

**Planning Committee:** 14 February 2005  
**Application No:** W 04 / 1281

**Principal Item Number:** 16

**Town/Parish Council:** Leamington Spa  
**Case Officer:** John Beaumont  
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**Registration Date:** 08/07/2004

**Expiry Date:** 02/09/2004

**Quicks Site, Station Approach, Leamington Spa, CV31 3PS**

Demolition of all existing buildings and redevelopment for 3 linked buildings to provide 183 apartments, alterations to access and associated works, including construction of decked car parks. FOR Miller Homes & Quicks Finance Ltd.

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An initial report on this application was reported to the Planning Committee on 6th December 2004, following which a Members site visit took place. The report which follows is that presented on 6th December 2004, updated to include further consultation responses and to now recommend that this application be determined.

**SUMMARY OF REPRESENTATIONS**

Leamington Spa Town Council have the following comments:-

- Express concern at the impact of increased vehicular movements at the junction with Avenue Road, particularly in the vicinity of the existing mini roundabout.
- A five storey development is considered intrusive and will over dominate the surrounding streetscene. A four storey alternative is preferable.
- The opportunity should be taken, via legal agreement, to ensure the provision of significant social (affordable) housing.
- The Council notes with concern the absence of CCTV cameras and in many areas adequate lighting along the public footway leading from the railway station to the town centre via Station Approach and the rear of the college campus off York Road. It is submitted that the opportunity should be taken to obtain improvement in this important access route to the town centre, having regard to the reliance within the application on the proximity of the site to public transport.

The Town Council has written further to emphasise the fact that given the selection of the Quicks site for residential purposes is justified in part by reference to accessibility to public transport facilities, then a financial contribution should be sought from the applicant to upgrade the public footway leading from the railway station and other public transport links to this site.

Neighbours: Five letters have been received from residential neighbours. The main points of concern/objection are:-

- Whilst residential use of the site is preferred, the density of the development will lead to significant traffic and parking problems for the wider area including York Road with consequent adverse effects on highway safety.
- The amount of development proposed constitutes overdevelopment of the site.
- The height and scale of development is inappropriate and unsympathetic to the area, likely to dominate the Avenue Road houses in particular; not in keeping with local architecture.
- The number of flats is far in excess of previous guidelines set out in the document "A Practical Vision" issued in 1999.
- The development will overshadow the Avenue Road houses, be visually intrusive to these properties and will adversely affect their privacy.
- The large number of additional flats is not needed in the area, given the existing numbers of flats allowed in recent times.
- Inadequate car parking locally and this will exacerbate the situation .
- Increased noise/disturbance locally.

- Design approach unacceptable; a design brief should be prepared.
- Letters have also been received from other neighbouring properties/uses as follows:-
- Network Rail: Object as no provision made for legal rights of access within the application site.
- Stagecoach: Important to recognise the Bus Depot operates on a 24 hour basis with very late return vehicles and very early starts as well as maintenance/repairs being undertaken throughout the night; potential for traffic congestion.
- Chiltern Railways: No objection to residential development on the site; new flats will need to be designed to avoid nuisance from noise, vibration and lighting from the railway; Chiltern have proposals to build about 150 parking spaces on land between the station and Station Approach and this should be taken into account.
- Avenue Bowling Club: Raise objection on grounds of loss of availability of roadside parking in Station Approach; height of building may interfere with light and sunlight to the bowling green and also light to the clubhouse; proposed mini roundabout at junction of Avenue Road, Station Approach and Adelaide Road will be insufficient for increased traffic which will be generated by the development.
- Leamington Spa Congregation of Jehovah's Witnesses: Accepts that the proposed new building will improve and enhance the locality but have strong concerns about impact on localised vehicle parking and considered that Station Approach should remain available for kerb side parking on both sides, whilst at the same time being wide enough for two Stagecoach buses to be able to pass one another in their passage to and from their depot. Demand from new residents additional vehicles will exacerbate the existing on-street parking situation. It is considered to be imperative that Station Approach remains available for parking without restriction.
- C.A.A.F.: Site considered inappropriate for the level of development proposed being so close to the railway station with a poor environment for the residents. Choice of large scale classical blocks felt to be completely inappropriate in this location where such set piece buildings would not have been constructed. Concern about effects of the development on buildings in Avenue Road which is within the Conservation Area and the views across the bowling green.
- Old Town Issues: Express concern about the impact of the density of housing and consequent vehicle ownership on traffic in the area. Consider strongly that there should be traffic lights leading into a one-way system out of the site and further traffic lights replacing the mini roundabout at the junction of Avenue Road and Adelaide Road. The site would be ideal for a no car/low car/car share scheme development.

