

Planning Committee: 02 February 2021

Item Number: 9

Application No: [W 20 / 1669](#)

Town/Parish Council: Leamington Spa
Case Officer: Dan Charles

Registration Date: 16/10/20
Expiry Date: 11/12/20

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2 Woodcote Road, Leamington Spa, CV32 6PY

Demolition of existing dwelling and erection of 6no. apartment building with associated car parking, bin store and landscaping works. Proposals include removal of existing TPO tree and details of replacement tree planting FOR A. Parker

This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The proposal is for the demolition of the existing detached dwelling and the erection of a new two storey building containing 6no. two bedroom flats together with ancillary works.

THE SITE AND ITS LOCATION

The application site is situated on the southern corner of Woodcote Road and College Road in an established residential area of early to mid-20th Century detached dwellings in large grounds with front gardens set back from the road. Woodcote Road is a pleasant tree lined road with a leafy verdant character.

No.2 Woodcote Road is a traditional detached dwelling on a large plot set to mature gardens. The plot size is comparatively large compared to other properties within the vicinity of the site.

The built form of the immediate area is largely uniform in character with an established building line with tree lined roads and low front garden walls.

The site contains a number of mature trees along its boundary with College Road which are protected by a Tree Preservation Order.

PLANNING HISTORY

W/19/1842 - Demolition of existing dwelling and construction of 6 no. new apartments with associated car parking, bin store and landscaping works.

Proposals include removal of existing TPO tree and details of replacement tree planting – Withdrawn 09.04.2020.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- 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
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HS1 - Healthy, Safe and Inclusive Communities
- 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
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- Officer Note - While this is not yet formally made (as it has not yet been through a referendum) the above document has been through its final examination and as such is afforded substantial weight in the decision making process.
- RLS1 - Housing Development Within the Royal Leamington Spa Urban Area
- RLS2 - Housing Design
- RLS4 - Housing Character Outside the Conservation Areas
- RLS5 - Royal Leamington Spa Housing Mix and Tenure
- RLS12 - Air Quality
- RLS13 - Traffic and Transport
- RLS14 - Cycling

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection maintained from previous application (ref: W/19/1842) as very little attempt seems to have been made to address the points raised.

WCC Highways: No objection.

WCC Ecology: Site previously assessed under earlier scheme. Would recommend an updated bat survey together with the provision of bird and bat boxes for biodiversity enhancement.

WDC Health and Community Protection: No objection subject to conditions on Air Quality and provision of a Construction Management Plan.

WDC Tree Officer: The Tree Survey, Proposed Tree Retention and Removal Plan, the Arboricultural Impact Assessment and the Tree Protection Plan from FLAC, reference CC39-1029 issued in October 2019, was thoughtful, well considered and well presented.

There was no Arboricultural Method Statement as it was felt that the tree protection plan would provide an adequate level of protection, and that the plan included "a schedule of on-site Arboricultural supervision for the establishment of protection measures and for operations in proximity to retained trees.

No objection subject to a condition for on-site Arboricultural supervision and tree protection measures.

WCC Landscape: Objection. Trees contribute to the overall street scene, particularly as leafy approaches visually connecting adjoining side roads. These mature trees can be viewed along the adjacent public footways as well as from nearby dwellings and private gardens. The proposed development will introduce a two-storey apartment block into this environment which would neither reinforce nor enhance the established character of the road or incorporate important existing landscape features. This would then be contrary to BE1 of the Local Plan.

The proposed development will remove the same number of mature trees, shrubs and a garden hedge from within the south western, southern and eastern boundaries of the site. The removal of these mature trees and shrubs will permit views of the site and of the proposed building. There will be a noticeable change in the view experienced from properties 2 and 4 Onslow Croft, 43a Kenilworth Road, the garden areas of 3 Hirsell Gardens and from the frontage to 3 Woodcote Road. There will be a resulting change to the character of the area increasing its urban nature.

