

Application No: W 13 / 0897

Town/Parish Council: Leamington Spa
Case Officer: Rob Young

Registration Date: 01/07/13

Expiry Date: 30/09/13

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Parmiter House, Arlington Avenue, Leamington Spa, CV32 5XS

Demolition of existing building and redevelopment to form 51 no. sheltered apartments for the elderly including 1 no. Lodge Manager's apartment, communal facilities (Category II type accommodation), access, car parking and landscaping (resubmission following refusal of planning application no. W13/0282) FOR Churchill Retirement Living

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

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission, subject to the receipt of a satisfactory Unilateral Undertaking in respect of affordable housing and subject to the conditions listed at the end of this report. Should a satisfactory Unilateral Undertaking not have been received by 30 September 2013, Planning Committee are recommended to delegate authority to the Head of Development Services to REFUSE planning permission on the grounds that the proposals make inadequate provision for affordable housing.

DETAILS OF THE DEVELOPMENT

The application proposes the demolition of the existing sheltered apartments and the erection of a replacement building to provide 51 no. sheltered apartments for the elderly including 1 no. lodge manager's apartment. The proposed building would be three storey in height, with car parking provided to the side / rear. The applicant is to submit a Unilateral Undertaking to secure an off-site contribution of £125,554 towards affordable housing.

This is an amended scheme following the refusal of a previous application under delegated powers (Ref. W13/0282). The following amendments have been made since that refusal:

- repositioning of the rear wing 5m to the north;
- widening of the vehicular access by 0.5 metre; and
- submission of revised viability information including a commitment to make an off-site contribution of £125,554 towards affordable housing.

THE SITE AND ITS LOCATION

The application relates to a development of apartments for the elderly situated on the western side of Arlington Avenue. The existing development comprises a single building made up of a three storey wing fronting onto Arlington Avenue and a two storey wing projecting back into the site. There are currently two vehicular accesses into the site at either end of the Arlington Avenue frontage. These are linked by a driveway along the front of the building. There is a further driveway leading into the site along the northern boundary that provides access to a rear parking area in the north-west corner of the site. The remainder of the site to the sides and rear of the existing building is laid out as gardens.

The surrounding area is predominantly residential and the site is surrounded by residential properties. Other than the application property, this part of Arlington Avenue is fronted by mostly two storey detached dwellings, although there are some three storey blocks of flats.

The application site is situated adjacent to the boundary of the Leamington Spa Conservation Area. The Conservation Area boundary runs along the southern and western boundaries of the site. There are a number of trees around the site. There is a change in levels of approximately 400mm between the application site and the gardens of the dwellings to the west.

PLANNING HISTORY

Outline planning permission and reserved matters approval were granted for the existing sheltered apartments for the elderly in 1975 and 1976 (Refs. W74/0946 & W76/1067).

In June 2013 planning permission was refused under delegated powers for "Demolition of existing building and redevelopment to form 51 no. sheltered apartments for the elderly including 1 no. Lodge Manager's apartment, communal facilities (Category II type accommodation), access, car parking and landscaping" (Ref. W13/0282). The reasons for refusal related to the substandard separation distance from the flats in Oakfield House, the inadequate width of the access and the failure to make any provision for affordable housing or other Section 106 contributions.

RELEVANT POLICIES

- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)

- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- National Planning Policy Framework
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Affordable Housing (Supplementary Planning Document - January 2008)

SUMMARY OF REPRESENTATIONS

Town Council: Object on the grounds that there is no provision made for affordable housing.

Public response: 3 neighbours have objected on the following grounds:

- widening the access will result in the loss of one on-street parking space from Arlington Avenue;
- inadequate off-street parking;
- the proposals will cause double parking on Arlington Avenue which would be detrimental to highway safety;
- overbearing impact on neighbouring dwellings;
- loss of light for neighbouring dwellings;
- harm to the setting of the Conservation Area;
- trees were removed prior to the submission of the application;
- new tree planting should be provided on the western boundary of the site to provide screening;
- the density of development proposed is unnecessary;
- concerns about fumes and heat from the laundry room in close proximity to windows in the neighbouring dwelling; and
- adverse ecological impact.

