

Planning Committee: 23 May 2017

Item Number: 9

Application No: [W 16 / 2271](#)

Town/Parish Council: Warwick
Case Officer: Lucy Hammond
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Registration Date: 15/12/16
Expiry Date: 16/03/17

Woodside, Spinney Hill, Warwick, CV34 5SP

Demolition of existing 3 storey care home and construction of new 72 bed care home (Use Class C2) and associated ancillary facilities, car parking and external works. FOR Common Lane Developments Limited

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

This is a full planning application for the demolition of an existing care home and the redevelopment of the site involving the erection of a replacement care home providing an enlarged building that would accommodate a total of 72 resident bedrooms, 1 guest bedroom and associated facilities including car parking and landscaping. The replacement building would be arranged over four floors, including a basement, and would provide a total floor space of 3913.5 square metres.

The proposed replacement care home is targeted at residents with dementia and accordingly specific design rationale has been used in formulating the type of care facility this proposes to be. Instead of 72 individual bedrooms for residents, the concept here is taken from an example of a care facility in Amsterdam, which has been operational since 2010, and is based on 'small resident households'. As such, this development would contain 12no. households in total with 4no. households on each floor. Each 'household' would contain between 5 and 7 en-suite bedrooms together with a small kitchen and living area and would be arranged around a central courtyard space, each one being accessed by its own 'front door' entrance. The central courtyard is integral to the design with the building arranged around it. The courtyard is a multi-functional space, acting as essential amenity and activity space for residents as well as the primary point of circulation. Adopting the same ideas as the facility in Amsterdam, the courtyard is intended to replicate any typical town/village square and accordingly would contain facilities such as a shop, laundered, cafe and hair salon. These would face onto the courtyard with traditional 'shopfront' appearances, giving them as 'normal' an appearance as possible for the benefit of the residents.

Staff facilities would be located in the basement with residents' accommodation over the ground, first and second floors. Access would continue to be taken from Maple Grove to the north side of the site, with no new or secondary accesses being taken off Spinney Hill. Materials proposed comprise both red and blue facing brickwork together with concrete roof tiles.

THE SITE AND ITS LOCATION

The application site comprises an area of approximately 0.37 hectares within a residential suburb known as Spinney Hill. This represents the highest point where Greville Road leads into Spinney Hill and although predominantly surrounded by residential properties, there is a shopping precinct to the east side. The site currently accommodates a three storey building arranged in a 'T-shape' which, until recently, has provided a 40 bed care home facility employing 56 members of staff. The building has recently been vacated and residents and staff temporarily moved elsewhere.

Access to the care home is off Maple Grove, a residential no-through road to the north of the site. A pedestrian access exists off Spinney Hill but there is no vehicular access to the site's frontage. The site is surrounded on all sides by residential development, with the aforementioned shopping precinct to the east side. Properties in Maple Grove to the north are a combination of semi-detached and terraced two storey properties, while the properties directly opposite the site in Spinney Hill are mostly bungalows. To the west, the adjacent neighbouring property, No.45 Spinney Hill, is a detached bungalow which has a detached garage at the rear of its garden, adjacent to one of the proposed access points into the proposed site. Further along from No.45, to the west, properties are predominantly two storey and detached.

There are no specific landscape designations or other site constraints which are relevant to the consideration of this application.

PLANNING HISTORY

There is no directly relevant planning history.

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)

- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS8 - Protecting Community Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No objection

Councillor Edgington: Support the principle of development; the site and care provider will greatly serve the residents of Warwick as well as they have served Kenilworth, Rugby and the wider area. The proposals demonstrate high quality and well thought out design which will positively contribute to the street scene. Increased parking provision and any measures to enhance the area through landscaping are welcomed. One concern relates to the massing on the adjacent

neighbour (No.45) but through conversations with the case officer, satisfied that the impacts will be assessed and mitigated as far as possible.

WCC Highways: No objection, subject to recommended conditions.

WCC Ecology: No objection, subject to recommended conditions

Tree Consultant: No objection

WCC Landscape: Like the concept of the communal gardens but consider that there needs to be detailed plans to demonstrate how these will look and function. Question the necessity of removing T12.

