

Planning Committee: 16 July 2019

Item Number: 6

Application No: [W 18 / 2450](#)

Town/Parish Council: Warwick

Registration Date: 24/01/19

Case Officer:

Ragu Sittambalam

Expiry Date: 25/04/19

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Plot 310, Gallagher Way, Gallagher Business Park, Warwick, CV34 6AF

Construction of two-storey office building (Use Class B1(a)), together with associated vehicle car parking spaces, landscaping and associated works with access from Macbeth Approach FOR Gallagher Developments

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

RECOMMENDATION

That the planning application is GRANTED subject to conditions.

DETAILS OF THE DEVELOPMENT

The application seeks full planning permission for an office building and associated works comprising of the following;

- Erection of a two storey building arranged in an 'L' plan form providing 1721sqm of net internal floorspace.
- The building would measure l:16.4m-34.9m x w:16.3m-34.9m x h:6.9m to eaves, 11.4m to ridge with 2.2m overhanging eaves. The entrance would be to the enclosed corner where there would be a projection to second floor level with a parapet detail and flat roof (h:9.5m).
- The building would have a grey tile covered hipped roof with the walls faced in buff/yellow brickwork with art stone banding.
- A vehicular access from Gallagher Way (east) onto a turning area.
- A car park of 50 no. bays (including disabled and electric charging bays).
- Soft landscaping buffer to the east, south and western boundaries of the site.
- A bin store and substation to the north-east corner of the site.

THE SITE AND ITS LOCATION

The application site is located to the South of Leamington within the built up area of the settlement amongst existing residential, care village and employment development. The site area sits within a plot between Gallagher Way to the North and Harbury Lane with an arm of the roundabout to Harbury Lane spanning along the eastern extent.

There are strong highway boundaries to the north/east bordering a care village, and to the south a main road providing a strong degree of separation and in part, screening. To the west is residential development, with sparse existing buildings at Longacre adjacent the site with higher density housing beyond.

Whilst the site is unallocated, the land sits to the north of housing allocation H02 - Land South of Harbury Lane, a strategic allocation of over 1600 dwellings most of which are subject to planning consent.

The land is otherwise not subject to designated environmental constraints.

PLANNING HISTORY

W/18/1094 - Proposed works to plot 310 to close off existing vehicular access to north of site and form new access junction to plot 310 from Macbeth Approach.
GRANTED 13/07/18

W/11/0549 - Renewal of planning permission W08/1375 for erection of three storey office block and car park
GRANTED 22/11/11

W/08/1375 - Proposed erection of three storey office block and car park
GRANTED 23/12/08

W/07/1616 - Erection of three storey office block and car parking
WITHDRAWN 27/12/07

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- EC1 - Directing New Employment Development (Warwick District Local Plan 2011-2029)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)

- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Guidance Documents
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Parking Standards (Supplementary Planning Document)

SUMMARY OF REPRESENTATIONS

Warwick Town Council (1st Consultation) - Warwick Town Council would like to support the objection made by the Landscape team, environment and regeneration.

Warwick Town Council (2nd Consultation) - No Comment

WCC Archaeology - No Objection; Condition Advised

WDC Environmental Health - No Objection; Conditions advised

WCC Ecology - No Objection; Conditions advised

WCC Highways - No Objection; Conditions/Informative advised

WCC Landscape - No Objection; Concerns over loss of existing vegetation

WCC Lead Local Flood Authority - No Objection; Conditions advised

Police Authority - No Objection; Informative advised

NEIGHBOUR REPRESENTATIONS

During the consultation and re-consultation period, a total of 16 objections were received raising the following issues;

- Not an appropriate location for offices
- Not in keeping with the descign locally

- Overbearing impact due to scale/loss of light
- Loss of privacy
- Light pollution
- Noise impacts
- Traffic impacts

ASSESSMENT

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF operates under a presumption in favour of sustainable development. It states that development proposals, which accord with the development plan, should be approved without delay. The adopted Development Plan where the site is located comprises of the Warwick District Local Plan (WDLP).

