

Planning Committee: 14 July 2020

Item Number: 5

Application No: [W 19 / 1940](#)

Town/Parish Council: Warwick
Case Officer: Dan Charles

Registration Date: 20/04/20
Expiry Date: 20/07/20

01926 456527 dan.charles@warwickdc.gov.uk

Kings High School for Girls, Chapel Street, Warwick, CV34 4HJ

Redevelopment of former King's High School site consisting of main school site, Priory Building, St Nicholas Building and Numbers 2 and 10-14 Chapel Street. Development to include the demolition of gymnasium building, sixth form building, language building, Priory Building and modern elements attached to the Listed Buildings together with alterations to the external appearance of retained non-Listed Buildings. Erection of new apartment buildings and town houses together with the conversion of retained buildings to create a total of 118no. residential units in a mixture of houses, apartments and duplexes. Creation of underground car and cycle parking together with hard and soft landscaping and other associated works. FOR Wake Green (Warwick) Limited

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

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report and a Section 106 Agreement to secure the necessary financial contributions/ obligations as set out in the report.

Planning Committee is also recommended to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to finalise the terms of the Section 106 agreement including any variation to, or clarification of, the sums requested where the revised sums meet the relevant statutory test.

Should a satisfactory Section 106 Agreement not have been completed within two months of the date of decision, Planning Committee are recommended to delegate authority to the Head of Development Services to refuse planning permission on the grounds that the proposal makes inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

This is a full application for planning permission for the redevelopment of the former Kings High School site. Due to the significant scale of the site, the development is broken down into specific areas identified as sites A-H.

All of the Listed Buildings and historic buildings on the site (other than the ground floor of the library block) are to be retained, refurbished and converted into residential use. The key Listed Buildings are those fronting onto Smith Street with Landor House being a Grade II Star Listed Building.

The development also comprises demolition of the gymnasium building, sixth form building, language building, Priory Building and modern elements attached to the Listed Buildings together with alterations to external appearance of retained non-Listed Buildings.

The development includes the erection of new apartment buildings and town houses together with the conversion of retained buildings to create a total of 118 residential units in a mixture of houses, apartments and duplexes. For Sites A, B and C, there will be a new vehicular access off the Butts into a proposed underground communal parking area.

During the course of the application, the scheme was amended following feedback from the consultation process. The key changes were as follows:

- Reduction in overall unit numbers from 135 to 118
- Increase in affordable housing proportion from 10 units to 36 units, representing 30% of total dwellings.
- Increased parking provision from 230 spaces to 268 spaces

Changes specific to each site are as follows:

- Site A: Unit numbers reduced from 21 to 16. Red House is now to be converted into 1 dwelling (previously 4 units), the 3 original classrooms are now to be converted to 1 dwelling (previously 3 units); removal of the 5 parking spaces to the rear of Red House and the creation of two double garages to serve Red House and the main school along with a drop off space / taxi / delivery space at the car park entrance off The Butts; Increase in the size of the window openings to the main hall to reflect the size of the window openings elsewhere on the façade.

- Site B/C: Unit numbers reduced from 74 to 54. Minor change to the siting of Blocks B & C; Additional 11 car parking spaces; Elevational changes to Chapel Street to include pitched roof dormers and greater variation in the treatment of the façade to reflect the character of nearby properties; Inclusion of pitched dormers to The Butts to reflect the character of the area.
- Site D: Removal of the dormers on the front elevation of two of the properties and additional window detailing, and window fenestration amended to reflect the character of the area.
- Site E: Changes to the window detailing on the rear elevation to be more sympathetic to the Listed Buildings, a reduction in the width of the first floor extensions and additional parts of the historic building retained internally.
- Site F/G: Unit numbers increased from 26 to 38, with 36 affordable homes (all of the accommodation within Blocks F & G other than the former Wesleyan Chapel to be affordable housing); Increase in the footprint of the building over the former proposed decked area to allow for the provision of additional affordable homes; Land still retained on the corner for amenity space and planting; Additional 25 parking spaces with the inclusion of a further car park level (Block G) including 2 club car spaces (available for public use) and 2 spaces for the Former Wesleyan Chapel dwellings.
- Site H: Unit numbers reduced from 6 to 2, representing a pair of town houses with double garages and 1 visitor space to the rear; elevational changes and variety in the eaves height and detailing of the buildings to provide a development more in keeping with the character of properties on Chapel Street

THE SITE AND ITS LOCATION

The former Kings High School is located within the Warwick town centre and within the Warwick Conservation Area. The site covers an area of approximately 1.1 hectares split across four sites located on Priory Road, Chapel Street, The Butts and Smith Street. The application site comprises of four separate, but closely related, parcels of land which cover the applicant's development sites A-G. The buildings are as follows:

Site 1 – The Main School Site (proposed sites A/B/C)

The main school site is bounded by The Butts, Smith Street and Chapel Street. It is a large site comprising a number of historic buildings with various extensions and several modern new buildings including the following:

- Landor House a 17th Century Grade II* listed building;
- Nos. 1 and 3 Smith Street (Grade II Listed) 16th Century former cottages;
- The Red House and adjacent garden;
- Main hall and adjacent teaching rooms;
- Dining hall;
- Gymnasium;
- Sixth form centre;
- Two playgrounds; and
- Modern languages and Octagon buildings.

The site is partly bounded to the south east by Eastgate, a Grade II* listed and Scheduled Ancient Monument (SAM). To the north west of the site lies Mitchell House, an apartment block and associated car park. To the north of the site, on the opposite side of Chapel Street there are a mixture of residential and school buildings whilst to the south on The Butts lie the grounds of St Mary's Church and residential development.

