

Planning Committee: 17 June 2020

Item Number: 4

Application No: [W 20 / 0158](#)

Town/Parish Council: Leamington Spa
Case Officer: Helena Obremski

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Registration Date: 14/02/20

Expiry Date: 10/04/20

Land East of Turpin Court, Leamington Spa, CV31 3JU

Erection of 6no. semi-detached dwellings FOR Warwick District Council

This application is being presented to Planning Committee because Warwick District Council is the applicant, and also due to the number of objections which have been received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

Planning permission is sought for the erection of 6no. semi-detached dwellings. The proposal includes parking for 10 vehicles, a waste storage area and gardens for each of the dwellings. The dwellings would be owned and managed by Warwick District Council as affordable housing.

The Planning Statement informs that the proposal seeks to deliver on the aspirational development aims of the Council to increase the supply of affordable homes, deliver development in light of the Council's declared climate emergency and to broaden the design range of new homes within the District.

In response to concerns raised and ongoing negotiations between the applicant and the case officer, the scheme has been amended from 2no. 3 storey dwellings, 2no. 2 storey dwellings and 2no. bungalows to 4no. 1.5 storey dwellings and 2no. bungalows.

THE SITE AND ITS LOCATION

The application site relates to an area of land to the rear of properties fronting onto Kennan Avenue and Edinburgh Crescent. The site currently consists of a large area of hardstanding which is accessed from Turpin Court, a small cul-de-sac and was formally used as a parking area and garage court, which have been removed from the site in accordance with a planning permission granted in 2015.

There are trees which are not within the ownership of the applicant nearby to the site boundaries.

PLANNING HISTORY

W/15/0124 - planning permission granted for the demolition of 42 garages.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- H1 - Directing New Housing
- H2 - Affordable Housing
- BE1 - Layout and Design
- BE3 - Amenity
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- CC2 - Planning for Renewable Energy and Low Carbon Generation
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- FW3 - Water Conservation
- Guidance Documents
- Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Neighbourhood Plan
- Royal Leamington Spa Neighbourhood Plan

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection, Council is supportive of development on brownfield site and provision of affordable housing, with improved sustainability and energy standards. Concern however is raised regarding:

- comments from the Tree Officer with regard to the current proposed layout amounting to overdevelopment of the site and the issue of existing trees causing shade and debris problems for future residents of the properties;
- lack of electric charging points provided.

Councillor Chilvers: Objection:

- there is no pavement marked on the plans, there should be full pedestrian access;
- lack of electric charging points;
- concerns from residents regarding three storey building, further information should be provided on how surrounding properties are affected;
- no clear targets about carbon use as there are for water use and no commitment to systematic performance-in-use testing to ensure that the build is to the standard intended.

Environmental Health: No objection, subject to conditions.

Waste Management: No objection, recommends individual waste storage.

WCC Ecology: No objection, subject to condition and note.

WCC Highways: No objection.

Tree Officer: Considers that the current layout is over-development that will generate liveability issues because the shade and debris cast by the neighbours trees will be a constant cause of tension for the future occupiers.

Public Response: 10 Objections:

- the design is out of keeping with surrounding development;
- the proposal represents overdevelopment of the site;
- bungalows would be a better form of development;
- overlooking and loss of privacy to neighbouring amenity;
- the development would be overbearing to neighbouring properties;
- increased noise and air pollution;
- the proposed development will provide gardens which are overlooked and overshadowed;
- trees will need to be lost to secure the development and the tree report does not adequately assess the issue of mature trees on the southern boundary of the site;
- concern regarding vehicles driving into the boundary fence owing to the steep drop between behind the fence, causing pedestrian safety issues;
- concerns regarding car parking, which is already limited and highway safety;
- step free access to the dwellings is stated in the drawings, however, this is not shown on the plans and could cause issues for those with restricted access ability;
- the development will put strain on the already struggling local amenities such as doctors, dentists and schools;
- the properties are not designed as carbon zero which does not meet the requirements of the climate change emergency set by the Council - there is no information provided in terms of the energy efficiency, carbon emissions, ventilation or type of glazing to be used;
- a neighbour states that they are in the process of obtaining quotes to create a two storey rear extension on the back of their property, so the development will not meet the required distance separation guidance;
- it is a missed opportunity to set an example to others.