The main considerations in the assessment of this application are;

- Principle of Development
- Visual Impact
 - Landscape
 - Design
 - Summary
- Amenity
 - Residential Amenity
 - Noise
 - Air Quality
 - Summary
- Environment
 - Contaminated Land
 - Ecology
 - Trees
 - Archaeology
 - Summary
- Transport
 - Highway Safety
 - Traffic
 - Sustainable Transport
 - Summary
- Water Management
- Other Matters
 - Conditions
 - Police Authority
 - Bin Store & Substation
 - Sustainability

Principle of Development

The NPPF seeks to promote sustainable development with paragraph 8 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development

- an economic element, a social element and an environmental element which are interdependent and need to be pursued in mutually supportive ways.

DS1 of the WDLP seeks to ensure that sufficient and appropriate employment land is available within the district to meet the existing and future needs of businesses.

DS5 of the WDLP reflects the NPPF's presumption in favour of sustainable development.

The application proposes B1(a) office development within land un-allocated or as 'white land' within the development plan. The site is spatially bound by existing or allocated development and is located in an area that is readily accessible to a strong service base nearby.

Planning Balance

EC1 of the WDLP identifies where new office development will be permitted, stating that outside of town centres, office development will be permitted where they are in employment land allocated in Policy DS9 and within established and committed employment areas in Policy EC3. An impact assessment will be required for out-of-town proposals over 2,500sqm.

The site is within an out-of-town location and is not allocated within the development plan, although the area proposed is not large enough to require an impact assessment. When read to the letter, the proposal would not comply with the exceptions to permit development within an out-of-town location. However, when considered in the context of the policy's aim, which is to protect allocated employment sites, town centre development and within the policy's subtext; ensure that employment areas are well distributed within urban areas, close to existing and future housing development and accessible by public transport, the site would be appropriate.

In considering the balance, the development would not be of a scale to trigger the need for an impact assessment and has benefited from planning consent for a similar proposal (albeit, in a different policy context). Furthermore, the proposal is not of a scale to prejudice the viability of the Town Centre.

As white land, the land use and scale would not have any wider adverse implications that are significant enough to warrant refusal, would be in a location that is accessible to a main road and would be located close to existing employment development to the north.

Summary

Having regard to this and the presumption in favour of sustainable development, the proposal would not raise substantive policy conflicts to prevent bringing this land use forward. The development would provide economic, social and environmental benefits on land that is not allocated for a designated use within the WDLP.

The application is therefore considered to constitute sustainable development and the principle of development is accepted, in accordance with DS1 and DS5 of the WDLP and the NPPF.

Visual Impact

Visual impact deals with the aesthetics of the development viewed at landscape and streetscene level. Objections relating to visual impact have been addressed in this section.

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

BE1 of the WDLP reinforces the importance of good design stipulated by the NPPF subject to detailed criteria to ensure that new development is permitted where it will positively contribute to the character and quality of its environment through good layout and design.

Landscape

The appraisal of Landscape considers the physical mass and character impact of a development proposal. As a site spatially bound by existing and allocated development the site is limited in landscape function but does provide the openness and separation between built form and transport infrastructure. The appraisal of landscape is done so in consultation with Warwickshire County Council's Landscape Team (LT).

There are not considered to be substantive character impacts arising from the proposal. Irrespective of the land use, the development would sit adjacent to a main road where development of this mass and scale would be expected. The level of set back from both Harbury Lane and Gallagher Way (north) would limit the visual appearance of the building with the two storey height, not dissimilar to development nearby.

The LT have requested details of landscaping to be submitted in order to understand and manage the visual intrusion of introducing development to this location.

It is noted that objections have taken issue with the potential prominence of the building due to its height, footprint and scale relative to the current open site. However, the degree of separation from other buildings, coupled with the siting of the structure is such that the building would not appear visually jarring given the context when approaching from the adjoining highways.

