

Planning Committee: 02 July 2013

Item Number: 6

Application No: W 13 / 0464

Town/Parish Council: Warwick

Registration Date: 08/04/13

Case Officer:

Rob Young

Expiry Date: 08/07/13

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**Land at Earl Rivers Avenue / adj Gallagher House, Gallagher Way,
Gallagher Business Park, Warwick, CV34 6AF**

Erection of a Continuing Care Retirement Community (Use Class C2) comprising a core building (including Care bedrooms, Close Care units and ancillary facilities), Assisted Living Units, landscaped grounds, internal highways and car parking (outline application including full details of access) FOR ECVF Warwick Ltd and Gallagher Estates Ltd

This application is being presented to Committee due to an objection from the Town Council having been received and because it is recommended that planning permission be granted subject to the completion of a legal agreement.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to conditions and subject to the completion of a Section 106 Agreement. In the event that a satisfactory Section 106 Agreement has not be completed by 8 July 2013, Planning Committee are recommended to delegate authority to the Head of Development Services to refuse planning permission.

DETAILS OF THE DEVELOPMENT

The application proposes the erection of a continuing care retirement community. This would include the following:

- a core building incorporating 48 care bedrooms, 36 close care units and ancillary facilities; and
- 118 assisted living units.

The ancillary facilities will include a hairdresser, restaurant, bar, café, shop, library and wellness centre. The wellness centre will provide consulting / treatment rooms for local GPs as well as a gym and studios for therapies. A village transport service will provide scheduled daily runs to local destinations as well as being available for personal appointments.

This is an outline application including details of access. All other details are reserved for consideration in a future reserved matters submission.

The development is intended to serve residents with varying care needs and includes a range of accommodation from assisted living units (lowest intensity form of care) to care bedrooms (highest intensity form of care). This model of development will allow residents to progress through the 'dependency scale' of care by making use of different types of accommodation according to their circumstances which are all located on the same site.

The care bedrooms will be akin to rooms in a conventional care homes, having ensuite facilities but not separate food preparation or cooking facilities. The close care units offer more privacy and slightly more independence, with each apartment having one or two bedrooms, bathroom(s) a lounge and kitchenette allowing residents to make light meals (e.g. sandwiches), tea and coffee. These apartments are designed for those who require greater assistance than those in the assisted living units, but are not at a stage in their health where they require dedicated nursing staff twenty four hours a day (which is available in the care bedrooms). The assisted living units generally comprise a sitting room, one or two bedrooms, a kitchen and bathroom(s). These units are designed to offer residents greater independence within the care environment. Residents have access to staff offering medical, personal and mobility assistance 24 hours a day. On average, each resident in the assisted living units receives approximately 2-6.5 hours of care per week.

Although the application is in outline, it is indicated that the buildings will range in height from two to three storey.

It is proposed that 20 of the assisted living units would be provided as affordable housing (15 shared ownership and 5 social rented). It is also proposed that further provision for affordable housing will be made off-site at Portobello Way, Warwick. This would comprise 14 self-contained flats for adults with learning disabilities / autism. This would be provided in association with the Bromford Group (a Housing Association) and the developer would contribute £580,000 towards the cost of this development.

The care bedrooms are proposed to be managed by Warwickshire Care Services. However, the developer is not making any financial contribution towards the cost of this part of the development. The care bedrooms would be separately funded.

The applicant proposes to enter into a Section 106 Agreement to secure certain features of the scheme, including the following:

- the affordable housing provision;
- the village transport service;
- to ensure that the development is only occupied by people who are either over 65 or are under 65 and in need of care;
- to ensure that all occupants are contracted to receive a minimum personal care package of at least 1.5 hours per week;

- to make the communal facilities and village transport service available to other elderly or disabled residents in the District on a membership only basis, subject to reasonable conditions; and
- a Travel Plan.

THE SITE AND ITS LOCATION

The application site comprises vacant plots on Gallagher Business Park. The business park is identified as a major employment commitment in the Local Plan. The site is divided into two parts by the access road to the adjacent offices. The site is bounded by Earl Rivers Avenue to the south and on the opposite side of this is a landscaped flood 'balancing' area adjoined by housing. The site is bounded by a pedestrian / cycle route to the east and north-east with housing beyond. To the north the site is bounded by an office building, a nursery and a health club. Gallagher Way forms the western boundary of the site. The site is generally level and is grassed with boundary hedges.

