housing) advises, however, that land is a finite resource and urban land can often be underused; it advises in paragraph 58 that local authorities should, therefore, encourage housing development that makes more efficient use of land, between 30 and 50 dwellings per hectare whilst avoiding development below 30 dwellings per hectare; no upper limit is placed on an acceptable level of density. The question of appropriate site density, however, has to take account of the aims of good design and layout and the advice in PPG3 is that new housing development should not be viewed in isolation but must be informed by the wider context, having regard not just to say any immediate neighbouring buildings but the townscape and landscape of the wider locality.

In this instance, I am mindful that the character of the wider locality around the site is mixed with low density modern housing on and immediately adjoining the application site, older housing to a higher density on Wathen Road, substantial older villas to the west of Lillington Road with more recent developments nearby, including two storey terraced units with accommodation in a mansard roof to the south of the junction with Lillington Avenue and three storey housing to the north of the junction.

I consider that the layout now proposed would be to an acceptable level of density which would not cause unacceptable harm either to the setting of the adjoining Conservation Area or the established character and appearance of this locality. Clearly the proposal will change the existing appearance of the site, but I consider the architectural style and layout of housing now proposed would be acceptable subject to the imposition of appropriate planning conditions to secure the detailing of the design and would be consistent with the objectives of the Local Plan policies set out earlier in this report, in particular those of Policy DP1 in the Warwick District Local Plan (1996-2011), first deposit version. Whilst the proposed density is less than the 30-50 dwellings per hectare range sought by Government, in the context of character of this particular locality, I consider the proposed density of 26 dwellings per hectare would be acceptable. I am aware of objections raised to the loss of existing landscaped gardens and open views across the site but I note that no objection is raised by the Head of Amenities and I consider that subject to appropriate landscaping and boundary treatment conditions, this development would not unduly affect the amenity of this locality. The Head of Amenities has confirmed that the TPO oak tree on the site frontage could be retained and WCC (Highways) has not required the felling of the lime tree referred to by the Head of Amenities in the highway verge; I note a new boundary wall is

proposed under the canopy of the TPO oak which may adversely affect its roots but I consider an alternative boundary treatment in this position could be required by a planning condition.

Impact on the amenity of neighbours

Clearly a number of neighbours have objected to this proposal and are apprehensive about the changes which would result from this development. However, given that the proposed new dwellings on the Lillington Road frontage are sited approximately on the footprint of the existing dwelling to be demolished and that the new dwellings to the rear have been sited and designed to take account of their relationship to the neighbouring dwellings. I consider that the layout and designs (as now amended) whilst visible from existing housing would not cause an unacceptable loss of amenity, including issues such as overshadowing, dominance or loss of privacy such as would justify refusal.

Highway matters/car parking

With regard to highway issues, I note the Highway Authority has not raised objection. The applicants propose that the access would remain private and hence has not been designed to adoptable standards. I note that the scheme includes provision for at least one garage and car parking space per dwelling which whilst above the average of 1.5 spaces per dwelling advised by PPG3, Housing, would be acceptable on this site. The proposal will also result in the closure of 3 existing drives on the Lillington Road frontage. Whilst noting the objections raised to this proposal on grounds of highway safety and congestion, I do not consider objection on these grounds would be sustained."

I am of the opinion that whilst recognising that the current proposal is for a different form of development to that the subject of planning application W031607, on (in parts) a different site, nevertheless the Inspectors decision in allowing that appeal support my comments as set out above; hence I remain of the view that the form and layout of the present application is acceptable.

The remaining issue to be considered is that of planning obligations on which the Inspector in granting the appeal in respect of application W031607 made a number of comments (see paragraphs 14-19 of the Inspectors decision letter attached to the report). As Members are aware, advice was sought from Counsel as to whether there was a reasonable prospect of challenging the Inspectors decision on the appeal; he concluded that there was not. In looking at the issue of 'affordable housing', Counsel commented as follows:-

"3. Policy SC9 [of the Warwick District Local Plan 1996-2011, first deposit version, which relates to affordable housing] is contained in the First Deposit of the emerging District Local Plan. It has attracted considerable objection. In these circumstances, particularly as its requirements depart from and are more onerous than those in Circular 6/98, it was almost inevitable that the Inspector concluded he could attach little weight to it. The difficulty for the Council at present is that Circular 6/98 states emphatically that proposals to adopt a lower threshold than those contained in the Circular must be demonstrated and justified through the local plan process. However, as the emerging Plan gets farther down the course towards adoption as the Development Plan, greater weight may be attached to its provisions particularly, if as expected, Government guidance on thresholds is changed in the eagerly awaited PPS3 with the effect that SC9 falls in line with national policy. Policy CF5 in the RSS which would have formed part of the Development Plan at the time of the Inspector's decision (although not referred to by either party or the Inspector) is helpful in recognising that thresholds below those set out in national guidance may be appropriate, but it too requires those thresholds to be brought forward through the development plan process. In the future, therefore, with