This tree /shrub removal includes the majority of the garden trees; a Himalayan Birch mature street tree to allow for widening the driveway; and a mature beech tree, also protected by a TPO, which only 12 months previously was considered worthy of retention.

Only five replacement trees are proposed, two along the boundary with College Drive, two for tree group 7019-7026 in the south-western corner of the site, and

a replacement highway tree for tree 7001 on Woodcote Road. Tree numbers 7003-7005 are roadside trees within the grass verge and are therefore outside the site boundary.

WDC Waste Management: No objection. Recommend 1 large bin for refuse and 1 large bin for recycling.

Severn Trent Water: No objection, subject to informative notes.

Public Response: 62 objections have been received on the following grounds:

- Not required in this area. Plenty of flats already exist.
- Potential disruption to local area.
- Loss of trees will be detrimental to the character of the area.
- Removal of protected trees to make way for development is not acceptable and should be resisted.
- Existing property is unique in character and should be improved/extended sympathetically.
- House is significantly older than stated in supporting documents.
- Dispute comment that the existing property provides no positive contribution to the setting or street scenes.
- Replacing a single dwelling with a block of flats and parking area is not in keeping with local character.
- Detrimental impact on road safety and parking.
- Impact of noise during construction and after completion.
- Increased traffic represents risk to pedestrian/cycle safety.
- Harm to visual amenity.
- Over-development of the plot.
- Contrary to WDC Design Guide.
- Fails to meet the requirements of Policy BE1 as development does not harmonise with surrounding area.
- Design with balconies, full height windows and bifold doors does not reflect local character.
- Development fails to reinforce local character as set out in local and national policy.
- Does not respect the character of the area in terms of scale, height, form and massing.
- Birds and bats will be harmed due to loss of mature trees.
- Will result in significant loss of biodiversity.
- Bin storage area will be detrimental to neighbouring amenity.
- Does not make adequate provision for waste management.
- Outlook from adjacent properties will be negatively affected.
- No provision made for visitor parking.
- Will result in a loss of light.
- Will result in overshadowing.
- Will result in overlooking and loss of privacy.
- Perspective views supplied are misleading.
- Failure to take into account all objections could result in legal action.
- Supporting documents fail to adequately justify the development.
- Area was subject to flooding in 1997 and new development reduces green areas to aid with drainage.
- Will result in increased air pollution in a town that already has poor air quality.

- Rear access could encourage criminal activity.
- Harm to community safety due to design and layout.
- No reference to management of communal areas/gardens.
- Site is subject to a covenant preventing additional dwellings.
- Could set an unwelcome precedent.
- Will reduce quality of life for all residents in the area.
- Development on residential gardens is contrary to the NPPF and Policy H1.
- Reference to development on corner plot of Northumberland Rd is misleading as this is a single dwelling.
- Other properties on Woodcote Road were refused permission for replacement.
- Frontage onto Woodcote Road would be dominated by car parking.
- Will alter the demographic of the area.
- Vehicles manoeuvring within the site will cause noise disturbance and light pollution.
- No disabled parking provision.

ASSESSMENT

Principle of Development

Policy H1 of the Warwick District Local Plan (2011-2029) seeks to ensure that new residential development is located within the boundaries of the Urban Areas, Growth Villages or Limited Infill Villages. The application site forms part of an established residential area within the boundary of the urban area of Leamington Spa and the principle of development is therefore acceptable. However, Policy H1 also states that housing development on garden land, in urban and rural areas, will not be permitted unless the development reinforces, or harmonises with, the established character of the street and/ or locality and respects surrounding buildings in terms of scale, height, form and massing. Compliance with this aspect of the policy will be assessed below.

Design and impact on visual amenity and the character of surrounding area

Section 12 of 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 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. 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 Residential Design Guide SPD 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.

The proposal requires the removal of the existing single dwelling within the site. The existing building is a two storey property which has attractive features and sits comfortably within the site creating a green and pleasant setting for the corner plot. Whilst the building is a traditional property of significant character, it is not a Listed Building nor does it lie within a Conservation Area which would offer statutory protection. There is therefore no policy objection to the demolition of the existing dwelling. Whilst it is unfortunate in any circumstance where a building of character is to be removed, Officers acknowledge that this would not in itself be a sufficient reason to resist a proposal where there is no statutory/ policy protection.

