

**Application No:** [W 22 / 0140](#)

**Town/Parish Council:** Warwick  
**Case Officer:** Lucy Hammond

**Registration Date:** 27/01/22  
**Expiry Date:** 28/04/22

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**Warwick Castle, Castle Hill, Warwick, CV34 4QX**

Erection of hotel at Stratford Road car park; extension to existing restaurant at Knight's Village and new decked areas; elevated walkway; landscaping works including at Leafields; outdoor play area and associated infrastructure works.

FOR Merlin Attractions Operations Ltd

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

**RECOMMENDATION**

That, subject to the completion of a Unilateral Undertaking, planning permission be granted subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought to erect a 60-bed hotel on part of Bays 9/10 of the Stratford Road Car Park together with an extension of the Knight's Village restaurant to provide additional covers and decked terraces for outdoor dining. An elevated walkway is also proposed which would connect the hotel with the restaurant. Areas of additional landscaping and other associated infrastructure is also proposed.

A summary of the key points of the proposal are set out below:-

Hotel proposals

- A 60-bed hotel is proposed which has been kept to the minimum footprint necessary by making use of the existing facilities and services at Knights Village (i.e. using the restaurant which means the hotel does not need to include dining facilities)
- The proposed footprint would be 1,067 sq.m. and the building would be two storeys, with a lower ground floor visible only from the west and south facing elevations
- The design is proposed to tie in with the Knight's Village, proposing a medieval themed rough cast render with timber cladding and timber shingle roof tiles
- The maximum ridge heights of the hotel would be 9.2m at the northern end (closest to properties in Stuart Close) and 12.3m at the southern end, where the land slopes and a lower ground floor would be incorporated

- An elevated walkway is proposed to link the hotel from the southern end to the Knight's Village Restaurant
- The walkway would be a lightweight steel construction clad in stained timber to match the existing walkways on site

#### Extension to Knight's Village Restaurant

- An extension to the restaurant is proposed, intended to increase the capacity for inside dining, relocation of the toilets, provide a bar area and introduce improved staff changing/storage areas
- The extension would increase the width of the restaurant from 25.5m to 31m and would provide an additional forward projecting gable to the east facing elevation of 12m deep
- A flat roof extension to the rear (on the west facing elevation) is proposed to relocate plant currently stored externally, inside, as well as provide additional storage
- External decked areas to the south and east sides are proposed to provide additional outdoor seating

#### Outdoor play area

- There is a zone to the south of the restaurant where a play area is proposed
- This is proposed to include lower level climbing equipment and adventure play, ranging in heights between 0.6m and 3m
- The tallest feature would be the central tower slide feature standing at 3.8m in height
- High quality and natural materials would be used to assist with assimilation into the landscape
- No perimeter fencing or lighting would be included in this element of the proposals

#### Other

- Access would remain as per the existing situation, i.e. via the Stratford Road entrance and Castle Park Drive
- The proposals include the retention of most trees including all high quality trees
- New indigenous tree planting and thematic shrub planting would be introduced in front of the hotel, around the service area and to the west boundary
- Extensive planting is proposed within the land at Leafields to achieve biodiversity net gain

## **THE SITE AND ITS LOCATION**

The application site totals 1.87ha and is located to the south of the Castle grounds, approximately 410 metres from the Castle. It lies within the Grade I Registered Park and Garden (RPG) and the Warwick Conservation Area and the wider setting contains the Grade I listed Castle, a Scheduled Ancient Monument.

The application site for the proposed development put forward in this application is split into two separate parcels of land, both edged red on the submitted site location plan. The first, is the site of the proposed hotel, which would cover part

of Bays 9/10 of the Stratford Road Car Park together with land to the south of the existing Knight's Village restaurant and land in between.

Bays 9/10 comprise a tarmac car park, accessed via the Castle entry off Stratford Road to the west. Land around Bays 9/10 and to the south of the Knight's Village restaurant is managed grassland with structural landscaping and tree planting. Trees make a significant contribution to the site, the RPG and the Warwick Conservation Area. Trees are well managed and are generally in good condition, although typically the ash trees are showing signs of Ash Dieback. A group TPO covers an area to the south of the proposed hotel site.

Saltisford Brook runs west to east to the south of Bays 9/10 and meets the River Avon, approximately 125m to the east. An 8m exclusion zone must be retained around the brook for the Environment Agency to conduct routine maintenance when required. Most of the application site is within Flood Zone 1 (low probability of flooding) while land alongside Saltisford Brook is within Flood Zones 2 and 3.

Levels generally slope downwards across the site north to south. The Knight's Village restaurant is raised above existing ground level.

The nearest residential dwellings are those in Stuart Close to the west. At the closest point, these are between approximately 43m and 50m away (when measured from the nearest corners of the proposed hotel building) and are separated from the site by a landscape buffer.

The second red line site area relates to a strip of land that wraps around the north and west boundaries of Leafields which is currently pastureland. To the north and west of this part of the site are existing dense woodland belts; The Lilacs lies to the west while further woodland to the north separates the site from the Knight's Village. This is entirely within Flood Zone 1.

## **PLANNING HISTORY**

While there is extensive planning history within the wider Castle site, including near to the application site, only the records of direct relevance to the site and its immediate surroundings have been summarised below.

W/17/1485 - Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 1st May and 30th September each year up to and including 2022 at Foxes Study, Warwick Castle - Granted

W/15/1203 - Erection of 16 permanent semi-detached lodges (32 units) providing visitor accommodation, a facilities building (including, but not limited to reception, restaurant, kitchen and toilets), a sub-station, boardwalks, re-alignment of the existing perimeter footpath, part widening of the existing internal access road, lighting, boundary treatment, landscaping works and associated infrastructure works (including surface water drainage) - Granted

W/14/1809 - Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 1st May and 30th September each year up to and including 2017 at Foxes Study, Warwick Castle - Granted

W/13/1781 - Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 17th May 2014 and 9th September 2014 only at Foxes Study, Warwick Castle - Granted

## **RELEVANT POLICIES**

- National Planning Policy Framework

### Warwick District Local Plan 2011-2029

- PC0 - Prosperous Communities
- BE1 - Layout and Design
- BE3 - Amenity
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- CT6 - Warwick Castle and St Mary's Lands, Warwick
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape

### Guidance Documents

- Air Quality & Planning Supplementary Planning Document (January 2019)
- Parking Standards (Supplementary Planning Document- June 2018)
- Open Space (Supplementary Planning Document - April 2019)

## **SUMMARY OF REPRESENTATIONS**

**Warwick Town Council:** Support for the following reasons:

- The design has been sensitively thought through
- Historic England, Conservation and Ecology comments have all been considered
- There is a lack of accommodation in Warwick
- The proposal is positive for the future of the Castle and the town

**Ward Councillor Bartlett:**

"As declared in my disclosable pecuniary interests I am an employee of Warwick Castle. For total transparency I am a member of their senior leadership team but given the sensitivities of this application I have excluded myself from any consultations or public engagements. Equally I have referred all ward resident enquiries to Cllr Ashford."

