

Planning Committee: 14 October 2015

Item Number: 8

Application No: [W 15 / 1203](#)

Town/Parish Council: Warwick

Case Officer: Liam D'Onofrio

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Registration Date: 27/07/15

Expiry Date: 26/10/15

Land at Foxes Study, Warwick Castle, Castle Hill, Warwick

Erection of 16 permanent semi-detached lodges (32 units) providing visitor accommodation, a facilities building (including, but not limited to reception, restaurant, kitchen and toilets), a sub-station, boardwalks, re-alignment of the existing perimeter footpath, part widening of the existing internal access road, lighting, boundary treatment, landscaping works and associated infrastructure works (including surface water drainage). FOR Merlin Attractions Operations Ltd.

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of 16 permanent semi-detached lodges (a total of 32 units) to provide visitor accommodation, a facilities building (to include facilities such as a reception, restaurant, kitchen and toilets) a sub-station and associated lighting, access and infrastructure works.

The application is accompanied by a Planning Statement (including a Statement of Community Engagement and Operational Management Plan), a Design and Access Statement, Heritage and Landscape Assessment, Economic Statement, Transport Assessment, Arboricultural Report, Method Statement and Tree Survey, Flood Risk Assessment, Ecological/Protected Species Surveys (with further updates in September and October 2015), Noise Assessment, Services Strategy, Archaeology Impact Assessment and a Construction Method Statement.

The applicant states that the planning application has been prepared following careful analysis of the overall Castle grounds and Foxes Study, specifically, detailed discussions with the Council, District Councillors, Town Council and Historic England. It also responds to the comments made by the Planning Committee in relation to the previous planning application [W/14/1293].

The accompanying documents analyse the proposals in the light of planning policies and other material considerations. They state that there are several particularly positive benefits arising from the development, these include the

role in maintaining Warwick Castle as a leading visitor attraction which, in turn, results in local employment and being able to maintain the historic fabric of the overall site. They also state that the new accommodation will have benefits for local businesses within Warwick.

The applicant states that over the past 35 years over £20 million has been spent on restoration including £7 million over the past 10 years. They advise that research by Historic England concludes that such investment in the historic environment supports economic performance by attracting new business and residents, encouraging people to spend more locally and enhancing perceptions of the area. Investment delivers additional economic benefits to local areas above and beyond what would have happened anyway. It is a successful way to encourage economic growth and provides a blueprint for sustainable development.

Historic England's research also concludes that investment in the historic environment can lead to significant additional spending in the Warwick local economy and the wider economy. The research indicates that every £1 invested in the historic environment directly contributes on average an additional £1.60 to the local economy over a ten year period and an extra £1.70 in the wider economy. Based on this assumption, £7.3 million of investment in restoration at the Castle (as invested over the past 10 year) will have generated £11.7 million locally and a further £12.4 million in the wider economy. Therefore the combined economic value of investment in the historic environment at the Castle would amount to over £24.1 million.

In terms of benefits to the local economy the applicant notes that the Castle is a leading visitor attraction; it contributes significantly to the local tourism offer and the local and regional economy providing a diverse mix of jobs and flexible working. Its continued success, which as a privately owned business has to be by means of attracting new and repeat visitors, is important in many respects, including to the economy of the town and to generate money for the upkeep of the heritage assets. The applicant states that Warwick Castle already brings many benefits to the local economy which the Castle is keen to build upon through the proposed development. The key benefits identified by the applicant are set out below:

1. The Castle delivers £34m revenue to the region;
2. It consistently generates PR and awareness of Warwick;
3. 46% of Castle guests visit Warwick town;
4. 'Glampers' who choose to dine in Warwick spend an average of £18 per head;
5. Tower Suite guests purchased c.270 meals in Warwick restaurants in 2014; and
6. 70 full time, 77 part-time and 392 seasonal jobs are provided.

The applicant notes that the Castle champions Warwick and the wider region as it undertakes significant annual promotional and advertising of the attraction ensuring the Warwick name receives national recognition. In 2014 the Castle generated an advertising value equivalent of £17 million. This investment and spending leads to significant additional spending in the Warwick local economy and the wider economy. Further details are set out in the accompanying Economic Statement.

In terms of the need for the accommodation the applicant states that Warwick Castle, as a visitor attraction, operates within a highly competitive sector of the economy. Leisure spending is generally discretionary and there are many opportunities available to the public about how, when and on what money is spent. Within the leisure sector just retaining visitor numbers is a challenge, especially for those businesses where there is a degree of repeat business (where a visitor returns on several occasions). Essential factors in a visitor attraction retaining its visitor numbers include meeting customer expectations and standards (which are generally rising), providing unique insights/opportunities and a range of experiences that can attract people of varying ages and interest – such as families.

The applicant comments that according to recent Barclay's research, the value of domestic "staycation" holidays in the West Midlands is set to increase by over £1 billion by 2017. Warwick Castle has been innovative in terms of developing its offer, within the context and requirements of an historic site. However, the Castle's competition has copied the range and quality of offer. There is therefore a need to respond to customer expectations and differentiate the Castle from others. This is where the accommodation offer plays a vital role. The applicant sets out that there are several reasons why accommodation is important to the Castle's future operation and benefits to the town generally. These include:

1. The demand from visitors for a unique accommodation offer.
2. The demand from guests that the unique accommodation must comprise a stay within the Castle or its grounds.
3. The absence of unique accommodation in the local area, which if provided may attract visitors who would not otherwise visit Warwick Castle.
4. The delivery of incremental overnight stays to the existing town hotel room stock.
5. The promotion of town visitation and spending.
6. The provision of new revenue opportunities to fund further investment in the Castle.
7. The provision of new employment opportunities created.
8. The differentiation of Warwick Castle from its main competitors.