PPS3 (it is to be expected) lowering thresholds, with the emerging Local Plan being more advanced than now and with the strategic background of RSS Policy CF5 I am hopeful that Inspectors would be prepared to attach more weight to policy SC9. Of course, once the new Plan is adopted, full weight will have to be accorded to its terms."

The applicant in respect of the present application has commented:-

"I can confirm that, given the comments of the Inspector into the 24 unit scheme, we are not prepared to pay the previously agreed commuted sum for £329,000 for the affordable housing. In our view the Inspector's letter is unambiguous - SC9 can only be given little weight and to require the provision of affordable housing is clearly contrary to planning policy. We note that the LPA has decided not to challenge the Inspector's decision - we assume therefore that your QC's advice was that the Inspector's view were lawful."

The present application is for 14 dwellings (i.e. below both the Council's previously applied number threshold of 15 as set out in the first deposit draft of the 'emerging' Warwick District Local Plan 1996-2011 and that of 25 as set out in the DOE Circular 6/98 (Affordable Housing), albeit as it has a site area of 0.54 hectares it is above the site size threshold as set out in the aforementioned plan but below that of 1 hectare as set out in Circular 5/98). In these circumstances, having regard to the Inspectors comments in the appeal decision on W031607 (which relates, in part, to the same site) and Counsels opinion, then although recognising the views of the Head of Housing set out in the representations section above. I reluctantly conclude that in the context of the present policy framework it would not be possible to sustain a reason for refusal based on the applicants decision not to now agree to make an affordable housing contribution on this particular site for this particular proposal.

With regard to the County Council's request for a contribution towards library facilities and a bus shelter (set out in the representations section above) the applicant has indicated that if the County Council can set out a proper justification for this planning obligation, they would agree to pay these monies; the County Council has stated such a justification can and will be provided.

In conclusion, therefore, in the context of the Planning Inspectors comments in the recent appeal decision allowing application W031607 and Counsels comments on that decision, my recommendation is that notwithstanding the Planning Committees decision to refuse an identical application, W040790, the present application be granted subject to a Section 106 Agreement to secure a financial contribution as requested by W.C.C.

REASON FOR RECOMMENDATION

The proposal is considered to comply with the policies listed above.

RECOMMENDATION

That subject to the satisfactory conclusion of a Section 106 Agreement to secure the financial contributions requested by Warwickshire County Council (set out in the representations section above), planning permission be GRANTED, subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The details hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 2045/01A, 02A, 03A, 04A, 05A, 06A, 07, 08A, 09, 10A, 11 and 12A deposited with the District Planning Authority on 4th November 2004 unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 5 Notwithstanding the details contained in the submitted application, a landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased with five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 6 Notwithstanding the details contained in the submitted application, no development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 7 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety.

- 8 No development shall be carried out on the site which is the subject of this permission, until large scale details of dormer windows, chimneys, rooflights, porch canopies, bay window parapets, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this site which adjoins a Conservation Area and to satisfy Policy ENV6 of the Warwick District Local Plan 1995.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any order revoking and re-enacting that Order with or without modification), no development shall be carried out which comes within Part 1 of Schedule 2 of this Order, without the prior permission of the District Planning Authority. **REASON** : The site is of a restricted size and configuration and is in close proximity to other dwellings and their gardens. It is considered appropriate, therefore, to retain control over future development to ensure that the residential amenity of this locality is protected in accordance with the provisions of District-Wide Policy ENV3 of the Warwick District Local Plan.
- 10 The vehicular access to the site from Lillington Road shall not be used until it has been provided with 7.5 m kerbed radius turnouts on each side. **REASON**: In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 11 The vehicular access to the site shall not be less than 5 metres wide for a distance of 10 metres into the site, as measured from the near edge of the public highway carriageway. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 12 The dwellings hereby permitted shall not be occupied until the proposed means of access has been constructed in strict compliance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 13 The development hereby permitted shall not be brought into use until all parts of existing accesses to Lillington Road, not included in the proposed means of access, have been permanently closed and reinstated in accordance with details approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
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