**Historic England:** The proposal would lead to 'less than substantial harm' and recommends the planning authority ensures there is a clear and convincing

justification for the proposals and sufficient public benefit to outweigh the harm identified. The original plans for tree planting proposed in the biodiversity net gain area at Leafields have been reconsidered in light of original concerns raised and the revised landscape plans have now addressed the comments previously made.

**WDC Conservation:** No objection; while the proposals amount to 'less than substantial harm', there is a clear justification and business case which satisfactorily outlines a range of public benefits such that the development accords with both national and local policy.

**WCC Landscape:** Comments regarding the methodology applied in providing viewpoints and assessing the landscape and visual impacts, reiterating the sensitivity of the landscape setting, however, if Historic England is satisfied there are no significant adverse landscape impacts, then no further objection is made. Comments also made regarding the types of planting proposed, acknowledging that revised plans now illustrate more suitable species and noting that the play area intends to retain all trees and incorporate measures to protect tree roots.

**Tree Officer:** No objection, subject to condition

**Open Space:** No objection to the principle of development; some comments made in respect of planting species, materials for footpaths, details of play area etc.

**The Gardens Trust:** Objection; Foxes Study should be afforded greater significance than it is given in the submitted Heritage Statement and other supporting information. The hotel constitutes further unwelcome expansion within this sensitive and aesthetically significant area of the historic designed landscape. In the event the development is considered less than substantial harm the extent to which the public benefits outweigh this harm is questioned.

**WCC Ecology:** No objection subject to conditions

**Natural England:** No comments to make

**WCC Highways:** No objection

**Health & Community Protection – Environmental Sustainability:** No objection, subject to conditions relating to construction management plan, noise, EV charging points and lighting.

**LLFA:** Objection due to insufficient information (at the time of writing this report) [Officer note – this has been discussed further with the LLFA and a Technical Note setting out a suitable drainage strategy is expected by 15<sup>th</sup> April (after the completion of this report) which would result in the need for a pre-commencement condition securing the detailed design. This approach has been initially agreed by the LLFA so subject to the receipt of the Technical Note and confirmation of no objection from the LLFA this would ensure suitable drainage proposals for the development.]

**Environment Agency:** No objection subject to condition

**WCC Archaeology:** No objection subject to condition

**Public Response:**

91 objections (including a number of duplicate comments from the same individuals and not all of whom are local residents) received raising the following concerns:

- There is a danger of overdevelopment of the site
- The proposal would be out of keeping with the surrounding area
- It would impact on important views
- There would be a direct impact on the historic Castle and its setting
- Such development poses a threat to biodiversity
- There would be a threat to protected species
- Harmful impact on trees
- Impact on residential amenity
- Concerns about noise and light pollution
- Concern about construction noise and associated impacts to neighbours
- Potential for increased noise from delivery vehicles to the hotel
- This development would lead to an increase in traffic in the town
- The hotel results in a loss of parking
- There would be insufficient parking for the hotel
- There would be insufficient EV charging points
- The proposals would be detrimental to pedestrian safety
- This would have a negative impact on local businesses

Other non-material considerations made, including:

- Notification process / publicity of the application
- Lack of local engagement from the Castle
- There is no need for this hotel
- Why haven't alternative sites for a hotel been considered?
- What implications might the approval of this scheme have on future plans; i.e. further development or enlargement of the hotel?
- References to the Ward Councillor's position at the castle and whether there is a conflict of interest

Other comments made based on incorrect information/misunderstanding of the proposals, including:

- The hotel will be 60m in height [officer note – this is incorrect; design and size is covered in the report]

Other objections received from:-

Conservation Advisory Forum (CAF)

- Objection for the following reasons: There is significant concern that the anticipated economic benefits for Warwick would not materialise nor would they justify the substantial, potential harm
- Convincing justification of the public benefits is considered to be lacking
- The visual design is lacking in innovation

- This would be the first visible building when entering the site from the Stratford Road entrance; the massing and design could undermine perceptions of the historic value of the wider surroundings of the site
- the current proposals are considered detrimental to the significance of the Registered Park and Garden and setting of Warwick Castle

12 support comments received (including from the Warwick Chamber of Trade) raising the following matters:

- The hotel would provide full time and part time employment for local people
- Guests would be within walking distance of the services and attractions in the town centre
- Sustainable developments such as this should be supported as they are vital to a town like Warwick
- The Castle brings tourism to the town; local people should embrace what it offers the town and the money it brings to restaurants and coffee shops
- The hotel would have very little visual impact on the area and will benefit the community
- The owners of the Castle invest substantially not only in generating visitors but also in the upkeep and preservation of the building
- A scheme such as this would continue to deliver vital revenue for future investment
- The Castle is a major contributor to the economy of the town which is a major tourist destination but there is a shortage of hotel accommodation which this would help to address
- The proposals appear well considered and sensitive to the surroundings
- The opportunities this development would create for local people, local businesses and the halo effect this will cause from the increase in demand for visitors travelling and staying in the Warwick area is a positive and much needed injection to the future of the local economy

## **ASSESSMENT**

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

- The principle of development including the impact on the heritage assets;
- Design and visual impact;
- Impact on residential amenity (including impacts from noise);
- Access, highway safety and parking;
- Trees and landscaping;
- Ecology and biodiversity net gain;
- Archaeology;
- Drainage and flood risk; and
- Climate change and sustainability, including BREEAM.

### **Principle of development (including the impact on Heritage Assets)**

#### National and Local Policies

Policy CT2 of the Local Plan refers to new hotels in the town centres or elsewhere within urban areas where it can be demonstrated that the development is easily accessible using sustainable forms of transport such as walking, cycling and public transport. While this is a relevant policy, officers consider it is not applicable in its strictest sense given the proposed hotel is intended to support the Castle and accommodate day trip visitors who are there already, as opposed to it being more of a destination hotel. While policy CT4 refers to extensions to tourism, cultural or leisure facilities, this is specifically in rural areas so is also not considered strictly applicable as the location of the Castle is not considered to be rural.

