

Planning Committee: 04 February 2014

Item Number: 11

Application No: W 13 / 1578

Town/Parish Council: Leamington Spa
Case Officer: Rob Young

Registration Date: 11/11/13
Expiry Date: 10/02/14

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Regent Court, Livery Street, Leamington Spa

Change of use of ground floor retail units (Use Class A1) to cafes / restaurants (Use Class A3) (known as units SU1C, SU2A, SU3A, SU3B, SU4, SU5, SU6, SU7A, SU7B, SU8, SU12); shop front alterations; public realm works; and alterations to highway land at the Regent Street entrance. FOR New River Retail

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.

DETAILS OF THE DEVELOPMENT

The application proposes the following development:

- Change of use of the following ground floor retail units (Use Class A1) to cafes / restaurants (Use Class A3): units SU1C, SU2A, SU3A, SU3B, SU4, SU5, SU6, SU7A, SU7B, SU8, SU12;
- Shopfront alterations including the provision of canopies, mobile box planters, low level fabric screens;
- Public realm works including changes to paving, public art and soft landscaping in pots; and
- Alterations to highway land at the Regent Street entrance to provide a dropped kerb access.

The plans also show various signage, including hanging signs on each unit and free-standing signs at the entrances to Livery Street. These require advertisement consent rather than planning permission and therefore do not form part of this planning application.

The following amendments have been made to the application following it's initial submission:

- Raised table omitted from Regent Street access and replaced with dropped kerb;
- Outdoor seating removed from plans;

- Updated Operational Management Schedule including enhancements to CCTV, confirmation of waste collection arrangements and details of the ways in which residents can communicate any concerns to the centre manager; and
- The kiosk that was proposed between the Regent Hotel and the Town Hall has been omitted.

In addition, whilst the originally proposed outdoor seating element of the scheme has been removed from this application, the applicant advises that as potential occupiers of individual units come forward, it is likely that they may wish to submit further such applications in that respect. That being the case, the applicant has advised that the potential for noise and disturbance from any such use would be mitigated by:-

- The restriction of the use of any outdoor seating area to 9.30pm;
- Any external seating and tables to remain outside and not be taken in at night;
- Any external seating and tables to be fitted with rubber stoppers to minimise noise.

THE SITE AND ITS LOCATION

The application relates to the Regent Court Shopping Centre which is situated within the retail area of Leamington Town Centre and within the Leamington Spa Conservation Area. The shopping centre comprises units along either side of Livery Street, units fronting Regent Street to either side of the junction with Livery Street, units fronting Regent Grove, the Regent Hotel and flats on the upper floors of the buildings. The Regent Hotel is a Grade II* Listed Building and there are other Listed Buildings adjacent to the site, including Leamington Town Hall. The commercial units in Regent Court currently comprise a mix of shops and restaurants.

PLANNING HISTORY

In 2002 planning permission was granted for "Change of use and conversion of Regent Hotel at basement and ground level (in parts) for Class A1 or A3 purposes with continued use of upper floors for hotel purposes. Erection of a new mixed development of 132 flats with ground floor Class A1 or A3 units and a basement car park for 131 vehicles accessed off Regent Grove. The scheme included alterations and extensions to Listed Buildings within the site including the demolition of rear wings to the Regent Hotel, No. 90 Regent Street and 31 Regent Grove, the demolition of non-listed buildings within the site, and the creation of a new street linking Regent Street and Parade, all as shown on the submitted plans" (Ref. W01/0483).

Subsequent planning permissions have been granted for signage and new shopfronts for various units along Livery Street.

In July 2013 planning permission was granted for "Removal of condition 17 of planning permission W01/0483 (condition 17 restricts the total amount of A3 (restaurant and cafe) floorspace within the units fronting Livery Street and

Regent Street to no more than 1,115 sq m)" (Ref. W13/0528). This permission was granted on the understanding that planning permission would still be required for the change of use of individual units.

In December 2013 planning permission was granted for the change of use of Unit 11 from retail (Use Class A1) to a restaurant (Use Class A3) (Ref. W13/1339).

RELEVANT POLICIES

- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- TCP13 - Design of Shopfronts (Warwick District Local Plan 1996 - 2011)
- Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- TCP5 - Secondary Retail Areas (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)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Town Council: No objection, but make the following comment: It is noted that the change of use may increase the risk of an unreasonable degree of noise and disturbance both from the premises and customers which may adversely impact on residents living above these properties. Opening hours should therefore be reasonable.

