Planning Committee: 06 November 2018 **Item Number:** 7

Application No: W / 18 / 1551

Registration Date: 22/08/18
Town/Parish Council: Leamington Spa **Expiry Date:** 17/10/18
Case Officer: Helena Obremski
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Car Park, Archery Road, Leamington Spa

Proposed improvements to existing municipal car park, including new asphalt surfacing and increase to the parking area (and associated change of use of parkland to car park), new boundary treatments, lighting columns, CCTV, pay machines and formalised parking bays. FOR Warwick District Council

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This application is being presented to Committee because Warwick District Council is the applicant and more than 5 letters of objection have been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed in the report.

DETAILS OF THE DEVELOPMENT

The application seeks planning permission for the formalisation of an existing municipal car park, including the marking out of parking bays, installation of lighting columns, CCTV and parking metres. The application form states that the existing car park contains 30 spaces and the proposed layout would accommodate 64 spaces. A new asphalt surface would be laid, which would increase the parking area slightly and the proposal includes the removal of some trees and vegetation from the western boundary adjacent to Victoria Park. Replacement planting is proposed.

The car park is proposed as part of the Council's car parking displacement strategy to provide additional parking when Covent Garden car park is closed for replacement. The applicant (Warwick District Council) has provided the following details which explain the context of the proposal:

In January 2019 a decision is to be made regarding the proposal to close and redevelop Covent Garden car park in Leamington Spa as part of a wider mixed use development on the site. If the approval is given for the redevelopment to progress the result will be a temporary loss of 468 car parking spaces from the town centre which will affect short and long-stay 'Pay-as-you-Go' users as well as season ticket holders and a displacement plan has been developed that seeks to address the potential matters arising from the redevelopment.

The displacement plan is being devised with consideration to the recently approved 'Leamington Vision Strategy' which sets out the priorities for developing and enhancing Leamington Town Centre in the short, medium and long-term. A draft version of the displacement plan is currently being reviewed

and commented on by an independent consultant. The current plan considers a number of ways in which the impact of the car park closure could be mitigated.

Developments to create additional parking capacity to help accommodate displaced long-stay 'Pay-As-You-Go' users and season ticket holders from Covent Garden car park are proposed for Archery Road, Princes Drive, Court Street and Station Approach (subject to planning permission). The sites at Archery Road, Princes Drive, Court Street and Station Approach are considered to be within an acceptable walking distance for those working in the town centre and visiting the town for a longer period of time based on IHT Guidelines for Providing Journeys by Foot.

The identified sites would be used for displacement parking whilst the new Covent Garden car park is redeveloped. However, in line with the objectives of the Leamington Vision Strategy, they would also offer long-term legacy benefits to the town as enhancements to the existing parking facilities at Victoria Park and in the Old Town.

The existing informal car park at Archery Road is noted to have high levels of seasonal use from park users and the proposal to widen the car park is seen as desirable in order to provide sufficient numbers of parking spaces to meet user demand in the short and long term. Whilst this necessitates the removal of the existing line of trees on the western boundary of the site, the planning application proposes to implement a scheme of soft landscaping and tree planting to address the potential loss of visual public amenity.

An extensive options appraisal of alternative potential parking options was undertaken prior to agreeing on the preferred sites for development. Full details of this are attached to the Executive report considered by Warwick District Council's Executive in February 2018.

In order to encourage commuter use of the peripheral car parks in the short-term it is proposed that Off-street car parks outside of the immediate Town Centre will be promoted as 'Park and Stride' locations. Cheaper parking fees and health and wellbeing messages will be used to incentivise the use of these car parks with long-stay car park users the primary target of the promotions.

During the displacement period free parking for up to 4 hours is being proposed for the car parks at Archery Road and Princes Drive giving consideration to park users and members of the bowls club who currently do not pay for parking at these sites. A £1 all-day tariff is proposed as an incentive to encourage long-stay parking users of the town centre to consider these car parks as an alternative to Covent Garden.

