

Planning Committee: 29 January 2019

Item Number: **4**

Application No: [W 18 / 0190](#)

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

Registration Date: 24/01/18

Expiry Date: 25/04/18

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Unit 3, Holly House, Queensway, Leamington Spa, CV31 3LZ

Outline application for the demolition of the existing workshop and the construction of a mixed use development consisting of a complimentary health suite (Use Class D1) and 19no. flats consisting of 12 x one bedroom, 4 x two bedroom and 3 x three bedroom. (Amended scheme consisting of revised access and parking layout together with the reduction in size of units). FOR Queensway Conference Centre Ltd

This application is being presented to Committee as it is recommended for approval and an objection from the Town Council has been received as well as more than 5 letters of objection from the public.

RECOMMENDATION

Planning Committee is recommended to grant outline planning permission, subject to the conditions listed at the end of this report and a Section 106 Agreement to secure the necessary obligations as set out in the report.

Should a satisfactory Section 106 Agreement not have been completed by 28 February 2019, Planning Committee is recommended to delegate authority to the Head of Development Services to refuse planning permission on the grounds that the proposal makes inadequate provision in respect of the issues the subject of that agreement.

DETAILS OF THE DEVELOPMENT

The proposal is for outline planning permission for a mixed use development consisting of 19 flats and a D1 Complimentary Health Suite (Use Class D1) with all matters reserved other than access. The access is to be created from the existing highway access off Kingsway. It is proposed to provide 40% of the dwellings as affordable units. The remaining matters would be reserved for a separate submission.

THE SITE AND ITS LOCATION

The application site is a former scrap yard located to the rear of existing commercial properties. The site is currently not in use. The site is a roughly triangular parcel of land that is flanked to the north-west by a modern housing development with the commercial units located to the north-east. To the south of the site lies a large industrial building that has a blank elevation facing the application site. To the west lies a range of community uses.

The site is predominantly flat with no significant levels changes.

PLANNING HISTORY

W/16/0960 - Demolition of existing workshop and associated offices and construction of a new event venue (Use Class D2 (Assembly and Leisure) and Sui Generis use associated with a wedding venue) - Withdrawn 19.10.2016

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS1 - Supporting Prosperity (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029)
- H0 - Housing (Warwick District Local Plan 2011-2029)
- H1 - Directing New Housing (Warwick District Local Plan 2011-2029)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029)
- H4 - Securing a Mix of Housing (Warwick District Local Plan 2011-2029)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR2 - Traffic generation (Warwick Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029)
- HS2 - Protecting Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (Warwick District Local Plan 2011-2029)
- NE5 - Protection of Natural Resources (Warwick District Local Plan 2011-2029)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- LES - Low Emission Strategy Guidance for Developers (April 2014)
- Affordable Housing (Supplementary Planning Document - January 2008)

SUMMARY OF REPRESENTATIONS

Royal Leamington Town Council: Objection - lack of transport statement outlining impact of development, no mention of affordable housing in accordance with Policy H2, less proposed structural planting having a detrimental impact on site when developed.

Councillor Kristie Naimo: Need to ensure affordable housing is provided and appropriate highways works are carried out. Seek clarification as to the nature of the complimentary health clinic.

WDC Housing Strategy: Welcome the applicants commitment to provide affordable housing in accordance with Policy H2.

WDC Waste Management: No objection, subject to appropriate bin storage being provided.

WDC Environmental Health: No objection. Recommend conditions regarding contaminated land, noise, air quality and construction management plan submission.

WCC Ecology: No objection, subject to bat survey condition and advisory notes.

WCC Flood Risk: Require details of drainage strategy.

WCC Highways: Following receipt of updated layout plan, no objection

WCC Infrastructure Delivery: No requests for contributions.

WCC Fire and Rescue: No objection, subject to water supply/hydrants condition.

WCC Landscape: Insufficient information regarding landscaping submitted.

Environment Agency: No objection, subject to controlled water monitoring condition.