### **The responses of statutory and other consultees**

W.C.C. (Planning): No objection to the development. No education contribution required. Require contributions in respect of libraries and public transport based on a development of 183 units of which 79 are 2 bed units. The required contributions are £12,580 for libraries and £8,235 for public transport (to provide welcome packs for flat residents).

W.C.C. (Highways): No objection, subject to the following conditions:-

1. No flat hereby permitted shall be occupied until the public highways at Station Approach, Avenue Road and Adelaide Road have been improved so as to provide for traffic signal junctions and a one-way traffic system in general accordance with drawing no. 75821/OS/005 Rev D and a subsequent detailed scheme to be first submitted to and approved in writing by the District Planning Authority.
2. Before any of the development hereby permitted is first commenced, written approval of the details of the following matters shall be obtained from the District Planning Authority:-
  - a. completion of a satisfactory Stage 1 Road Safety Audit for the proposed junction improvements at Station Approach/Avenue Road and Adelaide Road/Avenue Road.

3. Prior to commencement of any works on the site a mechanical wheel wash shall be installed adjacent to the site access for the purpose of ensuring that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation and control of use) shall be first approved in writing by the District Planning Authority. The mechanical wheel shall be installed as approved and thereafter retained on-site until the completion of the development hereby permitted.

4. Before the development is commenced, the further written approval of the District Planning Authority shall be obtained for the design of the estate road layout serving the development including footways, cycleways, verges and footpaths. These details shall include large scale plans and sections showing the layout, vertical alignment, and surface water drainage including the outfalls. The development shall be carried out strictly in accordance with the approved details.

5. The construction of the estate road serving the development including footways, cycleways, verges and footpaths shall not be other than in accordance with the standard specification of the Highways Authority.

#### Notes

- Condition number 1 requires works to be carried out within the limits of the public highway. The applicant/developer must enter into a Highway Works Agreement made under the provisions of Section 278 of the Highways Act 1980 for the purposes of completing the works. Applicant/Developer should note that feasibility drawings of works to be carried out within the limits of the public highway which may be approved by the grant of this planning permission should *not* be construed as drawings approved by the Highway Authority, but they should be considered as drawings indicating the principles of the works on which more detailed drawings shall be based for the purposes of completing an agreement under Section 278.
- Condition number 5 requires that the estate roads including footways, cycleways, verges and footpaths are designed and laid out in accordance with the principles set out in 'Transport and Roads for Developments: The Warwickshire Guide 2001' and constructed in accordance with the Highway Authority's standard specification. The applicant/developer are advised that they should enter into a Highway Works Agreement with the Highway Authority made under Section 38 of the Highways Act 1980 for the adoption of the roads. The approval of plans for the purposes of the planning permission hereby granted does *not* constitute an approval of the plans under Section 38 of the Highways Act 1980. An application to enter into a Section 38 Highway Works Agreement should be made to the Development Group, Warwickshire County Council, Planning and Transport Department, Shire Hall, Warwick, CV34 4SX.

#### Transport Assessment

Whilst the transport assessment has included traffic impact on the proposed developments for the Railway Station car park and rail sidings (albeit as indicative proposals) we are not content that the highway works required as a result of those further developments have been fully assessed. With this in mind any subsequent applications for the rail sidings site will be required to submit a full transport assessment. However, we are content that the mitigation measures required as a result of the residential development have been properly assessed and are acceptable in principle.