WDC Environmental Health: No objection, subject to recommended conditions

Lead Local Flood Authority: No objection, subject to recommended conditions

Severn Trent Water: No objection, subject to recommended condition

Environment Agency: Development has low environmental risk

Open Space Team: No contribution required for enhancement of public open spaces

Public Response:

A total of 13 letters of objection from 7 individual residents have been received. Grounds for objection relate to:-

- highway safety -
 - increased traffic
 - existing traffic calming in the road will add to the danger of traffic movements
 - on street parking in Greville Road and waiting buses already cause obstruction
 - there will be additional demand for parking
- impact on neighbouring amenity -
 - loss of privacy
 - loss of light
 - overshadowing
 - noise and disturbance
 - proximity of parked cars to boundary
- concern about pedestrian safety
- insufficient parking provision
- impact from proximity of trees to boundary with neighbouring property
- increased surface water run off
- loss of trees
- impact on birds and other features of ecological importance
- visual impacts resulting from increased size of building
- waste management on-site and refuse lorries ability to access/egress the site

Other non-material considerations were also raised.

ASSESSMENT

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

- Principle of development
- Impact on character and appearance of the area
- Trees and landscaping
- Impact on the amenity of neighbouring properties
- Access, parking & highway safety

The principle of the development

Saved Policy SC8 of the Warwick District Local Plan 1996-2011 sets out a presumption in favour of the protection of existing community facilities that serve local needs by resisting their redevelopment or change of use unless in the specific circumstances listed in the policy. These same principles are carried forward in emerging Policy HS8 of the emerging Local Plan. Both of these policies are consistent with the NPPF, which, at paragraph 70, encourages the delivery of social, recreational and cultural facilities and services the community needs through (inter alia) the provision and use of shared space, community facilities and other local services to enhance the sustainability of communities and residential environments. Since this application seeks to redevelop an existing care home facility and provide improved and enlarged facilities in its established location, the principle of development is considered to be acceptable having regard to the relevant provisions of both the saved and the emerging Local Plan as well as the NPPF. This is subject to an assessment being made of the other relevant considerations which are set out below.

Impact on the character and appearance of the area

The existing care home building is mostly three storey, arranged in a 'T-shape' with a single storey wing on one side. The building is of little architectural merit and does not make any particular positive contribution to the street scene or the wider character of the surrounding area. At present the site is characterised by the set back of the building from the pavement edge with a grass verge that provides some separation between the road and the building. The rest of the locality is characterised by predominantly brick buildings, constructed circa 1960's / 70's and the shopping precinct to the east side consists of two three storey buildings, gable end on to Spinney Hill with a large flat roof expanse between the two. This is of no architectural merit in officers' opinion and does not positively enhance the street scene or the character of the area.

The replacement building would be on a larger footprint. Instead of being arranged in a similar 'T-shape' it would be in two three storey sections connected by a central 'core' element, largely glazed but with a much lower ridge height. Each of the three storey sections would have a maximum ridge height of 14m which would be staggered through the sectional arrangement of the facades. The central link would have a maximum height of 10m thus creating a prominent break and visual separation in the overall massing of the building. The west section would sit at an oblique angle to the east section and the central link and as such would be set further forward, i.e. closer to the site's frontage. While this would in part reduce the existing width of the grass verge

that separates the existing building from the road, it is considered appropriate that the proposed new building has been designed to follow the curve of the site's frontage.

The application site does not have a straight boundary line at the front and similar, the building line in this part of Spinney Hill is not regular. Properties to the west start to the turn at an oblique angle to the existing care home building on the site and thereafter follow a staggered building line. Properties directly opposite the site, whilst sharing a very regular and uniform building line, are arranged at an oblique angle to the care home, starting, on the east side, immediately adjacent the highway edge, but moving away from the road towards the west side by approximately 17m. Adjacent properties further west are closer to the road again, resulting in ad hoc pattern of built development immediately surrounding the site's frontage.

It is with the above in mind that the proposed replacement building, which would be configured in a more irregular layout than the existing building, is considered by officers to represent a visually appropriate form of development having regard to the character of the locality and the pattern of development that already surrounds all sides of the site, particularly in light of the Spinney Hill frontages and irregular building lines. Notwithstanding the fact that part of the new building would be brought closer to the site's front boundary, it is considered that this still remains proportionate in terms of the gap still left between the front elevation of the building and the site's perimeter boundary. In relative terms therefore, there would still be a belt of landscaping across the full width of the site's frontage, separating the building from the pavement edge.