To ensure that this impact is managed and the building delivered in accordance with the submitted documents, a pre-commencement condition to secure site levels has been included.

Design

The appearance of the development has been included as part of this application. Design considers the appearance of the development independently and as part of the immediate streetscene. The application has been submitted with a Design & Access statement.

The building will be visible from the nearest dwellings and the wider street scene but would be of an appearance widely in keeping with office development albeit of a semi-domestic style utilising brick clad exterior and tile covered hipped roof. Given the site's location and nearby development, the appearance of the building would not jar with the wider area nor is it in a sensitive location to resist the architectural style put forward.

In response to objections, there would be an element of the building appearing different against the backdrop of more residential focused land uses, however the layout and scale of the building along with the material choices, siting and landscaping are such that the development would appear complementary when viewed in the context of the Harbury Lane corridor.

A condition to secure details of materials has been included within the recommendation.

Summary

It is considered that the development would not give rise to significant landscape impacts, nor would it adversely affect the character of the area.

The proposed scheme would provide a high quality building within a land-use compatible context subject to further details of landscaping being approved.

The landscape, design and layout of the development is therefore considered acceptable in accordance with BE1 of the WDLP and the NPPF.

Amenity

Whilst the site is located in close proximity to a main road, the adjoining land uses (care villages and residential) are sensitive receptors to new development. The proposal is for office accommodation. Issues relating to amenity have been addressed in this section.

Paragraph 127 of the NPPF states that planning decisions should in (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

BE3 of the WDLP sets out that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development

Residential Amenity

The building proposed would be set toward the north-west corner of the site 7m from the western boundary which was an amendment as part of the application process. In terms of impact on residential amenity the properties to the north, east and south would be sufficiently separated so as not to be affected in terms of the building appearing overbearing or privacy impacts.

The main impacted property would be at Longacre where there is a cottage set toward the southern boundary, however the siting of the proposed building has been amended to reduce the impact on that property. As amended, the siting is such that the impact of the building mass would be limited due to the separation distance and being north of the cottage which would prevent issues of overshadowing. The point at which the 45-degree line would be breached would be around 20m from the nearest affected windows, well in excess of the 8m allowed for the Residential Design Guide. There would be the potential for overlooking from the first floor accommodation, but a condition is recommended to require these windows to be obscure glazed. Therefore the level of overlooking is not considered to be significant comparatively given the presence of two and a half storey residential properties to the west of the site at Wren Close.

The building design and siting is such that impacts upon buildings in the immediate vicinity are limited through the use of a hipped roof, the L-plan form which focuses mass toward the less built up side of the site, two storey height and landscaping to the edges (minimum of 7m).

In terms of the use of the building that proposal would bring forward, the impacts again are not considered to be discordant with a residential environment given that the use is for offices and that there are similar types of uses within the area. Issues around there being peak time usage is appreciated but not considered substantive to resist development of this kind.

Noise

There are issues arising from introducing new development to an area close to noise sources such as a main road. Such matters are considered in consultation with the Environmental Health Officer (EHO). The application has been submitted with a Noise Assessment.

Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the natural and local environment by, 'preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 180 of the NPPF requires new development to be appropriate for its location taking into account the likely effects on health. Paragraph 108 a) of the NPPF requires new developments to mitigate and reduce to a minimum the potential adverse impacts resulting from noise from new development and avoid noise giving rise to significant adverse impacts on health and the quality of life.

The submitted noise assessment models noise levels taking a future year of 2024 and cumulative traffic impacts that are likely to occur. This concludes that the future occupants of the building would not be adversely affected by noise subject to the design specification.

There are no significant plant installations proposed as part of the proposal that would adversely affect neighbouring properties. Notwithstanding this, a condition has been recommended by the EHO to ensure that noise emanating from the building does not exceed a certain level.

Air Quality

The submitted Air Quality Assessment identifies issues arising during construction and impacts post-occupation identifying mitigation measures to address impacts at both stages of development. The site is not located within a designated Air Quality Management Area.