ASSESSMENT

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

- Principle of Development
- Impact on the Character and Appearance of the Area
- Impact on Neighbouring Residential Amenity and Amenity of the Future Occupiers of the Dwellings
- Parking and Highway Safety
- Waste Management
- Trees

- Ecology
- Drainage
- Other Matters

The Royal Leamington Spa Neighbourhood Plan (RLSNDP) has now been through independent examination, and subject to a number of modifications has been found to meet the basic conditions, and may therefore proceed to referendum. In line with the Neighbourhood Planning Act 2017 and the most recent guidance from Government, the plan (as amended in line with the report) may now be afforded substantial weight in the decision making on applications within the Royal Leamington Spa Neighbourhood Area.

Principle of Development

RLSNDP Policy RLS1 states that new housing development within the Royal Leamington Spa Urban Area will be supporting for the following:

1. Re-use of previously developed land and buildings.
2. Infill development of less than 10 dwellings, that does not lead to the loss of residential gardens (unless in accordance with Policy H1 of the Warwick District Local Plan), overdevelopment, or have a significant adverse impact on the amenity of adjacent existing and future occupiers and uses.
3. Proposals for custom and self-build housing provision that are acceptable when assessed against Warwick District Local Plan Policy H15.
4. Community-led housing developments and the provision of live/work units on the Court Street area as defined in allocation H16 of the Local Plan.
5. Proposals for purpose-built student accommodation when positively assessed against Local Plan and any relevant supplementary planning document.

Development of previously developed land shall undertake a surface water outfall assessment, following the Drainage Hierarchy (National Planning Practice Guidance, paragraph 80) to determine if there are viable alternatives to existing connections to the combined sewer network.

The proposal would represent the reuse of previously developed land within the urban area boundary and therefore meets the above requirements for new housing development. A surface water outfall assessment has been provided by the applicant in support of the application. This confirms that the site is currently entirely covered with hard surfaces and that the outfall will be to a surface water drain. It is therefore considered that the requirements of the policy are met in this regard as the applicant is not proposing to connect to the combined sewer network. It should also be noted that the proposal will result in an improvement on the current situation in drainage terms from the garden area.

Local Plan Policy H1 states that new housing development will be permitted within the urban areas. Leamington Spa is identified as being an urban area on the proposal maps and therefore meets this criteria. The principle of housing on this site is considered to be acceptable and accords with the requirements of Local Plan Policy H1 and RLSNDP Policy RLS1.

The impact on the Character and Appearance of the Area

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions. Furthermore, Warwick District Council's Local Plan 2011 - 2029 Policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan requires development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

RLSNPD Policy RLS2 states that planning proposals for new housing development will be required to achieve good design. They should function well for all by being *Lifetime Homes* and make a positive contribution to the quality of the built environment in Royal Leamington Spa. Proposals will be assessed against Warwick District Local Plan Policy BE1 and should have regard to any relevant Supplementary Planning Documents, including the Warwick District Council *Residential Design Guide SPD*.

Policy RLS2 states that applicants are encouraged to go beyond prevailing sustainable development standards, particularly with regard to environmental performance of buildings, resource consumption and recycling. Where possible, proposals should aim to achieve Level 4 of the Code for Sustainable Homes and the incorporation of higher environmental standards such as Passivhaus or a similar approach is encouraged. When considering such measures applicants and decision-makers will need to ensure that there is a balance between the need for innovation and respecting and harmonising with buildings and local quality and character of surrounding development. *Building for Life*, or an equivalent assessment framework, should be used to assess the suitability of proposals.

A neighbour states that the properties will not be designed as carbon zero which does not meet the requirements of the climate change emergency set by the Council - there is no information provided in terms of the energy efficiency, carbon emissions, ventilation or type of glazing to be used. However, the Planning Statement informs that the properties have been designed on fabric-first principals, providing an air-tight highly insulated envelope to reduce energy demands for heating. Heating would be from air source heat pumps and immersion heaters with no mains gas connection provided, demonstrating a commitment to decarbonise energy sources for new homes. There would be solar PV panels to contribute to energy supply.