Site 2 – The Priory Building (proposed site D)

The Priory Building fronts onto Chapel Street and comprises a 1960's infill development. The former school playground is located to the rear of the building abutting Priory Road. The Telephone Exchange lies to the north and east of the site whilst there is residential development either side of the Priory Building fronting Chapel Street. A number of the adjacent cottages are Grade II listed (Nos. 26-40 Chapel Street and 16 Chapel Street).

Site 3 – Former Wesleyan Chapel and the Creative Arts Building (proposed sites E, F and G)

This site is bounded by Chapel Street, Chapel Row and Priory Road and comprises:

- Former site of a Wesleyan Chapel;
- Creative Arts Building;
- Nos. 10, 12 and 14 Chapel Street (Nos 10 and 14 are Grade II listed buildings); and
- Car park with access off Priory Road.

The rear part of the site has open views across the car park and onto the rear of the commercial properties fronting Smith Street. There are residential properties abutting the site on Priory Road.

Site 4 - No 2 Chapel Street (proposed site H)

The site comprises a modern infill development and lies adjacent to residential development, a commercial property fronting Smith Street and WDC Smith Street public car park to the rear.

PLANNING HISTORY

The site has an extensive planning history although this relates to its previous educational use and none is directly relevant to the current proposals.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity
- DS2 - Providing the Homes the District Needs
- DS3 - Supporting Sustainable Communities
- DS4 - Spatial Strategy
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS7 - Meeting the Housing Requirement
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities
- HS2 - Protecting Open Space, Sport and Recreation Facilities
- HS4 - Improvements to Open Space, Sport and Recreation Facilities
- HS6 - Creating Healthy Communities
- HS7 - Crime Prevention
- HS8 - Protecting Community Facilities
- CC1 - Planning for Climate Change Adaptation
- CC2 - Planning for Renewable Energy and Low Carbon Generation

- CC3 - Buildings Standards Requirements
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- FW4 - Water Supply
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- NE1 - Green Infrastructure
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- DM1 - Infrastructure Contributions
- DM2 - Assessing Viability
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Affordable Housing (Supplementary Planning Document - January 2008)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Following receipt of revised plans addressing our concerns, no objection.

Councillor Dave Skinner: Objection due to lack of affordable housing provision, lack of parking facilities, traffic and air pollution and over-development of the site.

Environmental Protection: No objection, subject to conditions. Note that the Red House would be subject to Air Quality impacts.

WCC Ecology: No objection, subject to conditions.

The Gardens Trust: No comment

Natural England: No comment

Sport England: No comment

Warwickshire Police Design: Recommend that the scheme is carried out in accordance with Designing Out Crime Standards. This can be secured by condition.

Warwickshire Police Infrastructure: No objection, subject to contribution of £32,337 towards improved police infrastructure.

WCC Infrastructure: No objection, subject to contributions (tbc)

WCC Public Health: Recommend that all residential developments are designed to Building for Life 12 standards, as documented within WCC's Promoting Health and Wellbeing through Spatial Planning (PHWSP) guide (supported by Warwickshire's Health and Wellbeing Board), and therefore recommend that this development incorporates these standards into the design.

Acute and Community Health Services: No objection, subject to contribution towards the provision of additional services to meet patient demand (tbc)

WDC Open Space: Recommend contribution towards improvement of off-site public open space to mitigate for the increased demand as a result of the development.

Housing Strategy: Satisfied with the level of affordable housing proposed. Final breakdown can be secured through the Section 106 Agreement.

Historic England: No objection to the applications on heritage grounds. We consider that the applications meet the requirements of the NPPF with the imposition of appropriate conditions. In determining these applications you should bear in mind the statutory duty of sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess as well as section 72(1) of the same Act to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

WCC Landscape: No objection, but general observations provided on landscape design and detailing.

WDC Tree Officer: No objection in principle to the development on the basis of the Arboricultural information provided by Cotswold Wildlife Surveys to support the proposed layout. The Arboricultural report refers to all of the proposed development sites within the grounds, and considering the scale of the site surprisingly few existing trees appear to be impacted by the overall scheme. The position of a barrier fence to protect the existing trees on The Butts, and the soil volumes beneath them for possible new planting, is shown on the tree protection plan, but needs off-sets from fixed points to allow the alignment to be confirmed on site. A carefully considered planting scheme will add biodiversity and interest to the site. If the development were to proceed then the comprehensive list of control measures that are given in Cotswold's report should be fully implemented in a timely fashion and properly maintained and monitored throughout the duration of the development.

WDC CCTV: No objection

Warwickshire Fire and Rescue: No objection, subject to fire hydrant condition.

WCC Local Lead Flood Authority (LLFA): Following receipt of additional information, no objection, subject to conditions.

Severn Trent: No objection, subject to drainage condition.

WCC Archaeology: No objection, subject to conditions.

Conservation Area Forum (CAF): Overall, CAF felt that the proposals represented overdevelopment of the site.

WCC Highways: No objection, subject to S106 contributions and conditions.

Matt Western MP: Concern over lack of affordable housing due to VBC. Warwick requires more affordable housing. An alternative scheme of dwellings and a hotel may be preferable.