Upon reopening of the redeveloped car park at Covent Garden this charging regime will be reviewed to ensure priority parking at these sites is given to users of Victoria Park and its associated facilities.

THE SITE AND ITS LOCATION

The application site relates to an existing informal parking area and small section of the adjacent Victoria Park, a Grade II Registered Historic Park situated within the Royal Leamington Spa Conservation Area. The hardstanding is located to the eastern edge of the park and adjoining properties on Archery Road, Victoria

Road and Avenue Road. The access into this area is from Archery Road to the north.

Previous planning applications have stated that prior to 1994 the hardstanding area comprised of three in-line tennis courts with an access area, however the hardsurface had started to deteriorate for competitive play. The Council successfully secured funds to construct 10 new courts within the park which subsequently have had floodlighting added and are very popular.

The old three courts subsequently became established as informal car parking, which is frequently but inefficiently used for parking as it is not formally marked out.

RELEVANT PLANNING HISTORY

W/13/0827 - planning permission granted for the erection of low profile storage buildings and associated landscaping screen of mixed native shrubs.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- BE3 - Amenity (Warwick District Local Plan 2011-2029)
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets (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)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029)

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Objection, loss of mature trees and lack of heritage assessment.

Matt Western MP: Objection:
- detrimental impact which town centre car parking displacement plan will have on users of Victoria Park and bowls club;
- the development could affect the reputation of Royal Leamington Spa being the 'Home of English Bowls' and affect the financial benefit which bowls brings to the District;
- the loss of trees will have a significant environmental impact and surfacing will effect drainage.

Councillor Quinney: Objection:
- the proposal will have a detrimental effect on accessibility and value of recreational open space and Bowls England, and may damage residents and economy;
- factual errors in assessing the existing capacity of the car park;
- financial cost;
- confusion over intended users;
- loss of amenity.

Councillor Barker: Objection:
- detrimental impact on park, particularly loss of trees and shrubbery;
- application should be for change of use.

Councillor Naimo: Objection:
- impact on residential amenity (car parking and congestion);
- loss of mature trees;
- lack of consideration of improvement of cycling provision;
- inadequate provision of spaces for displacement strategy.

Councillor Chilvers: Objection:
- loss of dark corridor between canal and river for bats;
- loss of trees (wildlife habitat) and loss of biodiversity;
- access arrangements are inadequate;
- other transport methods should be prioritised.

Councillor Knight: Objection:
- the increase in parking spaces is minimal and will not provide much room for displacement;
- there is no justification for cutting down the trees;
- local users of the car park will be displaced by commuters;
- disruption to local residents.

Historic England (Registered Parks and Gardens): No objection.

WCC Ecology: Requests additional information relating to lighting and a revised lux diagram, and conditions.

WCC Archeology: No objection.

WCC Highways: No objection.

WCC Landscape: Objection, the removal of trees will cause harm to the views from the Registered Park and Garden. There are no details regarding the protection of trees, hard landscaping, boundary treatments etc. The application does not provide evidence that the development will preserve or enhance the Conservation Area and Registered Park and Garden. Suggestion to amend layout.

WCC Flood Risk Management: Object due to insufficient information. (NB. Further comments are awaited from WCC Flood Risk Management following the receipt of further information from the applicant).

Tree Officer: No objection, subject to the development being carried out in accordance with the Arboricultural Impact Assessment and Method Statement.
Conservation Area Forum (CAF): No objection, recommends that any potential harm to the setting of the Registered Park and Garden or Conservation Area is mitigated by incorporating a landscaping scheme into the car park design.

