Planning Committee: 18 June 2019 **Item Number:** 8

Application No: W 19 / 0741

Registration Date: 07/05/19
Town/Parish Council: Leamington Spa **Expiry Date:** 02/07/19
Case Officer: Nigel Wright
01926 456539 nigel.wright@warwickdc.gov.uk

Lillington Free Church, Cubbington Road, Lillington, Leamington Spa, CV32 7AL

Erection of 5 affordable dwellings with associated infrastructure, landscaping, parking and access on land to the rear of Lillington Free Church, Cubbington Road, Royal Leamington Spa (Resubmission of planning application W/18/2424)
FOR Orbit Group Limited

RECOMMENDATION

Planning Committee are recommended grant planning permission, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the development of 5 affordable dwellings (a terrace of 3 two-storey dwellings and a pair of semi-detached bungalows that would face each other across the access drive).

Planning permission for an identical scheme (ref. W/18/2424) was refused by the Planning Committee at its meeting on 26 March 2019 for the following reason:

'Policy HS2 of the Warwick District Local Plan (2011-2029) states that development on, or change of use of open spaces and sport and recreation facilities will not be permitted unless an alternative can be provided or there is a robust assessment demonstrating a lack of need for the asset currently or in the future.

An alternative open space has not been proposed and in the opinion of the LPA it is considered that the assessment of need submitted as part of the application lacks robustness and fails to demonstrate a lack of need for the application site.

The proposal is therefore considered to be contrary to the aforementioned policy.'

The current application is submitted with a view to providing further additional evidence to address the reason for the previous refusal, specifically the lack of need for this area of current open space.

It should be noted that planning permission was granted on an adjoining site in September 2017, for the erection of a church/community hall and 25 affordable dwellings (Ref: W/17/0823), which is currently under construction.

The proposal is effectively, therefore, an extension of that approved adjacent development.

THE SITE AND ITS LOCATION

The site is rectangular in shape and currently forms part of the public open space of the Holt Recreation Ground, lying at its western end. It is understood that the site previously accommodated a Scout Hut which was removed in the late 1980's, whereupon it was absorbed into the wider area of the Recreation Ground. The site is currently owned by Warwick District Council.

The site is situated within a predominantly residential area with two storey terraced houses to the south-west of the site (The Holt), 3 storey flats to the west and north-west (Wickham Court) and also, along the north-west boundary, a single-storey dwelling. The south-east boundary is formed by the curtilages of the two-storey houses currently under construction as part of the adjoining development.

Access to the site is from Cubbington Road to the south west, via the adjacent development site. Alternative parking arrangements for one of the approved adjacent dwellings have had to be made to allow for the extension of the access through to the current application site.

A Public Right of Way crosses the site allowing local residents to access the Recreation Ground, and this would be retained as part of the proposals. There are five trees currently on the site, which are to be removed in order to erect the dwellings. An Arboricultural Report accompanies this application.

PLANNING HISTORY

Adjacent site:
W/17/0823 - Erection of a church/community hall and 25 affordable dwellings - Approved 14.09.2017

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DS2 - Providing the Homes the District Needs (Warwick District Local Plan 2011-2029)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029)
- DS5 - Presumption in Favour of Sustainable Development (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)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029)
- 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)
- HE4 - Archaeology (Warwick District Local Plan 2011-2029)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (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)
- HS3 - Local Green Space (Warwick District Local Plan 2011-2029)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029)
- HS8 - Protecting Community Facilities (Warwick District Local Plan 2011-2029)
- CC3 - Buildings Standards Requirements (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)
- FW4 - Water Supply (Warwick District Local Plan 2011-2029)
- NE1 - Green Infrastructure (Warwick District Local Plan 2011-2029)
- NE3 - Biodiversity (Warwick District Local Plan 2011-2029)
- NE4 - Landscape (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)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Affordable Housing (Supplementary Planning Document - January 2008)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Warwickshire Landscape Guidelines SPG
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

At the time of writing this report, the expiry date for comments to be received has not yet expired. The following have been received so far on the current application, but for completeness the full consultation responses from the previous identical application (W/18/2424) have also been included in this report.

Any further comments will be set out in the update report to Committee.

Responses received for the current application

Leamington Spa Town Council: No objection subject to the Town Council Planning Committee being satisfied that the previous reason for refusal has been fully addressed. So far, no robust assessment has been provided demonstrating the lack of need of the asset now or in the future. The Town Council Planning Committee is very supportive of the provision of affordable housing in Leamington Spa.

WDC Housing Strategy & Development: Supports the scheme. Despite reductions in the numbers on the housing register over recent years there are still around 2,000 households registered and the need remains great for all types of affordable housing.