The proposed materials comprise a mix of facing brickwork together with rendered panels to break up the monotony of brickwork, especially on the front elevation. This would reflect the surrounding vernacular where a mixture of brick, render and some timber cladding can be found on buildings in the immediate locality of the site.

Overall, the development is considered to be an improvement to the visual amenities of the area and would present an opportunity to redevelop a site in a visually prominent location within the street scene and replace an existing building of littler architectural merit with a form of development that would reflect the existing pallette of materials while at the same time introduce a more interesting form of built development that responds to the constraints of the site in a positive manner. It is not considered there would be any material harm arising from the development on the immediate character of the site in its context or the wider surrounding area and appearance of the street scene.

Trees and landscaping

An arboricultural impact assessment has been undertaken and submitted with this application. This advises there are 37no. trees in total across the site and the vast majority are classified as either Category C or Category U. Only 7 are classified as Category B and these are proposed to be retained with the exception of two; one on the western boundary with No.45 Spinney Hill and the other, a very small sweet gum (T33) on the site's frontage. The majority of trees proposed for removal are positioned along the rear (northern) boundary of the

site and would be visible primarily from Maple Grove, thus providing less amenity value along the site's frontage. A total of 6no. trees on the site's frontage along Spinney Hill are proposed for removal.

Overall, it is acknowledged that the site is not within a conservation area and there are no TPO's within the site. This means that any of the trees could be removed at any time. The submitted tree survey demonstrates that of the 37 trees in total, more than 80% of them are of C class value or lower, meaning they are either of little landscape amenity value and/or have a limited life expectancy in any case.

The trees proposed for retention within the site form two clusters; one in the north east corner of the site opposite properties in Maple Grove and close to one of the access points into the site and the other in the south west corner of the site, fronting Spinney Hill. This latter cluster is considered to be the most important in landscape amenity value for the contribution it makes to the street scene and the character of the area. A total of 6no. trees are to be retained in this group, where three are Category B and the remaining three are Category C. The tree survey and the associated drawings include a tree protection plan which indicates the areas and methods of the proposed tree protection measures to ensure the retained trees are safeguarded appropriately.

The Council's Tree Consultant has provided comments on the application and advised that the level of arboricultural survey work undertaken and information provided is competent and the practicalities of the required tree protection plan have been well thought out. It is therefore considered appropriate to impose a condition to any forthcoming permission requiring the development to be carried out in accordance with the submitted tree protection measures.

The comments of the County Landscape team are noted, however, it is considered reasonable to attach a landscaping condition to any forthcoming permission requiring full details of hard and soft landscaping prior to the commencement of development. This would ensure that the proposed planting is appropriate for the character of the area and the proposed hard landscaping features are also appropriate in character and visual terms. Officers do not consider there is any reason why this approach would not be appropriate in this instance and therefore have not sought any additional information prior to the determination of the application.

Impact on the amenity of neighbouring properties

Due to the site's position there are neighbouring properties on all sides of the proposed new building. All separation distances have been checked against the Council's standards; for the avoidance of doubt these are between the new building and the two storey properties in Maple Grove, the three storey properties to the east and the single storey properties opposite in Spinney Hill, all of which would share either a front to front / front to back / front to side relationship with the new building. Broadly speaking, all separation distances are exceeded, or at the very least, met. There is only one exception to this; where No.3 Maple Grove faces towards part of the rear of the new building and is 21m away (standards require 27m). However, it is acknowledged that the new care home building at this point is designed at an oblique angle to No.3 Maple Grove

and the wall facing towards the neighbour would predominantly be a blank gable with one narrow window serving a sluice room. Moreover, it is acknowledged that the existing building has a three storey rear projecting wing that comes within 20m of No.3 Maple Grove and the demolition of the existing building would in fact improve the relationship to No.3 by moving the new building further away and oblique to its front elevation.

In view of the separation distances being either met or exceeded it is considered that the development would not give rise to any harm to the amenity of neighbouring properties by reason of overlooking, overbearing or overshadowing.