## Section 106 Agreement

### Cycleway Contribution

Due to the geometric constraints at the junction of Adelaide Road and Avenue Road it will not be possible to incorporate cycling facilities at the proposed signalised junction. Whilst acknowledging that this does not strictly comply with our current LTP objectives we are minded that this is not an identified cycle route. With this in mind we have agreed with the applicant that in-lieu of the provision of cycling facilities in this location we will secure a contribution via a Section 106 towards works on identified cycling corridors in the vicinity of Avenue Road.

### Traffic Regulation Order - One-way Traffic

The section of Station Approach between 26 and 35 Avenue Road will need to be free from traffic flows leaving the development in order for the proposed signals at the Avenue Road/Adelaide Road junction to be effective. Several options have been considered for closing the link, but unfortunately there is not sufficient land either within the limits of the Highway or within the applicant's control to provide an adequate turning area. Therefore it has been proposed and accepted that a short section at the southern end of the link will be subject to a one-way Traffic Regulation Order. As part of the Section 106 the applicant will be required to provide a contribution to fund the consultation procedure and any subsequent implementation of the order. The order will have the effect of allowing access from Avenue Road towards the development but no in the opposite direction.

It is further proposed that when the development of the Network Rail land comes forward that the opportunity is taken to secure adequate land at that time to provide a turning facility at the southern end of the road in order to prevent any through movement of vehicles.

W.C.C. (Ecology): Requested a bat survey to be carried out; a bat survey has been undertaken and W.C.C. (Ecology) have confirmed it was acceptable.

W.C.C. (Archaeology): Request a "watching brief" condition.

W.C.C. (Fire Service): Request condition to require fire hydrants.

Head of Leisure: Have no objections but consider that a contribution of £30,000 should be made for generally improving the streetscene in Station Approach, incorporating CCTV and other visual enhancements including landscaping.

Head of Environmental Health has noted the exposure of the site to adverse environmental impacts from noise, contaminated land and air quality and requires a scheme of noise and vibration mitigation measures to be agreed prior to commencement of development, and also development to be carried out in accordance with an agreed method statement for dealing with contaminated land. No objection on grounds of air quality. A contribution of £1,500 is requested to enable air pollution monitoring in this area.

British Waterways: Raise no objections.

C.P.R.E.: Raise objections. They consider that the proposal will block the opportunity to make public transport more attractive to the people of Leamington Spa. They consider that development on part of the site to provide access to the station from the town side of the railway would make travel by rail much more attractive to a significant proportion of people and they consider that a planning brief, which would incorporate this requirement should be prepared.

Councillor Gifford: has written in to request that this application be determined by committee.

## **RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)  
(DW) H17 - Lower-Cost Housing in the Towns (Warwick District Local Plan 1995)  
(DW) H5 - Infilling within the Towns (Warwick District Local Plan 1995)  
(DW) H1 - Level of New Housing Provision 1989-2001 (Warwick District Local Plan 1995)  
DP6 - Access (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP8 - Parking (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
SC9 - Affordable Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
(DW) ENV3A - Sustainable Development and Energy Conservation (Warwick District Local Plan 1995)  
DP3 - Natural Environment (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP5 - Density (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)  
DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

## **Warwickshire Structure Plan 1996-2011**

GD1 - Overriding Purpose  
GD3 - Overall Development Strategy  
GD5 - Development Location Priorities  
TC1 - Town Centre Uses

## **National Policy Guidance**

PPG 3 -Housing  
PPG 6 - Town Centres and Retail Developments  
PPG13 - Transport  
PPG 15 - Planning and the Historic Environment  
PPG 23 - Planning and Pollution Control  
PPG 24 - Planning and Noise

## **PLANNING HISTORY**

The site has been in commercial use for many years with the current car showroom premises originally dating from the late 1970's/1980's (and subsequently extended).