While it is not required by the policy given the location of the proposal, an assessment of alternative sites has been undertaken by the applicants and appended to the submitted Planning Statement. This demonstrates a lack of sequentially preferable alternative sites within the catchment of Warwick Castle that could accommodate a hotel to serve it. No town centre or edge of centre sites within a 5km radius of the Castle are considered suitable or available to accommodate the proposed development. Previous conversion options have also failed largely due to heritage constraints hindering the ability to convert the building into family sized rooms which is critical to the success of a Castle related hotel.

Overall, officers are content that the development accords with the aforementioned policies insofar as they are relevant to the particular and quite unique circumstances applicable to this proposal.

Policy CT6 of the Local Plan is the most relevant principle policy as this relates specifically to Warwick Castle (and St Mary's Lands) and states that development at the Castle will be permitted where it is brought forward in line with an approved Masterplan setting out the development principles and broad areas for development, indicating the type of uses proposed and a Conservation Plan for the historic asset. The Masterplan will provide the framework within which planning applications will be determined and will:

- a) Identify the physical and economic context;
- b) Identify the development principles to underpin future development proposals;
- c) Identify the significance of heritage assets within the vicinity, setting out how these will be sustained and enhanced;
- d) Identify the location of developments, demonstrating how proposals will relate to the heritage assets and how they will enhance the positive contribution the asset makes to sustainable communities and to the character and distinctiveness of the area; and
- e) Identify how the proposals support the vitality and viability of the local economy.

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In the exercise, with respect to any buildings or other land in a conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The NPPF paragraph 190 states that the wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring should be taken into account and paragraph 197 recognises the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.

The NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset should require clear and convincing justification. Substantial harm or loss to heritage assets of the highest significance, including Grade 1 Listed Buildings and Grade 1 Registered Parks and Gardens, should be wholly exceptional. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Local Plan Policy HE1 reiterates the principles of the Framework, stating that development will not be permitted if it would lead to substantial harm or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or where certain criteria set out within the policy have been demonstrated. Where development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposals, including securing the optimum viable use.

While Policy HE4 'Protecting Historic Parks and Gardens' was deleted from the New Local Plan by the Inspector, some of the text has been carried forward in the explanatory text of Policy HE2 (Conservation Areas) and states that Historic Parks and Gardens are an important cultural, historical and environmental asset within the District and the Council wishes to ensure they are protected, maintained and restored.

Warwick Castle Masterplan

A final draft of the Warwick Castle Masterplan was submitted to the Council in December 2019 following a public consultation undertaken by the Castle and addressing comments from officers. Section 7 of the Masterplan which relates to the concept and guiding principles of development was endorsed by the Executive Committee in February 2020.

Within the Masterplan, 'accommodation options' are identified as No.8 on the illustrative map which highlights the various upcoming proposals and projects, ranging across heritage restoration works, visitor experiences and operational infrastructure. The hotel falls within the category of visitor experiences.

The Masterplan considers accommodation in the round, stating that the diversification of visitor attractions by providing on-site accommodation is well established in many locations. Given the existing accommodation at the Castle (in the form of medieval themed glamping) has proved successful and attracted visitors to stay, the Castle has given consideration to whether additional accommodation, in a different form, may encourage more visitors to stay on site.

The Masterplan considers a hotel with around 60-80 rooms in an appropriate location, with such an appropriate location being Bay 10 of the Stratford Road car park. It considers the significance of the relevant heritage assets, an assessment of the likely impacts and lists some key development/design principles. With respect to the latter, should development come forward around Bay 10, it is noted that a building that remains lower than the tree line and that preserves the significance of the historic landscape could be achieved, acknowledging that careful consideration would need to be given to trees and ecology as well as the need for possible additional planting.

### The Heritage Assets

Warwick Castle Park is a heritage asset of the highest significance. It is the only historic park and garden within Warwick District to be included on the national Register of Parks and Gardens (RPG) at Grade I. The Park provides the immediate setting for the Grade I Listed (and part Scheduled Ancient Monument) Warwick Castle. Both the Castle and the Park are located within the Warwick Conservation Area.

The setting of the Castle includes the River Avon to the east, south and southwest, and the long ranging views of the wider landscape from the Mound which, historically, offered the greatest vantage point across the land as part of the Castle's defensive system. Beyond the immediate Park and Garden the countryside is visible in the distance. The setting contributes greatly to the significance of the Castle by illustrating the commanding position of the fortification over the surrounding town and countryside.

The site of the proposed hotel (Bays 9 + 10 of the Stratford Road car park) is approximately 400m southwest of Warwick Castle and sits north of the Knight's Village seasonal glamping site and restaurant building (the latter being a permanent feature). This is within the northern part of Foxes Study wooded area and the hotel would be located within a former woodland belt immediately north

of Foxes Study. These areas were planted between 1786 and 1806 to provide screening from Castle Park to the wider area, creating a sense of extensive landscape setting however in 1981, much of this woodland belt was tarmacked to provide car parking for Castle visitors. It does benefit however from visual concealment from the remainder of Castle Park and the listed buildings within it by the surviving woodland belt at the western boundary of Pageant Field which provides a solid edge to the Castle grounds.

#### The impact on the Heritage Assets including mitigation

The proposal involves the erection of a 60-bed hotel on Bays 9/10 of the car park, an elevated walkway connecting it from its southern end to the existing Knight's Village Restaurant and an extension to the restaurant building, together with a play area to the south of the restaurant.

The submitted supporting information from the applicant considers the potential effects of the proposal on the significance of the following assets: Warwick Conservation Area, Warwick Castle Registered Park & Garden (Grade I), Warwick Castle (Grade I and Scheduled Monument), Conservatory (Grade II\*) and a portion of boundary wall abutting the west part of Castle Lane (Grade II). Through a comprehensive assessment within the submitted Heritage Statement as well as revised landscaping plans and additional details about the play area which were submitted during the course of the application, the applicants conclude that the proposals would preserve the significance of the RPG, Conservation Area and the surrounding listed buildings and therefore accords with the relevant statutory and policy considerations. Nonetheless they have also set out a list of what should be considered as the public benefits associated with the proposals which should be given weight in determining the application.

The proposals have also been comprehensively considered by Historic England, the Conservation Officer, the Gardens Trust and the County Landscape Officer. The original comments from these consultees prompted the submission of some revised landscaping plans together with additional detail to clarify the extent of the play area and the type and scale of equipment proposed within it.

Historic England, consistently throughout their consultation responses has advised the proposals for a new hotel, the extension to Knight's Village Restaurant and the new landscaping have been located and designed to minimise heritage impact. They are satisfied that the proposed screening, combined with the proposed height and massing of the building, will ensure that the hotel is not visible from outside of the car park including in key designed views and in addition, they are content with the materials and overall design of the hotel which have been chosen to co-ordinate with the existing Knight's Village development. They do note however that the introduction of a new building will further erode the separation between the town and the designed landscape of the park as well as the integrity of the RPG. It is concluded however that this degree of harm amounts to 'less than substantial' (to the significance of the RPG) and recommends that the local authority conservation officer should be satisfied that there is a clear and convincing justification for the proposals and sufficient public benefits to outweigh the level of harm identified.