The applicant states that in terms of the site's heritage assets and settings it is demonstrated that the development in Foxes Study does not have any impact beyond the immediate application site. Whilst the application results in a change to that part of Foxes Study where it is located, the setting of the listed buildings is unaltered; and the Conservation Area is preserved. The proposals do not require the removal of, nor do they impact on, any aged or veteran trees or ancient woodland.

The applicant considers that the supporting information demonstrates that any residual harm is "less than substantial", and that the degree of harm is very limited, at the very low end of the scale and should therefore be weighed against the public benefits associated with the proposal (in line with paragraph 134 of the NPPF).

THE SITE AND ITS LOCATION

Warwick Castle is a Grade I Listed Building, a Scheduled Ancient Monument and Warwick Park and Gardens are designated as Grade I on the English Heritage

Register of Historic Parks and Gardens. The Castle Park is within Warwick Conservation Area and open countryside close to Warwick Town Centre.

The application site is located about 450 metres to the south-west of the Castle set back from the western bank of the River Avon, near the southern end of the island, and in an area of Castle Park known as Foxes Study. The site is well screened from views from the Castle, Conservatory and grounds to the north by existing mature trees within the Castle grounds.

There is a hard surfaced path running around the edge of the lawned vista running from the Conservatory down to Foxes Study. The Castle's main public car park lies to the north of the application site with properties on West Street, Tudor Court, Stuart Close and Temple Grove located to the west.

The application site slopes gently upwards from east to west, occupying a plateau which is elevated above the River bank, and is currently grassed with an existing gravel path providing access. There are a large number of trees within the application site and part of the site immediately adjacent to the River bank falls within Flood Zones 2 and 3.

PLANNING HISTORY

There is an extensive planning history at the Castle including glamping undertaken within Foxes Study seasonally during 2013 and 2014. The most recent/relevant applications to this proposal are:

W/13/1781: Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 17th May 2014 and 9th September 2014 at Foxes Study, Warwick Castle: Granted 7th February 2014 subject to conditions including the requirement that the pitches be de-compacted following the cessation of the use of the site. All of the conditions imposed on this permission have been discharged including the above requirement.

W/14/1293: Proposed use of land at Foxes Study for the siting of permanent semi detached lodges and for seasonal glamping. Refused 11 November 2014 because the scale and nature of the development was considered to cause substantial harm to the heritage asset and was not outweighed by public benefits arising from the development.

W/14/1809 Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 1st May and 30th September each year up to and including 2017 at Foxes Study, Warwick Castle: Granted 12 February 2015.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- 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)
- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- RAP15 - Camping and Caravanning Sites (Warwick District Local Plan 1996 - 2011)
- RAP16 - Directing New Visitor Accommodation (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT1 - Directing New Tourism, Leisure and Cultural Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT2 - Directing New or Extended Visitor Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CT4 - Extensions to Tourism, Cultural or Leisure Facilities in Rural Areas (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CT6 - Camping and Caravan Sites (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

- CT7 - Warwick Castle and Warwick Racecourse/St Mary's Lands (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE4 - Protecting Historic Parks and Gardens (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Support. The Town Council are satisfied that conditions in respect of previous applications had been discharged and did not present an impediment to consideration of the application.

Members considered that in view of the applicant's liaison with Historic England, both the amended design of the development, and the location of the lodges and facilities building, would avoid a detrimental impact to the woodland site and maintain uninterrupted views from the Castle.

Members also considered that the development, if permitted, would help the make up the shortfall of hotel rooms within the Town and make a contribution to the Town's visitor economy and expressed Warwick Town Council's support for the proposal.

Historic England: No objection raised. As regards the visual impact of the proposals Historic England agree with the applicant's supporting analysis that the visual impact of the scheme when viewed from the adjoining heritage assets, such as the Castle itself, is low. As with all such applications there are details of the proposals which are not specified completely in the planning application, and it is appropriate that the local authority should secure these by means of conditions.

WCC Highways: No objection, subject to conditions.

WCC Ecology: Pre-determinative surveys have been carried out at the County Ecologist's request and a number of updated documents have been completed. The Ecologist raises no objection to the proposed scheme, subject to conditions.

WCC Archaeology: No objection, the scheme is not considered to have any significant archaeological impact.

WDC Environmental Services: No objection.

Environment Agency: No objection, subject to condition.

CAF: Objection. The proposed lodges and facilities building would introduce visually incongruous structures that would harm the historic character, appearance and natural environment within the Grade I Listed Warwick Castle Park, contrary to the adopted (saved) Local Plan Policy DAP11, and the Draft Local Plan Policy HE4, which seeks to protect Historic Parks and Gardens; it is also contrary to Policy CT7, which only permits development at Warwick Castle in line with an approved Masterplan and Conservation Plan. It is considered that any public benefits, (including economic benefits), from the proposed development were not sufficient, above and beyond what is already provided by Warwick Castle, to justify the level of harm that would be caused to a heritage asset of the highest significance.

Natural England: Comment that they have received notification from a member of the public, highlighting concerns for the bats present and roosting within the trees at the site. NE have provided their standing advice and state that it is the responsibility of Warwick District Council to consider protected species with advice from the County ecologist, as necessary.

Warwick Society: Objection. The site is one of only 142 such landscapes in England, with the same status and protection as Grade I listed buildings. Warwick Castle Park is of similar significance to landscapes at, for example, Stowe and Blenheim, and to buildings like York Minster or, in Warwick, St Mary's Church. Permitting harm to this part of the Castle Park would be the equivalent of approving irreparable damage to such buildings and landscapes. The NPPF imposes a very clear requirement on the Council to conserve the Park.

