

Planning Committee: 06 December 2016

Item Number: 7

Application No: [W 16 / 1139](#)

Town/Parish Council: Kenilworth
Case Officer: Rob Young

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Registration Date: 21/06/16

Expiry Date: 20/09/16

Talisman Square, Warwick Road, Kenilworth

Mixed use development comprising 1533sqm of retail floor space at ground floor and 65 residential units (mix of cluster flats and studio rooms) above. FOR Cobalt Estates (Kenilworth) 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 conditions and subject to the receipt of a Section 106 Agreement or Unilateral Undertaking to secure the contributions and parking restrictions as referred to in the report below. Should a satisfactory Section 106 Agreement or Unilateral Undertaking not have been completed by 20 December 2016, Planning Committee are recommended to delegate authority to the Head of Development Services to refuse planning permission on the grounds that the proposals make inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

The application proposes a mixed use development comprising 1,533 sq m of retail floor space and 65 residential units. The retail units would fall within Use Class A1 and would occupy the ground floor of the development, with associated storage on the first floor. The residential units would occupy the upper floors and would comprise a mix of cluster flats and studios. The residential units are intended to be occupied by students.

The proposal is for the erection of a five storey building. This would be an L-shaped building with retail frontages onto Talisman Square to the south and east. The second, third and fourth floors would be set back 7m from the southern frontage, while the fourth floor would not extend along the eastern frontage of the building, with this wing being limited to four storeys in height.

A service yard including parking for 8 cars as well as a cycle store would be provided to the rear of the building. This would be accessed from Station Road.

THE SITE AND ITS LOCATION

The site comprises part of the Talisman Square shopping precinct. It is currently used as a temporary car park pending redevelopment. The site formerly

contained retail units fronting onto a square. Two of these retail units remain within the site, fronting onto Station Road.

The site adjoins the Boots retail unit to the west and faces further retail units on the opposite sides of Talisman Square to the south and east. The upper floors of the buildings on the opposite sides of Talisman Square include residential accommodation, a gym and offices. The pedestrian walkways of Talisman Square run along the southern and eastern boundaries of the site. Station Road and commercial units in that road form the northern boundary of the site. There is vehicular access into the site from Station Road.

The site is situated within Kenilworth Town Centre, within the retail area as designated in the Local Plan. Talisman Square is also designated as a primary retail frontage. The surrounding area is predominantly commercial in character, although there is residential accommodation on the upper floors of some of the surrounding buildings.

PLANNING HISTORY

In 2004 planning permission was granted for "Erection of 5 retail units with 4 flats above; erection of a restaurant and extension to existing retail unit with alterations to service/parking yard after demolition of part existing retail units" (Ref. W03/1260). This planning permission was not implemented.

In 2012 planning permission was granted for "Change of use of land to create a car park comprising 44 car parking spaces including 4 disabled spaces and cycle parking" (Ref. W12/1255). This was a temporary planning permission that expires in November 2017.

Prior to the above applications there had been a number of other previous applications dating back to the original construction of the square in the 1960s. However, these were all for minor alterations and extensions and none of these are relevant to the consideration of the current application.

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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- TCP1 - Protecting and Enhancing the Town Centres (Warwick District Local Plan 1996 - 2011)

- TCP2 - Directing Retail Development (Warwick District Local Plan 1996 - 2011)
- TCP4 - Primary Retail Frontages (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- DS2 - Providing the Homes the District Needs (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)
- TC1 - Protecting and Enhancing the Town Centres (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TC2 - Directing Retail Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TC6 - Primary Retail Frontages (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- 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)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (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)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- Guidance Documents
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Members welcome an application coming forward for the further implementation of the town centre plans. They appreciate that a scheme on this site was approved as part of the town centre redevelopment involving the building of the Waitrose store. Although the original application was for only 4 ordinary flats above retail shops, members now accept the change to student accommodation assuming that there will be suitable conditions concerning the management of the building to ensure amenity arrangements regarding noise, rubbish disposal and similar issues. At the time of the original application members raised concerns over car-parking provision in the town centre. The resulting two-storey car park at Waitrose was intended to meet this demand but will be no use to this development as it closes in the evening and now the situation will be exacerbated by the loss of the temporary car park on the actual site. It will be necessary to apply conditions on car ownership in the development. Section 2 of the Design Statement is incorrect in not recognising the access limitations on the privately run Waitrose car park.