In response to the proposed biodiversity net gain area which adjoins the site of the Leafields overflow car park, a number of new trees were originally shown in the 20m buffer zone to the east of The Lilacs which Historic England raised some concern over. From a historic landscape point of view this would have altered the boundary of the woodland resulting in some loss of the integrity of the historic layout of the registered park in this area. This in turn also would have amounted to 'less than substantial harm' however revised landscaping plans have been submitted which show a reduced number of new trees being planted in this area. This is in line with the recommendations of Historic England who has raised no objection and it is noted that these works, albeit of a reduced scale, still ensure the appropriate amount of biodiversity net gain (covered later in the report).

The Conservation Officer raised no objection to the development. Foxes Study has historically seen very little built form (with the exception of the recent Knights Village) and a considerable area of the grounds to the southwest of the Castle is now intended to be for the purpose of visitor accommodation. It is inevitable that some form of harm to the significance of the Grade I RPG and the wider setting of the Castle will be caused, however, due to the current contribution the site makes to the significance of the RPG and the setting of Warwick Castle, this harm is considered to be less than substantial.

In accordance with the recommendations of Historic England and the relevant tests set out in the NPPF officers consider there is a clear justification presented for this development in the accompanying information submitted with the application. This is considered in further detail under the following heading of this report which looks specifically at the public benefits necessary to outweigh the level of harm identified.

In response to some points of clarification sought by the conservation officer and by way of proposing mitigating factors to further minimise the impacts of the development, the list below provides a summary of the proposals as revised together with mitigation where possible and clarification over the proposals:-

- The use of the nearby land for glamping has a temporary seasonal use which is due to expire at the end of the season 2022 (September 30<sup>th</sup>) – it is confirmed that the Castle will be seeking to extend the current permission because it forms an important part of the accommodation offer and provides economic/heritage benefits;
- It is noted however that the reduction in the number of pitches or the removal of this aspect of the accommodation altogether is not something on which the response of 'no objection' from the conservation officer is dependent; the positive response received is based on this use still being in place;
- The previous permission for the glamping site included an additional lodge (lodge 09) which has never been built. It is now proposed that the site of the play area would be located in the same area rendering lodge 09 unable to be built in the future;
- Lodge 12 has also never been built and while just outside the red line site area for this application would sit just to the south of the proposed play

- area. With both of these lodges being rescinded, this would make a significant contribution to a reduction in the overall volume of structures;
- A Unilateral Undertaking is the mechanism through which to secure these two lodges are rescinded from the earlier permission which would ensure they cannot be built at a later stage (though part of these current proposals would physically prohibit the construction of lodge 09);
  - Set-backs on the hotel building would be one way to reduce the perceived mass, as suggested by the conservation officer. However, to do so would result in the loss of bedrooms and push the development further back into the root protection zones which would result in the loss of trees. Instead, detailing has been added to the elevations to add depth and visual interest;
  - The above point includes darker stained timber detailing to the cladding, a pronounced overhang at roof level, a change between roughcast render at low level and stained timber cladding at high level and windows with deep set reveals.

The above, together with further details which have since been submitted of the play area, which indicates maximum heights and overall parameters within which the play area and equipment would be fixed, has resulted in an overall 'no objection' from the conservation officer who has confirmed the proposals comply with paragraphs 200 and 202 of the NPPF, as well as HE1 and CT6 of the Local Plan.

### Public benefits

Officers consider that the scale of development, mostly resulting from the introduction of new built form into the area of the car park, would inevitably result in some level of harm, albeit that level of harm is considered to amount to 'less than substantial'. In accordance with the tests set out in the NPPF this means the public benefits of the proposal must be considered and weighed against the level of harm to establish whether or not the harm is outweighed.

Within the supporting information provided by the applicant there is a document entitled 'Economic Impact and Business Case' which outlines a range of public benefits associated with the proposal. By way of a summary, this includes an additional estimated annual spend of £1.9 – 2.6 million by visitors into the local economy, the creation of 29no. jobs and a further £1.1 million GVA (direct and indirect p.a.), with an additional 16 supply chain roles (indirect/induced jobs).

To add to the above, the Economic Impact and Business Case document considers the construction impacts and advises that the development can be expected to support 123 direct FTE jobs over the construction phase and that during the construction phase, local suppliers and contractors will be used extensively further supporting employment and the economy of the region. It also considers the indirect and induced employment that will likely arise from the construction phase and anticipates the development could support an additional 137 spin-off FTE jobs annually over the construction phase. While it is acknowledged these would be distributed across the UK economy, it is expected that businesses within Warwick District would benefit from trade linkages established during the construction phase of the development scheme.

The document considers in detail, direct and indirect employment (summarised above) the economic output and additional expenditure. The latter draws on data from Visit England which identifies the economic impact of day visits and overnight tourism to Warwick District, and it uses this data to calculate the economic impact of the proposed hotel. As a final point, it stands to reason that the additional spending on the Castle site will also sustain the viability of the operations and will support ongoing maintenance and enhancement projects.

In conclusion, the document demonstrates that the proposed development represents a significant new capital investment in the area which would help to increase Warwick's hotel capacity and enhance the profile of Warwick's tourism sector. Cumulatively, these factors are afforded considerable weight in the overall determination.

In addition to the above figures and other facts reported in the aforementioned document, the scheme also supports Warwick's economic recovery from the global pandemic via additional overnight stays and increased visitor spend locally. The additional revenue generated by the proposal contributes towards the Castle's 10-year restoration plan, in addition to future projects identified including south front windows repairs, works to the chapel, major masonry repairs to north and east curtain wall and works to stables, boundary walls and lead roof replacement. All of this combined is considered to amount to the required public benefits necessary to outweigh the less than substantial harm identified to the heritage assets (principally the setting of the RPG).

As a final point, the contribution that the Castle makes to the economy of the town and region is significant and the benefits of the development in terms of supporting the Castle in its function as a major tourist attraction for the town (and region) is a material consideration in the assessment of the scheme. The NPPF paragraph 190 states that the wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring should be taken into account and paragraph 197 recognises the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.