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. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of designated heritage assets of the highest significance, notably ... Grade I and II* registered parks and gardens ... should be wholly exceptional. The Park is a vital element in the setting of the Castle itself, also Grade I listed, and damage to that setting would also require exceptional justification.

The proposal would cause substantial immediate harm to the landscape and in the longer term threaten its survival. It would have an immediate severely damaging visual impact on the woodland in which it is proposed to site holiday lodges, the bulk of the banqueting building would make it a particularly damaging intrusion; and the clutter of smaller supporting buildings would create an industrial ambience in the fringes of the holiday camp.

In the longer term, the effect on the ecology of the woodland would be to cause permanent damage to the trees and to their regeneration, leading eventually to their complete loss.

The claimed economic benefits to the town and region are not supported by any convincing analysis.

The proposal would harm the amenity of neighbouring residents.

The emerging Local Plan, which should be given weight in the decision, requires a Masterplan to be approved by the Council before any development is permitted within the Castle estate. This represents good planning practice.

The Warwick Society suggest that if the Council are any doubt about the weight of the responsibility which falls upon them in considering drastic change and damage to a landscape of national significance, the application should be refused. This would allow its determination, should the applicant appeal, by a Planning Inspector informed by more expert witnesses than may be available to the Council or, in the time scale for response to the application, to Historic England. Indeed, this is the route by which the previous application is now being handle. Doing this would ensure that a matter of national significance was decided nationally, and eliminate the risk that the Council could be seen as not itself appreciating or protecting the significance of Warwick Castle Park.

Leamington Society: Objection. The Leamington Society should have but did not object to the previous application for 41 “temporary” tents in the grounds of the Castle, from May – September 2014, which have been popular and profitable for Merlin *but Warwick Castle grounds are not a camp site or a holiday camp or Disneyland*. However, tents are definitely preferable to permanent lodges. The Leamington Society note, from the economic report, that the proposed new development will again be very profitable for Merlin and much less so for the economy of Warwick town centre. Foxes’ Study is a historic plantation in the “Picturesque style”, and more than 200 years old. It was created by two Earls of Warwick between 1743 and 1803 and needs careful and continuous maintenance. Permission for the construction of permanent housing, an electricity sub-station, paths, parking etc. etc. does not respect the heritage, history and beauty of the site and sets a dangerous precedent for other such sites in England and Wales. It is directly opposed to NPPF paragraph 132 and the Conservation Advisory Forum have also referred to DAP11 Protecting Historic Parks and Gardens in their opposition to these proposals.

The Gardens Trust: Objection. Permanent development in this location is, in principle, unacceptable due to its impact on the Grade I nationally designated designed landscape. Such detrimental impact clearly and directly conflicts with Government guidance contained in NPPF paragraph 132 which states that harm to heritage assets of the highest significance (Grade I or II*) should be “wholly exceptional”.

Even if the Council are persuaded of the applicant’s argument that the detrimental impact of the proposed development is less than substantial, it is questioned whether the assertion that the alleged public benefits of the scheme outweigh the detriment of further incremental permanent development within the Grade I designated landscape which forms the setting of the Grade I Listed Castle and Scheduled Ancient Monument. The Gardens Trust therefore advise that the proposed development should be refused consent.

Warwickshire Garden Trust: Objection. The damage to Foxes' Study will be substantial. In relation to the park as a whole, the damage is at the high end of "less than substantial". The applicant's assessment of the significance of Castle Park overall, and of Foxes' Study in particular, is at variance with that of English Heritage in the Register description; the present lack of public access to the points from which the development is visible is not a relevant factor in determining the damage which will be caused by this development; the applicant has not applied the appropriate test as required by the NPPF. Damage to a Grade I landscape should be wholly exceptional.

The Chamber of Trade: Support. The chamber of Trade wholeheartedly supports this application. It will have huge economic benefits for the town all year round with minimal impact. The experience of Glamping has proved that the visitors to the Castle come into town to eat, drink and shop. A town centre hotel is being lost to housing so to have high quality accommodation available in the town centre is to be applauded. Guests will stay for 2-3 days all year round not just during the summer months bringing much welcomed revenue in to the town.

Public responses:

There have been 34 letters of **support** for the scheme, providing the following comments:

- The location of the lodges within Foxes Study is the most appropriate location for this type of development within the Castle grounds as it will not harm the overall significance of the Registered Park and Garden, it will preserve the character and appearance of the conservation area and it will have no indirect effects to or impact on the setting of any listed building.
- Allowing Warwick Castle to build permanent lodges at the site will not only help fund the ongoing maintenance at the Castle, but will also bring more overnight tourists into the town which will boost the local economy. In general, the Castle visitors help to support business and glamping at the Castle has been extremely successful over the past couple of years so, for this reason, the increased provision of lodge accommodation at this site is fully supported.
- It is important for not only the Castle but for the Town of Warwick that investment continues at the Castle to safeguard the continued success of the attraction and for the building fabric to be maintained.
- Pleased that no veteran trees or ancient woodland is to be removed from the site or impacted upon as a result of the development.
- The design of the lodges and the use of natural materials are welcomed to complement the woodland setting of the accommodation within the Castle grounds.
- It is comforting to know that the proposed development will not generate additional traffic or will require additional parking at the Castle.
- It is satisfying to see that the Applicant has undertaken further ecological studies to support the application and to ensure that the accommodation can be

located adequately within Foxes Study, ensuring there is minimal impact on the ground and no protected species will be affected by the development.