The scheme proposes the removal of multiple trees from the site that current afford a leafy verdant feel to the site. The large trees to the boundary will be retained to ensure that the visual amenity is retained with smaller trees being removed within the site. The scheme has been submitted with an Arboricultural Assessment that demonstrates that the highest quality trees within Grade A are to be retained with the majority of trees being removed being lower quality trees or diseased, dead or dying. One of the trees to be removed is covered by a TPO. The Tree Assessment has concluded that this tree is diseased which has undermined its stability and it is therefore recommended to be removed. This has been agreed with the Councils Tree Officer as appropriate. Both this tree and an earlier TPO tree are to be removed with appropriate semi-mature species to mitigate for their loss.

The loss of trees will affect the visual character of the local area by reducing the density of the belt of trees to the site boundary. However, Officers consider that the primary trees of most visual amenity value are to be retained with new, high quality planting to supplement these existing trees would retain the visual character of this corner plot.

The proposed development is for a two storey building containing 6 apartments; 3 at ground floor and 3 at first floor. The design rationale for the building is to create a scheme that reflects the character of the large individual family homes within the local area. Whilst a large single building, the design has sought to use a differing palette of materials to create the appearance of two separate structures in an attempt to break up its mass and reduce its impact. The use of a recessed flat roof "link" between the buildings creates a subservient feature that gives the illusion of a physical break between the buildings. This break is further emphasised by the use of hipped roofs that slope away from the link area to further provide a visual gap between the two main elements of the building. In addition, the use of contrasting roof materials further adds to the appearance of two units.

The element of the building fronting onto Woodcote Road retains the painted render appearance of the existing and has been designed to create a frontage that faces the road to maintain the characteristic of the existing property fronting onto the street scene. This element of the building is also designed to be double fronted with an active frontage facing onto College Drive.

The secondary element is to be red brick that is more prevalent within the College Drive street scene. This element also has the appearance of a frontage onto College Drive to give the appearance of a single, large dwelling to follow the existing residential character of the area.

The parking areas are retained on the existing frontage, albeit extended to provide parking for additional vehicles with a secondary parking area to the rear of the accessed via the side of the proposed building. This represents a sizeable area that will be visible from Woodcote Road. Whilst the plans indicate a tarmac driveway, a more appropriate solution would be a resin-bound gravel appearance to maintain the solid surface but with an improved overall aesthetic. Hedging is proposed along the front boundary to soften the edge of the car parking area.

The layout proposes a mix of communal garden space and private garden spaces to serve the units and hedgerows are proposed to delineate the boundaries to retain the green aspect of the area. In order to retain this, it is appropriate to remove Permitted Development Rights for the provision of gates, fences, wall or other means of enclosure to prevent a proliferation of potentially harmful boundary features being installed.

Subject to conditions requiring details of all materials including surfacing materials together large scale details of fenestration as well as the removal of permitted development rights, Officers consider that the proposal would be acceptable in the setting from a design and visual amenity perspective.

The proposal is therefore considered acceptable having regard to Policy BE1 of the Local Plan and National Guidance contained within the NPPF.

Impact on adjacent properties

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

Officers clearly acknowledge that the proposal represents a significant increase in built form on the site compared to the existing dwelling. Having reviewed the submitted details, it is noted that the scheme has been designed to ensure that the 45-degree line from neighbouring windows has been retained to ensure that there is no demonstrable loss of light.

In terms of windows, the predominant amount of primary windows are focussed to the front elevations facing Woodcote Road and College Drive where the separation distances are greatly in excess of the required standards. Where windows are proposed to face onto adjacent properties, these have been designed to be either secondary windows or have been designed to face onto the sides of adjacent properties where views into private amenity space is limited.