Public response: 23 objections have been received, raising the following concerns:

- detrimental impact on the character of the area, which was designed as a shopping street / residential development that would be quiet in the evenings after the shops close;
- detrimental to the character and appearance of the Conservation Area;
- the kiosk will harm the setting of the Town Hall and Regent Hotel, two of Leamington's most important buildings;
- this is inappropriate in a predominantly residential area (over 90% of Regent Court);

- increased noise and disturbance from customers outside of the premises (e.g. queuing, smoking or using external seating areas) and leaving along Livery Street;
- noise from refrigeration and extraction equipment;
- noise from construction works;
- the design of the development comprising tall buildings lining a narrow street causes noise amplification through a canyon effect of multiple reflections and reverberations;
- noise levels have already increased significantly since Nandos opened;
- tables and chairs being dragged inside after closing time causes significant noise late at night;
- noise complaints may not have been made to Environmental Health but complaints have been made direct to Nandos management;
- insufficient space for refuse storage;
- residents bought their flats on the basis that only 10% of the commercial floorspace would be A3 use;
- outside diners smoking will create a passive smoking environment within the apartments above;
- increased smells;
- increased litter;
- increased anti-social behaviour;
- increased fire risk; and
- the drainage system will not cope with the increased needs.

Conservation Advisory Forum: There was a strong objection to the kiosk building. While the glass construction was acknowledged it was considered that this would not mitigate against the harm which would be caused by obscuring views of the important façade of the Town Hall. This was a particularly sensitive location between two of the most important buildings in Leamington Spa and it was considered that infilling this space between them would harm their setting. In terms of the proposed seating areas concerns were raised that this would result in the loss of public realm.

English Heritage: Object. The proposed kiosk would cause unacceptable harm to the setting of the Town Hall and the Regent Hotel.

Warwickshire Police: No objection, but make recommendations regarding security measures.

WCC Highways: No objection following the submission of amended plans to omit the additional raised feature on Regent Street.

WDC Environmental Health: Comment that the proposals have the potential to cause noise disturbance to nearby residents, particularly from any outside seating areas. Therefore recommend that various conditions are imposed to mitigate any noise impact, including: a condition to prohibit the use of any external seating areas after 2130 hours and to require outside furniture to be secured in situ whilst not in use; a condition to restrict the opening hours of the restaurants to between 0730 hours and 2330 hours; conditions to limit noise from any plant, fume extraction, air conditioning or refrigeration equipment; a

condition to require a Management Plan to control the use and operation of the premises to be submitted for approval; a condition to prohibit deliveries, waste collections or noisy external activities before 0700 hours or after 2130 hours on Mondays to Saturdays or before 0900 hours or after 1800 hours on Sundays; and a condition to require details of acoustically absorbent canopies to be submitted for approval. Conditions are also recommended to require details of lighting and odour mitigation measures.

WDC Waste Management: Following discussions and a site meeting with owners of Regent Court I understand that any new restaurant will be required to produce their own bin store within the "footprint" of the unit and will not be able to use the existing domestic/commercial bin stores. I would concur with that decision which would avoid competition/conflict for space within the existing bin stores.

ASSESSMENT

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

- the impact on the vitality and viability of the Town Centre;
- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the Conservation Area;
- crime and anti-social behaviour; and
- highway safety.

Impact on the vitality and viability of the Town Centre

Livery Street is designated as a secondary retail area in the Local Plan. Local Plan Policy TCP5 states that changes of use from shops (Use Class A1) to restaurants and cafes (Use Class A3) will be permitted within the secondary retail areas unless: (a) more than 50% of the total length of the street frontage is in non-A1 use; or (b) the proposals consist of, or would contribute to creating, a continuous non-A1 frontage of more than 16m. The application proposes to change the whole of Livery Street (apart from two units at the Regent Street end) to Class A3 use and therefore the proposals are contrary to Policy TCP5. However, there are considered to be other material considerations in this case which justify a departure from local plan policy.

The applicant has advised that they are struggling to attract retail occupiers into Livery Street due to the limited footfall in this part of the Town Centre. There are a number of vacant units and in order to maintain the existing retailers it has been necessary to reduce the rents substantially and fill vacant units with temporary occupiers. In contrast, the cafes and restaurants within Regent Court have traded well.

In this context, the continued use of half of the units in Livery Street for A1 purposes is likely to result in continued vacancies within the development, a reduced footfall and harm to the vitality and viability of this part of the Town Centre. On the other hand, the existing restaurants and cafes within Livery Street are trading well and make a positive contribution to the vitality and

viability of the Town Centre. Therefore it is considered that the proposed change of use of the other units along Livery Street to restaurants and cafes would enhance the vitality and viability of the Town Centre. The purpose of Policy TCP5 is to protect the vitality and viability of the Town Centre and therefore, as the proposals would have a positive effect in this regard, it is considered that a departure from this policy is justified in this case.