Warwick District Council's Local Plan requires 40% affordable housing on sites with more than 10 dwellings. Coincidentally however the need for affordable housing across the district is also 40% of all new dwellings. Consequently large sites alone cannot meet the need because of the absence of affordable housing on sites with 10 or fewer dwellings. Sites delivering 100% affordable housing are therefore very important and welcome from the affordable housing perspective in assisting to make up this deficit.

Another valuable factor with this site is the inclusion of bungalows. These are a very popular form of accommodation among housing applicants, but are in very short supply. They are particularly useful in helping to address housing need because they are attractive to older existing tenants seeking to "downsize" from family housing that they are under-occupying. Bungalows therefore hold out the prospect of meeting two needs in one go – relieving under-occupation by moving an older household into the bungalow and freeing up a house for a family in need.

WDC Green Spaces Team: Awaited

WCC Ecology: No additional enhancements in landscaping compared with the application W/18/2424. In view of this our recommendation for refusal/deferral due to biodiversity loss still stands. Please refer to our response dated 28th February 2019 (*Officer note – the previous comments are set out and addressed in the agenda report*).

The Ramblers Association: The Public Right of Way through the site referred to in both the Proposed Site Plan and the Planning Statement is not in fact a Public Right of Way at all, as it does not appear on the Definitive Map of Public Rights of Way. However, its proposed retention would be welcome as it would continue to provide a convenient means for local residents to access the Holt Recreation Ground.

Public Response: Four objections have been received on the following grounds:

Hadrian Close is being overwhelmed by the amount of new houses being built adjacent to it. The existing Lillington Free Church site is adequately developed. This would further deplete the stock of neighbourhood open access park areas and is not necessary.

The area was formerly park land that was maintained by the council parks department, with a children's play area. A few years ago the decision was taken to allow the area to be made into managed grassland, then subsequently into a wildlife meadow. This was supposedly done in an endeavour to preserve and increase bio-diversity. Local authorities have a legal obligation to protect bio-diversity under the Natural Environmental and Rural Communities Act (NERC) 2006. Interestingly meadow land and biodiversity has continued to decline. The area at the back of the free church provides a local area where wild flowers have been able to flourish. Managing it in such a way as proposed by the parks department of the council also will protect this area and make it an excellent location for wildlife to continue to flourish.

To argue that the land is a wasteland, due to a period of miss-management by the council suggests deliberate managed decline to justify development. This development will cause a loss of biodiversity, wild life and trees in the area.

Many people walk their dogs around this piece of land and this would no longer be possible. They will be forced to use the main park area which could lead to more dog waste in the area where children play.

The council's needs to enable new 'affordable' housing to be built should be balanced against the needs and well being of local residents. The new houses will mean the loss of privacy for many gardens. This is highly undesirable.

Residents would lose access to the park and to the shops.

Previous responses for W/18/2424

'Leamington Spa Town Council: No objection

WDC Green Spaces Team (additional comments): The Green Space Team originally supported the disposal because the area was of 'low value' to the local residents and wildlife; and would not be missed. Since the report, the remaining land, the park known as 'The Holt', has been regenerated (including a new play area and outdoor gym equipment, tree works, path improvements, new tree planning and the creation of a wildflower meadow; and, new street furniture – benches, bins and signs). It remains that the area, subject to this planning application, is not required as open space.

WCC Highways: No objection

WCC Landscape: No objections, subject to a Condition requiring detailed landscape proposals to be submitted.

WCC Ecology: Together with the adjacent approved scheme, the current development will cause a cumulative impact on biodiversity at the local level. Both applications for these two small sites have been submitted by the same applicant and both plots should have been considered at the same time so the total biodiversity loss can be appropriately addressed. Recommends that the application is refused or deferred at this stage until assurances are made that the biodiversity loss will be addressed via a biodiversity offsetting scheme to be

submitted prior to determination of the application. Measures in relation to protected and notable species and trees to be retained should be secured via a condition to any subsequent approval.

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

WDC Environmental Health: No objection, subject to conditions.

Public Response: Two objections have been received; one on the grounds that there will be an unacceptable loss of privacy as well as sunlight and daylight. Also, the loss of trees which screen the neighbouring existing dwellings on Hadrian Close. Finally, no antisocial behaviour or fly tipping has been seen or heard on the site, so this is not a valid reason for selling public recreational land.

The other is from a neighbour from the Cubbington Road terraces who is concerned with the lack of parking on the area. The amount of parking planned for the new Church is minimal. There are constant issues in the area due to the presence of the bowling club that has only a few parking spaces allocated. Also events at the Lillington club with again, only a few spaces available cause increased traffic and lots of parking issues for the residents of the terraces that rely on off-street parking.