- A local firm based in Coventry with the majority of staff living and working in Warwick, comment that they have been a long term supplier to Warwick Castle and Merlin has provided jobs and income for several years to their workforce.
- The impact of Warwick Castle is very beneficial to the town of Warwick with all of the tourism it encourages.
- Should the Castle cease to make financial sense, it is horrifying to consider the consequences for Warwick.
- While Merlin continue to promote the Castle (and with it the name Warwick) the town benefits from a massive halo effect that brings other visitors to the town, not necessarily attracted to the Castle.
- The castle owner continually invests £ millions to keep the Castle relevant. They must be vigorously supported in preventing its deterioration and maintaining the castle as a vibrant, living, breathing entity that brings joy to thousands of visitors every year, and as a supporter of so many of the town's initiatives, which importantly keeps Warwick firmly "on the map".
- The central part of Foxes Study has been left completely outside the visitor area. The proposed lodges and glamping would now be sited on ground currently within the castle lawns. No trees would be felled, no undergrowth removed, and no habitats disturbed.

Accordingly it is not considered that the introduction of permanent visitor accommodation in this location will have an adverse impact on the environment or cause substantial harm to Castle Park

- This presents an opportunity to undertake proactive management to conserve the wildlife, and enhance the woodland boundaries at this end of Castle Park. This perimeter is an essential part of the Grade I landscape and provides a solid edge to the Castle grounds. In allowing this application clear boundaries must be maintained between the visitor and the wildlife in order that both can flourish.
- Impressed by the design and location of the proposed lodges.
- The impact for the town on having overnight visitors to the Castle will be nothing but positive. EVERY shop and restaurant within the town will benefit from the castle. For ALL businesses in Warwick the addition of more overnight accommodation, encouraging visitors to stay longer than a day, is a good thing. Now that one of the few centrally-located hotels - the Lord Leycester - is to be converted into flats and houses, it is even more incumbent on the town to find alternatives.
- Allowing Warwick Castle to build permanent lodges at the site will not only help fund the ongoing maintenance at the Castle, but will also bring more overnight tourists into the town which will boost the local economy.
- The Castle is a business and needs to develop and grow. This will allow that to happen and will be a huge asset to Warwick
- The additional tourism which it will bring will clearly have a positive economic effect on the town and will offer increased educational opportunities in a uniquely stimulating environment.
- In understanding the costs involved in repairing and maintaining an ancient building the scheme will be a benefit to the Castle, to ensure that their programme of maintenance is supported. Without the Castle's success and investment this would not be possible.

- Warwick Castle is an integral part of the community in Warwick and this can only serve to improve Warwick's economy.

There have been 35 letters of **objection** to the scheme, raising the following concerns:

- The scheme is in conflict with the Grade 1 status afforded to the Castle site and the adjacent Great Park.
- Foxes Study is an integral part of a unique Grade 1 listed landscape.
- It is not believed that accommodation within the castle will be of benefit to businesses in the town centre.
- The slippery slope leading towards the Disneyfication of the Castle into an Alton Towers type Theme Park.
- It is important for the council to take responsibility for protecting the context of a scheduled ancient monument and Grade 1 listed building from the consequences of an inappropriate development so close to a nationally significant architectural and historic heritage asset.
- Precedent.
- The business of making money is entirely irrelevant when considering the protection of an important national site of historical significance for nearly 1,000 years
- Accommodation equivalent to a hotel along with "all day" food will not encourage visitors to use facilities in the town.
- The impact upon environment/wildlife/trees/landscape.
- It is doubtful that any income from a residential development of this size will add significantly to the overall economic state of Warwick as a whole.
- The loss of valuable natural area.
- It is disingenuous for Merlin to talk about the cost of keeping the buildings in repair. They knew that was the deal.
- Foxes' Study is part of the Grade 1 parkland surrounding Warwick Castle. Planted in the Picturesque style, it forms an essential element of the setting of the Castle itself which is also a Scheduled Ancient Monument and Grade 1 listed.
- The proposed development will destroy the intended genius loci of the woodland as a haven of peace and tranquillity.
- It will overlay hard landscaping, man-made structures and modern service infrastructure – all greatly at odds with the original design. It will thus deny future generations the opportunity of enjoying this oasis of green calm.
- This application is in addition to that already granted for temporary glamping (W14/1809) and will result in 32 permanent units in addition to 43 temporary units. A total of 75 units each for 5 persons. (375 people per night). There will also be kitchen and banqueting facilities together with toilet and shower trailers to cater for 375 people each day. All this and the necessary services to be fitted into a 2.18 hectare site. This level of development will totally destroy any semblance of tranquil woodland and is clearly over development of the site.
- The proposal is in direct conflict with policies contained in the Warwick District Council draft Local Plan.

- Security/privacy concerns.
- Overdevelopment.
- A well-known town centre hotel is closing for lack of business and the provision of an on-site restaurant and other facilities will not encourage the occupants of the lodges to go into town.
- Noise/disturbance, lighting invasion.
- Whilst the need for income as tourism to Warwick is important the facilities at the castle are not compatible to all; the buildings etc. amount to a holiday park.
- This development will increase noise and traffic. Warwick Castle is a historic building not a circus. The benefit to the town will be negligible and the steady decline of visitors exiting the Castle grounds has been witnessed over the years. Warwick would have all the problems but none of the benefit.
- The previous application was decisively refused unanimously with Members voicing strong objections. Members rightly recognised that this is a National monument of international renown and wholly exceptional circumstances would be required to build on woodland of the quality of Foxes Study - one of only 140 landscapes which have a higher classification. One reason that the proposal was refused was the fact that a Masterplan had not been produced for the Castle as required in CT7 of the emerging Local Plan. It is disingenuous to accept that CT7 no longer carries weight because the Local Plan has been rejected. If that were so then all the policies in the emerging Local Plan would be rejected and we would be operating on the 2011 Local Plan which also carries policies on the historic environment.
- The NPPF states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. With Grade 1 parks and gardens, it should be wholly exceptional.
- The historic vista will be marred as the glamping site can be seen from the Conservatory through a break in the trees.
- The holiday camp site will offer a shop, laundry, showers, toilets and staff facilities and well as a banqueting hall and food throughout the day. Lodges will be self-contained with kitchens for self-catering – and it is incomprehensible that these campers are going to venture into town to eat. There is no evidence to support the Castle's argument that this application would bring economic benefit to the town. Hotel trade in town dropped by 40% when the Premier Inn opened. It is inconceivable that the town economy will be improved.
- Disturbance will be hugely exacerbated to neighbours and increase in traffic problems with the 14,000 glampers proposed per year.
- Merlin apparently make nearly £1 million per day and can afford to pay for restoration works. Any owner has an obligation to keep a listed building in good order.
- Access and enjoyment of this precious woodland would be denied to future generations and we would see the betrayal of one of Warwick's historic gems.