Public Response: 45 objections received to the original submission with the main issues being:

- Design and appearance of the proposal
- Impact on the Conservation Area
- Impact on neighbouring residential amenity (loss of light, privacy and outlook, noise disturbance, pollution / air quality)
- Chapel Street elevations and impact on properties opposite
- Number of dwellings provided
- Number of parking spaces provided, particularly the level of visitor parking and loss of existing garages
- Highway access
- Level of affordable housing
- Approach to construction

Following the re-consultation on the revised drawings, there have been 14 further comments:

- 7 objections, with the main issues surrounding visitor parking in the area, loss of garages and construction management of the development.
- 5 neutral comments
- 2 comments in support

ASSESSMENT

The key considerations in the assessment of this proposal are;

- The principle of the development.
- The impact on the character, appearance and setting of the Listed Buildings.
- The impact on the character and appearance of the surrounding area and Conservation Area.
- The impact on residential amenity.
- The impact on Highway Safety.
- Landscaping and impact on trees;
- Drainage and flood risk;
- Ecological impact;
- Mix of market housing;
- Provision for affordable housing;
- Section 106 contributions; and
- Health and wellbeing

Principle of development

The most up to date Five Year Housing Land Supply (5YHLS) figures state that as of 1 April 2019, the District Planning Authority is able to demonstrate a 6.37 year Housing Land Supply.

The former Kings High School is now vacant following the relocation of the school to the Myton Road site in September 2019.

There is no conflict with Policy HS8 regarding the loss of community facilities since it relates to a relocation rather than the loss of a facility. The school moved from the town centre site to the newly extended Myton Road site in September 2019 leaving the town centre school buildings vacant. The Myton Road site is close by and readily accessible by bus and cycle. Therefore, there is no net loss of educational / community facilities and the proposal is policy compliant.

The site lies within the Warwick town centre and is within the Urban Boundary of the town which is considered appropriate for new residential development. The site is considered to be a highly sustainable location being well related to public transport links, services and employment opportunities. The scheme is considered to be in accordance with Policy H1 insofar as the site is in a sustainable location, falling within the main urban areas of Warwick.

Despite not being specifically designated in the Local Plan as a housing allocation, the site is considered to represent an appropriate windfall site which forms an additional provision of dwellings to boost the District's overall housing supply.

The proposed development would represent an appropriate use of land within a sustainable location and would regenerate a brownfield site. The site would provide easy access to the range of services in the town centre which would also help to improve the vitality and viability of Warwick town centre.

Overall, Officers consider that the residential development is considered to be acceptable in principle on this site.

Mix of housing

Policy H4 of the Local Plan requires residential development to include a mix of market housing that contributes towards a balance of house types and sizes across the district in accordance with the latest SHMA and as summarised in the most recent guidance document 'Provision of a Mix of Housing' (June 2018), based on current and demographic trends, market trends and the needs of different groups in the community. This development provides the following market mix of housing:

Bedrooms	Total	% Proposed	WDC requirement	Difference
1-bedroom	8	10%	5-10%	+/-0%
2-bedroom	55	67%	25 - 30%	+37%
3-bedroom	12	15%	41 - 45%	-16%
4-bedroom+	7	8%	30 - 35%	-22%

The differences in the table above are noted, however, Local Plan Policy H4 states that in assessing the housing mix in residential schemes, the Council may take into account circumstances where it may not be appropriate to provide the full range of housing types and sizes in accordance with the latest SHMA, for example, locational issues such as highly accessible sites within or close to the town centre where larger homes and low / medium densities may not be appropriate.

The applicant proposes that as the site is in a highly accessible location, the above housing mix would meet with this exception.

Officers consider that the application site is located within a highly sustainable location and has significant constraints in respect of Listed Buildings and other heritage assets. Officers also recognise that it is important to ensure the most efficient use of land. It is therefore considered reasonable in this case to accept a greater proportion of smaller units in this instance as the scheme is predominantly made up of apartments, which is represented by the higher percentage of 2 bedroom units and lower percentage of 3 and 4 bedroom units. On balance, the mix is considered to be acceptable.

Affordable housing

Local Plan Policy H2 requires a minimum of 40% affordable housing on sites of eleven or more dwellings.

The original approach within the application relied upon the application of Vacant Building Credit (VBC) as set out in National Policy. Paragraph 63 of the NPPF states that where development relates to the re-use of vacant buildings any affordable housing requirement should be reduced by a proportionate amount or the equivalent to the existing gross floor space of the existing building. The calculations indicated that VBC would result in the scheme delivering 10 affordable homes.

Officers agreed that the applicant's approach of exercising the VBC criteria was a legitimate approach as set out in paragraph 63 of the NPPF. However, following the public consultation exercise, it was noted that a number of consultation responses raised the low level of affordable housing as a reason for objection. Therefore, despite its ability to rely upon VBC, the applicant has submitted revised proposals whereby the number of affordable housing units has been increased to 36; which represents 30% of the total number of residential units across the site.

The 36 affordable units are split into 21 No. 1 bed and 15 No. 2 bed. These will be provided in Block F/G. The tenure mix for the affordable units is 56% for social rent, 22% for affordable rent and 22% for shared ownership. This element is open to negotiation with the WDC Housing Officers in terms of tenure mix.

In light of the applicant's ability to rely on VBC to justify a significantly lower level of affordable housing, the revised proposal to provide a total of 30% affordable units equating to 36 properties across the scheme is considered acceptable.

Impact on visual amenity and the character of surrounding area and the impact on heritage assets

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

Policy BE1 of the Warwick District Local Plan reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing.

In addition, the Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The adopted Residential Design Guide Supplementary Planning Document sets out steps which must be followed in order to achieve good design in terms of the

impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

Paragraph 129 of the NPPF requires Local Planning Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

The site contains a Grade II* building, three Grade II listed buildings (Nos 1 and 3 Smith Street as one entry and Nos 10 -14 Chapel Street as two entries) and a number of non-designated assets. It is located within the Warwick Conservation Area and is adjacent to a large number of other designated and non-designated heritage assets, including a Scheduled Ancient Monument.