There is concern over the height of the building. Members disagree with the statement in response to concerns expressed in the Statement of Community Involvement, Appendix 2 that "The host building is of a similar height to that in the existing area". The proposed building is five storeys. The only buildings of such height are some distance away at Abbey End as evidenced by the diagram on page 9 of the Design Statement. Adjoining buildings in Talisman are only two and three storey. Members appreciate that the design sets back upper stories to lessen the impact close to, but the building will dominate the area when viewed

from Abbey End car park and other vantage points and the quality of the design is therefore crucial.

Public Response: 8 objections have been received, raising the following concerns:

- overdevelopment;
- the development will make Talisman Square into a corridor, which will be unappealing and unsafe;
- filling every square metre of space with buildings will destroy the character of Talisman Square;
- a 5 storey development is too high and obtrusive for this location;
- the frontages of the building should be pushed back to provide more public space to the front;
- loss of the square as a community resource;
- an opportunity is being missed here to create an attractive communal space;
- question the need for more retail units given existing vacancies in the town;
- parking should be provided for the student accommodation;
- it is unrealistic to expect residents not to have a car;
- buses are not reliable or frequent in the evenings;
- lack of provision for cycle parking;
- loss of public parking;
- increased parking congestion on nearby streets; and
- concerns about having student accommodation in the town centre given the experiences in Leamington and Warwick.

One further resident has submitted comments neither objecting to or supporting the application but requesting conditions to ensure that HGVs access the site via the Abbey End car park only, similar to the conditions on Waitrose. This resident also requests that future occupants of the development are prohibited from applying for residents' parking permits.

One comment in support has been received.

Warwickshire Police: No objection, but make detailed recommendations regarding security measures to be incorporated into the development.

WCC Ecology: No objection.

WCC Public Health: Provide general recommendations on integrating health and well-being into planning.

WCC Flood Risk Management: No objection, subject to a condition to require drainage details.

WCC Archaeology: No objection, subject to a condition to require a programme of archaeological work.

WCC Highways: No objection, subject to section 106 requirements.

South Warwickshire NHS Foundation Trust: Request a contribution of £29,390.32 towards acute and community healthcare services.

WDC Environmental Health: No objection, subject to conditions in relation to contamination, air quality and delivery hours.

WDC Waste Management: Object due to the bin store not being large enough.

WDC Private Sector Housing: No objection.

ASSESSMENT

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

- the principle of permitting the redevelopment of the site for retail and residential purposes;
- whether the proposals would cause a harmful over-concentration of student accommodation / houses in multiple occupation in this area;
- the impact on the living conditions of nearby dwellings;
- provision of a satisfactory living environment for future occupants of the proposed development;
- the impact on the character and appearance of the area;
- car parking and highway safety;
- provision for the storage and collection of refuse and recycling; and
- health and well-being

The principle of permitting the redevelopment of this site for retail and residential purposes

The application site comprises previously developed land situated within the urban area and therefore, in general terms, a redevelopment for residential purposes would be in accordance with Local Plan Policy UAP1. The provision of retail floorspace on the ground floor of the development would comply with the retail designation of this area in the Local Plan. This would also comply with the primary retail frontage designation.

For the above reasons it has been concluded that the proposed mixed retail and residential development would be acceptable in principle, subject to the precise form of residential development being compatible with the area (see following section).

Whether the proposals would cause a harmful over-concentration of student accommodation / houses in multiple occupation in this area

At present only 2 of the residential properties within a 100m radius of the application site are in use as houses in multiple occupation (HMOs). As a result there are no existing issues with excessive concentrations of student accommodation / HMOs in the locality. Given the size of the proposed development, it would introduce a significant number of such properties. However, when considering the proposals against Draft Local Plan Policy H6, it is evident that this site would be covered by the exemption related to main thoroughfares within mixed use areas where the proposals would not lead to an increase in activity along nearby residential streets. With the site being situated within a predominantly commercial area where there is no existing concentration

of student accommodation / HMOs, the proposals are unlikely to cause the negative impacts on residential streets that can sometimes be associated with student accommodation. Furthermore, with this being a purposes built block, there would be management controls in place to deal with any issues should they arise.