#### Conclusion on principle of development / heritage assets and impact / public benefits

Overall, officers are satisfied that the development is acceptable in principle having regard to Policy CT6 and the Masterplan. In addition, the impacts on the relevant heritage assets, taking into account all the consultation responses with specific regard to the heritage and historic landscape matters as well as the amendments that have been made in respect of tree planting and other landscaping matters, are considered to amount in a degree of harm considered to amount to 'less than substantial harm'. Accordingly, the public benefits arising from these proposals have been considered and officers are satisfied that in this particular instance, a sufficiently clear and convincing argument has been demonstrated which outweighs the degree of harm identified.

Notwithstanding the above, any forthcoming permission would still be subject to a Unilateral Undertaking to secure the rescinding of lodges 09 and 12 which formed part of the earlier planning permission for Knights Village.

In considering the objection from the Gardens Trust, officers have had regard to the fact that in their opinion Foxes Study should be afforded greater significance that it has been given in the applicant's Heritage Statement. Notwithstanding this, Historic England and the Conservation Officer have not disagreed with the content and overall conclusions drawn from the applicant's supporting information in this particular regard. While the claim that the hotel would constitute further unwelcome expansion in this sensitive area of the historic landscape is not dissimilar, in principle, with the comments from Historic England about further erosion of the separation between the town and the designed landscape of the park, there is disagreement between the Gardens Trust who do not consider a sufficient justification and business case has been put forward, while it is the expert opinion of the Conservation Officer that sufficient justification has been demonstrated.

Overall, officers are satisfied that the principle of development is acceptable as set out above and the impacts on heritage assets is also considered acceptable in light of the examination of the public benefits which are considered to outweigh the harm identified. The proposals therefore accord with Policies CT6 and HE1 of the Local Plan, paragraphs 199, 200 and 202 of the NPPF.

In making this assessment, officers have had regard to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

### **Design and visual impact**

The design of the hotel has been covered in the context of its heritage impacts. However, for the avoidance of doubt, it is noted that the hotel building would have a maximum ridge height (at its tallest three storey height) of 12.2 metres while the two storey end (nearest to the properties in Stuart Close) would have a ridge height of 9.1 metres.

The building has been designed to echo the existing Knight's Village Restaurant building; it would be hipped with timber framing detail to replicate the same medieval design principles of the existing Knight's Village. The proposed materials for the structure are consistent with the existing timber lodges within Foxes Study and would incorporate rough cast render to the base of the building with waney edge shiplap timber boarding to the upper floors and period style casement windows to match Knight's Village. The roof would be covered in cedar shingle which also matches Knight's Village.

Plans for the extension to the restaurant building are the same so the finished building would appear aesthetically the same as existing. The elevated walkway which would connect the hotel to the restaurant would also match the finished appearance of the existing walkways and would have a timber finish.

Conditions would be required of material samples for all built elements of the proposals together with large scale details. Additionally, while sufficient details of the play area have been submitted thus far, demonstrating that the parameters, overall scale and maximum dimensions proposed would not have a detrimental impact, a condition requiring the final details of the play equipment proposed is recommended to ensure that the finished appearance is in keeping with and appropriate to the surrounding setting and historic landscape sensitivities.

Overall, officers are satisfied that the development would be acceptable in visual terms and therefore consider it accords with Policy BE1 of the Local Plan.

### **Impact on residential amenity**

The properties in Stuart Close would be the nearest to the site of the proposed hotel and the extension to the restaurant. In terms of the restaurant extension, it is noted that the nearest property in Stuart Close is approximately 65m from the north facing elevation of the existing restaurant building. The proposed extension would be at its southern end and therefore further away from the neighbouring properties. Officers therefore do not consider the proposed extension to the restaurant would result in any physical harm to neighbouring amenity by reason of overbearing, loss of light or loss of privacy.

The proposed hotel would be closer, located at its nearest points between 43m and 60m from Nos. 6 - 30 Stuart Close (these measurements are between the rear elevations of neighbouring properties and the corner points of the hotel due its orientation). The minimum distance separation between two storey buildings where the upper floors contain only bedrooms is 22m. The proposed hotel is two storeys at its northern end (closest to neighbours) but due to the levels difference across the site, would increase to three storeys at its southern end. For the avoidance of doubt, officers have applied the distance separation guidelines which relate to three storey to two storey buildings. Since this is 32m and the closest distance between a property and the corner of the hotel is 43m, officers are satisfied there would be no material harm by reason of overbearing, loss of light or loss of privacy resulting from this proposal.

Added to the above is the orientation of the hotel which would be such that there would be no direct facing relationships between buildings. Instead, neighbours in Stuart Close would look towards an angled wall where only oblique views of windows would be afforded. Notwithstanding the proposed layout and resulting relationship between the new development and the nearest existing properties it is important to note that there is significant tree planting and other vegetation which creates a substantial buffer between the building and where there are some existing gaps, it is proposed to plant additional trees and other landscape features which would minimise any perception of bulk and mass or overlooking.

### Impacts resulting from potential noise

The Environmental Health Officer has considered all of the supporting documents and information submitted with the application and raised no objection to the

proposals subject to a number of recommended conditions, some of which focus on noise impacts and suitable mitigation.

In order to minimise any adverse impacts on residential amenity during the construction phase a construction management plan will be required by condition. In order to minimise any adverse noise impacts arising from the proposed hotel service yard at unsociable hours it is proposed to limit the hours between which deliveries or waste collections can take place. A maximum noise levels condition is proposed to ensure that any plant or equipment necessary to serve the development does not impact on residential amenity.

With respect to the more general concern from residents about the potential for noise and disturbance arising from the day-to-day operation of the hotel, it is deemed necessary and reasonable to require by condition the submission of a Noise Management Plan. This could include (but is not limited to) for example, arrangements for managing check in times and minimising arrivals at unsociable hours, the monitoring and supervision of customer behaviours, arrangements for both receiving and investigating as well as documenting any complaints from local residents and the provision of information to customers prior to arrival that will help reduce adverse impacts on amenity.

Having regard to all of the above, officers are satisfied that the proposal is acceptable in this regard and accords with Policies BE3 and NE5 of the Local Plan.

### **Access, highway safety and parking**

At the outset, it is important to note that this is not a typical application for a standalone hotel but rather an integral part of the tourist offer available at Warwick Castle. The way in which this is envisaged to operate is the hotel will offer overnight accommodation to those visitors to the Castle who are there already, rather than acting as a destination hotel. With that in mind, a Transport Statement together with other supporting information, some of which was subsequently sent at the request of the Highway Authority, clearly demonstrates this development is not anticipated to generate any additional car trips. It also demonstrates that guests are more likely to arrive/depart outside the typical peaks for the Castle (opening and closing times) and accordingly there should be no discernible difference in the number of vehicles accessing the site.