The design and construction of the building seeks to minimise the carbon output and lifecycle carbon, striving toward a reduced overall carbon footprint

compared to traditional construction. A key part of this is the utilisation of a Structural Insulated Panel System (SIPS) made up from timber which allows for an increased sequestered carbon that can be erected on site and made water tight within a shorter period of time versus standard construction. The nature of the system allows for a less carbon intensive foundation system to be adopted, therefore it is hoped subject to agreeable ground conditions for helical screw piles to be utilised decreasing the intensity of on-site ground works. It is considered that these measures address the energy efficiency requirements of Policy RLS2.

The applicant has also provided an assessment of the proposed development against Building for Life 12 (BfL12), which is proposed as a design tool to help structure discussions about proposed new residential development between home builders, Urban Development Corporations, local authorities, communities and other stakeholders. There are 12 set of criteria against which proposed development should be assessed and the answers to the 12 criteria / questions are scored as either green, amber or red with an aim to achieve as many 'greens' as possible with a recommendation in the guidance of at least 9, for 'amber' scores to be challenged and for 'red' scores to be avoided. The applicant scores the proposal with 9 green scores, three amber scores and no red scores. The applicant has also explained that where the development scored amber (public and private amenity spaces; streets for all; and, easy to find your way around), these are not wholly appropriate to the assessment of this scale, being a small development of 6 dwellings. Officers agree with this approach, noting that no public amenity areas would be required because of the scale of the development, that there is no "street" as such provided by the development because of its scale and that the proposal again is of such a scale where it would become difficult to navigate. The applicant has articulated why they consider the remaining 9 criteria should be considered as green, such as the fact that the development would adequately integrate with its surroundings, is well connected to facilities, has a mix of housing types, is distinctive etc, and Officers concur with these conclusions. The requirements of Policy RLS2 are considered to have been met.

RLSNPD Policy RS4 states that in residential areas, outside of the Conservation Areas, applicants will be expected to demonstrate how housing development proposals have taken in to account, and responded to, the predominant character (including local building styles and materials) in the street/road/locality within which the proposed development will be situated. Proposals should retain and create new off-street car parking. Innovative and contemporary design that respects and responds in a positive manner to local character will be supported. Proposals should seek to maintain views of higher slopes, skylines and the wider landscape. Proposals that fail to respect the character of an area and result in poor design will not be permitted.

Members of the public raise concern regarding the proposed development, stating that there is no precedent for three storey houses in the immediate vicinity, which is comprised mostly of bungalows which would be more in keeping. Members of the public consider that the proposal represents overdevelopment of the site and it is out of keeping. These comments have been

taken into account and the proposal has been amended to a reduced scale and it no longer includes any three storey properties.

The application site is positioned in a discrete location, behind Kennan Avenue and Edinburgh Crescent, but does still form part of the street scene of Turpin Court, which is a small cul-de-sac. The wider character is very mixed, consisting of bungalows, two storey semi-detached dwellings which have hipped and gable roofs, and a mixture of materials including render and brick.

It is recognised that the proposed dwellings would be of a modern design, some being 1.5 stories, with a large cat-slide roof and box roof dormer. However, the proposed bungalows would be of a more traditional design, which are closest to the existing development within Turpin Court and would be read within the context of the existing street scene, which consists of bungalows. The dwellings would all be constructed from red brick, which is in keeping within the character of the area, and would benefit from grey feature panels to some of the elevations, providing visual interest. As there is no strong prevailing architectural character which the development would need to conform with, and as the proposal is for a modern development, of an interesting design, which would not have a significant impact in visual terms owing to its discrete position within the street scene, it is considered that the proposal would be acceptable in this location. It is noted that Policy RS4 welcomes innovative and contemporary designs which respond in a positive manner to local character, which is considered to be the case in this instance.

The land level slopes away from west to east, meaning that the bungalows are on a higher ground level than the 1.5 storey dwellings towards to east of the site. These bungalows would sit comfortably opposite the existing bungalows serving Turpin Court and would not appear out of keeping in this context. The 1.5 dwellings would then sit behind the proposed bungalows, stepping up gradually owing to the typography of the site.

The proposed materials can be controlled by condition to ensure a high quality development. The amended scheme is not considered to represent overdevelopment of the site and is considered to provide an appropriate form of development which would improve the site, which currently adds no value to the street scene. The proposal is considered to respond appropriately to its surroundings, providing a modern development which also respects the existing built form. Therefore, the proposed development is considered to be in accordance with Local Plan Policy BE1 and the relevant RLSNDP policies.