Conservation Advisory Forum: Generally the scheme was considered acceptable, however, more rendering on the building was preferred and the provision of more parking spaces. Furthermore, the boundary treatment was felt to reflect the existing walls in the street scene.

Severn Trent Water: No objection, subject to a condition to require drainage details.

NHS Warwickshire: Request a contribution of £21,774.45 towards primary healthcare provision.

Warwickshire Police: No objection, but make recommendations regarding the incorporation of security measures.

WCC Fire & Rescue: No objection, subject to a condition to require details of water supplies and fire hydrants.

WCC Highways: No objection, subject to conditions.

WCC Ecology: Accept the findings of the Ecological Appraisal and Bat Survey Report. Recommend that a precautionary approach is taken as the potential of a bat roost still exists. Therefore recommend a condition to require a licensed bat ecologist to supervise all destructive works to the roof. Confirm that the development is unlikely to impact upon any other protected species, but recommend some informative notes as a precaution. Recommend conditions and notes relating to existing trees and new planting.

WDC Parks Development Manager: An off-site contribution for amenity open space should be sought, in accordance with the Open Space SPD.

WDC Waste Management: No objection.

WDC Environmental Health: Initially raised concerns about the previous application in relation to the location of the air source heat pumps close to neighbouring dwellings. Then raised concerns about the revised location for the air source heat pumps due to the close proximity to residents of the proposed development. Following the receipt of further information from the applicant in relation to measures to reduce the potential for disturbance to residents of the proposed building, confirm that the issue can be dealt with by a suitable pre-commencement condition. Also recommend a condition to require the submission of a construction management plan.

WDC Housing Strategy: No objection, subject to confirmation from the Council's viability consultants that the proposed affordable housing contribution is all that is viable.

ASSESSMENT

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

- principle of development;
- the impact on the living conditions of nearby dwellings;
- the impact on the character and appearance of the area and on the setting of the adjacent Conservation Area;
- car parking and highway safety;

- affordable housing and Section 106 contributions;
- provision of a satisfactory living environment for future occupants of the proposed flats;
- impact on trees; and
- ecological impact.

Principle of development

The application site comprises previously developed land within the urban area. Therefore the proposals would be in accordance with Local Plan Policy UAP1.

Impact on the living conditions of nearby dwellings

These amended proposals would comply with the Council's Distance Separation Supplementary Planning Guidance (SPG) in relation to all surrounding properties. There would be a 32m separation distance between the 3 storey rear wing and the dwellings at Oakfield House to the south and Hunters Lodge to the north (in accordance with the 32m minimum distance required by the SPG). The separation distance of 24m to the nearest dwelling adjoining the western boundary of the site, No. 12b Kenilworth Road, would be in excess of the minimum distance specified in the SPG (16m for the rear of dwellings facing a blank gable or a gable containing only obscure glazed windows). A condition is recommended to ensure that there are only obscure glazed windows in this elevation.

The development would impact on side facing windows in the adjacent dwelling at No. 21 Arlington Avenue. However, the SPG does not specify any standards for side windows. Whilst the proposed building would be larger and closer to No. 21 than the existing building, the 10m separation distance from the side of that property is considered to be sufficient to ensure that any additional impact would be acceptable, given that the main windows in No. 21 are in the front and rear elevations. This is on the basis that this elevation of the development will only include obscure glazed windows (a condition is recommended to secure this).

The separation distance from the dwellings on the opposite side of Arlington Avenue would exceed the minimum distance specified in the SPG and the development would be far enough away from the windows in the side elevation of Norwood House to the south to ensure an appropriate relationship. Therefore it has been concluded that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for any surrounding dwellings. It is also concluded that the building would be far enough from the site boundaries to ensure no adverse impact on the gardens of surrounding properties.

The proposed air source heat pumps would be located on the roof of the building, well away from any neighbours. Therefore it is considered that the air source heat pumps would not cause undue noise and disturbance for neighbours.