A permission was granted for office development in 1992 (W900170).

Alternative applications for 146 apartments were submitted in January 2001 (W20011410) and early in 2003 (W20030183). Both of these applications were withdrawn.

## **KEY ISSUES**

### **The Site and its Location**

The site lies immediately to the north of the main railway line and comprises an area of 1.34 hectares. It is currently occupied by a collection of one and two storey part glazed/part metal clad industrial scale buildings, with large areas of open on-site parking.

The area of the site is slightly elevated and is serviced by two roads, one at site level and one adjacent at a lower level.

Adjacent land uses include the Stagecoach Bus Depot to the west, the railway hinterland to the south, the rear of predominantly residential properties fronting Avenue Road to the north, with a number of small scale commercial uses in the locality.

### **Details of the Development**

This is a detailed planning application for a development of 183 apartments accommodated in four and a half storey blocks facing towards Avenue Road, with the building form creating a solid barrier to the railway line at the rear. The proposals provide for 30% affordable housing in accordance with the adopted Local Plan requirements. The density would be 136 units per hectare.

The majority of the car parking is within a decked car park sited away from the residential blocks at the western end of the site, with the remainder in an "undercroft" below the rear block adjacent to the railway, accessed through the courtyards between the blocks. 193 spaces are provided overall.

The building frontage will be set behind a rendered wall, separating the private area from the public realm. To the rear where the station platforms are at a higher level than the site, the building will appear lower and will be glimpsed through the fairly heavy tree screen which exists along the railway boundary.

In terms of materials, the building would have a contemporary appearance but reflecting elements of Regency architecture with a smooth white render finish, and using various architectural details to create visual interest. The projecting blocks would have raised mansard roofs to create further interest and to accommodate plant/lift shafts. The linear block to the rear will have restricted window openings towards the railway line and will be lower in height than the main blocks running towards Avenue Road.

The applicant's agent has provided the following information on the height of the development:-

"The proposed ridge height of the tallest portion of the building will be 16.6 metres and the lowest height is 13.1 metres. With the proposed level of the ground floor slab being 55.3 this equates to 71.9 for the tallest portion and 68.4 for the lowest. No. 13 Avenue Road has a ridge height of 65.64 and the Library opposite is 66.25. I would, however, draw your attention to the fact that the ground floor slabs for these two buildings are approximately 1.2 metres below our proposed development.

Finally, we would like the following surrounding buildings to be taken into consideration, Epperston Court (three and a half storey), Manor House Hotel (four and a half to five storey) and Manor Court (eight storey)."

The applicants have submitted a planning statement and a design statement in support of the application.

## Assessment

I consider that this application raises the following issues:-

### The principle of residential redevelopment

The site clearly constitutes 'previously developed' land, presently being used for commercial purposes and as an access road. I consider the proposed residential use would be consistent with the Government's commitment to promoting sustainable patterns of development particularly given its location close to the town centre and railway station. The residential use of the site would also be consistent with the principle of utilising this site for residential development as set out in the 'Development Principles for Station Area' published in 1999, albeit the precise area and the number of flats now proposed is larger than that envisaged in that study. Government guidance in PPG3, Housing, suggests a residential density range of between 30 and 50 dwellings per hectare, albeit no upper limit is given and other design guidance suggests densities higher than the 158 dwellings per hectare now proposed may be appropriate in town centre locations; the determining issue is whether the scheme is compatible with its surroundings, achieves a reasonable residential environment and is acceptable in all other respects. I note the comment from C.P.R.E. that this development may prevent a future reorientation of Leamington Station to improve access from the north (i.e. town centre) but there are no proposals for such a reorientation and that did not form part of the 'Design Principles for the Station Area'; I do not consider that the objection from C.P.R.E. would, therefore, be sustained. Similarly the comment from Network Rail relates to a private right of way which is not a planning consideration, whilst the scheme would not prejudice future access to the land to the east, adjacent the present northern access to the station, which does not form part of the present application.