Impact on Neighbouring Residential Amenity and Amenity of the Future Occupiers of the Dwellings

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

disturbance or intrusion for nearby users in the form of loss of privacy, loss of daylight, or create visual intrusion. The Residential Design Guide SPD provides a framework for Policy BE3, which stipulates the minimum requirements for distance separation between properties and that extensions should not breach a 45 degree line taken from a window of the nearest front or rear facing habitable room of a neighbouring property.

Members of the public have raised concern regarding the impact of the proposed development on neighbouring amenity, stating that it will cause overlooking and loss of privacy to neighbours' amenity. Members of the public also consider that the amenity space for the three storey properties is insufficient for future residents, stating that they will be overlooked and overshadowed. Members of the public state that the development would be overbearing to neighbouring properties and increase in noise and air pollution. Again, it should be noted that these comments relate to the original rather than the amended proposal.

Impact on neighbouring residential amenity

Officers did initially have concerns regarding the proposed 3 storey dwellings, which would have resulted in overlooking to an unacceptable degree into the gardens of the properties to the north of the site, at a short distance from the proposed upper floor windows. However, the proposal has been amended so that there would be an increased separation between the upper floor windows at the gardens of the properties to the north of the site by reducing the scale of the proposed development. In all cases, there is at least 28 metres between the proposed dwellings and neighbours to the north of the site, which exceeds the required distance separation guidance of 22 metres. However, previously the concern expressed by Officers related to the fact that the windows serving the three storey properties essentially immediately overlooked the neighbours gardens, without any relief. Now that the proposal has been amended to remove the three storey properties, there would be over 8 metres between the proposed first floor windows and gardens serving the neighbouring properties, which is considered an acceptable distance.

The required distance separation of 22 metres between the properties at the rear of the site (to the south) and the proposed dwellings would in all cases be exceeded. The rear gardens of the proposed dwellings serve to separate the dwellings and the gardens at the rear of the site. It is therefore considered that the proposal would not result in overdue overlooking or loss of privacy to these neighbours.

There is a first floor side facing window proposed to the property serving Plot 6, which could overlook into the garden area of the neighbouring property. As this is a secondary window, a condition will be added to ensure that this is permanently obscure glazed and non-opening unless above 1.7 metres from the floor level to ensure that neighbouring privacy is protected.

Living conditions for the future occupiers

The proposal would provide adequate levels of amenity for the future occupiers of the dwellings. All of the dwellings apart from Plot 2 would have access to adequately sized private amenity areas which exceed the requirements of the Residential Design Guide SPD. The garden serving Plot 2 should be 40sqm in accordance with the requirements of the Residential Design Guide SPD, however, it is 39.1sqm. Although it is recognised that this is slightly below the required standards, on balance, given that it under provision is 0.9sqm, it is not considered that this under provision would be so harmful to warrant reason for refusal of the application, particularly given that the proposal is for much needed affordable housing, which is a material benefit which would outweigh this minor under provision of garden space for just one of the dwellings.

Environmental Health have raised no concerns regarding the proposed living conditions or impact on neighbouring amenity. It is not considered that the proposed works or use of the site for residential purposes would cause undue noise or disturbance to neighbouring properties within an existing residential area.

The impact of trees on the proposed dwellings and associated living conditions is discussed in more detail below.

For these reasons the proposed development is considered to be in accordance with the NPPF and Local Plan Policy BE3.

Parking and Highway Safety

Members of the public have stated that they have concerns regarding vehicles driving into the boundary fence owing to the steep drop between behind the fence, causing pedestrian safety issues. They also express concerns regarding the proposed car parking, which is already limited and impacts on highway safety. A local Councillor has stated that there is no pavement marked on the plans, and that there should be full pedestrian access.

WCC Highways have no objection to the proposed development on the basis of highway or pedestrian safety concerns. It should be noted that there are likely to be fewer vehicular movements associated within the proposed use for 6 dwellings, in comparison to the 42 garages which were previously serving the site.

The proposal would provide adequate parking for the proposed development, which meets with the requirements set out in the Vehicle Parking Standards SPD for 10 spaces.

Officers consider that it is unlikely that the difference in land levels between the existing and neighbouring site would likely result in pedestrian safety concerns as the sites will be separated by boundary treatments.

The proposal is therefore considered to be in accordance with Local Plan Policies TR1 and TR3, and the Vehicle Parking Standards SPD.