ASSESSMENT

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

- Background
- The principle/impact on the heritage assets/public benefits;
- The impact upon Ecology/landscaping;
- The impact on residential amenity;
- Highway safety;
- Drainage/Flood risk;
- Renewable energy;
- Health and Wellbeing.

Background

The previous scheme W/14/1293, which included 20 permanent semi-detached lodges (40 units), up to five permanent tree houses, 41 seasonal glamping tents, support facilities including a banqueting tent and associated infrastructure works, was refused on the following grounds:

The proposed development would introduce leisure and recreational activities and associated development on a permanent basis into an area of historic woodland within Warwick Castle Park which is of a scale and nature that would result in substantial harm to that Grade I Listed Registered Park and Garden which also forms part of the setting of Warwick Castle which is a Grade I Listed Building and a Scheduled Ancient Monument.

That substantial harm to a heritage asset of the highest significance is not outweighed by the public benefits arising from the proposed development which is therefore contrary to paragraphs 132 and 133 of the National Planning Policy Framework and to the following Development Plan policies: Policies DAP4 and DAP11 of the Warwick District Council Local Plan 1996 - 2011 and Policies HE1 and HE4 of the emerging Warwick District Local Plan 2011 -2029.

By means of the submission of this revised proposal, the applicant has sought to address the above refusal reason and in doing so highlights the following revisions:

- The removal of 5 proposed tree houses and 41 glamping and associated servicing tents from this permanent proposal.
- The reduction in the total footprint of the proposed buildings by 37%.
- The reduction in the number of proposed lodges from 20 down to 16 units.
- The proposed lodges have been reduced in height and where all lodges previously had a mezzanine floor and were 6.8m high it is now proposed to have 2 premium lodges with mezzanine bedrooms that are 6.8m high and 14 standard single-storey lodges, which will measure 3.8m high.
- The removal of kitchens from all lodges.
- The provision of a smaller facilities building for use by lodge visitors and 'glampers'. The current size of the proposed restaurant and facilities building is approximately 380sq.m compared with 493sq.m for the previous facilities building, feasting tent and kitchen combined.

The Principle/Impact on Heritage Assets/Public Benefits

National and Local Policies

Section 66 and 72 of the Planning (Listed buildings and Conservation Areas) Act 1990 impose a general duty to have special regard to the desirability of preserving listed buildings (including their setting) and conservation areas when considering whether to grant permission for development.

The NPPF paragraph 131 sets out how local planning authorities should consider planning applications relating to heritage assets and paragraph 132 states that when considering the impact of a proposed development on a heritage asset, great weight should be given to the asset's conservation and that the more important the asset the greater the weight should be.

The NPPF paragraph 134 states that where a development will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Local Plan Policy DAP4 'Protection of Listed Buildings' states that development will not be permitted which adversely affects the setting of a listed building. Policy DAP8 'Protection of Conservation Areas' requires development to preserve or enhance the appearance of conservation areas. Policy DAP11 'Protecting Historic Parks and Gardens' states that development will not be permitted if it would harm the historic structure, character, principle components and setting of parks and gardens.

The Heritage Asset

Warwick Castle Park is a heritage asset of the highest significance. It is the only historic park and garden within Warwick District to be included on the national Register of Parks and Gardens at Grade I.

The Park provides the immediate setting for the Grade I Listed (and part Scheduled Ancient Monument) Warwick Castle. Both the Castle and the Park are located within the Warwick Conservation Area.

The Tests

The first consideration is whether the proposal results in substantial or less than substantial harm to the above heritage assets and therefore whether the scheme falls to be assessed under paragraph 132 or 134 of the NPPF.

Concerns raised by The Warwick Society, The Leamington Society, The Garden History Society and Warwickshire Gardens Trust are carefully noted. The applicant has responded to these comments directly and considers that the methodology used in representations to be flawed, as 'substantial harm' is a high test to meet and does not occur frequently. The applicant notes that, as established by a recent Court ruling 'substantial' is synonymous with 'serious' in the sense that much of the significance of the asset (in this case Warwick Castle

Registered park and garden as a whole) would have to be very much reduced, if not entirely removed by such a change. The applicant considers that the functional role of Foxes Study, which creates the sense of a wider woodland setting to the castle, will be preserved. Any impact considered to arise will be localised and any minor effect on this less than sensitive part of the Registered Park and Garden would amount to at most negligible and wholly reversible 'less than substantial' harm to the Registered Park and Garden, consistent with the NPPF, Local Plan Policy DAP11 and draft Policy HE4. The applicant therefore considers that the relevant NPPF test is paragraph 134, which states that "where the development proposal will lead to less than substantial harm to the significance of the designated heritage asset this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Officers consider that when assessing harm it is important to consider the assets individually. The heritage asset directly affected by the proposal is Foxes Study, a component part of the registered park and garden. The development is focussed within this area, which has been selected for its relative separateness from other elements of the Castle Park. Whilst the development will undoubtedly make Foxes Study less tranquil it is significant that all of the elements associated with the proposal are well contained within Foxes Study itself and the physical impact is therefore limited to this part of the park only.