### The appearance of the proposed development and its impact on neighbours and the setting of the adjacent Conservation Area and 'Listed' station complex

Clearly this is a substantial building, being a mix of 3 and 4 storeys in height with additional accommodation provided within a mansard roof; the scale of the building is also increased due to it being positioned at a higher level than the 'lower' road, Station Approach, fronting the site. The mass of the building, however, has been 'broken' into several elements to allow vehicular access to the rear of the site and its appearance has been carefully designed to introduce changes in the elevations to help provide interest to the building. The design is of a contemporary style in painted render but including 'ironwork' and mouldings to reflect the Regency character of the town. Given the size of the site and its location next to the station, I consider that the site can accommodate a large building without harm to the wider area.

It will be visible from within the Conservation Area with various views available from Avenue Road and the properties fronting that road; given the nature of the architecture proposed, however, I do not consider this effect will be harmful and whilst I am mindful of the views of C.A.A.F., in my opinion the proposed building will not have an effect on the character or appearance of the Conservation Area such as to justify refusal.

Similarly, whilst it will impact upon the setting of the 'Listed' station, the rear elevation has been designed to address the station and I consider it would constitute an acceptable alternative to the range of commercial buildings which presently occupy the site.

I recognise that the outlook from dwellings and other buildings and sites around the proposed building will be affected but given the distance separation involved, I do not consider that the impact would be such as to justify refusal.

#### The impact of railway noise and vibration and the living environment created for the new flats, including air quality and land contamination considerations

The applicants have submitted reports to address the issues of railway noise, vibration and land contamination and air quality which have been considered by the Head of Environmental Health who has raised no objection to this proposal. The living room of no flats look directly toward the railway line to the south with only 8 bedrooms having that aspect; generally that southern side of the building is used for access corridors. A number of flats will look into the internal courtyards created by the scheme but subject to the appropriate landscaping of those courtyards I consider this outlook will be acceptable.

#### Affordable housing and other planning obligation issues

Given the number of dwellings proposed, this is a scheme which it is the present policy of the District Council to seek to achieve 40% affordable housing. Discussions have taken place between the District Council's Housing Development Officer, the applicant and a Registered Social Landlord (RSL) Servite Houses. Various options of provision have been examined and an offer of 56 units occupying one block of the proposed development for a mix of rent and shared ownership sale has been made. Given the particular costs of developing this site, the configuration of the building (which would mean any other flats would have to be part of a separate block, increasing difficulties of management and maintenance) and the financial 'package' negotiated (which will secure a sustainable mixed tenure scheme), it is the recommendation of the Housing Development officer that the offer of 56 units of affordable housing (i.e. 31%) be accepted.

The applicant has also agreed to meet the other following requests:-

£30,000	- CCTV and landscape improvements to Station Approach;
£1,500	- Air quality monitoring;
£12,580	- Library contribution;
£8,235	- Public transport (to provide 'welcome packs' for flat residents).

Monies to meet the W.C.C. (Highways) request for improvements to cycleways in the vicinity of the site and to fund a consultation exercise for the necessary Traffic Regulation Order as set out in the W.C.C. (Highways) response to this application.

I consider that these matters are in accordance with Government advice contained in the Circular on 'Planning Obligations' and subject to a legal agreement to secure these payments, the scheme would be acceptable.

#### Parking and access considerations

The proposal contains a proposed 193 car parking spaces on site for the 183 flats, 104 of which would be one bedroomed and 79 two bedroomed. Given the mix of units, 56 of which are proposed to be 'affordable dwellings', the location of the site close to the railway station and within walking distance of the town centre and current Government advice in PPG3, Housing, and PPG13, Transport, I consider that whilst noting the representation received regarding possible parking problems in the surrounding area, it would not be possible to sustain an objection on car parking grounds; the scheme also includes an area for the secure storage of bicycles within the proposed 'decked' car park.