The proposal represents a significant increase in mass on this prominent corner plot and the plan depth extends back into the site much further than the existing building.

To the east of the site, the boundary lies adjacent to No.3 Woodcote Road. The building projects past the rear elevation of this property but it stepped away from the boundary to minimise any potential overbearing impact. The site is due west of No.3 so there would be some potential impact in terms of loss of sunlight. The sun rises in the east and sets in the west so the majority of the day, the level of sunlight would be unaffected by the proposal. Moving into the evening, the

proposed development would result in some loss of direct sunlight. However, the level of potential harm would be limited due to the orientation and Officers are satisfied that the scheme would result in demonstrable harm sufficient to warrant the refusal of planning permission.

In addition to light, Officers note that the parking area and access would flank the length of the side boundary with No. 3. Parking in this area is limited to 4 spaces and the level of potential traffic would therefore be limited. To mitigate the potential impact, an acoustic fence is proposed to be provided on the site boundary to mitigate noise as well as potential disturbance from headlights. A soft landscaped area is proposed adjacent to the rear garden area of No. 3 to offset vehicles from the immediate boundary as well as to bolster the separation between the sites.

To the south of the site lies No.1 Onslow Croft. This property has its side elevation facing the boundary of the application site.

The proposed development is due north of this property so would not have any impact in terms of loss of sunlight. The body of the proposed building is also to the side of this property and there would be no built form directly adjacent to the private amenity space. Officers are satisfied that this relationship would not result in any harm from overlooking or overshadowing of the private amenity space.

As part of the development, it is proposed to remove an existing conifer hedge and replace it with a new hedge of more appropriate species. It is acknowledged that the existing conifer hedge does provide screening from the application site. However, its replacement with a more appropriate species would provide a more aesthetically suitable solution. The close boarded fence that also delineates the boundary is to be retained which will ensure that there is no resultant harm from vehicle headlights to the private amenity space as a result of the development.

The Western and Northern boundaries of the application site flank the public highway with adjacent properties separated by the highway, associated grass verges and the set back of front garden areas. Whilst there would be views of the application site from these properties, Officers are satisfied that the development would not result in harm to the amenity of the occupiers of the adjacent properties.

Subject to conditions to secure the features referenced above, Officers are satisfied that the development would not result in demonstrable harm to the amenity of neighbouring properties and therefore would accord with Policy BE3 of the Local Plan.

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that does not provide acceptable standards of amenity for future occupiers of a development.

All of the proposed habitable rooms have an adequate source of light and outlook from proposed windows. The units also exceed the national space standards to two bedroom properties. In addition, the units benefit from either a private garden area or shared communal space. The residential design guide requires an open

space requirement of 10m² per bedroom. The areas of open space provided on site greatly exceed this requirement.

The proposal is therefore considered to accord with Policy BE3.

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.

The site seeks to re-use the existing access point from Woodcote Road with widening to 5 metres to allow two-way traffic in order to prevent vehicles waiting in the public highway should a vehicle be exiting the site at the same time. This will be constructed to the required specification of the County Highways Team to ensure that the proposal does not harm highway safety.

On the earlier scheme, the Highways officer requested swept-paths of vehicles to be provided to demonstrate that vehicles can adequately turn within the site. These have been provided to demonstrate that vehicles have sufficient manoeuvring space to enter and exit the site in a forward gear.

The parking standards Supplementary Planning Document requires 2 spaces per unit for a two-bedroom property and the site provides for 12 vehicles to meet this standard. The SPD does not require the provision of on-site visitor parking for scheme of less than 10 units. Therefore, Officers are satisfied that the development provides the correct amount of car parking as required by the SPD.

Local concern has been raised regarding highway safety and congestion within the local area being harmed by this development. The proposal has been assessed by the County Highways Officer who has raised no objection to the scheme in terms of highway safety. In light of there being no technical objection in this respect, Officers consider that this potential harm would not be sufficient to warrant the refusal of planning permission.

The scheme is therefore considered acceptable having regard to Policies TR1 and TR3 of the Local Plan and supplementary guidance contained within the Parking Standards SPD.