With regard to wider potential impacts within the park and garden, the prime view from the conservatory is largely unaffected. There may be limited views from the Island, however lodges have been moved back into the wood at the request of Historic England. The impact upon the setting of the listed castle/scheduled ancient monument is considered at most to be minor. It is also considered that the nature of the proposed development, including its location will preserve the appearance of the wider Warwick Conservation Area.

Officers consider that 'substantial harm' would involve either the total loss of the asset or direct or indirect effects which are so significant that the original justification for the designation is undermined. The park and gardens have significance as a whole, however the proposed changes to one element of the park, by virtue of the nature of the proposed scheme and its location within a heavily wooded area at some considerable distance from the castle itself is not considered to give rise to substantial harm to the asset as a whole. That being the case, it is considered that the impact of the proposals must amount to less than substantial harm to the Castle Park and Castle historic assets and therefore that the application should be considered within the context of paragraph 134 of the NPPF.

Historic England have raised no objections to the scheme and have stated that the visual impact of the scheme when viewed from the adjoining heritage assets, such as the Castle itself, is low, i.e. the scheme causes 'less than substantial harm'.

It is therefore considered appropriate that the development be assessed against NPPF paragraph 134, which states that where a development will lead to 'less

than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Mitigation

The assessment that the proposals result in 'less than substantial harm' to the heritage asset arises from the fact that the development will be unobtrusive and well screened from other parts of the park, will be some distance and not visible from the Castle and will have no significant impact upon the conservation area. It is therefore essential that the development is controlled to avoid any adverse impact to this setting through inappropriate lighting, clutter etc. Historic England have suggested conditions to ensure that the development remains low-key, such as additional planting to the under-storey beneath the tree canopies to limit views from outside of the site, control over lighting and a condition that the buildings/associated structures be removed should the use cease.

Officers note that the natural materials proposed for the buildings will allow them to assimilate well into the landscape, even in winter when the trees are not in leaf and if buildings can be glimpsed from the conservatory or island this is not considered to be of major significance or detriment. The buildings are considered to be appropriate in scale and design and conditions are suggested to secure additional understory planting. The use of boardwalks linking the lodges will assist in protecting the understory further. Low level lighting will be used, with PIR activation on lodge buildings and the boardwalk so that lights are on when required. The County Ecologist is satisfied that lighting has been designed sympathetically (in accordance with Bat Conservation Trust guidance) but a condition is suggested to secure final lighting detailing. Further conditions are suggested to remove all permitted development rights and to require the complete removal of all buildings and associated infrastructure should the use cease in the future, as requested by Historic England.

Public benefits

It is considered that the harm to heritage assets arising from this proposal is 'less than substantial'. This limited harm must be weighed against the public benefits of the proposal in accordance with NPPF paragraph 134.

In this context it is considered that this unique proposal to provide visitor accommodation on site will significantly contribute to the sustainability and safeguarding of the Castle in its present form as both a visitor attraction in the area and a suitably protected and maintained historic building. The costs involved in maintaining the Castle should not be underestimated and the applicant has indicated within the supporting information that millions of pounds has been spend on the restoration and maintenance of the Castle, funded through its function as a tourist attraction.

It is also considered that the positive benefits likely to continue to accrue to the local economy from the ongoing viability of the Castle and grounds are significant material considerations in support of the proposed development.

The 2013 Tourism Economic Impact Assessment showed that for Warwick District, overnight stays only account for less than 10% of the total number of trips. Warwick Castle's visitor figures show that even without the addition of the lodges, overnight staying trips account for 27% of the visitors to the castle. The Lodges will increase the numbers of visitors who will stay overnight (by approximately 8%). With the value of overnight stays being significantly more than that of day trips, the economic impact of the additional nights generated will be significant. Even with the provision of on-site facilities to eat, the Castle expects a large number of the overnight stays to visit and eat within the town itself. This is based on their experience of operating the glamping operation.

Despite overnight staying trips being less than 10% of the total trip numbers to Warwick District, they represent 35% of the (modelled) total visitors related spend of £206.2m (£73.5m). Therefore, additional investment that increases the number of overnight visitors should be welcomed as the economic impact of those visitors is much higher than day visitors.

There have been a number of losses to the accommodation stock within the area both in actual and planning permission terms. This diminishing stock of accommodation is a concern to the longer term economic health of the wider area. Whilst it cannot be considered compensation for the loss of hotel rooms that will arise from the permission granted to turn the Lord Leycester Hotel's 40 rooms to residential, the impact of the addition of unique stock within the town's offer should not be underestimated.

The development of the lodges also support the aims & guiding principles of the adopted Destination Management Plan developed through Shakespeare's England Ltd (the Destination Management Organisation for south Warwickshire). The areas the application supports include: Destination (Infrastructure) Development, Product Development and Communication & Profile.

The lodges themselves will be unique and therefore can be considered to be largely non-competitive to other types of accommodation in the area. They will help to encourage short breaks to Warwick Town with the attendant economic benefit to the town and the wider area. In addition, they will broaden and strengthen the overall accommodation offer of the area. It also has the significant potential to encourage new visitors and families to the Town who would otherwise not have considered staying overnight in Warwick or its current accommodation offer. This has certainly been the case of the experience of the Castle Suites development.

Research carried out for Warwick Castle shows that whilst the castle comes within the top 3 for unprompted recall of castles, very few of those surveyed can place Warwick within the UK. This has an impact on the development of the economy of the destination. A development of the product that the Castle can offer will enhance both its recall and its placement within the UK.