While there would be an uplift in staff numbers, this has been factored into the Transport Statement and other traffic data presented with the application. Ultimately, such trips would be unlikely to occur during peak hours beyond those which are already experienced.

Access arrangements remain as per the existing situation; the Castle entrance off Stratford Road which leads to Warwick Castle Drive would be unaltered and all visitors to the Castle, who may also be staying overnight at the hotel, would enter via these existing arrangements.

The Highway Authority raised some initial concern about associated vehicle movements within Warwick town but additional information was submitted to

address and clarify these points. In consultation with the Transport Planning unit, the County Highway Authority has assessed all of the available information and concluded that the details provided are acceptable and that the impact of the development based on the identified trip generation is negligible. To that end, the proposals are considered to have no highway capacity or safety implications and the response is one of no objection.

With regard to deliveries, it is worth noting that large vehicles, including HGV's, already access the Castle grounds via Warwick Castle Drive to service the Knight's Village and when events are running. The service yard for the hotel is accessed off Castle Drive and it would be screened from residential properties by existing trees and new landscaping which would also provide an acoustic barrier. The bin store is within a fenced enclosure which would provide screening and noise mitigation. A condition is also recommended (as set out in the previous section of this report) which limits the hours of delivery and any other noise generating activities.

With respect to parking, the supporting information identifies that the proposed hotel would result in the loss of 65no. car parking spaces from the Stratford Road car park. To reiterate the basic premise of this application; this is not a standalone hotel intended as a destination in its own right. Its purpose is to support the Castle in the sense that it would cater to some of its visitors who are already there and wish to stay overnight.

With that in mind, it is officers' opinion that the adopted Parking Standards which require 1 space per bedroom does not strictly apply in the same way it would if a standalone hotel were being built elsewhere. In that sense car parking provision for the hotel or Castle visitors in general does not stop at the red line boundary and instead, the loss of parking spaces should be considered within the context of two considerations; one being the parking provision across the wider Castle grounds and at the overflow (Leafields) and additionally, the seasonal operation of the Castle which means that visitor numbers and consequently parking, varies significantly over the year.

In this context, officers are of the opinion that parking provision is sufficient to accommodate visitors to Warwick Castle and so mitigate against parking locally on residential streets and within the Town Centre where provision is limited. Moreover, since there will be no additional trip generation from the hotel on the basis that the guests staying overnight will already be travelling to the site as a day trip, there would be no materially greater demand on parking as a result of the hotel.

There is adequate parking provision across the existing car parks at the Castle, the need for which is not anticipated to increase as a result of the hotel for the reasons set out above. Accordingly officers are of the view that there would be sufficient parking for visitors to the Castle, including hotel guests, within the Stratford Road and Stables car parks with scope for additional parking at Leafields. Even taking into account hotel guests, the use of the new car park to the west of Leafields will continue to operate in the same way as the existing car park which is one of fluctuating capacity linked to seasonal use i.e. its maximum capacity will rarely be reached (only occasionally in summer when events are running) and in

the winter months (generally from November to February), except for one off events, Leaffields car park will not be used at all.

Within the red line boundary it is noted that the hotel would provide a total of 5no. accessible parking spaces close to the hotel entrance and 6no. EV charging spaces with infrastructure installed to provide more spaces in the future. There are also 5no. designated motorcycle spaces in the Stratford Road car park although motorcycles can use any of the car parking spaces at present and these spaces would serve the hotel.

Having regard to all of the above, officers consider that in these particular and quite unique set of circumstances there is little merit in focusing on the loss of a specific number of spaces to facilitate the hotel development given the level of parking provision across the Castle grounds in any case, particularly given visitors to the hotel will also be visitors to the Castle in any case. The key points are that there is sufficient on-site parking to accommodate visitors which negates detrimental off-site impacts and there would be no adverse impact on the highway network, as confirmed by the Highway Authority in conjunction with the Transport Planning Unit.

Officers are satisfied overall that the development would not be detrimental to matters of highway safety and therefore consider it accords with Policy TR1 of the Local Plan.

### **Trees and landscaping**

A Tree Survey, Impact Assessment, Arboricultural Method Statement and Tree Protection Plan have all been submitted with the application and considered by both the Tree Officer and the County Landscaper Officer. The survey identifies a total of 23 trees which would be lost, some of which are diseased and are expected to die within the next few years in any case; the remaining trees are not of exceptional merit. It is noted that two trees form part of the group TPO however both are diminutive and their contribution to the overall amenity is limited. The loss of these 23 trees is mitigated for however, on a one for one replacement basis through new trees being planted in the car park, close to the hotel. It is noted that there is scope to plant further trees over and above those shown on the landscaping plans, which would effectively fill gaps in the main car park and provide discreet parkland planting in the landscape buffer at Leaffields. Mindful of the Council's tree planting ambitions across the District, the final details for this additional planting are to be secured by condition. Overall, the identified tree loss is mitigated for on a one for one basis and the additional planting would be over and above the requirement for replacement planting, representing another benefit of the proposals.

The Tree Officer is satisfied with the level of survey work and supporting information undertaken and submitted with this application. Having considered it, he confirms that the arboricultural information is thorough and clearly presented and accordingly concludes that there is no reason to suggest the development as proposed should not proceed on tree-related grounds. A condition is recommended requiring the measures set out in the submitted surveys and other documents are

adopted and the development thereafter implemented in full accordance with such measures.

In terms of the general impact on the landscape, some initial concerns were expressed by the County Landscape Officer but in part the recommendations conflicted with the guidance and recommendations of Historic England and the conservation officer. Given the sensitivity of the historic landscape, it is officers' opinion that the comments of both Historic England and the conservation officer should be fully satisfied with any other comments regarding specific planting species and from where viewpoints have been considered being addressed, wherever possible thereafter.

Accordingly, revised plans have been submitted, which primarily seek to address the recommendations of the heritage consultees, although it is noted that these revisions also include other details which go some way to addressing the comments of the Landscape Officer.

Officers are satisfied with the extent to which key viewpoints have been assessed in the submitted supporting information; three key viewpoints were agreed with Historic England and these are: localised within the Stratford Road car park, a view from within Pageant Field and the panoramic view from the top of Guys Tower. A number of possible options for the siting of the hotel were considered before the final layout was selected. This location is considered the preferred option in view of its localised impacts, which would be confined to the car park and Historic England confirm in their response that the proposals have been located and designed to minimise heritage impact.

Revised landscaping plan and planting proposals have been updated to reflect as much of the Landscape Officer's comments as possible, however, officers note that there are references remaining to the use of some exotic planting for example, because, while not native species, this would assimilate into the existing setting which already incorporates the use of some exotic planting. This point in particular was picked up by Historic England who advised that the use of some exotic planting was wholly appropriate given the surrounding context.