Therefore, it is necessary for proposed works pay special regard for the desirability

of preserving the special interest of the listed buildings and their settings in accordance with Section 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and special attention to the desirable objective of preserving or enhancing the character and appearance of the Conservation Area, in accordance with Section 72 of the Act.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the

public benefits of the proposal. The explanatory text for HE1 clarifies that in considering applications relating to Conservation Areas, the Council will require that proposals do not have a detrimental effect upon the integrity and character of the building or its setting, or the Conservation Area. Local Plan policy HE2 supports this and states that it is important that development both within and outside a conservation area, including to unlisted buildings, should not adversely affect its setting by impacting on important views and groups of buildings within and beyond the boundary.

Following feedback from the Warwick Conservation Advisory Forum and Conservation and Design Comments Team, the design of the proposals were amended during the determination of the application. An assessment of the design under each of the sites is set out below.

Site A

The proposals involve the retention, internal refurbishment and change of use back to their original residential use of the vacant Grade II* Listed Landor House and Grade II Listed Nos 1 and 3 Smith Street ensuring their continued viable use for residential purposes therefore offering a net heritage benefit. The proposals will result in the removal of the poor-quality 20th /21st century extensions to the Listed Buildings and returning the buildings to their original footprint and creating space around the buildings to enhance their setting.

Notwithstanding notes on the drawings, officers advise that the bay window to the rear elevation of Landor House and the historic window in Apartment 15 on the first floor (above the classrooms) shall be retained, unless it can be demonstrated that the existing is beyond repair. Officers also advise that all new and replacement windows Listed and new buildings should be timber and a condition is recommended that would address this requirement.

Sites B/C

Sites B and C are set between The Butts and Chapel St, the area of which currently

comprises of relatively modern structures including the former sixth former building, gymnasium, languages building and playground. The application proposes the demolition the existing buildings and construction of 54 residential units. Officers are satisfied that the buildings subject to demolition are acceptable, as these are not considered to make a positive contribution towards the appearance and character of Warwick conservation area. Designated heritage assets in the site's immediate setting include the site of St Mary's

College, a Scheduled Monument, located off the Butts and the following Grade II listed

buildings:

- 10-16 (evens), 22, 26-40 (evens) Chapel Street,
- 19-25 The Butts
- 2-14 (evens), 3-15 (odds) and 19-25 The Butts
- Stone wall to Deanery Garden adjacent to The Butts
- The Glebe House and The Old Deanery
- County Library Headquarters and Pavilions
- The Punch Bowl Hotel

It is also worth noting that remains of a stone wall runs along the southern side of Chapel St, with both sections extended vertically with red brick resulting in a tall wall on Chapel St. Little is known about the origins of the wall, although a solid boundary here is present on historic maps. Officers are therefore satisfied that the removal of unsympathetic red brick and retention of the historic section of wall is acceptable, with a schedule of work be submitted for the wall to be secured by condition.

In response to feedback from Officers, the height of Block along Chapel Street has been reduced by one storey to reduce the impact on the existing properties opposite the building on Chapel Street. This has resulted in the proposed built form in this location appearing more akin to a townhouse arrangement which is more consistent with the built form in this location.

A greater variation of the facades has been achieved through a change to the detail of the buildings, the variance in the fenestration (including pitched dormer windows) and the variation of the eaves and ridge heights. This breaks up the perceived massing of the blocks and better integrates the structure with the surrounding streetscape. Officers agree that these alterations represent an enhancement of the existing scheme and result in minor beneficial impacts on the Warwick Conservation Area.

At the request of Officers, the applicant has also converted all flat roof dormer windows facing Chapel Street to pitched dormers, adjusted the eaves line and removed one of the three gable ends on the Butts elevation to reduce the visual bulk of the roofscape.

Site D

The existing Priory building is to be demolished and replaced with five townhouses with each property having private amenity space to the rear of the dwelling. Parking to serve the development is to be provided on the former playground to the rear of the site and pedestrian access to the car park from Chapel Street is to be provided alongside the most northern property.

In response to initial comments from officers, the window arrangements have been revised. The dormers to the front elevations have been removed. These are replaced with roof lights on the dwelling next to No.16 Chapel Street. The two dwellings closest to No.24 Chapel Street have small windows at the upper storey similar to the dwellings in the centre of the terrace. In addition the gap between the neighbouring buildings have been removed.

Site E

This area comprises of 10-14 Chapel St (former Iris Lees Day Club) – a row of Grade II listed two-storey red brick houses built in the early to mid-19th century. The proposals involve the demolition of existing single-storey modern additions to the rear as well as internal alterations/reconfiguration to form three separate domestic properties. Officers are also supportive of the proposals to return the houses back to individual units as well as their return to domestic use.

In response to officer comments, the applicant has reintroduced the boundary treatment to provide defensible space. The extensions have reduced to be more in keeping with the existing, allowing for modern building constraints. The windows in the extension have been centred to follow the existing rhythm and symmetry of similar extensions. The infill element windows have been increased, allowing for a small pier either side for structure.

Sites F/G

The site currently comprises the former Wesleyen Chapel, most recently used as part of the Creative Arts block in the King's High School Campus. The building was built circa 1830 and, whilst not listed, is considered to be a non-designated heritage asset, contributing positively to the character and appearance of the conservation area. The building fronts onto Chapel Street at the corner of Chapel Row and the site lies adjacent to Grade II listed houses along the north side of Chapel Street.

The remainder of the site currently comprises a former Borough School building, built circa 1890-1900 and subsequently extended in the late-20th and early 21st

centuries. The original three-storey brick building has been enclosed by later extensions and the interior has been refurbished. The application proposes to demolish the later extensions to this building, including the section linking it to the former Wesleyen Chapel (Site F), in order to expose the original Victorian School Building.

Officers have no objection to the demolition of the later extensions to the existing Victorian buildings on the site.