Public Responses: 89 Objections:
- the car park will not be able to be used by visitors to the Victoria Park;
- a park and ride would be more appropriate on brownfield land;
- the proposals contain inaccurate information (lack of archaeological assessment; description of development should read as a change of use; the proposal does not increase the number of spaces within the car park; not all of the constraints are listed online / can be accessed);
- loss of trees (amenity value, impact on Registered Park and Garden, loss of biodiversity, increased pollution levels, currently act as a screen for the car park);
- parking will be restricted for the users of the nearby bowls club which could result in less use of the bowls club and detrimental financial impact on the District;
- detrimental impact on the Registered Park and Garden;
- there is no justification for the proposal and shoppers won't use the car park as it's too far out of town;
- detrimental ecological impact;
- the development is not needed;
- impact on surface water drainage;
- detrimental impact on the character of the area;
- the car park will only be used by rail commuters;
- more green travel options should be explored;
- the development is an unnecessary cost to tax payers;
- increased traffic with detrimental impact on local residents, park users and environment;
- there is no public transport near Victoria Park;
- the development does not promote healthier lifestyles and will reduce access to healthy spaces;
- detrimental impact on social cohesion;
- impact on inadequate access and highway safety;
- clarification needed on relationship between boundaries between car park and Victoria Park.

1 Support: this is an underused car park which isn't safe and the amendments will enhance the facilities.

Friends of Victoria Park: Objection:
- inaccurate information including existing capacity;
- the development conflicts with Local Plan policies HS1, HS2, HS5, HS6, HE4;
- impact on public safety;
- environmental damage;
- impact on users of Victoria Park;
- dangerous precedent to set if approved;
- not cost effective.

Management of Royal Leamington Spa Bowls Club: Objection:
- the proposal will have a detrimental impact on those wishing to use Victoria Park and the Bowling Green;
- the application contains inaccurate information (the description of development should be for a change of use, existing capacity of car park, number of staff to be employed);
- insufficient in providing car parking for displacement strategy;
- increased traffic along Archery Road with detrimental impact on residents, users of Archery Road and the environment;
- loss of trees;
- impact on surface water drainage.

Warwickshire Vice Presidents (bowling association): Objection, detrimental impact on bowling club users.

Tony Allcock (Bowls England): Objection, loss of parking for users of Victoria Park and Bowling Green.

Warwick Tree Warden: Objection: the removal of trees would have a detrimental impact on air quality and is against the ethos of Warwick District Council Local Plan to provide strong protection for valuable open space, sport and recreation. The net gain in spaces would only be between 5 to 10 spaces. The landscaping would be lost, causing more noise and disturbance. The proposal would have a detrimental impact on the bowls green.

ASSESSMENT

The main considerations in assessing this application are as follows:

- Design
- Impact on Heritage Assets
- Impact on Residential Amenity
- Parking and Highway Safety
- Ecological Impact and Trees
- Archaeological Impact
- Drainage
- Other Matters

Design

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 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.

There have been objections that the proposal will appear out of keeping and would be harmful to the character of the area.
The proposed development would result in the formalisation of an existing car park. The associated infrastructure such as lighting columns and parking metres are not considered to appear out of keeping or harmful within this context. It is noted that there are higher floodlights adjacent to the site within the Registered Park and Garden which illuminate the nearby tennis courts. In this context, the design of the lighting columns is considered to be appropriate. The loss of existing trees which act as screening of the car park from Victoria Park has been mitigated with the inclusion of replanting, which can be secured by condition. The proposed development is therefore considered to have a minimal impact on the character and appearance of the area.

The proposal is therefore considered to be in accordance with the NPPF and Local Plan policy BE1.

Impact on Heritage Assets

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 196 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Local Plan states that development will not be permitted if it would lead to substantial harm to the significance of a designated heritage asset. Where the development would lead to less than substantial harm to the significance of a designated heritage asset, this harm will be weighed against the public benefits of the proposal. The explanatory text for HE1 clarifies that in considering applications relating to Conservation Areas, the Council will require that proposals do not have a detrimental effect upon the integrity and character of the building or its setting, or the Conservation Area. Local Plan policy HE2 states that Historic Parks and Gardens are an important cultural, historical and environmental asset within the District and the Council wishes to ensure they are protected, maintained and restored. The Plan aims to protect them from development that would harm their character.