Therefore the proposals are considered to be in accordance with Local Plan Policy H6 and will not cause a harmful over-concentration of student accommodation / HMOs in this area.

Impact on the living conditions of neighbouring dwellings

The above section dealt with the wider impacts on the living conditions of nearby residents resulting from the general concentration of students on the application site and in the surrounding area. Given that the site is accessed from a main thoroughfare and is situated within a busy part of the town centre, it is not considered that the proposals will cause unacceptable noise and disturbance for nearby residents. The next section will deal with the more immediate impacts on adjacent residents in terms of potential loss of light, loss of outlook or loss of privacy.

The main impact in these regards would be on the dwellings on the upper floors of Sexton House, on the opposite side of Talisman Square. The proposals would comprise a large structure directly in front of the windows to those residential properties. The separation distance would be 9m at ground and first floor level and 16m at second, third and fourth floor level (albeit the upper floor set back of the corner section is less, giving a 12m separation at second, third and fourth floor level at that point). Whilst this is quite tight for a building of this height and contrary to the Council's Distance Separation Guidelines, it is important to bear in mind that this site is situated within the commercial core of the town centre. It would not be appropriate to strictly apply standard separation requirements to a development like this because this is a predominantly commercial part of the town centre. Residents in such a locality must accept that the same separation standards that are used in suburban areas cannot be strictly applied. To do otherwise would harm the vitality and viability of the town centre since it would unnecessarily restrict commercial developments. Taking these considerations into account, it has been judged that the separation distances achieved are sufficient to ensure that the proposals will not cause unacceptable loss of light or loss of outlook for the dwellings in Sexton House.

With regard to privacy, the windows in the second, third and fourth floors are set far enough away from the windows in Sexton House to ensure these would not cause unacceptable overlooking (again a reduced distance compared with the Distance Separation Guidelines is considered appropriate on this town centre site, across a busy public thoroughfare). To account for the narrow separation distance at first floor level, the building has been designed with angled windows to ensure that the clear glazed parts of the windows face at an angle down the street, rather than across at Sexton House. This will ensure that the first floor windows do not cause unacceptable overlooking. As a result, it has been concluded that the proposals would not cause unacceptable loss of privacy for the dwellings in Sexton House.

Turning to the impact on other nearby dwellings, the proposed building is considered to be far enough away from those properties to ensure that the development would not have any significant implications in terms of loss of light, loss of outlook or loss of privacy for those dwellings.

Taking all of the above considerations into account, it has been concluded that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings.

Provision of a satisfactory living environment for future occupants of the proposed development

The use of angled windows on certain parts of the development to address privacy issues does not create an ideal living environment. The outlook from the rooms served by those windows would be rather restricted. However, the applicant has provided examples of a number of student developments elsewhere in the country where this type of arrangement has been used. Furthermore, it is important to bear in mind that the judgement that must be made on this issue is not whether this is the ideal arrangement from a living environment point of view, but rather whether this arrangement would create a living environment that was so bad that it justified a refusal of planning permission under Local Plan Policy DP2. Having considered the examples provided by the applicant, and bearing in mind the short-term nature of the occupation of the rooms in question, it is not considered that a refusal of planning permission would be justified on these grounds.

There are no other issues with the layout of the development in terms of providing a suitable living environment. The layout and room sizes comply with the standards of the Council's Private Sector Housing team. Therefore it has been concluded that the proposals would provide a satisfactory living environment for future occupants.