The mitigation measures outlined in the report includes providing electric charge points for vehicles, implementing a travel plan that has a focus toward facilitating modal shift through a variety of means. The level of mitigation (type 1 and type 2) outlined is considered commensurate with the scale of development put forward. The EHO has requested further details of the air quality mitigation measures to be set out along with details of implementation.

Impacts arising during construction have also been addressed through a construction management plan condition which is to be addressed pre-commencement. This would address noise, dust and working hours.

Summary

As a result, it is acknowledged that there would be some impact on residential amenity but that they are not considered significant to be weighed against the application.

Subject to the conditions set out in the recommendation, it is considered that potential noise impacts associated with the development would not have a significant adverse impact on receptors.

The air quality impacts associated with the development are not considered to be significant subject to appropriate mitigation.

The application is therefore in accordance with BE3 of the WDLP and the NPPF.

Transport

Transport matters are considered in consultation with Warwickshire County Council's Highways Development Management team (HDM). A Means of access has already established through the approval of W/18/1094 in its own right which is replicated through the proposed entrance from the east side of Gallagher Way. Issues raised relating to highways have been addressed in this section.

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety.

Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

Highway Safety

Access to the development has been assessed by HDM who have raised no objection to the scheme subject to ensuring measures to stop up the existing highway and implement access arrangements to the County's standard. Notwithstanding the existing approval it is considered prudent to ensure details are submitted to reflect a suitable bellmouth junction arrangement in the event that the existing permission lapses and given that this application is in full. With this in place, the proposals are considered to be acceptable in terms of the impact on highway safety.

With regard to parking, the proposed provision achieves the required standards for new buildings. There is also adequate space within the site for Heavy Goods Vehicles to enter, manoeuvre and exit in a forward gear without compromising the vehicle parking areas within the site.

Traffic

Concerns over the traffic impacts of the development have been raised through public consultation. The area of development is subject to strategic housing allocation within the area which has increased the amount of development in this part of the District. The submitted Transport Statement sets out that there would be around 17 two-way movements in the AM peak hour and 12 two-way movements in the PM peak hour with 104 two-way movements daily. The methodology was agreed with WCC with no objection to the findings raised by HDM. From this and the information presented within the application, the increase in traffic is not considered to have a significant impact on the highway network.

Sustainable Transport

Sustainable transport looks at issues around pedestrian, cyclist and public transport connectivity with the site along with infrastructure.

Paragraph 110 of the NPPF sets out that applications for development should give priority first to pedestrian and cycle movements and second facilitating access to high quality public transport as well as create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles.

The application has been submitted with a travel plan which has been accepted by HDM with monitoring information required by the EHO. The site would maintain public routes around it as per the existing with the site set within a location that is accessible both for visitors to the site and for linked trips to facilities in close proximity.

Summary

The transport impacts associated with the development have been suitably addressed. The application is therefore in accordance with Policies TR1 and TR3 of the WDLP and the NPPF.

Environment

Contaminated Land

The application has been submitted with a Geotechnical and Geoenvironmental Site Assessment which has been reviewed by the District's Environmental Health Officer (EHO)

Paragraph 178 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Paragraph 179 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

The findings of the submitted report indicate that there are low risks of ground contamination which has raised no objection from the EHO. A precautionary condition has been added to ensure that in the event that contamination is found, that it is reported and managed.

Ecology

Whilst principles around the wider ecological impact on the site would have been addressed in the outline application. The application has been subject to consultation with the County Ecologist (CE).

Paragraph 170 of the NPPF sets out that planning decisions should contribute to and enhance the local environment by minimising impacts on and providing net gains for biodiversity.

NE3 of the WDLP states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The CE has set out that further information relating to how the development would address biodiversity loss on site is necessary acknowledging that the principle of how this could be achieved through use of the adjacent land within the blue line of the application. This has informed a pre-commencement condition which is considered reasonable in order to ensure that there is a net gain in biodiversity.