The neighbour at No. 21 Arlington Avenue has raised concerns about the close proximity of the laundry room to their property and has requested that this be

relocated elsewhere within the development. The applicant has advised that they do not wish to relocate the laundry room and has confirmed that this is a residents' laundry room comprising just washing machines and driers. On this basis, Environmental Health have advised that they do not anticipate any issues associated with heat or fumes.

Impact on the character and appearance of the area and on the setting of the adjacent Conservation Area

The design and form of the proposed building is considered to be appropriate for this location and in keeping with the character of Arlington Avenue. The design is also considered to preserve the setting of the adjacent Conservation Area. In terms of scale and massing, the proposed three storey building would be in keeping with the existing building on the site and other three storey buildings in the surrounding area. Whilst the building would be larger than existing (in terms of footprint and incorporating an additional floor to the rear wing), it would still fit comfortably on this large plot and would not appear out of place.

The proposed air source heat pumps would be concealed within a roof valley and would not be visible from outside of the site. Therefore they would not impact on the appearance of the development.

Car parking and highway safety

The current proposals show the access widened by 0.5 metre compared with the scheme that was refused. This has addressed concerns that were previously raised by the Highway Authority. It is now considered that these amended access arrangements are acceptable.

In terms of parking, the Council's Parking Standards state that the maximum standard for sheltered housing for the active elderly should be same as for conventional residential development (i.e. 1 space per 1 bedroom unit and 1.5 spaces per 2 bedroom unit). In order to comply with the Standards, 60 off-street parking spaces would need to be provided. However, the proposal only includes 18 spaces. Nevertheless, the applicant has provided information relating to levels of car ownership and parking demand at their other sites across the country. This indicates that the proposed parking provision would largely accommodate the likely demand for parking, albeit there may be some overspill parking on street at certain times. Nevertheless, the applicant has submitted a parking survey to demonstrate that there are likely to be spaces available on Arlington Avenue to accommodate this overspill parking. Whilst this parking survey is rather limited in extent, the Highway Authority have visited the site on a number of occasions and have confirmed that any overspill parking could be accommodated on street without any detrimental impact on the public highway.

Having considered the information that has been submitted in relation to parking, as well as the availability of on-street parking and the lack of objection from the Highway Authority, it is concluded that the proposed parking provision would be appropriate and would not result in a level of on-street parking that would be detrimental to highway safety or that would cause undue inconvenience

to nearby residents. With regard to the concerns of one of the neighbours about the loss of one on-street parking space due to the proposed access widening, this would be compensated for by the space that would be gained as a result of the closure of the southerly access.

Affordable housing and Section 106 contributions

Local Plan Policy SC11 and the associated Affordable Housing Supplementary Planning Document require 40% affordable housing as part of the proposed development. Local Plan Policy SC13 and the associated Open Space Supplementary Planning Document require an off-site contribution of £3,420 towards the provision or enhancement of public open space. Warwickshire NHS have also requested a contribution of £21,774.45 towards primary healthcare provision under Local Plan Policy SC14.

Following the refusal of the previous planning application, the applicant has now proposed that an off-site contribution of £125,554 will be made towards the provision of affordable housing (no contribution was proposed as part of the previous application). The applicant is proposing to submit a Unilateral Undertaking to secure this contribution. This would not equate to the full 40% affordable housing requirement and no contribution is proposed towards open space or primary healthcare provision.

The applicant has submitted a viability appraisal to demonstrate that the provision of any greater contribution towards affordable housing or other Section 106 contributions would make the scheme unviable. The Council have appointed a viability consultant to verify the information submitted by the applicant. The Council's viability consultant has confirmed that there is no further scope for affordable housing or Section 106 contributions on viability grounds. Therefore it is considered that the proposals are acceptable in terms of the proposed affordable housing and Section 106 contributions.

It is accepted that on site affordable housing would be problematic in this case considering the size and layout of the proposed development. The provision of an off-site contribution is therefore appropriate.