A third neighbour has pointed out they have a gate in their boundary fence that currently accesses the field and they wish to continue using the gate.
Officer note: It is unclear where the gate in question is, but if it is located on the boundary abutting the application site, it would likely to continue to be used. Officers have advised the neighbour that this is, in any case, a private matter that would need to pursue directly with the owner of the land. It is not relevant to the planning considerations.'

ASSESSMENT

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

- The principle of development and loss of open space
- Design and Layout
- Relationship to neighbouring properties
- Access, servicing and parking
- Ecology and trees
- S106 matters

The principle of development and loss of open space

Policy H1 of the Local Plan relates to the direction of new housing, stating under which circumstances housing development will be permitted. The site is within the Leamington, Warwick and Whitnash Urban Area boundary and therefore complies with bullet point (a) of the policy.

Policy HS2 of the Local Plan sets out that development on, or change of use of open spaces and sport and recreation facilities will not be permitted unless:
a) an alternative can be provided that is at least equivalent in terms of size, quality, accessibility, usefulness and attractiveness, and a management plan is submitted to ensure the future viability of the provision; or
b) there is a robust assessment demonstrating a lack of need for the asset currently or in the future.

The application would result in the loss of open space which forms part of Holt Park. The proposals are supported by a Planning Statement which sets out the conclusions of Warwick District Council's Executive committee on 31 August 2017. The meeting discussed whether to consider the disposal of this site. The Committee Report stated that fly tipping and anti-social behaviour occur here due to the site being away from public surveillance. The Report considered the value of this site to the overall public open space as an underutilised / marginal element of the land available to the local population for play and recreation. The Executive resolved in principle to dispose of the land for development.

Further information has been sought on the Policy HS2 issue and the agent has advised that work is well underway on this and will be submitted in advance of the Committee meeting. Any dditional information in support of the proposal, including an assessment by officers, will be included in the addendum report to Committee.

With regard to other considerations the proposals are considered to be in a sustainable location.

Taking into account the above and the location and nature of the land, it is considered that the proposal meets the requirements of Policy H1 of the Warwick District Local Plan. However, as stated above, further information is awaited in relation to compliance with Policy HS2.

Design and Layout

The proposed buildings are of an appropriate scale with two storey dwellings (plots 1 to 3) adjacent to the two storey dwellings within the development under construction, and bungalows adjacent to the bungalow on Hadrian Close. The layout, plot sizes, design and materials reflect the adjacent development under construction, and therefore represent good design.

It is therefore considered that the development accords with Policy BE1 of the Local Plan which expects development to positively contribute to the character and quality of its environment.

Relationship to neighbouring properties

Policy BE3 of the Local Plan seeks to ensure that development does not adversely impact on the amenities of neighbours. The National Planning Policy Framework at paragraph 127 seeks the same aim. The comments of neighbours have been carefully considered.

Amendments have been sought and submitted to address officers concerns about potential overlooking from the facing two-storey approved development and also to reduce the impact on the existing neighbouring bungalow. As such, some additional landscaping, together with a revised L-shaped dwelling both help to protect the amenities of the future occupiers of Plots 4 and 5. Half hipped roofs to the single-storey Plots 4 (and 5) reduce the height of gable end wall closest to the nearby existing bungalow.

The layout and orientation of dwellings has otherwise been designed to minimise the impact on neighbouring properties on The Holt, Hadrian Close, and the adjacent development under construction. Proposed properties that back on to The Holt are 27m from existing dwellings in accordance with the Residential Design Guidance.

There were no objections from the Council's Environmental Health Officer to the previous application for the same scheme, subject to Conditions to minimise the impacts of the development, specifically in terms of noise, air quality, and land contamination.

Accordingly, it is considered that the development complies with Policy BE3 of the Local Plan.

Access, servicing and parking

Policies TR1 and TR3 of the Local Plan seek to ensure appropriate levels of car parking and seek to ensure that proposals do not impact on highway safety. The Parking Standards SPD is noted in terms of the amplification to the guidance. In accordance with the National Planning Policy Framework, highway safety should only be used as a reason for refusal where the impact would be severe.

The provision of some of the car parking spaces directly in front of another neighbour's living room window is not recommended, due to the potential for noise and disturbance being caused by manoeuvring of vehicles and glare from car headlights. The amended drawings have attempted to minimise these impacts by the careful repositioning of spaces away from front windows. Whilst this arrangement is still not ideal, it is not considered, in itself, to warrant a refusal of planning permission solely on those grounds. It is also noted that car parking provision was relaxed in terms of the layout for the approval of the adjacent site. Therefore, although car parking provision is again marginally substandard for the current development, this must also be considered to be acceptable in this case.

It is also noted that there were no objections from the County Highway Authority to the previous application for the same scheme.