In officers' opinion, No.45 Spinney Hill is the neighbouring property most likely to be impacted by the proposals. This is a single storey building to the west and it sits on lower ground level than the majority of the application site, by approximately 1 metre. It is acknowledged that the shape of the existing building means that the three storey element is presently around 21m from the side gable to No.45 but this is only a gable end of the care home, with the remainder of the west wing moving away from the neighbour. The replacement building would introduce an enlarged west wing, re-orientated so that the gable end fronts the road while its 'rear' elevation faces towards the rear garden of No.45. This would increase the extent of built form that would run parallel to the shared boundary although the new building would be set in from the boundary by, on average, 16m.

It is acknowledged that bringing the three storey element of the building closer to the boundary could have an impact on outlook. The 45 degree test has been undertaken and this has been measured from the centre point of the nearest habitable room window in the rear elevation of No.45. When drawn across the proposed development it results in a small breach at the far north west corner of the replacement building. However, given the distance of the breach is 26m from the rear facing window of No.45, this is considered to be an acceptable level of impact that would not result in material harm by reason of loss of light or outlook.

In respect of overlooking, again it is acknowledged that the increased massing of the building and it's closer proximity to the boundary could increase the perception of overlooking when the west facing elevation contains a number of windows on all three floors that would serve individual residents' bedrooms. It is, however, considered that the building is sufficiently far enough away from the boundary and almost half of the west elevation faces directly towards the side gable of No.45, with only the central section facing towards the part of the rear garden immediately to the rear of the property. On balance therefore, the proposals are not considered to cause such demonstrable harm by reason of overlooking as to justify a refusal of permission.

Taking into consideration all of the above factors, it is officers' opinion that the proposed replacement building would not cause unacceptable levels of harm to neighbouring amenity by reason of loss of light, outlook or privacy and the proposals are therefore considered to comply with Policy DP2 of the Local Plan.

Access and highway safety / parking

No new access points are proposed of Spinney Hill, with access into the site remaining as per the existing situation; taken off Maple Grove to the northern side of the site. There would be two access points off Maple Grove, each leading to a designated area of car parking. The main pedestrian entrance would also be off Maple Grove, leading into the central element of the new building. The County Highways Authority initially raised objection to the proposals on the basis that further information was required in the form of a Road Safety Audit (RSA). This additional work was undertaken by the applicants and submitted accordingly, which had minor implications on the layout, for example, the position of the ambulance drop off zone within the car park instead of towards the north western corner of the site near the road as previously proposed. All of the additional information provided by the applicant (RSA, swept path analysis and revised site layout) has been reviewed by the Highways Authority who no longer consider there are any likely issues that could lead to material harm to highway safety.

With respect to parking, the Transport Statement indicates that the car parking for the proposed development complies with the "High Accessibility Zone" standards within the Local Planning Authority's Vehicle Parking Standards SPD. However, the site is not within the town centre as identified on the Proposals Map and as such falls within a "Low Accessibility Zone". The Parking Standards therefore set out a requirement for 24 parking spaces which would be required for a development of this size and based on the number of proposed residents. A total of 18 spaces are proposed with this development, which presents a shortfall of 6 spaces. However, it is acknowledged (and the Highway Authority also concurs) that this shortfall is comparable with the current shortfall. The existing 40 bed care home should provide 13 spaces but only provides 7 which is still a shortfall of 6. With this in mind, it is officers' opinion that the number of car parking spaces provided is unlikely to lead to severe detriment to highway safety or residential amenity, which is a view expressed by the Highways Authority in their final revised response confirming there is no longer any objection to the development.

Overall therefore, it is considered the development is acceptable in regard to highway safety and accordingly complies with Policies DP2 and DP6 of the Local Plan.

Other Matters

Drainage and flood risk

Some supporting information relating to the proposed drainage measures across the site has been submitted with the application and this has been reviewed by the Environment Agency, the Lead Local Flood Authority (LLFA) and Severn Trent, all of whom raise no objection to the development proposed. As the site is less than 1 hectare in site area and located in Flood Zone 1, a formal flood risk assessment is not required. A detailed drainage strategy report has been submitted which also provides high level details relating to flood risk. The LLFA has reviewed this and advised there are no issues relating to drainage of the site and as such raised no objection to the development subject to a condition requiring detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles and an assessment of the hydrological and

hydrogeological context of the development. The development is considered to be acceptable in this regard and therefore in accordance with Policy DP11 of the Local Plan.