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

Public Response: 8 letters of objection have been received on the following grounds:

- Loss of privacy due to height of proposed development.
- Entrance to site is heavily congested.
- Traffic in the local area is already significant.
- Parking pressures will be exacerbated.
- Previous use as scrap yard is likely to have resulted in contaminated land.
- Potential for bats on site.
- Asbestos present on site.
- Concern about disturbance during works.
- Health suite may impact on other businesses.

- Bin storage is inappropriately located.

ASSESSMENT

Principle of Development

Five Year Housing Land Supply

The most up to date Five Year Housing Land Supply (5YHLS) figures state that as of 1 April 2018, the District Planning Authority is able to demonstrate a 6.49 year Housing Land Supply.

Local Plan

The application site is located within the defined urban area of Royal Leamington Spa. The current Local Plan has the most up to date evidence base for the provision of new housing. Policy H1 refers to Directing New Housing development and allows for the provision of new residential uses where they are located within the urban area of Leamington Spa and therefore the principle of residential development on this site is considered to be acceptable.

The Local Plan policies are based upon the Government's objective of significantly boosting housing supply. Policy DS6 of the Local Plan identifies a minimum of 16,776 new dwellings during the local plan period of 2011 to 2029. Current rates of new development require the provision of 1,098 dwellings per year for the remaining Local Plan period until 2029.

Policy DS7 sets out the methodology for the provision of new housing over the plan period. The figures set out that the plan period has a significant number of site completions, extant permissions, existing commitments and new dwellings proposed through the sites that are allocated within the plan.

In addition to the identified sites, an additional 1010 dwellings have been earmarked within the Local Plan housing figures that would potentially come forward through windfall sites.

The provision of housing on this site is considered to be a windfall insofar as they would be additional dwellings not identified within an existing allocation but capable of being satisfactorily assimilated onto the site which is located within a sustainable area.

The site is located in a sustainable area and the additional 19 dwellings would assist in the delivery of the overall strategy of the plan. The units would also provide additional affordable homes for the District.

Assessment of the proposed housing provision

Paragraph 50 of the NPPF states that local planning authorities should plan for a mix of housing, based on current and demographic trends, market trends and the needs of different groups in the community. It goes on to state that local planning authorities should identify the size, type, tenure and range of housing that is required in different locations.

In accordance with these requirements, all residential development must accord with the Strategic Housing Market Assessment for Warwick District that requires a mix of housing sizes based upon the market assessment for the area.

The applicant has confirmed that a mix of unit types will be proposed ranging from one bed roomed to three bed roomed units, which can be controlled by a suitably worded condition to ensure that this is followed at reserved matters stage. An affordable housing allocation of 40% will be incorporated into the design and these dwellings will be integrated within the development.

The affordable housing would be secured by a Section 106 agreement to accord with Policy SC11.

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

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 calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The Residential Design Guide SPD sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The application has been submitted in outline form so no detailed plans are for consideration. However, indicative drawings have been submitted to indicate a possible layout of the site. This demonstrates that the proposal can be satisfactorily assimilated onto the site with adequate space for separation between buildings and parking/turning space within the site.

Public views of the site are limited due to the location of the site where it is flanked by existing development.

It is noted by Officers that the site will be set against the backdrop of residential development and existing commercial buildings. The introduction of a new building for residential purposes on this site would not be out of character with the surrounding area.

At this stage, it is acknowledged that the submitted drawing is indicative only and the overall landscaping strategy for the site would be provided at reserved matters stage. However, the indicative plan clearly demonstrates that the

provision of a scheme for a mixed use of dwellings and a health suite on this site would provide for appropriate areas of additional planting within the site. Any proposed landscaping scheme would be subject to assessment at reserved matters stage.

Impact on adjacent properties

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

The perimeter of the site predominantly abuts the blank walls of commercial properties that would not be affected by the development.

To the north-west of the site is an apartment block known as Monarch Court which forms part of the Monarch Gardens residential development. This is a three storey block of apartments with a hipped, pitched roof. The side elevation facing the application site is a blank side gable with no facing windows onto the site. The location of the proposed building would therefore not affect any windows associated with the adjacent development.

