

Planning Committee: 16 August 2011

Item Number:

Application No: W 11 / 0496

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

Registration Date: 12/04/11

Expiry Date: 07/06/11

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Regency Arcade, 154-156 Parade, Leamington Spa, CV32 4BQ

Change of use from A1/B1(a)/D1 to A1 (retail) and C1 (hotel with ancillary accommodation including restaurant/bar/coffee shop) with alterations to east, south and west elevations, including new/replacement window openings, provision of external rooftop plant, signage zones and associated internal and external works. FOR Whitbread PLC

This application is being reported to Planning Committee because it is recommended that planning permission be granted subject to the completion of a legal agreement.

SUMMARY OF REPRESENTATIONS

Town Council: The Town Council welcomes the application in view of the improvements to a neglected building

Public response: The occupier of 93-95 Bedford Street has stated that they hope that adequate provision to minimise noise and any other disruptions to neighbours is considered and adequate arrangements made both during building and ongoing operation of the future development.

The Parish Priest for St. Peter's Church, who lives in the Presbytery to the rear of the site on St. Peters Road has made the following comments:

- St. Peter's Road should not be blocked by vehicles associated with the development;
- the timing of deliveries should be considerate;
- if there is to be a bar the delivery of beer barrels will create a lot of noise, if the rear hotel rooms are to be provided with double or triple glazing could they have some too?;
- the noise from the ventilation equipment should be kept below the background level;
- the nozzles for the ventilation equipment should be pointed away from Bedford Street to prevent smells reaching residential properties;
- concerned about the rear Bedford Street access at night time due to revellers heading home;
- good lighting will be essential;
- CCTV cameras will be reassuring;
- existing sewer pipes are fragile and may not cope with the extra demand; and
- I hope that the outcome of this application is successful because of the much-needed rejuvenation of this end of the town.

Leamington Society: Within the Leamington Society, both at our recent AGM and in committee, we have looked at the proposals for conversion of the old Regency Arcade into a hotel. We were very much agreed that this plan for a new

use of the property is welcome news. I understand that in planning terms this proposal represents a change of use, from retail. However we hope this will not stand in the way of recommending that this application is granted and that this important location on the lower Parade can be brought back to life. We also support the related plan to let the major part of the ground floor frontage as a food store.

Conservation Area Advisory Forum: Generally this was welcomed as it was felt it would be an asset to the lower part of the Parade and made very little changes to the external appearance of the building. Some concerns were expressed at the adequacy of the refuse storage for the hotel and also the location of the refuse storage from the retail premises. It was also considered important that a full Fire Certification should be obtained for this type of development and that adequate flues were provided in a discrete location from the kitchen. The provision of plant on the roof was highlighted and the impact of this it was felt needed to be carefully monitored. Concerns were expressed at the way in which the rear access to the arcade had been locked and made into a window it was felt possibly the arcade entrance should be removed altogether so a normal window could be inserted. The question of parking and any type of arrangement with St. Peters car park was also discussed.

WCC (Highways): No objection. The Highway Authority are content that a car free development of this nature is suitable in this location. However, as the development heavily relies on sustainable travel methods contributions will be required to relevant schemes in the area. The first is an Accident Cluster Site, including a number of cyclist accidents, at the junction of the Parade / Dormer Place / Newbold Terrace. A £40,000 contribution is required for works to improve pedestrian and cycling movements through this junction. The second contribution, of £20,000, will be required towards improving cycling and pedestrian routes between the rail station and surrounding areas include routes up onto Parade.

WCC (Ecology): The proposed works create little in the way of ecological issues, so we have only very brief comments to make. The vast majority of the proposed works are internal alterations to the buildings, and those external works that are being proposed are fairly minor. Some of these works will affect the existing flat roofed building, but the changes proposed are not considered likely to impact upon bats. However, we would advise that the developer is made aware of the potential for the works affecting the roof to impact upon breeding birds (admittedly fairly slim), through the use of a note on the decision notice.