Trees

The application has been submitted with an arboricultural impact assessment which categorises the trees and hedgerows on site identifying removals and replanting.

NE4 of the WDLP sets out that new development will be permitted that positively contributes to landscape character including addressing the importance of woodland and hedges and their contribution to landscape character.

It has been noted through the consultation response of the Landscape Team that there would be loss of existing vegetation which has informed a condition to secure details of the hard and soft landscaping scheme holistically. This will comprehensively deal with issues relating to trees and hedgerows as a pre-commencement matter. Additional planting will be secured through an appropriate landscaping condition to ensure that the development results in a net gain on site as per the County Ecologist's response.

Archaeology

The site is of a scale to have wider potential setting implications and impacts on designated heritage and unrecorded heritage assets. The application was originally submitted within an archaeological desk-based assessment which has been supplemented with an agreed written scheme of investigation and trial trenching report. Matters relating to archaeology are considered in consultation with the County Archaeologist.

HE4 of the WDLP seeks to ensure that any remains of archaeological value are properly evaluated prior to the determination of the planning application, requiring an agreed programme of archaeological investigation and recording where development will have an adverse effect on archaeological remains.

Paragraph 184 of the NPPF sets out that Heritage assets range from sites and buildings of local historic value to those of the highest significance. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.

At the time of writing the County Archaeologist raised no objection to the proposal subject to a condition to ensure a scheme of archaeological evaluation is undertaken on site. It is however understood that on site works and reporting have been undertaken and submitted for review. Members will be updated at committee on the status of this with regard to the recommended condition.

Summary

The risk in terms of land contamination has been demonstrated to be low, contaminated land issues have been suitably addressed in accordance with BE3 of the WDLP and the NPPF.

Subject to addressing this conditions relating to biodiversity impact and landscaping, it is considered that the impact on the natural environment would be appropriately mitigated in accordance with NE3/NE4 of the WDLP and the NPPF.

The impact on unrecorded heritage assets is considered acceptable in accordance with HE4 of the WDLP and the NPPF.

Water Management

As an application for major development in Flood Zone 1 the application has been submitted with a Floor Risk Assessment and Drainage Strategy along with a Foul Drainage and Utilities Assessment. The appraisal of water management involves consultation with Warwickshire County Council as the Lead Local Flood Authority (LLFA).

FW2 of the WDLP requires new developments to incorporate SuDS that provide biodiversity, water quality and amenity benefits and be in accordance with the Warwickshire Surface Water Management Plan.

Paragraph 165 of the NPPF states that Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

The site is considered to be at low risk of flooding with the building raised by 150mm to limit impacts arising from overland flood flows. The submitted report acknowledges that the impermeable areas will be increased and so a surface water drainage strategy is to be secured as per the recommendations from the LLFA by way of pre-commencement condition which would be expected to ensure sustainable drainage methods are provided on-site.

The applicant has engaged with Severn Trent Water for discharge of foul water to a public sewer with no substantive issues raised.

Based on the submitted information it is considered that water management can be successfully undertaken on site in accordance with FW2 of the WDLP and the NPPF.

Other Matters

Conditions

Paragraph 55 of the NPPF sets out the governing principles for planning conditions emphasising that conditions that are required to be discharged before development commences should be avoided, unless there is a clear justification.

Prior to preparation of this report, the applicant has confirmed agreement of the conditions set out in the recommendation, pre-commencement conditions have been imposed as part of this permission.

Police Authority

The Police Authority have raised no objection but have provided design guidance for the proposal which has been captured within an informative.

Bin Store & Substation

Details of the appearance of the bin store and substation have been secured by condition as a pre-commencement matter.

Sustainability

A condition is recommended to require the development to achieve a minimum BREEAM standard of "very good", in accordance with Local Plan Policy CC3.