Provision of a satisfactory living environment for future occupants of the proposed flats

The air source heat pumps are proposed to be located within a valley on the roof of the proposed building. Information has been submitted in relation to measures to reduce the potential for these to cause noise and disturbance for occupants of the proposed flats and Environmental Health are satisfied that they have sufficient information to enable the air source heat pumps to be approved, subject to a pre-commencement condition to require details of sound attenuation measures. Therefore it is concluded that the proposals would provide a satisfactory living environment for future occupants of the proposed flats.

Impact on trees

Neighbours have raised concerns about the removal of trees prior to the submission of the application. However, none of these trees were considered to be worthy of a Tree Preservation Order and therefore the Council did not have the power to require their retention. The remaining trees on site are proposed to be retained and the proposed building is far enough away to ensure that the development would not harm the health of those trees.

Ecological impact

An Ecological Appraisal and Bat Survey Report was submitted with the application. This confirms that no bat roosts are present in the building. The County Ecologist has accepted the findings of the Bat Survey but has recommended that a condition is imposed to require all destructive works to the roof to be supervised by a bat ecologist. Subject to this condition, it is considered that the proposals would not cause harm to bats.

The County Ecologist has confirmed that the development is unlikely to impact upon any other protected species. Therefore, subject to the conditions recommended by the County Ecologist, it is concluded that the proposals would not have a harmful ecological impact.

Other matters

The applicant has confirmed that the security measures recommended by Warwickshire Police would be incorporated into the development.

The proposals include suitable provision for the storage of waste and recycling.

The proposed air source heat pumps would meet 10% of the predicted energy requirements of the proposed development. This would meet the requirements of Local Plan Policy DP13.

Of the proposed hard surfaces, only the parking spaces are proposed to be constructed of porous materials. However, the applicant has submitted information to demonstrate that the development will result in a net decrease in the amount of impermeable area on the site. Therefore the proposals are considered to be in accordance with Local Plan Policy DP11.

SUMMARY/CONCLUSION

The proposals would have an acceptable impact on the living conditions of neighbouring dwellings and on the character and appearance of the area. The proposals would also have an acceptable impact on the setting of the adjacent Conservation Area. Furthermore, the proposals are considered to be acceptable in terms of car parking, highway safety, impact on trees, ecological impact and affordable housing / Section 106 contributions. Therefore it is recommended that

planning permission is granted, provided that a satisfactory Unilateral Undertaking is received in respect of affordable housing.

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) 30021LS/PL02F, 30021LS/PL03B, 30021LS/PL04B, 30021LS/PL05C, 30021LS/PL06B, 30021LS/PL07C, 30021LS/PL08B, 30021LS/PL09B, 30021LS/PL12B, 30021LS/PL13C & 12231-BT4, and specification contained therein, submitted on 28 June 2013. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 No development shall be carried out on the site which is the subject of this permission, 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 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON :** To ensure an appropriate standard of design and appearance adjacent to the Conservation Area, and to satisfy Policy DAP8 of the Warwick District Local Plan 1996-2011.
- 4 No development shall commence until details of surface and foul water drainage (to include sustainable drainage techniques and drainage calculations) have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with such approved details. **REASON:** To ensure that adequate drainage facilities are available and to minimise flood risk, in accordance with the National Planning Policy Framework and Policy DP11 of the Warwick District Local Plan 1996-2011.
- 5 No development shall take place until a Demolition and Construction Management Plan has been submitted to and approved in writing by the local planning authority. This shall include details of noise and vibration mitigation in accordance with BS5228:2009 (Noise and Vibration Control on Construction and Open Sites). All demolition and construction activities shall be carried out in strict accordance with the approved Demolition and Construction Management Plan. **REASON :** To protect the amenities of nearby properties, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011.