In response to officer comments on the submitted scheme, the design of Site F/G was revised. This was to both provide additional affordable housing and also to

reduce the overall height of block G and utilise hipped roofs in order to reduce the dominance of the building.

Site H

It is proposed to demolish the existing modern building on the site. In response to comments from officers, the building has been amended to provide two town houses. The scale and form of the roof next to No 4 Chapel St to reduce the step on height. The revised proposals are for 2no. 3-bedroom townhouses on this site rather than the 6 apartments as originally submitted.

The applicant has provided further imagery that compares the existing building with the proposed. This demonstrates that the overall height of the building responds to the existing context with a three storey building on one side and two storey house on the other.

Summary

Officers welcome the applicant's proposals to retain all Listed and historic buildings on the site and the demolition of the modern extensions that detract from the setting of both the Listed Buildings and Warwick Conservation Area.

Overall, the revised scheme as submitted retains all of the Listed Buildings and enhances their character and setting by removing later additions and reverting the buildings back to their original purpose. The proposal would not result in any harm to the character, fabric or settings of the Listed Buildings.

Officers are satisfied that the proposed development pays special regard for the desirability of preserving the special interest of the Listed Buildings and their settings in accordance with Section 16(2) and 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 and special attention to the desirable objective of preserving or enhancing the character and appearance of the Conservation Area, in accordance with Section 72 of the Act.

Overall, the revised scheme is considered to represent a high quality design in this sensitive location which will provide significant visual enhancements within the area and therefore accord with the NPPF and Local Plan Policies, BE1, HE1 and HE2.

Impact on the amenity of neighbouring residents

Warwick District Local Plan Policy BE3 requires all development to have an acceptable impact on the amenity of nearby users or residents and to provide acceptable standards of amenity for future users or occupiers of the development. There is a responsibility for development not to cause undue disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or visual intrusion.

The proposed development is within the town centre but is located close to existing residential development. In use terms, the proposed development is appropriate, but an assessment needs to be made in terms of the impact that the proposed development will have on the amenity of nearby residents in terms of the scale of the development and any privacy considerations.

The 'Distance Separation Guide' was adopted by the Council in 2003 to provide guidance on the necessary separation distances between new residential development (habitable to habitable rooms) to help avoid loss of privacy and over dominance to adjoining dwellings.

However, the document also notes that the standards are not intended to be the only material consideration in determining planning applications and consequently, specific site circumstances including, for example, ground levels, design and other physical constraints together with all other material considerations should be taken into account. Further, within Conservation Areas, where the overriding need is to preserve or enhance the character or appearance of the area, the provisions of the guidance will not be directly applied.

The application site is located within the Warwick town centre Conservation Area where the overriding character are narrow streets, a close relationship of the

buildings and the creation of a dense urban fabric. The Butts and Chapel Street reflect these traits with road widths of 8.7m for 3 storey to 3 storey development on The Butts and 11.8m for 3 storey to 2 storey on Chapel Street. This pattern is also reflected on adjoining roads with separation distances on Smith Street of 9m and 12.2m on Jury Street.

The application has also been revised following submission, with a storey being removed from the Chapel Street elevation on Sites B/C. This revision, together with the setting back of the building within the site and the removal of the engineered brick wall on Chapel Street means that the amenity of the residents on Chapel Street will be protected.

The Amenity of Future Occupiers

Warwick District Local Plan Policy BE3 requires all development to provide acceptable standards of amenity for future users or occupiers of the development.

The properties have all been designed to provide acceptable levels of amenity for future occupiers with primary rooms all served by appropriately sized windows giving appropriate levels of light and outlook. In the case of the converted buildings, these provide large areas of glazing giving an excellent level of amenity for the future occupiers. The Listed Buildings also benefits from large openings as were befitting of a sizeable historic dwelling and all openings have been retained to serve the rooms of the properties with light and outlook to an appropriate standard. The new buildings have also been designed with appropriate amenity and access to light and outlook all served through appropriately sized windows. In addition the modern apartments are also proposed with open plan living allowing the maximum levels of light to reach all areas.

The scheme has been sensitively designed to ensure that the new properties have adequate separation distances from other property windows to prevent direct loss of privacy from facing windows.

The scale of the accommodation is also acceptable with regards to the minimum size standards.

In terms of amenity space, the Residential Design Guide requires new dwellings to provide appropriate standards of amenity space. Given that the application involved the conversion of a number of Listed and historical buildings, officers agree with the applicant that the amenity standards should be applied flexibly.

Development of apartments requires 10m² per bedroom across the site. However, the applicant states that the 118 units generates a reduced requirement for open space provision of some 2,730 sq.m across the whole development. The current scheme proposes some 4,149 sq.m of amenity space and thus there is a notable excess provision over the requirement of 1,419 sq.m. Therefore, the level of amenity space provided across the scheme is acceptable.

Overall, Officers are satisfied that the amenity of future occupiers is acceptable having regard to Policy BE3.

Air Quality

Environmental Protection have raised a concern over the existing air quality in the town centre, given that the area is an Air Quality Management Area. The applicant has submitted an updated air quality report which addresses their previous comments by agreeing to provide the required levels of air quality mitigation in accordance with the Council's relevant SPD.

There is only one outstanding issue in respect of air quality which relates to the use of the Red House as a residential dwelling. This is the proposed property located at the signalised junction at The Butts and the property would lie immediately adjacent to the traffic in this location.

It is noted that the concern relates solely to a single unit out of a scheme of 118 proposed properties. To seek to mitigate the impact, the applicants have placed primary accommodation away from the roadside elevation and are seeking to provide the secondary rooms on this elevation with fixed glazing to prevent opening.