SUMMARY/CONCLUSION

The main planning considerations in determining this application have been set out and considered above stating accordance with relevant Local Plan Policy. The application has also been considered against the relevant sections within the National Planning Policy Framework (NPPF) and there is not considered to be any conflict between the local policies and the NPPF on the matters of relevance in this case.

The application has addressed the main considerations and would accord with relevant policy. The proposal is therefore supported.

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 within the following approved drawings submitted on 31 December 2018, 30 April 2019 & 7 June 2019;

Site Plans

1. WCA-00-ZZ-DR-A-PL-900 Rev A - Location Plan
2. WCA-00-DR-A-PL902 Rev D - Proposed Site Plan

Building Drawings

3. WCA-00-DR-A-PL100 Rev - - GA 00 Ground Floor Plan
4. WCA-00-DR-A-PL101 Rev A - GA 01 First Floor Plan
5. WCA-00-DR-A-PL200 Rev C - North & South Elevations
6. WCA-00-DR-A-PL201 Rev C - East & West Elevations

REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 3 Notwithstanding details contained within the approved plans, prior to commencement of the development. Site level details to include;

- a) Existing site levels;
- b) Proposed site levels; and
- c) Proposed finished floor levels

Shall be submitted to and approved in writing by the Local Planning Authority. The dwellings shall subsequently be constructed in accordance with the approved levels.

REASON: To ensure that the development is delivered in accordance with the submitted documents in the interests of visual and residential amenity in accordance with Policy BE1 of Warwick District Local Plan 2011-2029.

- 4 The development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.
- 5 The development hereby permitted (including any works of demolition) shall not commence unless and until a construction method statement has been submitted to and approved in writing by the local planning authority and the development shall only proceed in strict accordance with the approved details. The statement shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting

from demolition and construction works. **REASON:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

- 6 Prior to commencement of the development hereby approved, a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development to;
- a) Set out the details of surface water management on site;
 - b) Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross sections of all SuDS features;
 - c) Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate of 1.2 l/s;
 - d) Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
 - e) Demonstrate detailed design (plans, network details and calculations) of the surface water drainage scheme including details of all attenuation and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
 - f) Provide evidence to show an agreement from Severn Trent Water to connect to the existing surface water network;
 - g) Provide a program of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full.

REASON: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.

- 7 No development shall commence until:
- (a) a programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition has been undertaken in accordance with the document produced by RSK Environmental Ltd called "Land Off Gallagher Way, Heathcote, Warwick, Written Scheme of Investigation for Trial Trenching";
 - (b) a report detailing the results of this fieldwork have been submitted to and approved in writing by the Local Planning Authority; and
 - (c) an Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological

impact of the proposed development and should be informed by the results of the archaeological evaluation.

The Archaeological Mitigation Strategy shall be implemented in strict accordance with the approved details.

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 where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

- 8 Notwithstanding details contained within the approved plans, prior to commencement of the development hereby approved, details of the bellmouth to include;

a) Design and specification

Shall be submitted to and approved in writing by the Local Planning Authority. The bellmouth shall be constructed in accordance with the approved scheme prior to occupation of the building unless otherwise agreed in writing by the Local Planning Authority.

REASON : In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan.

- 9 Notwithstanding details contained within the approved plans, prior to commencement of the development hereby approved, details of the bin store and substation to include;

a) Plans
b) Elevations; and
c) Materials

Shall be submitted to and approved in writing by the Local Planning Authority, The structures shall subsequently be implemented in accordance with the approved details.

REASON: To retain control over the external appearance of the development in the interests of visual amenity and in accordance with Policy BE1 of Warwick District Local Plan 2011-2029.

- 10 Prior to commencement of the development hereby approved, the net biodiversity impact of the development shall have been measured in accordance with the DEFRA biodiversity offsetting metric as applied by Warwickshire County Council (WCC), in the area in which the site is situated at the time of determination. If the measures for on-site mitigation approved in accordance with Condition #7 of this decision notice are not sufficient to prevent a net biodiversity loss, details of biodiversity offsetting which shall include;

- a) Proposals for off-site offsetting measures;
- b) A methodology for the identification of any receptor site(s) for offsetting measures;
- c) The identification of any such receptor site(s);
- d) The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery);
- e) A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity); and
- f) Program of delivery

Shall be submitted to and approved in writing by the Local Planning Authority. The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the approved details.