The contribution that the Castle makes to the economy of the town and region is significant and the benefits of the development in terms of supporting the Castle in its function as a major tourist attraction for the town (and region) is a material consideration to the assessment of the scheme. The NPPF paragraph 126 states that the wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring should be taken into account and paragraph 131 recognises the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.

Other considerations

The site falls within open countryside, however it is located adjacent to Warwick Town Centre and is therefore in a sustainable location with excellent links to the Town Centre's facilities, services and public transport, encouraging linked trips by visitors to the Castle who are able to easily utilise the Town Centre's shops, facilities and public transport links during their visit to the Town. The NPPF paragraph 28 seeks to support sustainable rural tourism and leisure developments that will benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. Local Plan Policy RAP15 states that camping or caravanning sites will not be permitted unless they can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local facilities and are not in areas of high flood risk.

Historic England have noted the temporary consent for glamping will expire in 2017 and states that the current position of Historic England's is that with the cabins subject of this scheme in place they would wish to see glamping use cease. Any future proposals for glamping would be considered separately, with consultation from Historic England.

Conclusion

In considering the previous scheme W/14/1293, after balancing all of the material considerations officers came to the view that in terms of the key heritage considerations, the proposals resulted in less than substantial harm to those assets and that any such harm was outweighed by the benefits of the scheme.

This revised proposal comprises a scheme of reduced scale within a heavily wooded area within Castle Park and as such officers consider that the level of harm to those heritage assets is further reduced relative to the previous scheme. Nevertheless, the revised scheme continues to demonstrate clear public benefits sufficient to outweigh that harm such that your officers consider that the amended scheme addresses and overcomes the previous refusal reason and is, on balance, acceptable in principle.

The impact upon Ecology/Landscaping

As part of the assessment of the previous scheme, all ecological issues were satisfactorily addressed by means of the imposition of planning conditions and given the reduced nature of the revised proposals that is also the case with the current application.

The application site has no specific conservation status but it does form part of an Ecosite (ref: 120/26), an important complex of woodland, old parkland, veteran trees, wetland, scrub, river and reed beds. It is designated for its mosaic habitats which form a wider complex of Local Wildlife Sites in the area. The site itself is dominated by broadleaved and coniferous woodland, with a mosaic of species-rich and poor grassland patches, including semi-improved and improved/amenity grasslands. A number of wet and dry ditches are present within the site, as are numerous species-poor hedgerows. There are also many records of protected species.

The County Ecologist requested some further pre-determinative assessments relating to protected species work, which has been carried out by the applicant in the form of updated surveys and as a result two of the lodges have been repositioned. The County Ecologist is satisfied with these amendments and has raised no objection to the scheme, subject to conditions.

The County Ecologist notes that there is some ground vegetation that will be effected by the proposal and recommends that an ecologist carries out a check of the vegetation for nesting birds and hedgehogs immediately prior to any works.

The County Ecologist notes that all mature and veteran/ancient trees will be retained within the design scheme and no trees will be impacted on by the location of the lodges or access works. The County Ecologist welcomes the proposal in the Design and Access Statement and Arboricultural Report to incorporate new planting. A combined landscape and ecological management plan is recommended for the site to reduce the impacts of the proposal, as well as incorporating opportunities for wildlife in and around the development once works are complete. This links into Historic England's comments regarding additional screen planting.

Impact on Residential Amenity

Local Plan Policy DP2 confirms that development will not be permitted which has an unacceptable adverse impact on the amenity of nearby uses and residents. Local Plan Policy DP9 states, amongst other matters, that development will not be permitted which gives rise to noise pollution.

The lodges will be some 120 metres from the closest residential properties and, whilst closer than the existing glamping tents, the applicant states that the lodges are soundproofed, minimising any disturbance. The proposed facilities building will be located some 65 metres from the closest neighbouring properties, however this is largely in the same location as the facilities building in the hybrid application W/14/1293. A noise assessment has been undertaken to assess both the construction impacts and operational noise from visitor

activities and traffic, which has been assessed by the Council's Environmental Health Officer (EHO). The EHO has raised no objection to the scheme subject to the applicant following the recommendations of the submitted noise management plan, geo-environmental (contaminated land) report and construction management plan. A further condition is suggested to control noise from plant and equipment.

In terms of outlook and privacy the proposed buildings will exceed minimum separation distances and will be well screened by existing mature landscaping. Accordingly, subject to the imposition of conditions suggested by the EHO, the scheme is not considered to result in any significant impact upon the amenities of the occupiers of surrounding properties.

Highway Safety

The Highway Authority have raised no objection to the scheme and note that from the anticipated trips related to the proposed lodges within the Transport Assessment, this would be a potential increase of 29 trips per day. Considering the daily trips the Castle site generates this would not be a material increase. From the supporting information there would appear to be sufficient parking within close proximity of the proposed camping area. The access from the A429 Stratford Road is to a good standard, served by a Ghost Island junction which enables traffic turning right to wait within the highway without obstructing the flow of traffic.

A construction management plan has been submitted with the scheme, as agreed with the EHO. however the Highway Authority's request for time restrictions on HGV traffic movements to avoid peak travel periods in Warwick can be added as a condition.

Drainage/Flood Risk

The majority of the application site is within Flood Zone 1, which is considered to be land at low probability of fluvial flooding. The eastern and northern boundaries of the site lie along the edge of the floodplain associated with the River Avon and Saltisford Brook fall within Flood Zone 2 and 3.

The Environment Agency have raised no objection to the scheme but state that the proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the submitted Flood Risk Assessment (FRA) are implemented. The Environment Agency suggest that this is secured by way of a planning condition on any planning permission.