In considering this aspect, Officers clearly acknowledge that the Red House is a historic building in the Conservation Area which was originally designed and built as a house. An additional mitigating factor is the proposals under consideration by the County Council to make The Butts one-way only. This would remove stationary traffic from immediately outside the property that would significantly reduce the level of harm created through poor air quality. On balance, Officers agree that the air quality concerns can be mitigated and concerns in respect of the Red House are not a sufficient reason to refuse the whole application.

Refuse storage

The Waste Management Team raised objection to the application on the grounds

of a waste collection perspective. In response, the applicant provided an updated waste strategy design note, which explains the approach for each of the sites.

For sites A, B and C this presents a solution where the bin stores are incorporated at basement parking levels and a management company will transfer the bins to Street level on the days that waste is collected.

On sites D, E, F and H the residents will utilise doorstep collections.

Overall, whilst this does not fully accord with the requirements of the Waste Management Team, given the specific site constraints, Officers consider that the applicant has sought to address the concerns. In order that a satisfactory waste management system is in operation for the site, a condition is proposed to secure details of the waste management strategy and operation to ensure that future residents benefit from an appropriate waste management system across the site. The strategy would be secured through a pre-occupation planning condition.

Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

WCC Highways have been consulted and they have advised that a thorough and robust assessment of the development proposals has been undertaken. Based on this assessment, the Highway Authority is satisfied that the development proposals will not have a detrimental impact on the safety, operation or capacity of the local highway network.

In terms of parking, WCC Highways have advised that compared to other areas of the District, Warwick town centre benefits from higher levels of public transport accessibility and is well served by cycle and walking facilities and public car parking. The centre also accommodates a range of shops and services and Town Centre residential development will assist in promoting economic growth productivity.

WCC have also advised that overarching principle is that developments located within Town Centre areas, close to good public transport services and local

facilities, will require less parking than equivalent developments in other areas of the District.

The Council's parking standards state that at paragraph 2.4 that a lower provision may be justified where the application site is located within an area which is highly accessible (for example within the town centres as defined in the Local Plan). Given that the site is located within the town centre, a level of parking less than the standards can be justified.

However, following public consultation, public comments raised concerns over the number of resident and visitor parking provided. Therefore, the applicant has increased the parking provided on site and this change, combined with the reduction in units the applicant is able to meet the Council's standards in full and provide an additional 20% visitor parking spaces as specified within the standards.

As parking is provided for on-site together with an appropriate level of visitor parking in accordance with the Parking Standards SPD, it is considered appropriate to remove the rights to on-street parking permits. This will be done as part of the Section 106 Agreement to prevent the potential for increased on-street parking stress in the local area.

For the above reasons it has been concluded that the proposals would have an acceptable impact on car parking and highway safety and is in accordance with Policies TR1 and TR3 of the Local Plan.

Landscaping and impact on trees

There is a prominent group of trees on the road frontage to the Butts, which will be retained. The landscape strategy within the Design and Access statement indicate new tree planting within the communal and private garden areas. These new trees would provide a leafy backdrop to the development and assist with surface water drainage. The proposed development offers a hierarchy of green spaces from 'opening up' spaces between buildings to courtyards; roof gardens and terraces (sites B, C and F) and private gardens. Areas of amenity space will be provided for both the Wesleyan Chapel and around the old borough school building.

Given the site constraints, there is a generous component of landscaping within the scheme.

The applicant has also stated that 4 of the existing large trees will be pollarded to provide daylight and sunlight into the new apartments.

All works to trees and the details of the hard and soft landscaping will be agreed by planning condition.

The proposal is therefore considered to be in accordance with Local Plan policy NE4.

Drainage and flood risk

The development lies within flood zone 1 of the Environment Agency's Flood risk map and has been subject to a Flood Risk Assessment and SuDs Report.

The submitted documents have been assessed by the WCC Flood Risk Management Team who have raised no objection subject to the imposition of suitably worded conditions.

On the basis of the above, the proposal is considered to be in accordance with Local Plan policies FW1 and FW2

Ecological impact

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

The County Ecologist has assessed the submitted ecological survey work and originally objected to the application on the grounds of the adequacy of the bat surveys. The surveys were subsequently updated with additional inspections undertaken by the applicant.

The County Ecologist subsequently advised that given that there is scope within the proposed development for artificial bat roost provision and removed their objection to the application subject to conditions requiring further bat survey work and a mitigation report.

Officers consider that subject to the imposition of the recommended conditions, the proposal is considered to be in accordance with Local Plan policies NE1 and NE2.

Impact on infrastructure / local services

The proposed development of up to 118 dwellings would create additional demand for local services and to mitigate this, contributions towards community facilities would be required.

Negotiations into the levels of contributions are still ongoing and must be resolved to the satisfaction of the Local Planning Authority before a decision can be issued.

Having considered the available evidence, the contributions are considered to be in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010.

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the current time, the following financial contribution requests have been received;

Warwickshire Police - £31,995.
Indoor Sports Facilities - £91,991.
Outdoor Sports Facilities - £8,328.
Grass Pitch Contribution - £35,798.

The following requests are still outstanding;

- Sustainable Travel Packs
- Libraries
- Education and Learning
- Public Rights of Way Improvements
- Safer Routes to School Funding
- Road Safety Contribution
- Public Transport (Bus Service) Improvement
- NHS Hospitals
- NHS Clinical Commissioning Group (Doctors Surgeries)

Where contribution requests are received in time, these will be detailed within the update sheet. If this is not possible, Members are requested to delegate authority to Officers to finalise the requirements of the Section 106 Agreement.

Additionally, the Section 106 Agreement will also secure the following;

- 30% (36 Units) Affordable Housing
- Local Labour Agreement.
- Removal of On-Street parking permit eligibility.