There have been a number of objections to the proposal owing to the detrimental impact on the setting of the adjacent Registered Park and Garden which is Grade II listed and the Conservation Area. Along the shared boundary are a number of trees which objectors state are important for the setting of the listed park and act as screening from the existing car park. Concern has been expressed regarding a lack of heritage assessment for the proposed development. However, a Heritage Statement was provided as part of the application, which neither the Conservation Officer or Historic England have raised concern over.

Historic England (Registered Parks and Gardens) have been consulted and have no objection to the proposal. Warwick Garden Trust and the Gardens Trust have been consulted, however, comments have not been forthcoming. The Conservation Area Forum has no objection to the application, noting that any potential harm to the setting of the Registered Park and Garden or Conservation Area should be mitigated by incorporating a landscaping scheme into the car park design. The Conservation Officer has commented on the application and has no objection to the scheme, subject to the provision of additional details in relation to the lighting columns and boundary treatments. The Conservation Officer has requested that the lighting columns are no more than 4 metres in height, and the applicant has confirmed that an amended drawing reflecting this will be submitted shortly. An update on this will be provided in the Addendum Report to Committee. Furthermore, the applicant has confirmed that the "Mesh Fence" shown on the drawing is the existing tennis court boundary, rather than a proposed boundary marker.

It should be noted that the formalisation and resurfacing of the existing car park, along with the installation of the parking meters does not require planning permission. The proposal also includes the extension of the car parking area into the Registered Park and Garden which requires permission, and the removal of trees and shrubs which currently act as a boundary between the car park and Victoria Park. Along the main section of the car park, this would extend into the park by 3.6 metres and at the entrance it would extend into the park by 8 metres at the widest point. Overall, the increase in size of the parking area is minimal in relative terms to the size of the car park and wider Victoria Park. Within the park, the area to be included as part of the car park is already treated with tarmac as this forms part of a footpath which runs alongside the car park. There would still be part of the footpath retained for pedestrians if the development was carried out.

There is currently a sense of separation between the car park and the landscaped parts of the Registered Park and Garden owing to the tennis courts which have been constructed next to the application site, which is still maintained as part of the proposal. The trees and shrubs which are to be removed as part of the proposal individually have little amenity value. However, as a tree line, they do have some value in relation to the setting of the park. Replacement planting is proposed which will mitigate this loss, and can recreate the boundary treatment which further separates the park and car park.

It is therefore considered that as the harm created from the loss of the trees can be mitigated by a replacement planting scheme which will be conditioned, and therefore, there would be no harm caused to the Conservation Area or listed Registered Park and Garden as a result of the proposal. The development is therefore considered to be in accordance with Local Plan policies HE1 and HE2, and the NPPF.

Impact on Neighbouring Residential Amenity

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.

There have been concerns raised that the proposed amendments to the car park would result in noise disturbance to local residents as a result of additional traffic. However, it is not considered that the addition of 34 spaces would have such a significant impact on neighbouring residential amenity as to warrant reason for refusal of the application. It is noted that the site is already in use as a car park and therefore, whilst there would be a potential intensification of the use, it is not considered that the intensification would generate significant additional noise or disturbance.

Objections have also raised concerns regarding potential for traffic congestion and the impact which this would have on amenity. The increase of 34 spaces is not considered to be so significant which would cause such a high volume of traffic as to warrant reason for refusal of the application.

The proposal is therefore considered to be in accordance with Local Plan policy BE3.

Parking and Highway Safety

Objections have raised concerns regarding the intensification of the use of the access of the site. However, WCC Highways have assessed the application and have no objection to the proposal. WCC Highways also have no concerns regarding the parking spaces or layout. The proposal is therefore not considered to cause harm to highway safety.