Waste Management

Waste Management have assessed the application and have no objection to the proposal, recommending individual waste storage for each property. A dedicated waste storage area is marked out on the plans and can be secured in perpetuity by condition.

Trees

Members of the public and the Town Council have raised concerns regarding the impact on trees near to the site. They support the comments of the Tree Officer with regard to the current proposed layout amounting to overdevelopment of the site and the issue of existing trees causing shade and debris problems for future residents of the properties. Members of the public also consider that trees will need to be lost to secure the development and the tree report does not adequately assess the issue of mature trees on the southern boundary of the site.

The Tree Officer initially raised concerns regarding the proposal in relation to the impact that the development would have on the pressure to remove trees which are next to the site boundaries. The Tree Officer noted that the proposal would have the potential to give rise to amenity issues due to shade and debris caused by the neighbours trees would cause tension for the occupiers.

To confirm, there is no proposed removal of trees to facilitate the proposed development. The properties most affected by existing trees would be those serving Plots 1 and 2. The site plan shows that the canopies of three trees to the south of the site within the gardens of neighbouring properties would extend across the gardens of these plots. The trees are considered to provide amenity value within the street scene, therefore, Officers wish to ensure that they are adequately protected from pressure to remove them in the future.

Further information was provided by the applicant which shows that the tree canopies are 6 metres from the ground level. As these properties are bungalows, it is considered therefore that outlook would not be significantly affected. The garden areas of these properties which be impacted as a result of the neighbouring trees in terms of overshadowing. The additional tree shadowing and 3D modelling provided by the applicant shows that in reality, Plot 1 would be affected for a maximum of 3 hours per day and Plot 2 would also be affected for a maximum of 3 hours per day by overshadowing from the trees, thus only being for a short, temporary period of the day. Furthermore, the 3D modelling provided shows a "worst case scenario" with the tree canopies being made larger than those on site, and during the summer months, when the sun is at its highest. Therefore, during other months of the year, the impact would be even less.

With reference to concerns of debris which could fall onto the proposed dwellings and their gardens, as the proposal would be for the provision of affordable housing, which the Council would own and manage themselves, the applicant

has confirmed that any concerns of this nature could be addressed directly by the Council if required.

The Tree Officer has confirmed that the proposed development itself proposes no risks to the health of the trees. A condition will therefore be added to ensure that the works are carried out in accordance with the tree protection measures identified in the submitted information.

Although the impact of the existing trees is limited, it would still lead to the gardens of Plot 1 and 2 being cast in shade for small periods of the day, which does not provide ideal living conditions. The impact on the future living conditions for the occupiers has to therefore be balanced against the material benefits of the scheme, which is carried out within the conclusion below.

Ecology

WCC Ecology have been consulted and have no objection to the proposed development. They recommended the inclusion of a condition to secure a combined ecological and landscaping plan, which has been provided during the course of the application. WCC Ecology have confirmed that the details contained within the plan are acceptable, therefore discharging the need for a condition for the provision of this information. WCC Ecology also recommend an informative note relating to nesting birds, which will be added.

The proposal is therefore considered to be in accordance with Local Plan Policy NE2.

Drainage

RLSNPD Policy RLS2 states that new housing development should include design features and measures to reduce the impacts of climate change by increasing resilience to extreme weather events, including the increased risk of river and surface water flooding. Applicants should be able to demonstrate that their proposals are water efficient and that unless not reasonably practicable the design includes water efficiency and re-use measures. A condition can be included to ensure compliance with Local Plan Policy FW3 and RLS2 of the RLSNDP.

Other Matters

The Town Council have in part objected to the proposal because of a lack of electric charging points provided. However, these are included on the proposed drawings and could in any event be secured by condition. A condition will be included to ensure that adequate electric vehicle charging points are provided in line with the requirements of the Council's Air Quality SPD.

The Environmental Health Officer recommended that a condition is included for the provision of contaminated land survey. A ground investigation report was then submitted during the course of the application which identifies that there is low risk of contamination. However, Environmental Health Officers note that only one round of gas monitoring was carried out, and therefore there could still be risks to human health. They recommend that further monitoring is carried out which can be secured by condition. They also recommend that a watching brief is kept during the works in the event that any previous unidentified contamination is discovered, which can be secured by condition.