PLANNING HISTORY

In 1997 outline planning permission was granted for "Residential and employment uses including retail and community use; provision of public open space, associated highway and infrastructure works" (Ref. W95/0664). This related to the whole of the Warwick Gates development and included employment development on the current application site.

In 2002 outline planning permission was granted for "Phase 2 of Warwick Business Park comprising 56200 sq.m. B1 offices, 650 sq.m. A3 cafe/bar, 2035 car parking spaces; structural landscaping, roads, footpaths, cycleways and water features" (Ref. W01/1605).

In 2002 reserved matters were approved in relation to outline permission no. W95/0664 for "the siting, design and external appearance of 1 no. two storey and 1 no. three storey office buildings; construction of car parking and access to Gallagher Way" (Ref. W02/1303). This approval related to the part of the current application site that fronts onto Earl Rivers Avenue.

In 2007 a planning application was submitted for "Continuing care retirement community (Class C2) comprising 60 care bedrooms, 45 care suites and 156 care apartments together with Headquarter Offices, Care centre/Training Facility (Classes B1 & C2)" (Ref. W07/1339). This application was subsequently withdrawn. The application was submitted by a different applicant and did not relate to the current application site. It related to a larger site within the business park on the western side of Macbeth Approach.

In 2008, planning permissions were granted for office development on plots 210, 220 and 230 (Refs. W08/1371 and W08/1376). These planning permissions were renewed in 2011 (Refs. W11/0548 and W11/0550). These permissions related to the part of the current application site that fronts onto Earl Rivers Avenue.

In January 2013 a planning application was submitted for "Erection of a Continuing Care Retirement Community (Use Class C2) comprising a core building (including Care bedrooms, Close Care units, Linked Assisted Living Units and ancillary facilities), Assisted Living Units, landscaped grounds, internal highways and car parking (outline application including full details of access)" (Ref. W12/1616). This was subsequently withdrawn.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- SC1 - Securing a Greater Choice of Housing (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Town Council: Object. The Town Council do not seek to object to an outline planning application to establish the use of the site as a care retirement community, subject to the District Council, as LPA confirming that the land is no longer required for employment purposes and the LPA consider that the existing land allocation within the Local Plan meets the District's employment needs for Warwick.

The proposal in the application that the allocation needed to meet social housing requirements should be provided off site is questionable, and to provide units elsewhere negates the ethos of a continuing care retirement community.

Whilst such issues would fall to be dealt with in a detailed application, the allocation of recreational and amenity land and provision to meet car parking requirements would also need to be addressed.

Public response: One nearby resident has objected to the proposals on the grounds that this is a relatively rural landscape and the character of the area will be somewhat altered.

One nearby resident has submitted comments in support of the application, stating that it is high time to develop the land and there could not be a better and more suitable use for it. There is a strong need for this type of accommodation in the area.

One nearby resident has submitted comments neither objecting to nor supporting the application but raising concerns about the impact the increased traffic and lack of sufficient parking facilities may have on Earl Rivers Avenue.

Severn Trent Water: No objection, subject to a condition to require drainage details.

Environment Agency: No objection, subject to conditions.

WCC Highways: No objection, subject to conditions and a Section 106 agreement to secure a Travel Plan.

WCC Ecology: Confirm that they are largely satisfied with the ecological survey effort undertaken and the ecological report that has been submitted with the application. The site is of low ecological value. No further survey work is required and ecological issues should not be a constraint to development. Recommend conditions to require an ecological and landscaping scheme and protection of existing trees and hedgerows. Recommend notes relating to badgers and nesting birds.

WCC Fire & Rescue: No objection, subject to a condition to require details of water supplies and fire hydrants.

WCC Archaeology: The proposed development lies within an area of significant archaeological potential, immediately to the west of a banjo enclosure and trackway which are visible on aerial photographs of this area. Limited archaeological investigation of these features has recovered Iron Age pottery (Warwickshire Historic Environment Record MWA 4561). The application site also lies in the immediate vicinity of the postulated site of the Heathcote deserted medieval settlement (MWA 4614). There is therefore a potential for the proposed development to disturb archaeological deposits associated with the use of this area from at least the later prehistoric periods.