WDC Engineering: Initially objected to the proposals, but following discussions with the developer and the submission of amended plans and a revised Flood Risk Assessment and Flood Management Plan, make the following comments:

Concerns were raised about the accuracy of the original Flood Risk Assessment attached with the application which indicated that the former 'Lee Longland's' building had not suffered internal flooding from the River Leam during the Easter 1998 floods. This was an important issue as the design showed hotel bedrooms in the lower ground floor basement area. From prior knowledge, the applicant was challenged over this statement because the developers design shows 10 bedrooms to be located in the basement area where the occupants of those rooms would be a risk to the ingress of water, with potentially drastic consequences. After further research by the Applicant they have subsequently admitted that flooding of the basement did occur during the Easter 1998 event.

The Architect and BWB Consultants, who are advising the Applicant about flood risk, have now reassessed the situation and resubmitted Revision C of the FRA. Again the Councils Engineers have raised concerns over some of the facts and assumptions contained in this report.

For this development to be acceptable from a flood risk perspective requires the developer, in our opinion, to meet one of the recommendations made by Peter Bye following the public inquiry into the Easter 1998 event, namely, "Easter 1998 must now be the level against which risks, standards of protection and warning services are assessed in future for these areas." The developer's agents have now accepted this criteria and have produced Revision D of the FRA, which amends minimum ground floor levels to 50.660 m OD which is just above the Easter 98 water levels in the vicinity of the building. This should mean there is no ingress of water during flood times up to those river levels experienced in Easter 98. In addition the applicant is going to provide back up water sensors which will be linked to the fire alarm system to warn of rising water should it enter the lowest basement area. At this point the building would be evacuated of occupants at lower basement level, as it would be should there be a fire in this location. To provide protection against extreme flood events of greater than the Easter 98 river levels, demountable flood defence barrier measures are to be provided as part of the development proposals, again at pre-determined flood warning levels. The owners of the building will also sign the address of the building up to the Environment Agency's National Flood Warning Service. The building and managing company/applicant will also be signed into a Flood Management Plan which will enclose a Flood Evacuation Plan and associated signage for the building. Under their proposed flood plan arrangement the building is to be evacuated at "Flood Warning stage". Any escape from the building would be via the existing entrance to the building from the Parade as this is located at the Easter 98 flood level and pedestrians could easily access higher ground by making their way north into Leamington Town Centre. To prevent the increase of ground water the building will be provided with an extensive waterproofing tanking system and Type C cavity drainage system which will be connected to battery backup sump pumps.

Should members consider this application acceptable then conditions are recommended to be attached to any permission.

WDC Environmental Health: The noise report had a few (non vital) errors held within the data however I have corrected the methodologies and recalculated the noise values to compensate accordingly. This has left figures which in theory should be more than acceptable; however, in practice things can, as you know go astray; therefore I would still recommend that the conditions are imposed to prohibit deliveries between 2030 and 0700 hours, to limit plant noise to no more than 3dB(A) above background noise level at any noise sensitive residential property and to require fume extraction and lighting details.

WDC Waste Management: Looking at the plans there appears to be adequate storage for refuse and recycling bins for both the retail unit and hotel. They will need to approach a private waste contractor to make the collections and can employ them to make as regular collections as required. I assume that the goods lift will be used to transport the retail unit's bins up to ground level for collection and that all waste collections will take place on Bedford Street through the goods in/service area.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC12 - Sustainable Transport Improvements (Warwick District Local Plan 1996 - 2011)
- TCP2 - Directing Retail Development (Warwick District Local Plan 1996 - 2011)
- TCP4 - Primary Retail Frontages (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- TCP9 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)
- Planning Policy Statement 25 : Development and Flood Risk

PLANNING HISTORY

There have been a large number of previous planning applications and applications for listed building consent relating to the application site. The following are relevant to the consideration of the current proposals.

In 1967 planning permission was granted for "Reconstruction" (Ref. 11572).

In 1983 planning permission and listed building consent were granted for "Alterations to frontages and conversion and extension to form shopping arcade with shops, restaurants, offices and roof terrace" (Ref. W83/0507).

In 1988 planning permission and listed building consent were granted for "Alterations to frontage to include portico and new shopfronts and demolition of building behind facade. Erection of a shopping mall on 3 floors with associated offices, plant room, W.C.s above and a 2 storey office/studio on Bedford Street/St. Peters Road" (Ref. W87/1488). This was amended later in 1988 to include lettable office space at second floor level (Ref. W88/0972).