Lastly, the Open Space officer provided some comments about specific aspects of the proposals including the play area, elevated walkways, footpath materials and fencing. Additional information has been provided to clarify any questions previously had in this regard and officers are satisfied that there are no objections in this respect.

Overall, in light of all of the above, officers are satisfied the development accords with Policy NE4 of the Local Plan.

### **Ecology and biodiversity net gain**

In addition to proposed works within the red line site area for the hotel, a secondary site edged red accompanies these proposals which forms part of the overall application site and incorporates an area specifically reserved for works which would result in a biodiversity net gain as well as other mitigation measures.

An area of land to the north and west of Leafields (recently granted planning permission for use as the site of the relocated overflow car park from its existing use on land immediately to the east) measures 0.7ha and this forms part of the buffer zone to the approved overflow, creating even greater landscape buffers from the neighbouring properties to the west. These zones would be planted to consist of wildlife friendly, edge species, maintained at a maximum 1.2m height and fronted by a managed wildflower rich grassland. In addition, six parkland trees are incorporated into this area, which, although representing a much lower number of trees than originally shown on the plans, is a direct result of the recommendations of Historic England who were concerned at the drastic change of character to the historic landscape that would result with more trees than this planted. The agreed number of trees is the compromise to satisfy Historic England's recommendations whilst still ensuring the required biodiversity net gain is achieved.

The County Ecologist has considered all supporting documents, survey work, revised landscaping plans and most recently the updated LEMP for the site and no objection has been raised subject to the imposition of conditions requiring the development to be undertaken in accordance with the approved documents as well as conditions requiring the submission of a CEMP and details of any lighting if and when such infrastructure is required.

Having regard to the above, the proposals are considered to accord with Policies NE2 and NE3 of the Local Plan.

### **Archaeology**

The proposed development lies within an area of significant archaeological potential. Based on the submitted information and consideration of their own records, the County Archaeologist has advised there is a potential for the proposed development to impact on archaeological remains dating from the prehistoric, Roman, medieval and later periods. No objection is raised in principle to the development however, but a condition is recommended which requires the submission of a Written Scheme of Investigation for a programme of archaeological evaluative work to be submitted and approved by the planning authority. Subject to the imposition of such a condition the development is considered acceptable in terms of its archaeological impacts and therefore accords with Policy HE4 of the Local Plan.

### **Drainage and flood risk**

The sites of the hotel, the restaurant extension and the biodiversity net gain area at Leafields are all within Flood Zone 1, where there is low risk of flooding. A Flood Risk Assessment (FRA) was submitted with the application.

Notwithstanding the objection from the LLFA at the time of writing this report, the drainage strategy has been discussed at some length between the applicants and the LLFA and the content of a subsequent Technical Note, including the recommended strategies for drainage at the site, has been agreed between both parties. This is expected to be submitted to the Local Planning Authority by 15<sup>th</sup> April which is just after the date by which this report will have been published.

Subject to the agreed measures being stipulated within the Technical Note and no objection being confirmed by the LLFA, officers are satisfied that a suitable drainage strategy can be implemented and accordingly it is expected that the development would accord with Policy FW1 of the Local Plan.

This matter will be reported via the committee updates.

### **Climate change and sustainability, including BREEAM**

Policy CC1 seeks all new development to be resilient to and adapt to the future impacts of climate change through the inclusion of measures to mitigate against rising temperatures and increased flood risk through sustainable construction measures and the incorporation of sustainable drainage methods.

Policy CC3 requires all non-residential development over 1000 sq.m. to achieve as a minimum BREEAM standard 'very good' unless it can be demonstrated that it is financially unviable or a suitable alternative sustainability target is proposed and agreed with the Council.

A BREEAM Pre-Assessment report has been submitted with the application which concludes that the predicted score would be 66% and the rating 'Very Good'. For context, the 'Very Good' rating is anything in excess of 55% with 'Excellent' being over 70%. The prediction for this development is therefore seen as realistic and something which can be achieved through measures such as:

- Designing a thermally comfortable and safe building
- Designing an energy efficient building
- Minimising water consumption with low flow and water saver fittings
- Minimising waste from the construction and the operation of the building
- Controlling pollution and implementing risk reducing measures

The Pre-Assessment report also states that while 66% is realistic and achievable, the design team will push to achieve an even higher performance if at all possible as the project is developed further.

In view of the above, officers therefore consider that the proposal accords with Policies CC1 and CC3.

In addition to the above, the standard condition requiring the provision of EV charging points can be imposed on any forthcoming permission to ensure compliance with Policy NE5 and the Air Quality SPD.

Compliance with Policy FW3 in terms of water efficiency is to be secured by condition.

### **SUMMARY / CONCLUSION**

The proposed development is considered to be acceptable in principle in accordance with Policy CT6 of the Local Plan as well as the relevant heritage policies, both nationally and locally. While the heritage impacts of the proposal are

considered to amount to less than substantial, sufficient justification has been presented by the applicant which sets out a range of public benefits associated with the development and this is considered to outweigh the level of harm identified.

In other respects, the impact on heritage impacts has been minimised through revised landscaping plans and by supplying additional information in response to the comments from heritage and other consultees.

The overall design and layout of the proposals is considered acceptable subject to appropriate conditions and there would be no detriment to residential amenity. The development would not result in additional vehicle movements to/from the site, there would be no detriment to highway safety and the parking across the site for Castle visitors as well as hotel guests is considered acceptable. Landscaping matters are considered acceptable along with the proposed measures to safeguard ecology and protected species and a biodiversity net gain would be achieved as a result of the works proposed in the area to the north and west of the Leafields overflow car park. Archaeology and drainage matters are deemed acceptable and appropriate regard has been given to climate change and sustainability in view of the major scale of development which warrants a BREEAM pre-assessment report.

As set out in the report a Unilateral Undertaking will secure the rescinding of Lodges 09 and 12 which formed part of the earlier Knight’s Village permission, one of which could not be built out in any case as it is on the site of the proposed play area that forms part of this application.

Subject to the satisfactory completion of the Unilateral Undertaking and the conditions listed at the end of this report it is therefore recommended that planning permission be granted.