Given the past planning history of this site there is no objection to the principle of development but it is considered that some archaeological work should be required if permission is forthcoming. Therefore recommend a condition to require the implementation of a programme of archaeological work.

WDC Environmental Health: No objection, subject to conditions.

ASSESSMENT

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

- the principle of permitting a care village on this site;
- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the area;
- car parking and highway safety;
- affordable housing;
- provision for public open space;
- ecological impact; and
- drainage and flood risk.

Other issues relating to the detailed design of the proposals would be assessed as part of any subsequent reserved matters submission.

The principle of permitting a care village on this site

The application site forms part of a committed employment site as identified in Appendix 1 of the Local Plan. Local Plan Policy SC2 states that redevelopment or change of use of existing and committed employment land and buildings for other uses will not be permitted unless one of four criteria are met. However Paragraph 22 of the NPPF states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Paragraph 22 goes on to state that, where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

Planning permission was granted for Warwick Gates Business Park in 1999 and 2002. The access roads have been laid out and a single office building and two supporting uses have been developed (nursery and health club), but the majority of the plots remain undeveloped. It is also of note that the Local Plan Preferred Options proposes to reallocate the majority of the Warwick Gates Business Park to residential use (with the exception of the current application site). Very limited weight can be attached to this proposed reallocation at present due to the early stage in the Local Plan process. However, a planning application for residential development on that land has recently been submitted. If that application is approved or the Local Plan reallocation is taken forward, this would result in the application site being a small parcel of employment land isolated from other employment sites (with the exception of the single office building adjoining the northern boundary of the site).

Paragraph 47 of the NPPF requires local planning authorities to identify a five year supply of housing sites. The Council cannot demonstrate that there is a 5 year supply of housing sites within the District. Paragraph 49 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites. Whilst not strictly a policy relating to the supply of housing, Policy SC2 does have an impact on the supply of housing land in the District and therefore does affect the Council's ability to meet the five year housing land requirements of the NPPF when it comes to sites such as this. In this case it is also of note that the site adjoins an existing residential area. Furthermore, the proposed development would generate a significant amount of employment (over 100 full and part time jobs), including the provision of care and the staffing of the ancillary facilities.

Revised employment land allocations are included in the Local Plan Preferred Options and will be included in any new Local Plan. Furthermore, the applications that have been submitted for development on land to the west of the application site include an area designated for employment purposes to the south of Gallows Hill. Therefore it is concluded that the proposals would not undermine the supply of employment land within the District.

Having considered all of the material considerations outlined above, it has been concluded that these outweigh any conflict with Policy SC2.

Local Plan Policy UAP1 states that residential development will be permitted on previously developed land and buildings within the confines of urban areas. Whilst the application site is not previously developed land, it is a committed employment site that has been laid out ready for development. Furthermore, as the Council is unable to demonstrate a five year supply of housing land, the restriction of residential development to previously developed land only, as set out in Policy UAP1, is in conflict with paragraph 49 of the NPPF. Therefore it is considered that the material considerations outlined above in relation to Policy SC2 also outweigh any conflict with Policy UAP1.

Impact on the living conditions of nearby dwellings

The nearest dwellings are situated to the east and north-east of the site. The proposals for a residential use on the application site would be compatible with the adjacent residential uses. Furthermore, the adjacent dwellings are separated from the application site by a footway and cycleway and the generous verges to either side. The indicative layout that has been submitted with this outline application shows that it is possible to provide an acceptable relationship with neighbouring dwellings.

Impact on the character and appearance of the area

This issue is more relevant to the consideration of any reserved matters approval than this outline application. The site adjoins residential and commercial areas containing buildings of varying designs. In this context, subject to a suitable detailed design, a retirement village would be in keeping with the character and appearance of the area.

Car parking and highway safety

There has been no objection from the Highway Authority. Therefore it is considered that the proposals are acceptable from a highway safety point of view.

In terms of parking, it is proposed that the development would provide 127 spaces. As a Continuing Care Retirement Community is a somewhat unique offering, the development does not fit within any of the categories of development set out in the Council's Parking Standards. The proposed parking provision is less than the standard for conventional residential accommodation but more than the standard for a care home.