In 1993 planning permission and listed building consent were granted for "Positioning of replacement roller grilles fronting Parade and Bedford Street entrances" (Refs. W93/0486 & W93/0487LB).

In 1997 planning permission and listed building consent were granted for "Alterations to ground floor elevation fronting Bedford Street" (Refs. W97/0909 & W97/0910LB).

In 2001 planning permission was granted for "Change of use of part of second floor from office use (Class B1) to an orthodontic surgery (Class D1)" (Ref. W01/0101).

In 2003 planning permission was granted for "Installation of glazed entrance doors on Bedford Street elevation" (Ref. W03/1585).

The current planning application was submitted with an associated application for listed building consent for the proposed internal and external alterations (Ref. W11/0497LB). That application for listed building consent is recommended for approval alongside the current planning application.

KEY ISSUES

The Site and its Location

The application relates to a substantial 4 storey (plus basement) Grade II Listed Building situated on the western side of Parade and extending through to Bedford Street to the rear. The application property is situated within a predominantly commercial part of Leamington Town Centre and within the Leamington Spa Conservation Area. The application property is currently vacant, but was previously in retail use on the basement, ground and first floors, with offices and an orthodontist on the second and third floors.

The application site is situated within the retail area of Leamington Town Centre and the frontage to Parade forms part of a Primary Retail Frontage. The site is situated within Flood Zone 2.

The application site is bounded by Parade to the east and by Bedford Street to the west. To the north, the site is adjoined by a bank at ground floor with offices on the upper floors fronting onto Parade, and by offices fronting onto Bedford Street to the rear. To the south, the site is adjoined by retail premises at ground floor with offices on the upper floors fronting onto Parade and by Bedford Place (a service road off Bedford Street) to the rear of that. The rear elevations of buildings in Dormer Place face the site from the opposite side of Bedford Place. These buildings are used for a variety of commercial uses and some of the upper floors are in residential use. There is also a current planning application to convert Nos. 5-7 Dormer Place into flats.

Details of the Development

The application proposes a change of use from A1/B1(a)/D1 to A1 (retail) and C1 (hotel with ancillary accommodation including restaurant/bar/coffee shop) with alterations to east, south and west elevations, including new/replacement window openings, provision of external rooftop plant, signage zones and associated internal and external works.

The following amendments have been made to the application:

- revised Flood Risk Assessment and Flood Management Plan submitted;
- revised flood mitigation measures proposed;
- floor level to loading bay raised;
- demountable flood defences to be provided to all potential access points;
- window cills to rear and side elevation raised above flood level;
- design of secondary glazing to first floor windows amended; and
- agreement to provide a contribution of £60,000 towards sustainable transport improvements.

Assessment

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

- compliance with the retail policies of the Local Plan;
- the impact on the living conditions of neighbouring dwellings;
- flood risk;
- the impact on the character and appearance of the Listed Building and the Conservation Area; and
- highway safety.

Compliance with the retail policies of the Local Plan

Local Plan Policy TCP2 states that, within retail areas, changes of use from Class A uses (shops, banks, restaurants, pubs or takeaways) to other uses outside of Use Class A will not be permitted. The proposed change of use of the basement and first floor and part of the ground floor from retail use to a hotel would be contrary to this policy. However, in this case I consider that there are material considerations which dictate that planning permission should be granted despite the conflict with policy. Firstly the proposals will bring a substantial building back into use after a long period of vacancy, adding to the vitality of this part of the town centre. The premises have remained vacant since Lee Longlands relocated in 2007. Secondly, the size and layout of the building is unsuitable for modern retail requirements and does not provide a viable location for modern large format retailers. Thirdly, the proposals would bring a Listed Building back into use and will ensure that the building does not fall into further disrepair. Fourthly, a significant proportion of the frontage to Parade would be retained in retail use. For these reasons, I am satisfied that the benefits of the proposals outweigh the loss of retail floorspace. Refusing planning permission for the current proposals is only likely to result in the continued vacancy of these premises.