Health and Wellbeing

Matters of residential amenity in terms of noise and disturbance have already been assessed.

There are considered to be health and well-being benefits to individuals able to enjoy short breaks and experience the attractions that Warwick Castle has to offer, including the town and immediate countryside. Attracting additional visitors to the town and the associated spending power and economic benefits that this is likely to bring are also considered to be highly positive for the town's residents and shop owners.

Renewable Energy

It would be appropriate to ensure that the facilities building produces at least 10% of the predicted energy requirement from renewable energy resources, or by reducing at least 10% of the energy demand of the development and its CO₂ emissions through the initial construction methods and materials. The scheme would need to be carefully integrated into the development and can be controlled by condition.

Energy demand for the lodges is likely to be low compared to that of a permanent place of residence and renewable technology is unlikely to be visually sympathetic to the well designed lodges given their context. The requirement for renewables on each individual unit of visitor accommodation is therefore considered to be unnecessary.

Summary/Conclusion

In the opinion of the Local Planning Authority, the proposed development is acceptable in principle and does not adversely affect the historic integrity, character or setting of the listed building or the registered park and garden. The proposals preserve the character and appearance of the Conservation Area and do not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 063 P25, 064 P2; 260 P3; 100 P10; 101 P8; 102 P7; 110 P5; 112 P4; 135 P13; 140 P6; 220 P9; 225 P5; 235 P10; 250 P4; 0280 P1; 270 P3; 300 P8; 310 P7; 302 P8; 303 P8; 310 P6; 311 P4; 312 P6; 313 P4; 335 P10; 336 P10, and specification contained therein, submitted on 29/07/15 21/09/15 and 24/09/15. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2, DAP4 and DAP11 of the Warwick District Local Plan 1996-2011.

- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.
REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 The development, hereby permitted, shall not commence until a Species Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging each part of this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species (e.g. badgers, bats, nesting birds, hedgehogs) with subsequent mitigation and monitoring, as deemed appropriate. In addition appropriate working practices and safeguards for other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site and prior to each season. The plan will also include measures to prevent contamination of the Local Wildlife Site and watercourse the River Avon both during and after development. In accord with the Pollution Prevention Guidelines produced by the Environment Agency. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.
Reason: To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 5 The development, hereby permitted, shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting, wildflower grasslands; woodland creation/enhancement, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure a net biodiversity gain in accordance with NPPF and secure a satisfactory form of landscaping in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011

- 6 The development, hereby permitted, shall not be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees, in particular the veteran trees, to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed. **Reason:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 7 The development, hereby permitted, shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the Local Planning Authority. In discharging this condition the Local Planning Authority expects lighting to be restricted around the boundary edges, around known bat roosts and badgers setts, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:
- a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps.
 - b. the brightness of lights should be as low as legally possible.
 - c. lighting should be timed to provide some dark periods.
 - d. connections to areas important for foraging should contain unlit stretches.
- The agreed scheme to be fully implemented before/during development of the site as appropriate. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.
- 8 The external facing materials and fenestration for the development hereby permitted shall proceed in accordance with the details provided within the supporting documentation dated 24/09/15. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1, DAP4 and DAP11 of the Warwick District Local Plan 1996-2011.
- 9 All built development to be sited outside of the 100 year Climate change outline for the River Avon as determined by the 2010 River Avon SFRM and the 100yr Climate Change outline for the Saltisford Brook, as determined by the Warwick Tributaries 2012 Study.
- Finished Floor Levels are set no lower than 46.64m above Ordnance Datum (AOD)

· The development shall maintain a minimum 8 meter undeveloped buffer zone from the top of bank of the aforementioned watercourses to enable maintenance and emergency access to the watercourse.

The mitigation measures shall be fully implemented prior to occupation.

Reason: To reduce the risk of flooding to the proposed development and future users of the site, to ensure safe access and egress from and to the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF 2012.

- 10 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 further development shall take place within the curtilage of any permanent building hereby permitted. **REASON:** That having regard to the nature and justification for the proposed development and its context it is important to ensure that no further development is carried out which would detract from the appearance of the area in accordance with Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011.
- 11 Should the holiday accommodation permanently cease to be required for those purposes the buildings and associated infrastructure hereby permitted shall be completely removed from the site and the land restored to its former condition. **REASON:** The retention of redundant buildings on site after their need has gone could lead to their deterioration which may cause the buildings to become injurious to the amenities of the area by virtue of an unsightly appearance contrary to Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of NPPF 2012.
- 12 The submitted Operational Management Plan shall be implemented in full and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. The Operational Management Plan shall be reviewed annually with each review submitted to and agreed in writing by the Local Planning Authority and implemented accordingly. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 13 Noise arising from any plant or equipment at the site, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) measured as LAeq(5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 14 The visitor accommodation hereby approved shall only be used as short term holiday lets and shall not be occupied by an individual, family or group otherwise than for holiday use only. Holiday use means for occupation over a set period of recreation away from the sole permanent place of residence. The visitor accommodation shall at no time be used for the purposes of permanent residential accommodation. **REASON:** To ensure that approved visitor accommodation is not used for unauthorised permanent residential occupation, which would create sub-standard units of permanent residential accommodation and in the interests of protecting the Grade 1 listed building, park and garden in accordance with Policies RAP1, DAP4 & DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the National Planning Policy Framework 2012.
- 15 The development hereby approved shall proceed only in strict accordance with the submitted construction method statement (as revised on 09/09/15) and shall be strictly adhered to throughout the construction period. In addition no HGV movements during the construction phase shall take place on Monday to Friday during the following time periods 07:00 – 09:00 and 16:00 – 18:00, to ensure that HGV traffic is limited during the peak travel periods in Warwick. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.
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