- 6 The development hereby permitted shall not commence unless and until two weeks notice in writing of the start of works has been given to a suitably qualified bat worker appointed by the applicant to supervise all destructive works to the roof. All roofing material is to be removed carefully by hand. Should bats be found during this operation, then work must cease immediately while Natural England are consulted for advice and no further works shall be undertaken at the site unless and until full details of measures for bat mitigation and conservation have been submitted to and approved in writing by the local planning authority. The development shall then proceed in full accordance with the approved details and any required mitigation works shall be complete in full accordance with the approved details and shall not be removed or altered in any way without the prior written approval of the local planning authority. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy DAP3 of the Warwick District Local Plan 1996-2011.
- 7 The development hereby permitted shall not be commenced until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the District Planning Authority. The development shall not then be occupied until the scheme has been implemented to the satisfaction of the District Planning Authority. **REASON :** In the interests of fire safety.
- 8 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved application documentation have been put into place in full accordance with the approved details and thereafter shall remain in place during any such construction work unless otherwise agreed in writing by the local planning authority. In addition no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 9 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.
- 10 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.
- 11 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 unless otherwise agreed in writing by the local planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of

traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

- 12 The cycle parking provision shown on the approved plans shall be completed before any part of the development hereby permitted is first occupied and thereafter shall be kept free of obstruction and be available at all times for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.
- 13 The access to the site for vehicles shall not be used in connection with the development hereby permitted unless a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 14 The vehicular access for the development hereby permitted shall not be constructed in such a manner as to reduce the effective capacity of any highway drain or ditch. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.
- 15 The development shall not be occupied until all parts of the existing southern vehicular access within the public highway not included in the permitted means of access has been closed and the kerb, footway and verge has been reinstated in accordance with the standard specification of the Highway Authority. **REASON:** In the interests of highway safety in accordance with Policy DP6 of the Warwick District Local Plan 1996-2011.
- 16 None of the dwellings hereby permitted shall be occupied unless and until the refuse and recycling store has been provided in strict accordance with the approved plans. The refuse and recycling store shall be retained at all times thereafter. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 17 The hard surfaces forming the car parking spaces hereby permitted shall be constructed of porous materials. **REASON:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan
- 18 The development hereby permitted shall not be first occupied unless and until the renewable energy scheme submitted as part of the

application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 19 Prior to the occupation of the development hereby permitted, the following windows shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view:

(a) all first and second floor windows in the north elevation of the front wing (i.e. the windows in the north elevation of units 27, 44, the laundry and the guest room and the first and second floor corridor windows);

(b) all first and second floor windows in the south elevation of the front wing (i.e. the windows in the south elevation of units 32, 33, 49 & 50 and the first and second floor corridor windows); and

(c) all first and second floor windows in the west elevation of the rear wing (i.e. the windows in the west elevation of units 21, 22 & 39 and the first floor corridor window).

The obscured glazed windows shall be retained and maintained in that condition at all times.

REASON : To protect the privacy of users and occupiers of nearby properties and the privacy of future users and occupiers of the development hereby permitted and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.

- 20 The development shall be carried out only in full accordance with sample details of all facing and roofing materials which shall have been submitted to and approved in writing by the local planning authority.

REASON: To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.

- 21 The residential accommodation hereby permitted (with the exception of any warden's accommodation) shall only be occupied by: (1) persons aged 55 years of age and older; (2) persons living as part of a single household with such a person or persons; or (3) persons who were living as part of a single household with such a person or persons who have since died. **REASON:** Insufficient off-street car parking provision is made to meet the local planning authority's normal parking requirements and permission has only been forthcoming in this instance

on the basis that the accommodation will be occupied by elderly persons in need of care who are less likely to possess a motor car in accordance with Policy DP8 of the Warwick District Local Plan 1996-2011.

- 22 No part of the development hereby permitted shall be first occupied unless and until:

(a) details of a noise reduction scheme to minimise noise and vibration from the proposed air source heat pumps has been submitted to and approved in writing by the local planning authority; and

(b) the mitigation measures specified in the approved noise reduction scheme have been implemented in strict accordance with the approved details.

Thereafter the mitigation measures shall not be removed or altered in any way without the prior written approval of the local planning authority.

REASON: To ensure that the air source heat pumps do not cause unacceptable disturbance to nearby properties or future occupants of the proposed development, in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.