The proposals would also be contrary to Local Plan Policy TCP4, which states that changes of use from shops (Class A1) to other uses within Class A will be permitted within the Primary Retail Frontages defined on the Proposals Map unless: (a) more than 25% of the total length of the street frontage is in non-A1 use; or (b) the proposal consists of, or would contribute to creating, a continuous non-A1 frontage of more than 16 metres. The proposals would contravene both of these criteria. There is already more than 25% of this retail frontage in non-retail use and the proposals would increase this non-retail proportion from 47% to 51%. Furthermore, in combination with the adjoining bank premises the proposals would also contravene the 16m limit in criterion (b). However, for the same reasons stated above in relation to Policy TCP2, I consider that the conflict with Policy TCP4 is outweighed by the other material considerations that are relevant in this case.

Impact on the living conditions of nearby dwellings

I do not consider that the proposals would have a significant impact on the living conditions of nearby dwellings. I note that neighbours are concerned about potential noise. However, the applicant has submitted a noise report that concludes that the proposals would be acceptable from a noise point of view and this has been accepted by the Council's Environmental Health Department. I have recommended conditions in accordance with the comments of

Environmental Health and I am satisfied that this will ensure that the development would not cause unacceptable noise and disturbance for nearby dwellings.

I note the comments that the neighbour has made regarding smells. I have recommended a condition to require details of a fume extraction system in accordance with the comments of Environmental Health and I am satisfied that this will ensure that the development would not cause unacceptable smells for nearby dwellings.

Some new windows are proposed on the ground, first and second floors of the Bedford Street elevation and on the ground floor of the Bedford Place elevation. The most affected properties on the opposite side of Bedford Street and Bedford Place are currently in commercial use, although there is a current application to convert the building on the opposite side of Bedford Place into residential use and also the upper floor windows would face down into the Presbytery on the opposite side of Bedford Street. Nevertheless, as the new windows would face adjacent properties across public streets, I do not consider that this would be an unacceptable relationship for a high density town centre location such as this. Therefore I am satisfied that the proposals would not cause undue loss of privacy for nearby dwellings.

Flood risk

The application site is situated within Flood Zone 2 and the basement of the premises is known to have flooded during the Easter 1998 flood. The proposals have been amended following an initial objection from the Council's Engineers on grounds of flood risk. A revised Flood Risk Assessment and Flood Management Plan have been submitted together with details of flood mitigation measures. The mitigation measures include raising the floor level of the loading bay to prevent flood water getting into the basement; works to waterproof the basement; the provision of demountable flood defences to all potential access points; and the raising in height above the flood level of the window cills in the rear and side elevation. The Council's Engineers have not objected to the amended proposals, subject to a range of conditions. Therefore I am satisfied that the amended proposals would not create an unacceptable flood risk.

Impact on the character and appearance of the Listed Building and the Conservation Area

As amended, I am satisfied that the proposals would preserve the character and appearance of the Listed Building and the Conservation Area. The proposals would bring a Listed Building back into use after a long period of vacancy. I note the comments of the Conservation Area Advisory Forum about the treatment of the former arcade entrance to Bedford Street, but the applicant has advised that the columns are structural and so cannot be removed and that the window has been designed to match the existing window on the upper floors. The Council's Conservation Architect has agreed that this will be an appropriate treatment for this part of the building. The secondary glazing details for the first floor have been amended to show plain french doors with no glazing bars or solid panels and this will give a more discrete appearance when viewed from Parade. The condenser units that are proposed to be installed on the roof would not be readily visible from public vantage points because they would be set back some way behind the tall parapet that runs along the edge of the roof. The fresh air intake and extract for the kitchen would be located in a discrete position behind

the existing plant room on the roof. A condition is recommended to require full details of this to be submitted for approval.

In terms of internal alterations, the interior of the building has previously been reconstructed and consequently there are no historic features to be affected by the proposals. The treatment of the atrium walls has been agreed in principle by the Council's Conservation Architect and a condition is recommended to require details of the finishes to this area to be approved.