In assessing the suitability of this parking provision it is notable that occupants of the development will receive varying levels of care and therefore it is reasonable to assume that a proportion of occupants will not have a car. Furthermore, the proposals include a village transport service which will provide scheduled daily runs to local destinations as well as being available for personal appointments. In addition, an interim Travel Plan has been submitted with the application and it is proposed that the Section 106 Agreement will secure a full Travel Plan. Taking all these matters into account, it is considered that the proposed parking provision would be appropriate and will not result in unacceptable on-street parking.

Affordable housing

The application proposes that 20 of the Assisted Living Units will be provided as affordable housing (15 shared ownership and 5 social rented). In addition, it is proposed to deliver a site with planning permission, including the finished building and the provision of services, for 14 self-contained units for adults with learning difficulties / autism. This site is at Portobello Way in Warwick and will be operated by Bromford Group.

The affordable housing proposals would amount to a provision of 29%, as calculated as a proportion of the 118 Assisted Living Units. This would fall short of the minimum 40% required by Policy SC11 and the Affordable Housing Supplementary Planning Document. However, the applicant has argued that the provision of a greater proportion of affordable housing would render the scheme unviable. A viability appraisal has been submitted in support of this view. The Council have appointed consultants to check the appraisal and their report is awaited. Further information on this issue will be provided in the Addendum Report to Committee.

The Town Council have raised concerns about the fact that part of the affordable housing provision will be off-site. However, the off-site provision that is proposed in this case is a specialist form of housing and the provider that the developer is working with on that site (Bromford Group) has advised that the site in question has significant advantages over the current application site in terms of proximity to local facilities and the relationship with the surrounding urban environment. It is also notable that the officer at Warwickshire County Council who is responsible for strategic commissioning in relation to such accommodation is also in support of these off-site proposals. There is clearly a need for the form of accommodation proposed and therefore it is considered that there is justification for allowing this part of the affordable housing to be provided off-site.

Provision for public open space

The proposed development would normally be required to make a contribution towards the provision or enhancement of public open space, in accordance with Local Plan Policy SC13. However, the viability information that has been submitted demonstrates that this would render the scheme unviable. If the report from the Council's viability consultant indicates that there is extra value in the scheme to pay for increased Section 106 contributions, this would be taken up by increasing the affordable housing provision. The Council's viability consultant has advised that there certainly will not be sufficient money in the scheme to pay for an open space contribution as well.

Ecological impact

The County Ecologist has advised that the site is of low ecological value and that protected species are unlikely to be affected by the development. Conditions and informative notes are recommended in accordance with the comments of the County Ecologist.

Drainage and flood risk

The site is situated within Flood Zone 1 and therefore is suitable in principle for the development proposed. Surface water is proposed to be managed using a Sustainable Urban Drainage Scheme which will include a combination of porous hardstandings, trapped gullies, petrol interceptors, rainwater harvesting and piped discharge into the retention basin on land to the south of the site. On this basis there has been no objection from the Environment Agency or Severn Trent Water, subject to conditions. Therefore the proposals are considered to be acceptable in terms of drainage and flood risk.

Other matters

The Design and Access Statement confirms that security measures will be incorporated in the detailed design. This issue will be considered in more detail as part of the assessment of any reserved matters approval.

Environmental Health have recommended a condition to require a contamination investigation to be carried out. This condition is considered to be sufficient to ensure that the proposals are acceptable from a contamination point of view.

A condition is recommended to require the completion of a programme of archaeological work, in accordance with the comments of the County Archaeologist.

As this is an outline application, the details of on-site renewable energy production are not known at this stage. Therefore a condition is recommended to require renewable energy details to be submitted for approval.

With regard to Environmental Health's concerns about air quality, these relate to the potential renewable energy technologies that have been suggested in the application documentation (e.g. solid biofuels). However, this information is indicative at this stage. Full details of renewable energy technologies will be assessed as part of any reserved matters or discharge of conditions submission. At that stage Environmental Health will be consulted on the detailed proposals.

Environmental Health have identified a number of sources of noise that may affect occupants of the proposed development. This will influence the detailed layout of the development, but is not so severe as to dictate that residential development on this site would be unacceptable in principle.

Summary/Conclusion

The conflict with Policies SC2 and UAP1 is considered to be outweighed by other material considerations. The proposals would have an acceptable impact on the living conditions of neighbouring dwellings and would be acceptable in terms of car parking and highway safety. Furthermore, the proposals are considered to be acceptable in terms of drainage and flood risk. It is therefore recommended that permission is granted, subject to conditions and a Section 106 agreement.