## Conclusion

Whilst noting the objections raised regarding highway safety, it must be recognised that the site is presently in commercial use and I note the conclusions of the Highway Authority which have been set out in full in the 'summary of representations' section of this report. Clearly the Highway Authority has carefully considered the Transport Assessment submitted by the applicants Highway Consultants and are now satisfied that the scheme is satisfactory on highway grounds subject to their specified conditions. The Highway Authority will also require extensive off-site works to include the signalisation of existing road junctions at each end of Station Approach and making the western end of Station Approach one-way only into the site.

## RECOMMENDATION

That planning permission be **GRANTED** subject to the satisfactory conclusion of a legal Section 106 Agreement to secure the provision of affordable housing and financial contributions as set out above and to the following conditions:-

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers B2666-100B, 102C, 103C, 104C, 105B, 106C, 108C, 109, 110A, 111, 112A, 113 and 114B and specification contained therein, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Local Plan Policy ENV3.
- 3 Samples of all external facing materials to be used for the construction of the development hereby permitted including details of the proposed render and colour thereof, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 4 Detailed drawings shall be submitted to and approved by the Local Planning Authority before any work is commenced to indicate the finished site and ground floor levels intended at the completion of the development in relation to the existing site levels and the levels of the adjoining land and the development shall be carried out and completed in accordance with the details so approved. **REASON** : To protect the character of the area and the amenities of adjoining occupiers in accordance with the requirements of Policy ENV3 of the Warwick District Local Plan.
- 5 No development shall be carried out on the site which is the subject of this permission, until large scale details of gates, canopies, balconies, railings, dormer windows, render detailing, parapets, doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 have been submitted to and approved by the District 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 ENV8 of the Warwick District Local Plan.

- 6 No development shall be carried out on the site which is the subject of this permission until large scale details of the proposed decked car park, including lighting, have been submitted to and approved by the District 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 ENV8 of the Warwick District Local Plan.
- 7 No external lighting shall be installed on any external wall or roof of any building or within the open land comprised in the application site other than in accordance with details first submitted to and approved in writing by the District Planning Authority. **REASON** : To protect the amenity of the occupiers of nearby properties, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 8 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:1991. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON** : To protect and enhance the amenities of the area, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
- 9 Unless first agreed otherwise in writing by the District Planning Authority all existing buildings within the site shall be wholly demolished before any part of the development hereby permitted is first commenced. **REASON** : To protect the amenity of this locality in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995).
- 10 No development shall be carried out on the site which is the subject of this permission, until details of provision for storage of refuse have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policy ENV3 of the Warwick District Local Plan.
- 11 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of boundary treatment have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.

- 12 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON** : In the interests of fire safety.
- 13 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works shall have been given to the Warwickshire Museum as the nominated representative of the District Planning Authority. During the construction period the developer shall afford access at all reasonable times to representatives of the Museum and shall allow them to observe the excavations and record items of interest and finds. **REASON** : To ensure any items of archaeological interest are adequately investigated, recorded and if necessary, protected, in order to satisfy the requirements of Policy ENV22 of the Warwick District Local Plan.
- 14 Prior to the commencement of the development hereby permitted a plan to show the layout and surface treatment of a cycle parking area for use in association with the development shall have been submitted to and approved by the District Planning Authority. The cycle parking area shall be constructed, surfaced, laid out and available for use prior to the first occupation of the development hereby permitted, in full accordance with the approved plan. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development.
- 15 The proposed car parking areas hereby approved shall be constructed and made available for use concurrently with the occupation of the flats hereby approved in accordance with a schedule of timing first submitted to and approved in writing by the District Planning Authority. **REASON** : To ensure that adequate car parking facilities are available in accordance with Policy ENV3 of the Warwick District Local Plan.
- 16 Before the development hereby permitted is first commenced, a scheme to mitigate the transmission of airborne noise and vibration has been submitted to and approved in writing by the District Planning Authority and the development shall be carried out strictly in accordance with the approved details. **REASON** : To protect the amenity of future occupants of the flats hereby permitted in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.
- 17 No development shall take place until:-
- (a) A desk top study has been carried out that shall include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information, and, using this information, a diagrammatical representation (conceptual model) for the site of all potential contaminant sources, pathways and receptors has been produced.
  - (b) If identified as being necessary having completed the desk top survey, a site investigation has been designed for the site using the information obtained from the desk top study and any diagrammatical representations (conceptual model). This should be submitted to and approved in writing by the District Planning Authority prior to that investigation being carried out. The investigation must be comprehensive enough to enable:-
    - A risk assessment to be undertaken relating to ground water and surface waters associated on and off site that may be affected, and
    - Refinement of the conceptual model, and
    - The development of a method statement detailing the remediation requirements.