- Monitoring Fee.

Health and wellbeing

The proposals would provide housing to meet the housing needs of the District, including an element of affordable housing for people in housing need in a highly sustainable location. This is a benefit that contributes to health and well-being. Additionally, the provision of open space would be seen as a positive benefit that adds to the effective layout of the scheme and provides an enhanced environment in which to live for future occupiers.

Archaeology

Policy HE4 of the Local Plan requires an appropriate evaluation of potential archaeological remains. Where a development has the potential to have an adverse effect on archaeological remains, mitigation would be required through an appropriate form of archaeological investigation.

The results of the survey work and trial trenching were submitted in a report with the supporting information as part of the current application. In addition, further archaeological works are ongoing to meet the requirements of the County Archaeologist.

The site is considered to have high archaeological potential and the recommended further investigative and evaluative archaeological fieldwork should be secured by an appropriately worded condition.

Subject to the proposed condition, Officers are satisfied that the proposal is in accordance with Policy HE4 of the Local Plan.

SUMMARY / CONCLUSION

The scheme seeks the re-development of the former Kings High School Site within the historic core of Warwick for residential development. The proposed scheme is considered to provide an acceptable form of development to create 118 homes of varying sizes together with 30% affordable units together with appropriate levels of off-street parking to serve all units.

Site specific matters can be controlled by appropriate conditions to ensure that the development is acceptable and does not cause undue harm to the amenity of local residents during the construction phase.

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) 18050-0823-P-00, 18050-0830-P-00, 18050-0831-P-00 and 18050-0832-P-00, and specification contained therein, submitted on 14 November 2019 and approved drawing(s) 18050-0350-P-02, 18050-0353-P-03, 18050-354-P-03, 18050-372-P-03, 18050-0423-P-01, 18050-0451-P-04, 18050-0452-P-03, 18050-0454-P-03, 18050-0460-P-03, 18050-0467-P-02, 18050-0468-P-02, 18050-0469-P-02, 18050-0501-P-01, 18050-0553-P-03, 18050-0561-P-02, 18050-0601-P-03, 18050-0650-P-03, 18050-0660-P-03, 18050-0701-P-02, 18050-0703-P-00, 18050-0715-P-02, 18050-0715-P-02, 18050-0720-P-01, 18050-0721-P-02, 18050-0721-P-02, 18050-0722-P-00, 18050-0730-P-00, 18050-0750-P-02, 18050-0751-P-02, 18050-0752-P-01, 18050-0753-P-01, 18050-760-P-02, 18050-0800-P-02, 18050-0801-P-01, 18050-0820-P-01, 18050-0821-P-01, 18050-0822-P-01, 18050-0849-P-03, 18050-0851-P-05, 18050-0852-P-03, 18050-0853-P-04 (F&G 3rd Floor Plan), 18050-0853-P-04 (F&G Undercroft Plan), 18050-0855-P-03, 18050-0861-P-04, 18050-0901-P-02, 18050-0950-P-04, 18050-960-P-03 and 18050-0965-P-03 and specification contained therein, submitted on 20 April 2020 and approved drawing(s) 18050-0552-P-05, 18050-0554-P-04, 18050-0555-P-04, 18050-0560-P-03, 18050-0850-P-08, 18050-0860-P-05, 18050-8006-P-05 and 8011-P-03 and specification contained therein, submitted on 12 June 2020 and approved drawing(s) 18050-0450-P-04 and specification contained therein, submitted on 23 June 2020.

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

- 3 The development hereby permitted (including demolition and site preparation works) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists– Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan shall thereafter be implemented in full. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.

4 No phase of development (including demolition and site preparation works) shall be undertaken unless and until a Construction Management Plan for that phase has been submitted to and approved in writing by the District Planning Authority. The Construction Management Plan shall be strictly adhered to and shall provide for: the anticipated movements of vehicles; the parking and loading/unloading of staff, visitor, and construction vehicles; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; a turning area within the site for construction vehicles; wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway; noise, vibration and dust suppression, a construction phasing plan; and a HGV routing plan.
REASON: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

5 No phase of development excluding works of demolition shall take place until:

1.

- A desk-top study has been carried out for the phase 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.

- a) If identified as being necessary having completed the desk-top survey study, 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 local 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 human health
 - A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
 - An appropriate gas risk assessment to be undertaken
 - Refinement of the conceptual model

The development of a method statement detailing the remediation requirements

- b) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.
 - c) 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 local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.
 - d) All development of the site shall accord with the approved method statement.
2. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be deal with.
 3. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local 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: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029

- 6 No development (including demolition and site preparation works) 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 HE4 of the Warwick District Local Plan 2011-2029.

- 7 No development including demolition and site preparation works shall take place until the means of construction of the foundations of the buildings to be constructed, together with any other proposed earthmoving and excavation works required in connection with their construction, has been submitted to and agreed in writing by the Local Planning Authority. The Method Statement shall identify and incorporate any measures such as vibration monitoring, to ensure that the risk of adversely affecting the stability of the adjacent buildings is appropriately minimised. The development shall thereafter only be carried out in accordance with the agreed Method Statement. **REASON:** In the interests of avoiding the risk of creating land instability arising for any adverse impacts from foundation construction, earthmoving, excavations or other construction operations which could adversely affect the structural integrity of the adjacent buildings in accordance with the advice and guidance on land stability contained in paragraphs 170 and 178 of the NPPF and the NPPG
- 8 No development including demolition and site preparation works on each phase of development shall commence until an appropriate programme of historic building recording and analysis for that phase has been secured and implemented in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. **REASON:** To satisfy Policy HE1 of the Warwick District Local Plan 2011-2029 and to ensure that an appropriate record is made of the historic building fabric that may be affected by the development.
- 9 The development hereby permitted shall not commence until drainage plans for the disposal of foul sewage have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Due to the size of this development a sewer modelling study may be required to determine the impact this development will have on the existing system and if flows can be accommodated. Severn Trent may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If Severn Trent needs to undertake capital improvements, a reasonable amount of time will need to be determined to allow these works to be completed before any additional flows are connected. Surface water is proposed to discharge to the public sewer, which will be subject to a section 106 sewer connection approval. As a pumped solution is being proposed for surface water discharge from this site, a sewer modelling assessment may be required to determine what impact the generated flows from this site will have on the network and to determine the maximum pump rate that could be accommodated within the existing network without worsening the existing sewer performance in rainfall events. Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be