**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 1456\_500; 1456\_505; 1456\_506; 1456\_507; 1456\_508; 1456\_513; 1456\_514; 1456\_516; 1456\_518; 1456\_519; 1456\_520; 1456\_521; 1456\_522; 1456\_523; 1456\_524; 1456\_525; 1456\_526; 1456\_527 and 1456\_540, and specification contained therein, submitted on 28 January 2022, approved drawings 353/25\_1 Rev.A; 353/25\_2 Rev.A; 353/25\_3 Rev.A; 353/25\_4 Rev.A and PE0268, and specification contained therein, submitted on 24 March 2022, and approved drawing 1456\_536 Rev.A and specification contained therein, submitted on 7 April 2022. **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 No works of demolition or construction shall be undertaken unless and until a construction management plan has been submitted to and approved in writing by the District Planning Authority. The construction management plan shall include details of any temporary measures required to manage traffic during construction, plans and details for the turning and unloading and loading of vehicles within the site during construction, dust suppression, noise and vibration, demolition or clearance works, details of wheel washing, site working hours and delivery times, restrictions on burning and details of all temporary contractors buildings, plant and storage of materials associated with the development process. All works of demolition or construction shall be carried out in strict accordance with the approved construction management plan. **Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.
- 4 The development hereby permitted shall not be commenced unless and until a Design Stage Assessment by an accredited BREEAM assessor demonstrating how the development will be designed and constructed to achieve as a minimum BREEAM standard 'very good' (or any future national equivalent) has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details. A Completion Stage Assessment by an accredited BREEAM assessor demonstrating that the development achieves as a minimum BREEAM standard 'very good' (or any future national equivalent) shall be submitted to the Local Planning Authority within 3 months of first occupation. **Reason:** To deliver reductions in carbon dioxide emissions, building running costs, energy consumption and water use in accordance with the provisions of Policy CC3 in the Warwick District Local Plan 2011-2029.
- 5 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 Local Planning Authority. In discharging this condition, the LPA expect to see details concerning pre-commencement checks for protected species (*badger, bats, breeding birds, reptiles, otters*) and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. This should include measures for the protection and avoidance of harm to the Saltisford Brook and the bankside 5m buffer both during and after construction. 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, in accordance with the National Planning

Policy Framework (NPPF), ODPM Circular 06/2005 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029.

6 No development on each phase shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority for that phase.

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken for that phase. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority for that phase. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

**Reason:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

7 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. 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 and to ensure an appropriate standard of design and appearance within the Conservation Area, in accordance with Policies BE1 and HE1 of the Warwick District Local Plan 2011-2029 respectively.

8 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 within the Conservation Area, within the setting of listed buildings and within this sensitive historic landscape, in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

- 9 No development shall be carried out above slab level unless and until final details of the play equipment proposed within the play area have been submitted to and approved in writing by the Local Planning Authority. Details shall include final designs and elevational details of the play equipment to be installed, together with a specification of the proposed materials and finishes. The development shall thereafter be carried out in accordance with the approved details. **Reason:** To ensure an appropriate standard of design and appearance within the Conservation Area, within the setting of listed buildings and within this sensitive historic landscape, in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.
- 10 Prior to the commencement of any soft landscaping shown on the approved plans of the development hereby permitted, a strategy for the planting of additional trees within the locations shown on plans 353/25-7 and 353/25-8 shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of position, species, size and arrangements for planting and demonstrate that there would be no detrimental impact on the approved LEMP or the BIA metric. Thereafter the development shall be carried out in accordance with the approved strategy within the first planting season following the approval of details. **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.
- 11 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 all external light fittings and external light columns and hours of operation) have first 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. In discharging this condition the Local Planning Authority expects lighting to be restricted around the watercourse, tree canopies and no lighting around potential bat roosts; and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This should include low level lighting along the elevated walkway in keeping with the existing walkways in the Knight's Village. This could be achieved in the following ways:
- Narrow spectrum lighting should be used to avoid the blue-white wavelengths
  - Lighting should be directed away from vegetated areas
  - Lighting should be shielded to avoid spillage onto vegetated areas
  - The brightness of lights should be as low as legally possible;

- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.

**Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties and to ensure that protected species are not harmed as a result of any lighting installed, in accordance with Policies BE3 and NE2 respectively of the Warwick District Local Plan 2011-2029 as well as the NPPF and ODPM Circular 2005/06

12 Prior to the first occupation of the development hereby permitted, a Noise Management Plan relating to the activities to be carried out pursuant to this planning permission shall be submitted to and approved in writing by the District Planning Authority. Once approved, the agreed Noise Management Plan shall be implemented and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. **Reason:** To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

13 Prior to the first occupation of the development hereby permitted, six 7kW (minimum) electric vehicle recharging points shall be installed. Once the electric vehicle recharging points have been installed, a technical data sheet for the electric vehicle recharging point infrastructure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the electric vehicle recharging points 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.

14 Prior to the first occupation of the hotel hereby permitted, 15no. cycle parking spaces shall be provided in accordance with a detailed scheme which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter those areas allocated for cycle parking shall be kept marked out and available for such use at all times. **Reason:** to ensure adequate cycle parking for the hotel in the interests of both highway safety and visual amenity in accordance with Policies BE1 and TR3 of the Warwick District Local Plan 2011-2029.

15 Prior to the commencement of the development hereby approved (including all preparatory work), the Keen Consultants Arboricultural Method Statement reference 1756-KC-XX-YTREE-MethodStatement-RevA dated January 2022 and their Tree Protection Plan reference 1756-KC-XX-YTREE-TPP01Rev B 5775/21-01 dated November 2021, together referred to as the scheme of protection, shall be adopted.

The development shall thereafter be implemented in strict accordance with the approved scheme of protection, which shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

**Reason:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

16 The development shall be carried out in accordance with the submitted flood risk assessment (ref 'FLOOD RISK ASSESSMENT, WARWICK CASTLE: HOTEL AND EXTENSION TO KNIGHT'S VILLAGE RESTAURANT' P21-576 Issue No 1 dated 14/01/2022) and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 0.9m above the 1000 year event.
- All built development with the exception of the raised walkway shall be sited within flood zone 1.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants in accordance with Policies FW1 and FW2 of the Warwick District Local Plan 2011-2029.

17 The development hereby permitted shall be carried out strictly in accordance with the detailed Landscape and Ecological Management Plan (PE0266/HS dated March 2022, Harris Lamb). The approved measures within the LEMP shall thereafter be implemented in full.

**REASON:** To ensure protection of species and no net loss in accordance with ODPM Circular 2005/06 and the NPPF.

18 Any hard landscaping shown on the approved plans, 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.

- 19 Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). 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 ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 20 No deliveries or waste collections likely to cause nuisance to nearby residents shall take place before 08:00 hours or after 19:00 hours on Monday to Friday or before 09:00 hours or after 18:00 hours on Saturdays. There shall be no deliveries or waste collections on Sundays or Bank Holidays. **Reason:** To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
-