Objectors have also stated that the existing car park already accommodates upto 60 spaces, rather than the stated 30. However, the Council can only consider the existing number of spaces in accordance with the relevant Vehicle Parking Standards guidelines, although it acknowledges that as the car park is currently informal, that visitors are likely to park in such a way that there could be more cars accommodated than the stated 30 within the application form. However, by formalising the car park, this will maximise the space whilst ensuring that proper access can be achieved for the spaces, thus ensuring access for all.

It is therefore considered that the proposal would provide adequate access arrangements and parking, and is in accordance with Local Plan policies TR1, TR2 and TR3.

Ecological Impact and Trees

Objections have expressed concern regarding the impact on protected species such as nesting birds and bats.
WCC Ecology have assessed the application and requested additional information relating to lighting and a revised lux diagram, and conditions. At present, negotiations are ongoing between the Ecologists employed by the Council and WCC Ecology regarding an appropriate resolution. A bat survey has been requested by WCC Ecology which is being obtained. Officers are confident that a mutually-acceptable solution can be found and Planning Committee will be updated on this matter prior to the meeting.

The proposal would result in the loss of trees and vegetation to the western boundary of the application site. Objections regarding the proposal have expressed significant concerns regarding the loss of mature trees and the potential for increased levels of pollution.

Officers recognise that the trees have protected status because of their location within the Conservation Area. As a group, the trees have some value because of the boundary and screening they create between the car park and Victoria Park. However, individually, the trees have little amenity value. Therefore Officers have no objection to their removal in principle, subject to a suitable replanting scheme. In order to mitigate the harm caused by the loss of these trees, a replanting scheme is proposed which will reintroduce planting along the boundary between the site and the park which will be secured by condition. Although it is recognised that it will take time to become established, this will provide adequate screening and will be maintained by the Council.

The Council's Tree Officer had raised queries in relation to the tree protection measures proposed as part of the application for the remaining trees. An updated Arboricultural Method Statement has been provided, and the Tree Officer has confirmed that subject to the development being carried out in accordance with the details provided, he has no objection to the proposed development. A condition will be attached to ensure this.

Concern has been expressed that the loss of trees will increase levels of pollution, however, as a replanting scheme is proposed, it is not considered that the development would have such a detrimental on levels of pollution which would warrant reason for refusal of the application.

Subject to confirmation that WCC Ecology are satisfied with the additional information to be provided, the development is considered to be in accordance with Local Plan policy NE2 and the NPPF.

Archaeological Impact

Objections have raised concerns regarding the need for an archaeological assessment as the site lies within close proximity of the Registered Park and Garden. However, WCC Archaeology have been consulted and confirm that no investigation works are required.

WCC Archaeology recommended that a heritage assessment was made and this has been provided and deemed satisfactory by the Conservation Officer. The development is therefore considered to be in accordance with Local Plan policy HE4.

Drainage

The application site is located within Flood Zone 1, however, the development does include the installation of a large area of hardstanding. Drainage channels are proposed in order to deal with any additional surface water run-off as a result of the increase in hardstanding. Objections raise concerns regarding the potential for increased surface water run-off.

The Local Lead Flood Authority have been consulted on the proposal and have objected to the development on the basis of a lack of information. The applicant has submitted additional details in reference to this matter which have been sent to WCC LLFA. Planning Committee will be updated on this matter prior to the meeting.

Other Matters

Concern has been expressed regarding the potential for the proposed development to reduce the availability of car parking spaces for visitors to Victoria Park and the bowling green. It has been stated that this could lead to less visitors as commuters would be likely to use the car park, which could have detrimental impact on the local economy and reputation of Leamington Spa as the 'Home of English Bowls', and that this also does not promote access to healthy, recreational spaces.

It is recognised that Archery Road car park is the closest car park to the bowls green and Victoria Park. The car park will be promoted for use as part of the displacement plan, and also for commuters as the car park is within walking distance of the railway station. However, there are many other car parks within nearby walking distance, as well as on street parking options, which visitors to the park and bowling green can use. There are also bus services and the railway station within walking distance of the park and bowling green. Formalisation of the car park will allow more parking for visitors to these facilities, which are often used at the weekend, when commuters will not be using the car park.