Impact on Ecology/Protected Species

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 scheme has been submitted with an Ecological Assessment of the site which also formed part of the submission on the earlier application. The ecologists have considered the report and recommended a range of conditions regarding protected species.

One element of concern that has been raised is that the bat survey is now over 12 months old and should be updated prior to determination. In considering this point, Officers note that on the earlier scheme, the recommendation was to require a further bat survey of the site to be carried out and the results submitted with details of any necessary mitigation works prior to development taking place.

In light of this request, it now would be unreasonable to require a new bat survey prior to determination. Officers are satisfied that the further works are reasonable to ensure that protected species are not harmed by the development and consider that the most appropriate method would be through the imposition of a condition requiring the survey work to be carried out. This would then provide the most up to date information in order for suitable mitigation to be provided.

It is therefore considered that subject to the imposition of the range of conditions requested together with a condition requiring an up to date bat survey, the proposal is acceptable having regard to Policy NE3.

Trees/ Hedgerows

The site contains a significant number of trees of varying sizes and species including TPO trees. A detailed tree survey has been carried out by a suitably qualified specialist in accordance with methodology to the appropriate British Standards. These document identifies that a large number of trees are to be removed but these are limited to poor quality or lower grade trees. The report identifies that one of the TPO trees has evidence of compromised structural integrity and it proposed to remove this tree. A TPO tree was also removed in 2017 and the scheme proposes to replace that tree as well as the current TPO tree to be removed with appropriate semi-mature species – one Beech and one Oak.

The submitted survey has been assessed by the Council's Arboricultural specialist who has advised that the tree survey, proposed tree retention and removal plan, the arboricultural impact assessment and the tree protection plan was typically thoughtful, well considered and well presented. In light of this, the Officer has raised no objection to the scheme subject to a scheme of arboricultural supervision and establishment of appropriate tree protection measures.

Whilst the loss of any trees to development is unfortunate, the removal of trees has been justified and these are limited to either poor quality or diseased trees only. It is also noted that the site is not within a Conservation Area so the trees that are not subject to a TPO do not have statutory protection and could be removed at any time.

Officers also consider it appropriate to condition the replacement trees for the TPO be provided within the first planting season together with a condition requiring any planting be replaced with like for like species should it become diseased or die within a five year period.

Subject to the required conditions being imposed, Officers are satisfied that the scheme is acceptable.

Drainage

The site lies within Flood Zone 1 which is at the lowest risk of flooding. The drainage strategy remains the same as the earlier submission under W/19/1842 where there was no objection from the Lead Local Flood Authority subject to the imposition of conditions requiring the detailed specification of the drainage system to be submitted for approval prior to the commencement of the development to ensure that the final specification is acceptable together with securing a maintenance strategy to ensure that the drainage system is properly maintained for the lifetime of the development.

In terms of sewage disposal, the site will be connected to the existing mains drainage. Severn Trent have raised no objection to this and have identified that a separate agreement would be required. An informative note has been recommended to make the applicants aware of this requirement.

Subject to the requested conditions, Officers are satisfied that adequate drainage is provided on site.

Water Efficiency

Policy FW3 requires all new development of one or more dwellings to meet a water efficiency standard of 110 litres per person per day to reduce overall water consumption. A standard condition requiring the submission of details of water efficiency measures is proposed which will ensure that this standard is met.

Air Quality

The proposed development seeks the demolition of an existing residential dwelling and the construction of 6no. replacement apartments. The proposed development will result in an increase in vehicular movements in the local area. Warwick District Council has adopted an Air Quality Supplementary Planning Document (AQ SPD) which establishes the principle of Warwick District as an emission reduction area and requires developers to use reasonable endeavours to minimise emissions and, where necessary, offset the impact of development on the environment.