Ecological considerations

A bat survey was undertaken of the site and the County Ecologist, having reviewed the results, raise no objection to the development, subject to appropriate conditions to be attached to any forthcoming permission. Some subsequent discussion has taken place directly between the applicant's agent and County Ecology to seek further clarification over specific detail contained within the report but overall, this has not changed the recommendations of the County Ecologist. Subject to the recommended conditions therefore it is considered there would be no harm to protected species or any other features of ecological importance and the development therefore accords with Policy DP3 of the Local Plan.

Ground contamination and noise

Survey work has been undertaken in respect of ground contamination and noise and the associated reports submitted with the application. The Council's Environmental Health Officer has reviewed all the supporting information in this regard and raised no objection to the development subject to the imposition of suitable and necessary conditions to any forthcoming permission that would require: a) the submission of further reports in the event any contamination is found, b) noise levels at the site not to exceed a maximum stipulation; and c) the submission of an appropriate scheme of mitigation in relation to the Council's Air Quality Action Plan - low emissions strategy. Subject to the imposition of these recommended conditions the development is considered to be acceptable in this regard and therefore in accordance with Policy DP9 of the Local Plan.

Renewable energy

The submitted Sustainable Buildings Statement suggests that a fabric first approach would be taken to the development along with some other suggestions. Full details and calculations have not been submitted at this stage so it is appropriate to attach the standard condition to any forthcoming permission requiring full details prior to the commencement of development. Subject to this condition the development is considered to comply with Policy DP13 and the associated SPD.

Open space

Due to the nature of the proposed development, the way in which it is laid out and the intended users of the development, the Open Space team has advised that it would be unreasonable to request a contribution in this instance, since the nature of the care facility would mean little to no impact on existing areas of public open space.

SUMMARY/CONCLUSION

The principle of development is considered to be acceptable in accordance with saved Policy SC8 of the Local Plan, emerging Policy HS8 of the New Local Plan and paragraph 70 of the NPPF, with which the Development Plan is consistent. The development proposals would result in the redevelopment of an existing care home facility and would provide improved facilities, specifically for residents affected by dementia, in an enlarged building with associated car parking and landscaping. The development is not considered to result in any demonstrable harm to the character of the area and the appearance of the street scene nor would there be any significant or demonstrable harm to the amenity of existing residential properties that surround all sides of the application site. The development is not considered to be detrimental to highway safety and the level of parking proposed is, on balance, considered to be acceptable. Matters relating to noise, contamination, ecology, drainage and open space have all been considered and found to be acceptable and can be adequately dealt with and/or mitigated through the use of appropriate conditions attached to any forthcoming permission.

Overall the proposals represent a sustainable form of development and for all the reason cited above it is recommended that planning permission be approved.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawings 3246-51 Rev.H, 3246-52 Rev.G, 3246-53 Rev.G, 3246-54 Rev.G, 3246-56 Rev.B, 3246-61 Rev.C, 3246-62 Rev.C, 3246-63 Rev.C, 3246-64 Rev.B, 3246-65 Rev.B, 3246-66 Rev.B, 3246-67 Rev.B, 3246-68 Rev.B 3246-70 Rev.B, 3246-71, 3246-72, 3246-74, 3246-01, 16.1235.001 'Tree Constraints Plan' and 16.1235.002 'Tree Protection Plan', and specification contained therein, submitted on 13 December 2016, approved drawing 216-012 C-002, and specification contained therein, submitted on 30 March 2017 and approved drawing 3246-55 Rev.H, and specification contained therein, submitted on 2 May 2017. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 Other than site clearance and preparation works no works shall commence on the construction of the development hereby permitted until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. Development shall 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 DP1 of the Warwick District Local Plan 1996-2011.