As this development is outline only, there is no specific layout other than the indicative layout plan. Whilst this does not form the final layout of the scheme, it does satisfactorily demonstrate that appropriate separation distances can be provided between the development sites to provide an appropriate level of amenity for the occupiers of the dwellings on both sites.

As the application is outline only, no assessment is made of the potential future living conditions for occupants of the proposed dwellings and this will be considered at reserved matters stage.

Parking and Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The proposed development is to be served by a single access point that extends from the existing highway known as Kingsway.

The original response of the Highways Authority was one of objection on the grounds of a lack of an adequate assessment of the transport impacts of the development together with some site specific concerns about the internal layout and the adequacy of access for refuse vehicles. Since this assessment, the applicant has been in discussions with the County Highways Officer and provided updated plans to address the objection.

The Highways Authority have considered the revised details and raised no objection to the proposals, subject to conditions to secure the detail of the access into the site. Subject to the imposition of appropriate conditions, no

objection is raised on highway safety grounds and the proposal is considered to comply with Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly.

The County Ecologist has assessed the submitted ecological survey work and has advised that no objection is raised, subject to a condition requiring additional survey work to be carried out prior to any demolition work taking place.

The County Ecologist also considers that the imposition of explanatory notes is required to advise the applicants of their legal responsibility with regards to protected species.

Subject to the imposition of the requested condition and notes, Officers are satisfied that the development is acceptable having regard to Policy NE3 of the Local Plan.

Drainage

In terms of surface water drainage, the site is within Flood Zone 1, and it is proposed to install appropriate surface water drainage within the site to ensure run-off does not exceed existing green field rates plus allowance for climate change. The Lead Local Flood Authority has requested that a detailed design is required for approval. This can be secured by condition.

In terms of foul sewage, it is indicated that the dwellings are proposed to connect to the mains sewers in the local area. This would be subject to separate approvals with Severn Trent. It is appropriate to attach a condition seeking the details of the drainage to be submitted and approved.

Trees and Hedgerows

The application site is currently an open area of hard surfacing with limited vegetation located within the site area.

An appropriate landscaping scheme must be submitted at reserved matters stage to enhance the planting within the site as part of the overall development to create a softening effect to provide an appropriate environment for the new properties. This has the added benefit of significantly increasing the level of tree planting within the site and this is to be welcomed from both an aesthetic view point as well as a biodiversity view point.

The specific types of tree and final landscaping design will be subject to a further submission through the reserved matters but at this stage, the indicative plan submitted shows areas of planting within the site.

Environmental Issues

The Environmental Health Officer has made an assessment of the proposal and raised no objection, subject to conditions seeking the submission of a Contaminated Land Survey and a Low Emissions Strategy identifying appropriate air quality improvement measures including under the District Councils Air Quality Action Plan and Low Emission Strategy Guidance as necessary.

A condition can be attached to any approval granted in order to ensure compliance with Policy FW3 - water efficiency.

Additional conditions have been requested for details of plant and equipment noise limits together with a noise assessment for the future occupiers.

Finally, to protect the amenity of neighbouring properties, a Construction Management Plan is requested to control all works associated with the site including hours of work, control of noise, timing of deliveries, control of dust and smoke and parking of construction vehicles. The use of the Construction Management Plan will ensure that works are carried out in the most appropriate manner to minimise the harm to the amenity of neighbouring properties.

Officers are satisfied that these are technical matters and the specific details can be secured by the requested conditions so as to make the proposed development acceptable.

Affordable Housing Provision

Policy H2 of the Local Plan requires developments of 11 units or more to provide 40% affordable housing on site. The proposal is for 19 units which would have a requirement for 8 affordable units. The applicants have agreed to provide the 40% affordable housing requirement for the development.

These units would be secured through a Section 106 Agreement and the size and tenures would be in line with the requirements of the Housing Officer at the District Council.