Impact on the living conditions of nearby dwellings

Objectors have raised concerns about smells and noise from cooking and the associated fume extraction equipment. Objectors have also raised concerns about noise and disturbance from external seating areas and customers leaving the premises. However, Environmental Health have not objected to the application, subject to conditions. These conditions would provide suitable controls over noise and smells associated with activities within the premises, for example fume extraction and noise insulation within the buildings. There are concealed fume extraction ducts built into the units that rise above the upper floor flats.

In light of the concerns of residents, the applicant has omitted the proposed external seating areas from the application. It is intended that future occupiers would submit applications for external seating areas on an individual basis if they wish to pursue this option.

Previous planning permissions for the Regent Court development have restricted the hours of use of any external seating areas to 10.30pm. Given the concerns of residents and the potential impact of the number of A3 uses now proposed, the applicant has agreed that a more restrictive condition would be appropriate if planning permission is granted for the proposed change of use. Whilst the current application does not include a proposal for external seating areas, it is nevertheless considered appropriate to include a condition restricting the hours of use of any future external seating areas to 9.30pm.

One particular noisy activity that has been highlighted by residents is the dragging of tables and chairs inside the premises at closing time. In order to address this issue the applicant has agreed that any external tables and chairs will remain outside overnight and will be fitted with rubber stoppers to reduce noise. Similarly, a condition is also recommended in that respect.

In assessing potential noise and disturbance from the proposed restaurants and cafes it is important to bear in mind that the site is situated within the commercial core of the Town Centre. Livery Street and the surrounding streets contain a number of established restaurants that are open late into the evening, some including external seating areas. The applicant has proposed a number of measures to mitigate any noise impact, including the provision of internal lobbies and acoustically absorbent canopies to all of the units. An Operational Management Schedule has also been submitted and this includes measures for dealing with any noise issues. Taking all these matters into account, it is not considered that the proposed change of use would cause an unacceptable

increase in noise and disturbance for nearby residents and therefore it is considered that the proposal would comply with Policy DP2 of the Local Plan.

Objectors have also raised concerns about noise from construction works. However, this would not comprise a valid planning reason for refusing to grant planning permission. Should such disturbance occur and amount to a statutory nuisance, Environmental Health legislation includes powers to remedy the situation.

Objectors have raised concerns about the potential for smoke from customers smoking outside of the restaurants entering the dwellings on the upper floors. However, Environmental Health have advised that this is not a matter that would constitute a nuisance. The levels of smoke would be too small, too infrequent and subject to dilution effects before it reaches the residents. Furthermore, these concerns relate to an unenclosed area that is currently generally accessible to the public, where smoking can take place at present. Therefore it is not considered that a refusal of planning permission would be justified on these grounds.

Impact on the character and appearance of the Conservation Area and on the setting of the Regent Hotel and the Town Hall

The application as originally submitted included a kiosk between the Regent Hotel and the Town Hall. However, this has now been omitted from the scheme. This has addressed any concerns in relation to this structure, including those of English Heritage.

The proposed public realm works along Livery Street are considered to be appropriate for this part of the Conservation Area. The "square" in the middle of Livery Street is a suitable location for public art. With regard to the canopies, these have been resisted on traditional buildings within the Conservation Area. However, Livery Street is rather unique in that it is a modern pedestrianised street. Furthermore, the canopies are proposed as a consistent treatment along the whole of the street and will provide benefits in terms of giving a degree of screening between the restaurants and the dwellings above. Therefore this comprehensive scheme for the provision of canopies is considered to be appropriate in this particular part of the Conservation Area.

The proposed restaurants will require external fume extraction ducting. However, this can be concealed within fume extraction ducts that are already built into the units.

For the above reasons it is concluded that the proposals will preserve the character and appearance of the Conservation Area and the setting of the Regent Hotel and the Town Hall.

Crime and anti-social behaviour

Objectors have raised concerns about increased anti-social behaviour. The Council's Safer Communities Manager has also raised concerns about creating a

new area for evening activity away from the parts of the Town Centre where the Police's resources are currently focused. This includes concerns about the curved shape of Livery Street hindering CCTV coverage. However, on the other hand, there has been no objection from Warwickshire Police, subject to certain recommendations in relation to security measures. In particular, no concerns were raised about the principle of restaurants in this location or in relation to any policing implications.