Impact on the character and appearance of the area

Buildings in the immediate vicinity of the application site are generally two or three storeys in height. In contrast, the proposed building would be up to 5 storeys high. However, the highest parts of the building are set back into the site to limit their visual impact. Furthermore, there are examples of taller buildings in the wider area, the nearest being Warwick House in Station Road (4 storeys), with a number of other 4 storey buildings around Abbey End (the 8 storey Holiday Inn has not been referred to here because it is somewhat of an anomaly). So whilst the proposed building would be significantly taller than the existing buildings in the immediate vicinity of the application site, the difference in height compared with other buildings in the wider area would not be so marked. It is important to have regard to the fact that the site is situated within the commercial core of the town centre, where higher densities are to be expected and reflect the objective of making the best use of land in sustainable locations. Furthermore, the immediate surroundings comprise a 1960's shopping precinct that is of no particular architectural merit. Therefore, taking all of these considerations into account, it has been concluded that the height of the proposed building would be appropriate for this location.

In terms of detailed design, a variety of materials and design features have been used to break up the mass of the building. The facing materials comprise predominantly brick and render, with small amounts of metal cladding. The design and materials are considered to be appropriate for this location and will not appear out of place when compared with the design and materials of existing buildings in the vicinity of the site.

Car parking and highway safety

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

With regards to car parking, the proposed layout includes spaces for 8 cars to the rear of the site. These are intended to serve the proposed retail units and comply with the Council's Parking Standards SPD in relation to that element of the development.

No parking is provided for the proposed student accommodation. This part of the scheme is intended to be car-free. The site is situated within a residents' parking zone and the applicant has submitted a unilateral undertaking which will ensure that future occupants are not entitled to residents' parking permits. This will ensure that the proposed development will not increase parking congestion on surrounding streets. As a result, the proposals are considered to be acceptable from a parking point of view.

The proposals include a cycle store to the rear of the proposed building and discussions are on-going with the applicant regarding the suitability of this. An update on this issue will be provided in the addendum report to Committee.

The Town Council's comments regarding public parking provision in the town centre are noted. However, this site was only ever intended to be used as a car park on a temporary basis, and the planning permission for that temporary use expires in November 2017. Furthermore, the 2004 planning permission for the redevelopment of the site established the principle of redeveloping this site without creating additional public car parking. For these reasons any issues to do with public parking provision within the town centre cannot be considered as part of this planning application.

Provision for the storage and collection of refuse and recycling

The application has been amended to provide a larger bin store to meet the requirements of the Council's Waste Management team. The enlarged bin store provides sufficient space for the storage of refuse and recycling associated with the proposed development. The amendment has addressed the concerns of the Council's Waste Management team.

Health and well-being

The proposals do not raise any significant implications in relation to health and well-being.

Section 106 contributions

The applicant has agreed to submitted a Unilateral Undertaking to secure the following (in addition to the residents' parking restrictions outlined above):

- a contribution of £65,377 towards the provision or enhancement of public open space;
- a contribution of £29,390.32 towards acute and community healthcare services;
- a contribution of £75 per unit for sustainable welcome packs; and
- provision of signage indicating the routes to Kenilworth Station, the Bus Focal Point and other nearby bus stops and to cycle route 52.

Other matters

A condition is recommended to require air quality mitigation measures, in accordance with the comments of Environmental Health. This will ensure that the air quality impacts of the development are satisfactorily mitigated.

A condition is recommended to require a contamination assessment, in accordance with the comments of Environmental Health. This will ensure that any contamination risks are satisfactorily mitigated.

Neighbours have requested that a condition is imposed to require commercial traffic to be routed through the Abbey End car park rather than surrounding residential streets. Neighbours have cited a similar condition that was imposed on the nearby Waitrose development. However, the Highway Authority have not indicated that such a condition is necessary for the development proposed in the current application and no such restriction was imposed on the previous permission for the redevelopment of this site. Therefore it is not considered that such a restriction is appropriate in the current case.

There has been no objection from the County Ecologist. Therefore is has been concluded that the proposals would have an acceptable ecological impact.

A condition is recommended to require the submission of details of on-site renewable energy production or enhanced energy efficiency measures in accordance with Local Plan Policy DP13.

Residents have raised concerns about the loss of the square as a public space. However, the 2003 planning permission established the principle of building on the former square. Nothing has changed since then to indicate that planning permission should be refused on these grounds now.