Health and wellbeing

The limited scale of the site means that the potential for public open space on site for use by future occupants is limited. To mitigate for this, the District Council's Open Space Officer has recommended that a financial contribution is made towards appropriate off-site open space improvements. The contribution can be secured through the Section 106 Agreement. The final figure will be provided within the update report ahead of the Planning Committee meeting.

Warwickshire Police have raised no objection to the outline scheme and have recommended that the development follows Secured by Design principles through the imposition of an appropriate condition. This will assist in minimising the potential for crime and improve community safety for future residents.

Impact on local services

The development has been considered with regards to the potential requirements for Section 106 Contributions. However, due to the scale and location of the site, no requests have been made for contributions through the Section 106 Agreement.

The scheme will provide for local infrastructure improvements through CIL charging that is liable for the proposed development.

Conclusion

The site is a brownfield site within the Urban Area of Royal Leamington Spa and Local Plan Policy H1 allows for new residential development in these locations.

The proposal is in outline form, but Officers are satisfied that the site is capable of accommodating a very high quality scheme at that level which is acceptable in overall terms including in respect of the integration of built development within the surrounding landscape and the site provides additional benefits in the form of a complimentary health suite to serve the local community.

Affordable Housing and improvements to Open Space provision can be secured through a Section 106 Agreement.

For the above reasons, Officers recommend that outline planning permission be granted subject to the conditions listed and the signing of a Section 106 Agreement.

CONDITIONS

- 1 Details of the appearance, landscaping, layout and scale of the development (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in strict accordance with these reserved matters as approved.
REASON: To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).
- 2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later.
REASON: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).
- 4 No development shall commence unless and until details of foul water drainage works have been submitted to and approved in writing by the

local planning authority. The development shall be carried out in strict accordance with the approved details. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.

5 Other than site clearance works, no development shall take place until a detailed Drainage Strategy, to demonstrate the existing and proposed drainage plans for the site shall be submitted and approved in writing by the Local Planning Authority. The strategy should include the following details;

- Assessment of the nature of SUDS proposed to be used
- The allowable rates of run-off from the site
- Demonstration that all surface water is managed on site for a range of events including an allowance for climate change
- An assessment of pre-development surface water flows and discharge rates
- The proposed allowance for exceedance flow and overland flow routing
- How surface water systems will be managed and maintained for their lifetime

The development shall be carried out in full accordance with the approved details and maintained as such thereafter.

REASON: To ensure appropriate surface water drainage is provided on site in accordance with Policies FW1 and FW2 of the Warwick District Local Plan.

6 The development hereby permitted (including any works of demolition) shall not commence unless and until a construction method statement has been submitted to and approved in writing by the local planning authority and the development shall only proceed in strict accordance with the approved details. The statement shall provide for:

- the parking of vehicles of site operatives and visitors
- the loading and unloading of plant and materials
- the storage of plant and materials used in constructing the development
- the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway
- measures to control the emission of dust and dirt during construction
- a scheme for recycling / disposing of waste resulting from demolition and construction works.

REASON: In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual

amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

- 7 The development hereby permitted (including demolition) shall not commence until an updated bat survey of the site, (possibly to include appropriate activity surveys) in accordance with BCT Bat Surveys for Professional Ecologists- Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan shall thereafter be implemented in full. **REASON:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.
- 8 No development above slab level shall commence until an environmental noise assessment has been carried out by a competent person. A report of that assessment together with recommendations for any necessary mitigation measures to comply with BS 8233:2014 "Sound Insulation and Noise Reduction in Buildings-code of practice and "World Health Organisation Guidelines For Community noise" shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be carried out strictly in accordance all the recommendations contained within the approved noise report prior to first occupation of the development. Thereafter the mitigation measures shall be maintained in accordance with the approved details. **REASON:** To protect the amenities of future occupiers in accordance with Policies BE3 & NE5 of the Warwick District Local Plan 2011-2029.
- 9 No development above slab level shall commence until details of appropriate noise insulation between the party walls/ceiling of the commercial use and residential units has been submitted to and approved in writing by the Local Planning Authority. Thereafter the mitigation measures shall be maintained in accordance with the approved details. **REASON:** To protect the amenities of future occupiers in accordance with Policies BE3 & NE5 of the Warwick District Local Plan 2011-2029.
- 10 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the District Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the Local Planning Authority:
 - 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses
 - a conceptual model of the site indicating sources, pathways and

- receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

5) A verification report containing the data identified in (4).