(c) The site investigation has been undertaken in accordance with details approved by the District Planning Authority and a risk assessment has been undertaken.

(d) A method statement detailing the remediation requirements, including measures to minimise the impact on ground and surface waters using the information obtained from the site investigation, has been submitted to the District Planning Authority. This should be approved in writing by the District Planning Authority prior to the remediation being carried out on the site and all development of the site shall accord with the approved method statement. **REASON** : In the interests of the amenity of future occupancy of the site in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.

18 If during development contamination not previously identified is found to be present on the site, then no further development shall take place (unless otherwise agreed in writing with the District Planning Authority as an addendum to the method statement approved in accordance with Condition 17 above). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with and the development shall then proceed strictly in accordance with the approved method statement and the approved addendum thereto. **REASON** : In the interests of the amenity of future occupancy of the site in accordance with the provisions of Policy DW ENV3 of the Warwick District Local Plan 1995.

19 Upon completion of the remediation detailed in the method statement approved in accordance with Condition 17 above and any addendum approved thereto, a report shall be submitted to the District Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report. **REASON** : In the interests of the amenity of future occupancy of the site in accordance with the provisions of Policy DW ENV3 of the Warwick District Local Plan 1995.

20 Two full copies of reports at each stage should be provided to the District Planning Authority as required by Conditions 17, 18 and 19 above. **REASON** : In the interests of the amenity of future occupancy of the site in accordance with the provisions of Policy DW ENV3 of the Warwick District Local Plan 1995.

21 No flat hereby permitted shall be occupied until the public highways at Station Approach, Avenue Road and Adelaide Road have been improved so as to provide for traffic signal junctions and a one-way traffic system in general accordance with drawing no. 75821/OS/005 Rev D and a subsequent detailed scheme to be first submitted to and approved in writing by the District Planning Authority. **REASON** : In the interests of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.

22 Before any of the development hereby permitted is first commenced, written approval of the details of the following matters shall be obtained from the District Planning Authority:-

a. completion of a satisfactory Stage 1 Road Safety Audit for the proposed junction improvements at Station Approach/Avenue Road and Adelaide Road/Avenue Road.

**REASON** : In the interests of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.

- 23 Prior to commencement of any works on the site a mechanical wheel wash shall be installed adjacent to the site access for the purpose of ensuring that mud and debris will not be deposited on the highway as result of construction traffic leaving the site. Details of the wheel wash (including type, method of operation and control of use) shall be first approved in writing by the District Planning Authority. The mechanical wheel shall be installed as approved and thereafter retained on-site until the completion of the development hereby permitted. **REASON** : In the interests of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.
- 24 Before the development is commenced, the further written approval of the District Planning Authority shall be obtained for the design of the estate road layout serving the development including footways, cycleways, verges and footpaths. These details shall include large scale plans and sections showing the layout, vertical alignment, and surface water drainage including the outfalls. The development shall be carried out strictly in accordance with the approved details. **REASON** : In the interests of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.
- 25 The construction of the estate road serving the development including footways, cycleways, verges and footpaths shall not be other than in accordance with the standard specification of the Highways Authority. **REASON** : In the interests of highway safety in accordance with the provisions of Policy ENV3 of the Warwick District Local Plan 1995.
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