CONDITIONS

- 1 Details of the appearance of the building(s), landscaping of the site, layout of the site and its relationship with adjoining development, and the scale of building(s) (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved.
REASON: To comply with Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995 (as amended).
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years of the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

- 3 The development to which this permission relates shall begin within three years of the date of permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 The development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works that have been submitted to and approved in writing by the local planning authority. The surface water drainage details shall be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development and shall include details of how the scheme will be maintained and managed after completion. The details should demonstrate that the surface water run-off generated up to and including the 1 in 100yr plus climate change allowance critical storm will not exceed the run-off from the undeveloped site. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.
- 5 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON :** To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 6 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 Local Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety.
- 7 No development shall commence until a Landscape and Ecological Management Plan for the application site has been submitted to and approved in writing by the District Planning Authority. The plan should

include details of habitat creation measures, native tree and shrub planting, as well as details of on-going management of these features for wildlife. Details of species proposed and sourcing of plants should be included as should proposed locations of bird boxes. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure no net loss of biodiversity and to enhance opportunities for biodiversity at the site in accordance with the National Planning Policy Framework and Policy DP3 of the Warwick District Local Plan 1996-2011.

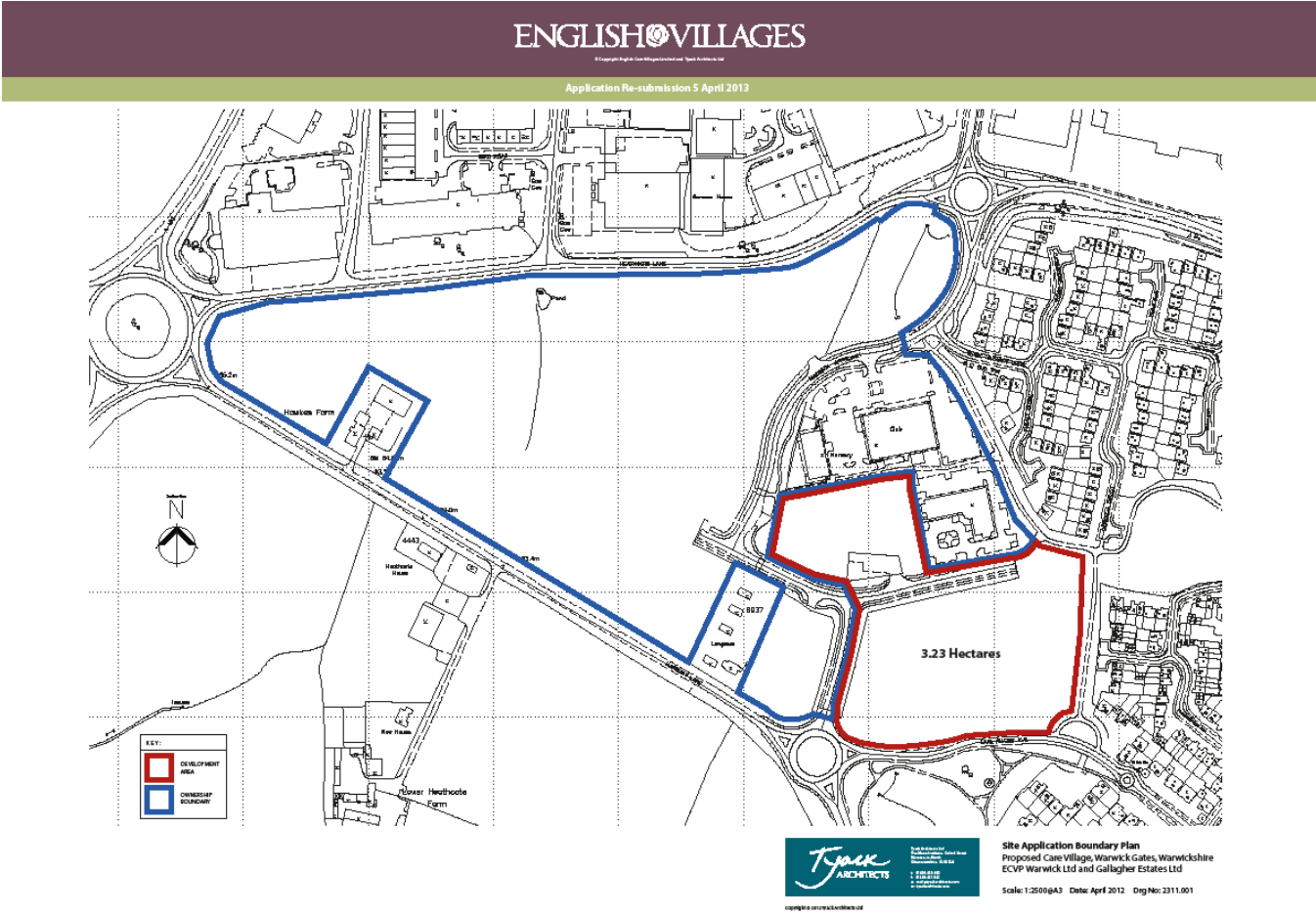
- 8 The development hereby permitted shall only be undertaken in strict accordance with a scheme of site investigation of the nature and extent of contamination within the application site that has been undertaken in accordance with a methodology which has previously been submitted to and approved in writing by the local planning authority. The results of the site investigation shall be made available to the local planning authority before any development begins. If any contamination is found during the site investigation, a report specifying the measures to be taken to remediate the site to render it suitable for the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The site shall not be occupied until remediation measures have been carried out in full accordance with such approved details and a soil validation report has been submitted to and approved in writing by the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.
- 9 No development shall take place within the application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 10 No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. This shall detail the likely number of vehicles accessing the site during the construction phase, the routes they will use and measures that will be put in place to ensure that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. The development shall be carried out strictly in accordance with the approved details. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.