Any changes to these components require the express consent of the District Planning Authority. The scheme shall be implemented strictly as approved.

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

- 11 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 in accordance with the requirements of condition (No.CONT3), and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition (No.CONT4), which shall 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 in accordance with condition (No.CONT5). **REASON:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies BE3 and NE5 of the Warwick District Local Plan 2011-2029.
- 12 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.

- 13 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.
- 14 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
- 15 The development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for firefighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details. **REASON:** In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.
- 16 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Low Emission Strategy Guidance for Developers (April 2014) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 17 Construction works that are likely to give rise to off-site noise shall only take place between the hours of 10am to 4pm Monday to Friday, 8am to 1pm on Saturdays and at no time during Sundays or Bank Holidays.

REASON: The buildings are closely adjoined by residential properties and the local planning authority considers it necessary to control the construction works in the interests of the amenities of the area in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

- 18 No deliveries shall be taken at the site and no vehicle(s) shall enter or leave the site before 8am or after 4.30pm, Monday to Friday, before 8am or after 1pm on Saturdays or at any time on Sunday or Bank/Public Holiday. **REASON:** To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 19 Delivery vehicles are not be permitted to wait outside the construction site before the site is open for working. **REASON:** To protect the amenities of occupants of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 20 The demolition and construction works shall be carried out in accordance with the following requirements;

Noise

- Best practicable means" shall be employed at all times to control noise. The Contractor shall employ the best practicable means to reduce to a minimum the noise produced by his operations and shall comply with the general recommendations in BS 5228: 1984 'Noise Control on Construction and Open Sites'.
- Without prejudice to the generality of the Contractor's obligations imposed by the above statement, the following shall apply:-
- All vehicles, mechanical plant and machinery used for the purpose of the works associated with the Contract shall be fitted with proper and effective silencers and shall be maintained in good and efficient working order.
- All compressors shall be "noise reduced" models fitted with properly lined and sealed acoustic covers which shall be kept closed whenever the machines are in use and all ancillary pneumatic percussion tools shall be fitted with mufflers or silencers of the type recommended by the manufacturers.
- Whenever possible only electrically-powered plant and equipment shall be used.
- Acoustic screens shall be used to protect any noise sensitive development where deemed necessary by the Head of Health and Community Protection for Warwick District Council or his representative.
- All plant and machinery in intermittent use shall be shut down in the intervening periods between work.

Dust

- Unloading shall only take place within the site itself.

- Regular sweeping of access roads to the site must be carried out where mud is likely to affect residents and/or highway safety. In dry conditions damping down of road surfaces should be carried out to control dust. a vehicle wheel wash will be provided to minimize carry-over to the highway.
- On-site dust shall be controlled by use of “best practicable means” to prevent dust arising from road surfaces, wind whipping of stock piles, handling of dusty materials, crushing, compacting and cutting and grinding operations.

Smoke

- There shall be no burning on site

Light

- External work lighting, flood lighting, security lights must not cause light nuisance to neighbouring occupiers. Particular attention must be paid to the siting and orientation of lights to avoid glare.

REASON: In the interests of the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

- 21 The overall height of the proposed building shall not exceed the overall ridge height of the development known as Monarch Court, Monarch Gardens. **REASON:** To ensure the development is in keeping with the character of the local area in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 22 The Complimentary Health Suite shall be limited to a maximum of 2 consulting rooms at all times and maintained in perpetuity. **REASON:** To comply with the parking standards of the Local Planning Authority and in accordance with Policy TR3 of the Warwick District Local Plan 2011-2029.