Under the AQ SPD the proposed development would be classified as a minor scheme and therefore a proportion of electric vehicle charging infrastructure is required. The AQ SPD requires 1no electric vehicle charging point per dwelling with dedicated parking. The proposed site plan shows that 12no parking spaces will be provided (2no per new dwelling) and therefore a minimum of 6no electric vehicle charging points would be required under the AQ SPD. The submitted site plan indicates that all 12 parking spaces will be provided with electric charging facilities which exceeds the requirement of the AQ SPD. Further information is required on the proposed charging speed and type of infrastructure to be provided at the development. This can be secured by an appropriately worded condition.

Waste Storage

The Waste Management Team have considered the proposal and raised no objection to the scheme. It is noted that they recommend a shared large bin for waste and separate large bin for recycling.

Areas of Waste Storage are indicated on the submitted drawings demonstrating individual bins for each apartment. As the preference of the Waste Management Team is for shared bin provision, notwithstanding this, Officers consider it appropriate to require a condition for a waste strategy to include bin provision be provided and approved by the Waste Management Team prior to the development being occupied.

Conclusion

The application site is within the identified Urban Area boundary for Leamington Spa as shown on the Policies Map. The principle of new residential development is therefore acceptable in accordance with Policy H1 of the Local Plan. Officers consider the proposal for the demolition of the dwelling and erection of a two storey block containing six flats to be of a scale and form of development which is still suitable in character and visual terms and is also proportionate to the size of the site and as such does not represent an overdevelopment of the site.

The visual impacts of the development are acceptable and the proposals would not give rise to any demonstrable harm to neighbouring amenity by reason of overbearing, overlooking or overshadowing.

Sufficient parking is proposed for the new dwellings and the scheme is acceptable in regard to ecology and for all the above reasons Officers recommend that planning permission be granted with conditions.

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) 3649-04E, 3649-05E, 3649-09E and 3649-10H, and specification contained therein, submitted on 15 December 2020 and approved drawing(s) EW989-02P1 and EW989-03P0, and specification contained therein, submitted on 16 October 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 shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; site working hours and delivery times; 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, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP.

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.

4 No development (including demolition) shall commence unless and until a survey for the presence of bats has been carried out by a suitably qualified surveyor, and has been submitted to and approved in writing by the local planning authority. Should the presence of bats be found then no demolition shall take place until full details of measures for bat migration and conservation have been submitted to and approved by the local planning authority. These measures should include:

- a) inspection of existing buildings and trees on site not more than 28 days/one calendar month prior to their demolition to determine presence or absence of roosting or hibernating bats;
- b) no building containing bats shall be demolished and no tree containing bats until bats have been safely excluded using measures as have been previously submitted to and approved in writing by the local planning authority;
- c) provision of a new bat roost/hibernacula constructed to a design and in a location previously approved in writing by the local planning authority;
- d) provision of new bat roost/hibernacula within new construction;
- e) provision of an area of buffer/habitat around the new bat roost/hibernacula, details of the buffer to be submitted to and approved in writing by the local planning authority;
- f) retention of hedgerows identified as being important for foraging bats within the development site, details of the location of hedges to be submitted to and approved in writing by the local planning authority;
- g) provision for the management in perpetuity of the buffer habitat, hedgerows used for foraging and the new bat roost/hibernacula. The works shall be implemented in strict accordance with the approved details and timing of works.

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.

- 5 The development hereby permitted shall not commence until a protected species method statement for bats, nesting birds, hedgehogs and amphibians (to include timing of works, supervision of vegetation clearance and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development.

- 6 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan has been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include *details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles)*. Such approved measures shall thereafter be implemented in full.

Reason: To ensure a net biodiversity gain in accordance with NPPF.