- 4 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have 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 to direct run-off 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 similar size and species, unless the local planning authority gives written consent to any variation. 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 DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 5 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work unless otherwise agreed in writing by the local planning authority. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 6 No development shall take place until detailed surface and foul water drainage schemes for the site, based on sustainable drainage principles

and an assessment of the hydrological and hydrogeological context of the development, have been submitted and approved in writing by the Local Planning Authority (LPA) in consultation with Warwickshire County Council (WCC). The scheme shall be subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall:

- a) Infiltration testing, in accordance with BRE 365 guidance, to be completed and results submitted to demonstrate suitability (or otherwise) of the use of infiltration SuDS
- b) Demonstrate that the surface water drainage system(s) are designed in accordance with CIRIA C753
- c) Evidence that the discharge rate generated by all rainfall events up to and including the 100 year (plus an allowance for climate change) critical rain storm has been limited to 5 l/s for all return periods
- d) 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 drainage system for a range of return periods and storms 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.
- e) Evidence from Seven Trent Water (STW) will be required granting approval of discharge of sewerage to their assets including discharge rate and connection points.
- f) Demonstrate the proposed allowance for exceedance flow and associated overland flow routing
- g) A foul water drainage scheme including evidence from Severn Trent Water (STW) that there is adequate capacity within their sewerage assets for this development
- h) Provide a Maintenance Plan to the LPA giving details on how the entire surface water and foul water systems shall be maintained and managed after completion for the life time of the development. The name of the party responsible, including contact name and details, for the maintenance of all features within the site shall be provided to the LPA.

REASON: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011.

- 7 The development hereby permitted (including demolition) shall not commence until a 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 DAP3 of the Warwick District Local Plan 1996-2011.

- 8 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 9 The development hereby permitted shall not be occupied until a Low Emission Strategy has been submitted to and approved in writing by the local planning authority. The approved Low Emission Strategy shall be implemented in strict accordance with the approved details and shall remain in force at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development, in accordance with Policy DP9 of the Warwick District Local Plan and the aims and objectives of national guidance within the NPPF 2012.
- 10 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority. Best practicable means shall also be employed at all times to control noise and dust on the site including, a) work which is likely to give rise to noise nuisance be restricted to the following hours: Mon-Fri 7.30 am - 5 pm, Sat 7.30 am - 1pm. No working Sundays or Bank Holidays; b) delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon – Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

- 11 Within nine months of the first occupation of the development hereby permitted the applicant shall submit an updated Green Travel Plan to promote sustainable transport choices to the site, the measures proposed to be carried out within the plan to be approved by the Planning Authority in writing, in consultation with the County Council as Highway Authority. The measures (and any variations) so approved shall continue to be implemented in full at all time. The plan shall:
- i. specify targets for the proportion of employees and visitors travelling to and from the site by foot, cycle, public transport, shared vehicles and other modes of transport which reduce emissions and the use of non-renewable fuels;
 - ii. set out measures designed to achieve those targets together with timescales and arrangements for their monitoring, review and continuous improvement;
 - iii. explain and justify the targets and measures;
 - iv. identify a senior manager of the business using the site with overall responsibility for the plan and a scheme for involving employees of the business in its implementation and development.

REASON: In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies SC12 & SC4 of the Warwick District Local Plan 1996-2011.

- 12 The development shall not be occupied until pedestrian and vehicular access facilities have been provided to the site, and space has been provided within the site for the parking and manoeuvring of vehicles, in accordance with drawing number 3246-55 Revision H. **REASON:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011

- 13 The development shall not be occupied until all parts of the existing access within the public highway not included in the permitted means of access have been closed and the kerb and footway have been reinstated in accordance with the standard specification of the Highway Authority. **REASON:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011

- 14 Gates/barriers erected at the entrances to the site for vehicles shall not be hung so as to open to within 7.5 metres of the near edge of the public highway carriageway. **REASON:** In the interest of highway safety in accordance with policy DP6 of the Warwick District Local Plan 1996-2011

- 15 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be

reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority. **REASON:** To safeguard health, safety and the environment in accordance with Policies DP3 & DP9 of the Warwick District Local Plan 1996-2011.

- 16 Noise arising from any plant or equipment, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) (measured as LAeq(5 minutes)). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of occupants of nearby properties in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 17 The development hereby permitted shall not be occupied unless and until the approved parking spaces have been provided and made available for use in accordance with the approved details and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority. **REASON:** In the interests of amenity and highway safety in accordance with Policies DP1 and DP8 of the Warwick District Local Plan 1996-2011.