Highway safety

There has been no objection from the Highway Authority subject to securing a contribution of £60,000 towards sustainable transport improvements. £40,000 of this is required for works to improve pedestrian and cycling movements through the Parade / Dormer Place / Newbold Terrace junction, which is an Accident Cluster Site including a number of cyclist accidents. £20,000 of this is required towards improving cycling and pedestrian routes between the railway station and surrounding areas including routes up onto Parade. The applicant has agreed to provide this contribution.

The proposals do not include any off street parking. However, the Highway Authority are content that a car free development of this nature is suitable in this location. Furthermore, the application is almost directly opposite St. Peter's Car Park and it has been confirmed that there is adequate capacity there to accommodate vehicles associated with the proposed hotel. It is also relevant that parking is either prohibited or restricted on surrounding streets. Furthermore, the plans show covered cycle parking for 20 cycles in addition to the existing on-street cycle parking to the rear of the site. Therefore, taking into account the sustainable location of the site within the commercial core of the town centre and within easy reach of a wide range of shops, services and public transport, and considering the significant benefits of the development that have been discussed elsewhere in this report, I do not consider that a refusal could be justified on grounds of parking.

Other matters

The application proposes the installation of air source heat pumps to meet 10% of the predicted energy requirements of the development, in accordance with Local Plan Policy DP13.

I note the concerns of the Conservation Area Advisory Forum regarding bin storage. However, the proposals include a bin storage area for the hotel within the goods in / service area accessed off Bedford Street and a bin storage area for the retail unit below this at lower ground floor level accessible via a goods lift. The Council's Waste Management team have not objected to the proposals and therefore I am satisfied that this would be acceptable.

I note the concerns that have been raised about the adequacy of the existing sewer pipes. However, I do not consider that this is a cause for concern because the application proposes a change of use rather than a new build development and there is no evidence to suggest that the existing sewer system could not cope with such a proposal.

I have considered all of the other issues raised in the consultation responses, including the comments about CCTV cameras, disruption during building operations, the provision of double or triple glazing for neighbours and safety

and security on Bedford Street, but I do not consider that any of these are significant issues that might indicate that planning permission should be refused or that would justify the imposition of conditions. With regard to the comments about fire certification, this would be a matter for building regulations.

RECOMMENDATION

GRANT, subject to the conditions listed below and a Section 106 agreement to secure a contribution of £60,000 towards sustainable transport improvements in the locality.

CONDITIONS

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) SK01E, SK02G, SK03B, SK04B, SK05B, SK06A, SK07A, SK08, SK09, SK10, SK11A, SK12 and BMW/1312/100 P4, and specification contained therein, submitted on 12 April 2011, 13 May 2011, 17 May 2011, 27 June 2011, 26 July 2011 & 3 August 2011, unless first agreed otherwise in writing by the District Planning Authority. **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), balconies and the bridge link at a scale of 1:5 (including details of materials) 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** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of this permission, until details of the treatment of the walls of the atrium 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** : For the avoidance of doubt, and to ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.
- 5 The cycle provision shown on the approved plans shall be completed before the hotel hereby permitted is 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.

- 6 The hotel hereby permitted shall not be occupied unless and until a fume extraction system has been installed in accordance with details that shall have been submitted to and approved by the District Planning Authority. **REASON** : To protect the amenities of surrounding properties, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.
- 7 The hotel hereby permitted shall not be occupied unless and until:
- (a) the floor level of the area marked "Goods-in Lobby" on drawing no. SK02G has been raised to 50.66mAOD;
 - (b) the address has been signed up to the Environment Agency Flood Warning Service;
 - (c) two back-up water sensors have been provided at a level of 50.15mAOD in the loading bay area. These sensors shall be connected via independent electrical supplies and battery back-up systems;
 - (d) signage has been installed in all lower ground floor rooms and corridors and at all entrances down to the lower ground floor to state that the lower ground floor is subject to flooding and that persons must comply with evacuation procedures; and
 - (e) a Flood Management Plan has been produced. A copy of the Flood Management Plan shall be kept on site at all times and should be part of all staff's training process and updated when changes of personnel occur and exercised regularly, with records kept for inspection by statutory organisations. The Flood Management Plan shall include the following:
 - (i) triggers for the response;
 - (ii) clear roles and responsibilities for staff;
 - (iii) suitable contact numbers and sources of additional information for responding staff;
 - (iv) a clear set of actions for each phase of the response; and
 - (v) provision for regular updating of the document.