Crime and anti-social behaviour are not normally issues associated with restaurant uses. There is no evidence that existing restaurants and cafes in Regent Court or elsewhere in the Town Centre contribute to crime and anti-social behaviour. Such issues where they occur are more likely to be associated with bars and hot food takeaways (Use Classes A4 and A5). The proposals do not relate to any of the units in question being used as a bar or a hot food takeaway.

In response to the concerns that have been raised, the applicant has proposed a number of enhanced security measures in their Operational Management Schedule. The existing security guard coverage for Regent Court will be extended until midnight every day (there is currently no manned guarding in the evenings). It is also proposed that the existing CCTV system will be upgraded. A condition is recommended to require details of the CCTV system to be submitted for approval to ensure that this provides adequate coverage.

Taking the above matters into account, as the proposals are for restaurants only and there has been no objection from the Police, it is not considered that a refusal of planning permission would be justified on crime and anti-social behaviour grounds.

Highway safety

The design of the highway alterations at the Regent Street end of Livery Street have been amended to address the concerns of the Highway Authority. This now shows a dropped kerb access, with the raised table omitted. The Highway Authority have raised no objection to the amended scheme and therefore the proposals are considered to be acceptable in terms of highway safety.

Other matters

Objectors have raised concerns about the adequacy of the drainage system to cope with an increase in restaurants and have cited drainage problems that have occurred in the past. The applicant has confirmed that there have been issues of car park flooding dating back to 2007. However, the applicant considers that these incidents were primarily due to excessive rain water. As a result, a pumping unit was installed and drain covers improved. The applicant advises that no historically blocked drain has been traced back to a commercial or residential tenant of Regent Court and that there has been no reoccurrence of the issue since this time. The applicant confirms that the Centre Management team monitor catering tenants closely to ensure that they record and comply with the correct waste removal procedures. The applicant has also advised that a six monthly jetting programme of drain clearance is in place. On the basis of this

information, it is not considered that an increase in the number of restaurants would be unacceptable on drainage grounds.

Objectors have raised concerns about the adequacy of the refuse stores to cope with an increase in restaurants. On this issue, the applicant has advised that any new tenants will be allocated their own waste storage area within their demise and the existing residents' bin storage will be unaffected. On the basis of this information, it is considered that suitable provision can be made for refuse storage for any new restaurants and a condition is recommended to require details of refuse storage to be submitted prior to the occupation of each restaurant.

With regard to the concerns that have been raised about increased fire risk, this is dealt with by other legislation and therefore is not relevant to the consideration of this planning application.

A condition is recommended to require details of on-site renewable energy production for each unit. This would meet the requirements of Local Plan Policy DP13.

SUMMARY / CONCLUSION

The proposals are considered to result in the positive enhancement of the vitality and viability of the Town Centre relative to the current scenario particularly in respect of Regent Court and will be of benefit to the character and appearance of the Conservation Area and to the setting of adjacent Listed Buildings. They are considered to be acceptable in terms of the living conditions of nearby dwellings and are not considered to be likely to have a material impact in relation to crime and anti-social behaviour. Therefore it is recommended that this application is approved.

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) 301B, 302A, 303A, 304B, 307A & 309A, and specification contained therein, submitted on 17 January 2014.
REASON : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1, DP2 and DAP8 of the Warwick District Local Plan 1996-2011.
- 3 The development hereby permitted shall be carried out only in full accordance with sample details of the facing and surfacing 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 Policies DP1 and DAP8 of the Warwick District Local Plan 1996-2011.

- 4 No development shall be carried out on the site which is the subject of this permission until further details of the box planters, tree pots, litter bins, public art, canopies and seating have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 5 No customers shall be permitted to be on the premises other than between 0730 and 2330 hours on any day. **REASON:** To ensure that the premises are not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 6 No customers shall be permitted to use any external seating area before 0930 hours or after 2130 hours on any day. No furniture within any external seating area shall be moved before 0930 hours or after 2130 hours on any day. Any part of any furniture that is in contact with the ground shall be fitted with rubber stoppers to minimise noise. **REASON:** To ensure that any external seating areas are not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 7 No deliveries, waste collections or other noisy activities likely to cause nuisance to nearby residents shall take place before 0700 hours or after 2130 hours on Monday to Saturday or before 0900 hours or after 1800 hours on Sundays. **REASON:** To ensure that noisy activities do not take place at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 8 Noise arising from any plant or equipment, 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.
- 9 No restaurant / cafe hereby permitted shall be occupied unless:

- (a) a noise assessment has been undertaken to assess the impact of noise arising from any plant, fume extraction, air conditioning or refrigeration equipment that is required to serve that unit;
- (b) a noise assessment has been undertaken to assess the suitability of the existing sound insulation in the ceiling of that unit to ensure that internal noise levels within adjoining or nearby residential premises comply with the criteria outlined in BS8233:1999 and World Health Organisation guidelines;
- (c) the results of the noise assessments carried out to comply with criteria (a) and (b), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and
- (d) any necessary mitigation measures approved under (c) have been implemented in full accordance with the approved details.