The use of the site is already as a municipal car park, which will not change as part of the proposal. The proposal forms part of the displacement strategy, meaning that overall, the number of car parking spaces within the town centre will not increase. Therefore, it is not considered that the proposal has a detrimental impact on health or wellbeing.

Objections have also raised concerns regarding the accuracy of some of the details contained within the application submission. Objectors consider that the description of development should be for a change of use as the car park is currently for users of Victoria Park, rather than as a municipal car park. However, planning legislation does not differentiate between the type of car park, and the description of development is considered to be accurate.

Objectors have raised concerns regarding the financial cost of the works to tax payers and that the proposal is not cost effective. However, this is not a material planning consideration and cannot be taken into consideration as part of this application.

Objectors have queried why improved cycle routes and other green transport options have not been considered as part of the proposal. However, this would form part of a wider consideration of infrastructure. It should be noted that the application forms part of the Council's new headquarters relocation plan where there is a requirement to find displacement parking, which, in part, this application seeks to satisfy. Objectors also state that there is no public transport nearby to Victoria Park. However, there are bus services and the railway station which are all within walking distance of Victoria Park.

Objections state that there is no justification for the proposal and shoppers won't use the car park as it's too far out of town and that the development is not needed. Objectors consider that there is inadequate provision of spaces as part of the displacement plan. Although this does not form a material planning consideration, it should be noted that the formalisation of the car park is required to satisfy, in part, the requirements for displacement parking as part of the Council offices relocation. The car park is considered to be within walking distance of the town centre.

Objections have stated that there would be a detrimental impact on social cohesion a result of the proposed development. However, Officers have no reason to believe that the formalisation of an existing car park would have a detrimental impact on social cohesion.

Objections consider that the proposed development may have a detrimental impact on public safety. However, Officers consider that the formalisation of the car parking layout, and erection of lighting columns and CCTV, which the car park does not currently benefit from, is likely to improve public safely.

Objections raise concern regarding a dangerous precedent that the development could set if approved. However, each application has to be dealt with on its own merits and as Officers consider that the proposal is in accordance with relevant Local Plan policies, it is not considered that this would set a dangerous or harmful precedent.

Conclusion

The proposed car park improvements are considered to be acceptable in principle and would not have a harmful impact on the street scene, Conservation Area, Registered Park and Garden, or neighbouring residential amenity. The harm caused by the loss of trees has been mitigated by a replanting scheme, and subject to confirmation from WCC Ecology, would have no harmful impact on protected species or biodiversity. The proposal would provide increased security to an existing car park and provide additional parking to contribute towards the Council's car parking displacement strategy, and for commuters to the town centre. The development should therefore be approved.

CONDITIONS

1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON**: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 006-PE-00-BG-DR-C-105 Rev P03 submitted on 13th August 2017 006-PE-00-BG-DR-C-0306 Rev P01 submitted on 21st September 2018 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 Within the first planting season following the completion of the development hereby approved, replacement planting shall be undertaken in accordance with a replanting scheme which must be submitted to and agreed in writing by the Local Authority. The replanting shall be maintained in strict accordance with a schedule of maintenance for the tree(s) until successfully established in accordance with the details set out in the approved documentation. All tree(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces). If within a period of five years from the date of planting the tree(s) (or any other tree(s) planted in replacement for it) is removed, uprooted, destroyed or dies or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree(s) of the same size and species as that originally planted shall be planted at the same place within the first planting season following the removal, uprooting, destruction or death of the original tree(s). **REASON:** In the interests of the visual amenities and natural environment of the locality in accordance with Policy NE1 of the Warwick District Local Plan 2011-2029.

4 No development or other operations (including demolition, site clearance or other preparatory works) shall commence unless the tree protection measures identified in the approved document, Victoria Park and Archery Road Car Parks Arboricultural Impact Assessment and Method Statement, submitted on 16th October 2018, 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.