SUMMARY / CONCLUSION

The proposed mixed retail and residential development of this site is considered to be acceptable in principle and in accordance with Local Plan policies. The proposals would not create a harmful concentration of student accommodation / HMOs in this area and the proposals would have an acceptable impact on the living conditions of neighbouring dwellings. Furthermore the proposals would

provide a satisfactory living environment for future occupants and would have an acceptable impact on the character and appearance of the area. Finally the proposals are considered to be acceptable in terms of car parking and highway safety. Therefore it is recommended that planning permission is granted.

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 application form and approved drawing(s) 0133-P207-A, 0133-P208-D, 0133-P209-C, 0133-P210-B, 0133-P211-B, 0133-P212-B, 0133-P213-B, 0133-P214-B, 0133-P215-B, 0133-P216-D & 0133-P223, and specification contained therein, submitted on 21 June 2016, 7 November 2016, 18 November 2016 and 22 November 2016. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 The development shall be carried out only in full accordance with sample details of the facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority. **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 DP1 of the Warwick District Local Plan 1996-2011.
- 4 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. No part of the development shall be first occupied until the works within the approved scheme have been completed for that particular part of the development 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.
- 5 No development shall commence until details of surface and foul water drainage have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with such approved details. **REASON:** To ensure that

adequate drainage facilities are available and to minimise flood risk, in accordance with the National Planning Policy Framework and Policy DP11 of the Warwick District Local Plan 1996-2011.

- 6 No development shall commence until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies DP1 & DP2 of the Warwick District Local Plan 1996-2011.
- 7 No development shall commence until details of obscure glazing for the angled window bays have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. Prior to the occupation of the residential accommodation hereby permitted, any parts of the angled bay windows that are shown to be obscure glazed in the details approved under this condition 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. The obscured glazed window 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 DP2 of the Warwick District Local Plan 1996-2011.
- 8 No development shall take place within the application site, unless and until a programme of archaeological works and investigations has been secured and initiated in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected were applicable, before development commences in accordance with Policy DP4 of the Warwick District Local Plan 1996-2011.
- 9 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the District Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - 1) A preliminary risk assessment which has identified:
 - all previous uses

- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the District Planning Authority. The scheme shall be implemented strictly as approved.

REASON : To ensure the protection of controlled waters and to prevent pollution in accordance with Policy DP9 in the Warwick District Local Plan 1996-2011.

- 10 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.
- 11 No part of the residential accommodation hereby permitted shall be occupied unless and until the bin and cycle stores have been constructed in strict accordance with the approved plans. The bin and cycle stores shall be retained at all times thereafter. **REASON :** To protect the amenities of occupiers of the site and the character and appearance of the locality and to ensure that there are adequate cycle parking facilities to serve the development, in accordance with Policies DP1, DP2 and DP8 of the Warwick District Local Plan 1996-2011.
- 12 The residential accommodation hereby permitted shall be used solely as a student hall of residence, and ancillary purposes thereto, being occupied solely by persons enrolled in a full time course of further education. **REASON :** The parking provision may not be sufficient for a conventional residential development, in accordance with Policy DP8 of the Warwick District Local Plan.

13 The residential accommodation hereby permitted shall not be occupied unless and until a Management Plan has been submitted to and approved in writing by the District Planning Authority. The Management Plan shall cover the following:

- warden supervision arrangements;
- building and site access and egress arrangements;
- traffic management including drop off and pick up arrangements;
- CCTV provision and security;
- green travel proposals including cycle parking provision and management;
- waste facilities provision and management; and
- a strict code of behaviour.

The approved Management Plan shall be implemented in full at all times that the premises are occupied as a student hall of residence.

REASON : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

14 The development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.

15 No deliveries (incoming or leaving) or noisy external activities likely to cause nuisance to nearby residences shall take place before 0730 hours or after 2130 hours on Mondays to Saturdays or before 0900 hours or after 1800 hours on Sundays. **REASON :** To protect the living conditions of nearby dwellings, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.