- 11 The vehicular accesses to the development shall be constructed in accordance with the details shown on drawing no. 2311.002I, submitted on 8 April 2013. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 12 The development shall not be occupied until visibility splays have been provided to the vehicular accesses to the site with 'x' distances of 2.4 metres and 'y' distances of 43 metres to the near edge of the public highway carriageway. No structure, tree or shrub shall be erected, planted or retained within the splays exceeding, or likely to exceed at maturity, a height of 0.6 metres above the level of the public highway carriageway. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 13 The development shall not be occupied until the accesses for vehicles have been provided to the site not less than 5 metres in width for a distance of 7.5 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 Policy DP6 of the Warwick District Local Plan 1996-2011.
- 14 The accesses to the site for vehicles shall not be used until they have been provided with 6 metre kerbed radius turnouts on each side. **REASON:** In the interests of highway safety, in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 15 The accesses to the site for vehicles shall not be used in connection with the development until they have been surfaced with a bound material 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 Policy DP6 of the Warwick District Local Plan 1996-2011.
- 16 No part of the development hereby permitted shall be occupied unless and until the car parking, cycle parking and vehicle manoeuvring areas indicated on the drawings approved as part of any reserved matters submission for that part of the development 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, cycle 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 DP6 & DP8 of the Warwick District Local Plan 1996-2011.
- 17 The reserved matters to be submitted in accordance with Condition 1

shall include details of all earthworks, mounding and 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, and 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 DP1 & DP2 of the Warwick District Local Plan 1996-2011.

- 18 All existing trees and hedgerows on the application site shall be retained and shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, 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 with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. 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 DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 19 Fume extraction and odour control equipment (including external ducting flues) shall be properly installed in their entirety in accordance with details first submitted to and approved in writing by the local planning authority and such installation shall have been carried out to an approved standard before the use of any communal kitchen facilities hereby permitted commences. Any external ducting shall be colour coated in accordance with the approved details within one month of its installation and any replacement or modification shall be colour coated to match within one month of its installation. The equipment shall be permanently maintained in accordance with the manufacturer's instructions and be operated at all times when cooking is carried out. **REASON:** To protect the amenities of surrounding properties within the development and outside of the site, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.
- 20 Any landscaping (other than the planting of trees and shrubs) including boundary treatment, paving and footpaths referred to in condition one

shall be completed in all respects, with the exception of tree(s) and shrub(s) planting, within the first planting season following the first use of the development hereby permitted and the tree(s) and shrub(s) shall be planted within six months of that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of similar size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.



ENGLISH VILLAGES

Application Re-submission 5 April 2013