A neighbour states that they are in the process of obtaining quotes to create a two storey rear extension on the back of their property, so the development will not meet the required distance separation guidance. However, Officers are only able to assess the application based on the site circumstances as they currently are - even if a neighbour is obtaining quotes, there is no guarantee that the neighbour will extend their property and it would therefore be unreasonable to refuse the application on this basis.

A neighbour states that step free access to the dwellings is stated in the information provided, however, this is not shown on the plans and could cause issues for those with restricted access ability. However, this is not a planning requirement, so no further information has been requested regarding this matter.

A neighbour states that the development will put strain on the already struggling local amenities such as doctors, dentists and schools. Only proposals for 11 or more dwellings require financial contributions towards the improvement of local facilities such as those identified by the neighbour. As this proposal is only for 6 dwellings, Officers are unable to insist on financial contributions.

The applicant has demonstrated that they should be able to meet the Building Regulation requirements (and potentially exceed them). In planning terms, no further information regarding this matter is required.

Conclusion

It is recognised that the gardens serving the two proposed bungalows would be overshadowed partly during the summer months, which may cause some pressure for the trees to be removed. However, it should be noted that this would only be for a short period (3 hours of the day at the height of summer), which throughout the rest of the year would be reduced even further. It is also noted that one of the gardens has a very minor under provision of private amenity space by 0.9sqm. These factors have to be weighed against the balance of providing affordable housing. Furthermore, the development would represent the effective use of brownfield land in a sustainable location which in all other respects meets with the relevant Neighbourhood Plan, Local Plan and national planning policies. The provision of affordable housing is offered substantial weight in this case, which is considered to outweigh the relatively modest impact which the existing trees and very small under provision of private amenity space to just one of the dwellings

that are likely to have on the living conditions for the future occupiers of the dwellings. The proposal is therefore recommended for approval.

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 PL-04 Rev C, PL-05 Rev C, PL-06 Rev C, PL-07 Rev B submitted on 1st April 2020 and drawing PC-01 Rev 0 submitted on 20th April 2020 and specification contained therein. **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 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 for the full duration of any such construction work. 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 Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.
- 4 No construction associated with the approved development shall commence until:

 1. A site investigation has been designed for the site using the information obtained from the approved desktop/preliminary study and any diagrammatical representations (conceptual model). The investigation must be comprehensive enough to enable:

 - An appropriate ground gas risk assessment to be undertaken
 - Refinement of the conceptual model

- The development of a method statement detailing any remediation requirements

a) The site investigation has been undertaken in accordance with details approved by the local planning authority and a risk assessment has been undertaken.

b) A method statement detailing any remediation requirements, using the information obtained from the site investigation, has been submitted to the local planning authority. The method statement shall include details of how the remediation works will be validated upon completion. This should be approved in writing by the local planning authority prior to the remediation being carried out on the site.

2. All development of the site shall accord with the approved method statement.

3. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority.

4. Upon completion of the remediation detailed in the method statement a report shall be submitted to the local planning authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.

REASON: To safeguard health, safety and the environment in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.

5 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 in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 6 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029
- 7 No development shall be carried out above slab level until details of the finished floor levels of all buildings, together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with these approved details or any subsequently approved amendments. **REASON:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent land and buildings in the interests of amenity in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 8 The development shall be carried out strictly in accordance with the details contained within the surface water outfall assessment. **REASON:** To ensure that the proposal would provide suitable drainage methods for the site in accordance with Policy FW2 of the Warwick District Local Plan 2011 - 2029.
- 9 The development hereby permitted shall not be occupied unless and until the external refuse storage areas for the development have been constructed or laid out, and made available for use by the occupants of the development and thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse associated with the development. **REASON:** To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 10 Noise arising from the air source heat pumps installed at the site, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in

accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 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. **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 TR1 and TR3 of the Warwick District Local Plan 2011-2029.
- 12 Prior to the occupation of the development hereby permitted, the first floor side facing windows in the east and west elevations of all the dwellings shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
- 13 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded). **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.
- 14 The landscape and ecological enhancement plan, as outlined in the approved documents, shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way. At least two bird boxes must be installed together to allow sparrows to nest as a colony. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area and to ensure biodiversity enhancements in accordance with Policies BE1, BE3, NE1 and NE4 of the Warwick District Local Plan 2011-2029.