- 7 The development hereby permitted, including site clearance work, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition, the LPA expect to see details concerning pre-commencement checks for protected species (*detail as appropriate e.g. badger, bats, breeding birds and otter*) and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development

- 8 Before the commencement of development, the net biodiversity impact of the development shall have been measured in accordance with the DEFRA biodiversity offsetting metric as applied by Warwickshire County Council ("the County Council") in the area in which the site is situated at the relevant time and, if the measures for on-site mitigation approved in accordance with the Landscape and Ecological Management Plan condition are not sufficient to prevent a net biodiversity loss, arrangements to secure measures on another site which ensure that there is no net biodiversity loss as a result of the development shall have been submitted to and approved in writing by the County Planning Authority. Unless those arrangements comprise a proposal to enter an agreement with the County Council under which the County Council will secure the implementation of suitable measures, the submitted arrangements shall include:

1. Proposals for off-site offsetting measures;
2. A methodology for the identification of any receptor site(s) for offsetting measures;
3. The identification of any such receptor site(s);
4. The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and
5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).

The written approval of the County Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the arrangements or any variation so approved.

Reason: To ensure a net biodiversity gain in accordance with NPPF

- 9 The development hereby permitted shall not commence unless and until a schedule of on-site arboricultural supervision, including the provision to instruct the establishment of tree protection measures required by operations in proximity to retained trees, has been submitted to and approved in writing by the Local Planning Authority. The approved schedule, and any necessary amendments occasioned by incidents on site, must remain in place for the duration of the works.

This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous supervision and monitoring of the tree protection during construction by a suitably qualified and pre-appointed tree specialist.

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.

- 10 No development shall be carried out until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in strict accordance with these approved details.

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.

- 11 No development shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles 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 include the following information:

- Demonstrate that the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753 through the submission of plans and cross section of all SuDS features.
- Limit the discharge rate generated by all rainfall events up to and including the 100 year plus 40% (allowance for climate change) critical rain storm to the QBar Greenfield runoff rate or rate to be agreed with the LLFA.
- Demonstrate the provisions of surface water run-off attenuation storage are provided in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- Provide evidence to show an agreement from Severn Trent Water to connect surface water to their asset at the location and rate proposed in the drainage strategy.

Reason: To prevent the increased risk of flooding.

- 12 No occupation and subsequent use of the development shall take place until a detailed maintenance plan, written in accordance with CIRIA C753, is implemented and provided to the LPA giving details on how surface water systems shall be maintained and managed for the lifetime of the development. The name of the party responsible, including contact name and details, shall be provided to the LPA and LLFA within the maintenance plan.

Reason: To ensure the future maintenance of the sustainable drainage structures.

- 13 No development shall commence unless and until details of foul water drainage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details.

Reason: To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.

- 14 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in

accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

Reason: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.

- 15 No development shall be carried out above slab level unless and until samples of the external facing materials together with a schedule of all hard landscaping materials to be used have been submitted to and approved in writing by the Local Planning Authority. 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.

- 16 No development shall be carried out above slab level unless and until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) 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 to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.

- 17 No development shall be carried out above slab level unless and until details of the proposed acoustic fencing have been submitted to and approved by the Local Planning Authority. Thereafter, the development shall not be carried out otherwise than in strict accordance with such approved details prior to the first occupation and maintained in perpetuity.

Reason: To ensure an appropriate standard of amenity and appearance to satisfy Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 18 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 on any land between the front or side elevation of any dwelling and any road or footpath.

Reason: To retain the character of the proposed development it is considered important to ensure that control is maintained over boundary treatments fronting the public highway.

- 19 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures (including details of hours of operation) shall have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details.

Reason: To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 20 Notwithstanding the details on the submitted plans, the hard landscaping (to include the revised details required by Condition 15), including boundary treatment, paving and footpaths, shall be completed in all respects within the 6 months of the first use of the development hereby permitted. Any soft landscaping shown on the approved plans, including any tree(s) and shrub(s), shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of the same size and species to those originally required to be 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.

- 21 Notwithstanding the details shown on the approved plans, the development hereby permitted shall not be occupied unless and until:

(a) details of refuse and recycling storage areas for the development have been submitted to and approved in writing by the Local Planning Authority; and

(b) the refuse and recycling areas approved under (a) have been constructed or laid out in strict accordance with the approved plans, and made available for use by the occupants of the development.

Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.

Reason: To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

22 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times.

Reason: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.