The mitigation measures shall be retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

10 No restaurant / cafe hereby permitted shall be occupied unless:

- (a) an odour assessment has been undertaken to assess the impact of odour arising from cooking and any proposed fume extraction system that is required to serve that unit;
- (b) the results of the odour assessments carried out to comply with criterion (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and
- (c) any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details.

The mitigation measures shall be retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance to the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

11 No restaurant / cafe hereby permitted shall be occupied unless:

- (a) details of an acoustically absorbent canopy have been submitted to and approved in writing by the local planning authority; and
- (b) the canopy approved under (a) has been installed in strict

accordance with the approved details.

The canopy shall be retained and maintained in accordance with the approved details at all times that the premises are used as a restaurant / cafe.

REASON : To protect the living conditions of nearby dwellings, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan.

- 12 None of the restaurants / cafes hereby permitted shall be occupied unless and until an Operational Management Plan addressing noise, manned security, CCTV, drainage and the management of external dining furniture has been submitted to and approved in writing by the local planning authority. All of the restaurants / cafes hereby permitted shall be operated in strict accordance with this Plan. **REASON :** To protect the living conditions of neighbouring dwellings and to prevent crime and anti-social behaviour, in accordance with Policies DP2, DP9 and DP14 of the Warwick District Local Plan.

- 13 No restaurant / cafe hereby permitted shall be occupied unless:

(a) details of a refuse storage area for that unit have been submitted to and approved in writing by the local planning authority; and
(b) the refuse storage area approved under (a) has been constructed and laid out in strict accordance with the approved details.

The refuse storage area shall thereafter be kept free of obstruction and be available at all times for the storage of refuse associated with the development.

REASON: To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

- 14 No more than two of the restaurant / cafes hereby permitted shall be occupied unless:

(a) a CCTV scheme for Livery Street has been submitted to and approved in writing by the local planning authority; and
(b) the CCTV scheme approved under (a) has been implemented in strict accordance with the approved details.

REASON: In the interests of reducing crime and anti-social behaviour, in accordance with Policy DP14 of the Warwick District Local Plan 1996-2011.

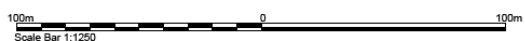
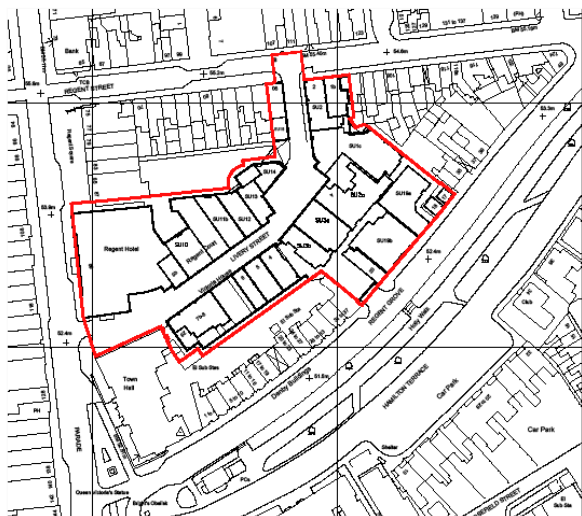
- 15 No restaurant / cafe hereby permitted shall be occupied unless:

- (a) a scheme showing how 10% of the predicted energy requirement of that unit will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority; and
- (b) all the works within the scheme approved under (a) have been completed.

Thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable.

REASON : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 16 No lighting or illumination of any part of any buildings or the site shall be installed or operated unless and until details of such measures shall have been submitted to and approved in writing by the local planning authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **REASON:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.



11/10/2013 Planning Issue				PT
PLANNING				
NEW RIVER RETAIL				
Project				
RESIDENT COURT				
Royal Leamington Spa				
Drawing No.				
SITE LOCATION PLAN				
Date	Version	Scale	File	
11/10/2013	PT	A3	1:1250	17.08.2013
12000				
CORSTORPHINE + WRIGHT				
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