considered as the primary method. If this is not practical and there is no watercourse is available as an alternative other sustainable methods should also be explored. If these are found unsuitable, satisfactory evidence will need to be submitted, before a discharge to the public sewerage system is considered. **REASON:** To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

- 10 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the Tree Survey Assessment from Cotswold Wildlife Surveys have been put into place in full, and thereafter remain in place for the full duration of any such work. **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 11 No phase of development shall be occupied until the vehicular access and into the application site for that phase has been provided and constructed to the standard specification of the Local Highway Authority. **REASON:** To ensure the protection of highway and pedestrian safety in accordance with Policies TR1 and TR2 of the Warwick District Local Plan 2011-2029.
- 12 No dwelling hereby permitted shall be occupied until the access and parking (including footpath connections) serving it have been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority. **REASON:** To ensure the protection of highway and pedestrian safety in accordance with Policies TR1 and TR2 of the Warwick District Local Plan 2011-2029.
- 13 The development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details. **REASON:** In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 14 No dwelling on a phase of development shall be occupied unless and until a hard and soft landscaping scheme for that phase has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or

provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

15 No development, other than the demolition of existing buildings to groundslab only, shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles, the approved FRA, and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority in consultation with the LLFA. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

4. Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753, provide cross-sections for attenuation features.
- Demonstrate detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details of any attenuation system, and outfall arrangements.
- Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- Provide plans and details showing the allowance for exceedance flow and overland flow routing, overland flow routing should look to reduce the impact of an exceedance event.
- Provide evidence to show an agreement from Severn Trent Water to connect to or reuse existing connections the existing surface water network.

REASON: To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity.

- 16 No occupation and subsequent use of the development shall take place until a detailed maintenance plan is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the life time of the development. The name of the party responsible, including contact name and details shall be provided to the LPA within the maintenance plan. **REASON:** To ensure the future maintenance of the sustainable drainage structures.
- 17 No dwelling on each phase of development hereby permitted shall be occupied until details of all external light fittings and external light columns for that phase 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. In discharging this condition the Local Planning Authority expects lighting to be restricted on the southern side of the site and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. No lighting shall be installed other than in strict accordance with the scheme approved under this condition. The lighting shall be maintained and operated in strict accordance with the approved scheme at all times thereafter. **REASON:** To ensure that any lighting is designed so as not to detrimentally affect the amenities of the occupiers of nearby properties and to ensure that appropriate measures are taken in relation to protected species in accordance with Policies BE3, NE2 & NE5 of the Warwick District Local Plan 2011-2029.
- 18 Notwithstanding the finished floor levels details submitted, no development above ground level in each phase shall take place until details of the finished floor levels of all buildings, together with details of existing and proposed site levels for each phase 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 BE1 and BE3 of the Warwick District Local Plan 2011-2029
- 19 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority for the relevant phase. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 20 No development shall be carried out above slab level unless and until large scale details of doors, roof lights, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods and railings at a scale of 1:5 (including details of materials) for the relevant phase have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON:** To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
- 21 Notwithstanding the details shown on the approved plans, all window and door frames shall be constructed in timber and shall be painted and not stained. **REASON:** To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029 and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE2 of the Warwick District Local Plan 2011-2029.
- 22 No dwelling hereby permitted shall be occupied unless and until the car parking provision for the relevant phase has been constructed or laid out, and made available for use by the occupants and / or visitors to the dwelling and thereafter those spaces shall be retained for parking purposes at all times. **REASON:** To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the local planning authority's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies BE1 and TR3 of the Warwick District Local Plan 2011-2029.
- 23 None of the apartments hereby permitted shall be occupied until the bin and cycle store for that apartment have been provided and made available for use in accordance with the details on the approved plans and thereafter those facilities shall remain available for use at all times. **REASON:** In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies BE1, TR1 and TR3 of the Warwick District Local Plan 2011-2029
- 24 No part of the development hereby permitted shall be occupied until a detailed waste management strategy/ plan to demonstrate that the waste from the site can be satisfactorily disposed of has been submitted to and approved in writing. Thereafter, the development shall only operate strictly in accordance with the approved plan. **REASON:** To ensure an acceptable waste disposal strategy is in place for future occupants of the development having regard to Policy BE3 of the Warwick District Local Plan 2011-2029.
- 25 The development hereby permitted shall not be occupied until the noise mitigation measures detailed in the approved documents have been installed. The development shall be completed in full accordance with

the approved details. **REASON:** To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029

- 26 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 27 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected within the curtilage of any dwellinghouse fronting a highway or footpath. **REASON:** That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 28 Notwithstanding notes on the drawings, the bay window located to the rear elevation of Landor House and the historic window in proposed Apartment 15 on the first floor (above the classrooms) shall be retained, unless it can be demonstrated that the existing is beyond repair. Before any replacement window is agreed, a written report on the condition of the window shall be submitted to and approved in writing by the Local Planning Authority. **REASON:** To protect the character of the Listed Building and to ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
- 29 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029