REASON: To ensure a net biodiversity gain in accordance with National Planning Policy Framework.

- 11 The development hereby permitted shall not be commenced unless and until a pre-assessment and design stage assessment by an accredited BREEAM assessor demonstrating how the development will be designed and constructed to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details. The development shall not be occupied unless and until a completion stage assessment by an accredited BREEAM assessor demonstrating that the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority. **REASON:** To deliver reductions in carbon dioxide emissions, building running costs, energy consumption and water use in accordance with the provisions of Policy CC3 in the Warwick District Local Plan 2011-2029.
- 12 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 13 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the Local Planning

Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.

- 14 Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T).

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 occupants of nearby properties in accordance with Policies BE3 & NE5 of the Warwick District Local Plan 2011-2029.

- 15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must then be undertaken and where remediation is necessary a remediation scheme must be prepared, which shall all be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be submitted to and approved in writing by the local planning authority. **REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

- 16 Prior to occupation and use of the development hereby approved. Surface water maintenance details written in accordance with CIRIA C753 to include;

- a) How surface water systems shall be maintained and managed for the lifetime of the development;
- b) The name of the party responsible, including contact name and details.

Shall be submitted to and approved in writing by the Local Planning Authority. The surface water systems shall be maintained and managed in accordance with the approved details.

REASON: To ensure that adequate drainage facilities are available for

the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.

- 17 The development shall not be occupied until all parts of the existing access not included in the permitted means of access have been closed and the kerb, footway and verge have been reinstated in accordance with the standard specification of the Highway Authority. **REASON :** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan.
- 18 The development shall not be occupied until space has been provided within the site for the parking and loading/unloading of vehicles in accordance with submitted drawing WCA-00-RF-DR-A-PL900 rev D. The space shall be retained and maintained thereafter in accordance with the said drawing. **REASON:** In the interests of highway safety in accordance with Policy TR1 of the Warwick District Local Plan.
- 19 The development hereby permitted shall not be occupied unless and cycle parking facilities have been provided and made available for use in accordance with details that shall have been submitted to and approved in writing by the local planning authority. Thereafter those facilities shall remain available for use at all times. **REASON:** In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029.
- 20 Prior to the occupation of the development hereby permitted, the first floor windows in the west facing elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
- 21 A Travel Plan comprising the following details shall be submitted to and approved in writing by the District Planning Authority, in consultation with the Highway Authority, within 3 months of the date of the first occupation of the development hereby approved and should include the following:-
 - (i) a target for the proportion of employees who will travel by means other than single car occupancy;
 - (ii) a strategy for achieving the target(s);
 - (iii) a management programme;
 - (iv) a process for monitoring the process towards achieving the target(s); and
 - (v) measures should targets not be achieved.Thereafter the use of the site shall operate in strict accordance with the approved Travel Plan, unless otherwise agreed in writing by the District

Planning Authority, in consultation with the Highway Authority.

REASON : To satisfy the aims of the NPPF in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to the site.

- 22 No materials, plant or equipment of any description including skips or containers, shall be stacked, stored or deposited on any open area of the site unless first agreed otherwise in writing by the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy BE1 of the Warwick District Local Plan 2011-2029.
- 23 The premises shall be used for B1(a) and B1(b) purposes and for no other purpose including any other purpose in Class B1 of Part B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). **REASON** : Other uses within this Use Class may not be appropriate in these premises by reason of potential adverse impact on residential properties in proximity to the site, and to satisfy Policy BE3 of the Warwick District Local Plan 2011-2029.
- 24 No lighting shall be fixed to the external walls or roof of the building hereby permitted, or on any open land within the application site without the written consent of the District Planning Authority. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
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