The above measures shall remain in place at all times that the hotel is occupied.

REASON : To mitigate flood risk, in accordance with Planning Policy Statement 25: Development and Flood Risk.

- 8 The hotel hereby permitted shall not be occupied unless and until demountable flood barriers have been erected in the locations shown on drawing no. BMW/1312/100 P4 to give a top crest level of 51.26mAOD in accordance with details that shall have been submitted to and approved in writing by the District Planning Authority. The barriers shall be stored in a location that shall have been approved in writing by the District Planning Authority. The barriers shall be erected when a Flood Warning for the River Leam in Leamington is issued by the Environment Agency and shall be kept in place until and 'all clear' is provided by the Environment Agency Flood Warning Service. **REASON** : To mitigate flood risk, in accordance with Planning Policy Statement 25: Development and Flood Risk.

- 9 At all times that the hotel hereby permitted is occupied there shall be suitably trained staff on site who are able to activate the Flood Management Plan hereby approved. **REASON :** To mitigate flood risk, in accordance with Planning Policy Statement 25: Development and Flood Risk.
- 10 If a Flood Warning is issued for the River Leam in Leamington, or the back up water sensors in the building are activated, the lower ground floor of the hotel shall be evacuated and all access to the lower ground floor of the hotel shall be closed off to any persons within the building until an 'all clear' is provided by the Environment Agency Flood Warning Service. **REASON :** To mitigate flood risk, in accordance with Planning Policy Statement 25: Development and Flood Risk.
- 11 The lower ground floor bedrooms shall only be occupied by single overnight short stay guests. No person shall occupy any of the bedrooms on the lower ground floor for more than 1 consecutive night. **REASON :** To mitigate flood risk, in accordance with Planning Policy Statement 25: Development and Flood Risk.
- 12 The rating level of the noise emitted from plant located at the site shall not exceed the existing background noise level at any time by more than 3dB(A) at any noise sensitive residential property when measured and corrected in accordance with BS 4142: 1997. **REASON :** To protect the amenities of surrounding properties, in accordance with Policy DP9 of the Warwick District Local Plan 1996-2011.
- 13 No lighting shall be fixed to the external walls or roof of the building hereby permitted, without the prior written consent of the District Planning Authority. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 14 There shall be no arrival, departure, loading or unloading of commercial vehicles associated with the hotel hereby permitted between the hours of 2030 and 0700 on any day. **REASON :** To protect the amenities of surrounding properties, in accordance with Policy DP2 of the Warwick District Local Plan 1996-2011.
- 15 The hotel 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. **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.
- 16 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.
- 17 All window frames shall be constructed in timber and shall be painted

and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

- 18 A Travel Plan comprising the following details shall be submitted to and approved in writing by the District Planning Authority, in consultation with the Highway Authority, within 3 months of the date of the first occupation of the hotel hereby approved and should include the following:-
- (i) a target for the proportion of employees who will travel by means other than single car occupancy;
 - (ii) a strategy for achieving the target(s);
 - (iii) a management programme;
 - (iv) a process for monitoring the process towards achieving the target(s); and
 - (v) measures should targets not be achieved.
- Thereafter the use of the site shall operate in strict accordance with the approved Travel Plan, unless otherwise agreed in writing by the District Planning Authority, in consultation with the Highway Authority.
- REASON** : To satisfy the aims of PPG13 in reducing reliance on the use of private motor vehicles in order to promote sustainable transport choices to the site.
- 19 The hotel hereby permitted shall not be occupied unless and until the bin storage area has been provided in strict accordance with the approved plans. The bin storage area shall be retained and kept available for the storage of refuse and recycling from the hotel at all times thereafter, unless agreed otherwise in writing by the District Planning Authority. **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.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated. Furthermore, the proposals would preserve the vitality and viability of this part of the town centre and would be acceptable in terms of highway safety and would have an acceptable impact on the living conditions of neighbouring dwellings. The proposal is therefore considered to comply with the policies listed.