Ecology and trees

Policy NE3 of the Local Plan requires the protection of biodiversity as part of development proposals. The area affected by the application is currently a grassed area, somewhat removed from the main space of the recreation ground. A number of trees are to be removed, but the submitted Arboricultural report

considers them to be poor quality and this is agreed by the Council's Tree Officer. Whilst there are concerns about the cumulative impact on biodiversity caused by these two adjoining sites, regard has to be made to the fact that this much smaller site would have less impact than the much larger approved adjoining site. Even so, it is recommended that similar conditions are attached to those that were agreed with the County Ecologist in relation to the adjacent site, requiring ecological enhancement/mitigation, where practical.

S106 matters

The application proposal is for residential development and requires a contribution towards improving open space provision, in accordance with Policy HS4.

Officers consider the development to be a linked extension of the adjoining site, and not a stand-alone development. This is on the basis that:

- access is gained through the site and not separately;
- it is the same applicant and the development will be carried out concurrently with the adjoining site; and
- two of the car parking spaces from the adjoining site are to be relocated within the application site.

Therefore, although the proposal is under the threshold of 10 dwellings for payment of such a contribution, it is, in this case, considered reasonable and appropriate because it is connected to, and an extension of, an existing development. Furthermore, it is also required under the terms of the disposal of the site (ref. para 3.9 of the executive report).

This is addressed by Condition 10 of this recommendation. A similar Condition was attached to the planning permission for the adjoining approved site.

With regard to Condition 10, an alternative financial contribution would be acceptable. In such a case, a contribution of £8,420 was previously considered necessary in accordance with the contribution rates set out in the 'Open Space Supplementary Planning Document' and its associated guidance, 'Developer Contributions for commuted payments for new provision/enhancement of open space- amended'. For this development, the contribution figure reflected the enhancement costs of open space as set out in the guidance; namely, 10 bedrooms in multiple bed dwellings at £842 per room. The contribution would be put towards further improvements of the public open space at The Holt.

It should be noted that the above contribution is now out of date and is likely to be increased in regard to this current application. Any new figures will be set out in the update report to Committee.

SUMMARY/CONCLUSION

The proposals would be for an additional five dwellings and would result in benefits in terms of construction jobs and support to local services. The proposals would also replace an underutilised part of Holt Park and therefore

would enhance the quality of the area. The proposals would also result in the provision of affordable housing in a sustainable location.

Subject to the submission of satisfactory evidence to demonstrate compliance with Policy HS2, the proposals are considered to be in accordance with policies of the Development Plan and the National Planning Policy Framework.

The proposals have been carefully considered against all the material considerations and against comments received from neighbours and the comments of consultees and found to be acceptable for the reasons set out above.

It is recommended, therefore, that planning permission be granted.

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 submitted details as shown on the site location plan 3545-11 Rev C and drawings 3545-25 Rev B and 3545-26 Rev B and as subsequently amended by drawings 3545-15 Rev J, 3545-20 Rev C and 3545-21 Rev D received on 6th March, 2019. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 No development shall be carried out above slab level unless and until samples of the external facing materials and roofing 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.

4 Notwithstanding the details submitted with the application, prior to occupation of the development hereby permitted, a detailed Landscape and Ecological Management Plan shall have been submitted to and approved in writing by the District Planning Authority. The plan should include details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The plan should also include details of habitat enhancement/creation measures and management, such as native species planting and provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **REASON:** To ensure a satisfactory standard of appearance of the development and adequate compensation for any loss of biodiversity in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

5 The landscaping and ecological enhancement scheme approved under Condition 4 above shall be completed, in all respects, not later than the first planting season following the completion of each phase of the development hereby permitted. Any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees of similar size and species to those originally required to be planted. **REASON**: To protect and enhance the amenities of the area, and to satisfy the requirements of Policies BE1 and NE4 of the Warwick District Local Plan 2011-2029.

6 The development hereby permitted shall not be occupied unless and until the vehicle parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON**: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

7 The development hereby permitted shall not be occupied unless and until the vehicle parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times. **REASON**: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

8 No development shall be carried out above slab level unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority. Each phase of the development shall not then be occupied until the scheme has been implemented to the satisfaction of the Local Planning Authority. **REASON:** In the interests of fire safety.

9 Prior to the occupation of the development hereby permitted, a scheme detailing the affordable housing provisions shall have been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:
(a) the tenure split;
(b) the arrangements for the management of the affordable housing;
(c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing, or other alternative arrangements; and
(d) the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced. **REASON :** To meet the requirements of Policy H2 of the Warwick District Local Plan 2011 -

2029.

10 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy HS4 of the Warwick District Local Plan 2011 - 2029:
(i) prior to occupation of the development hereby permitted, a scheme for such provision or improvement shall have been submitted to and approved in writing by the Local Planning Authority; and
(ii) the dwellings hereby permitted shall not be occupied until the scheme so approved has been implemented. **REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policies NE1, HS4 and DM1 of the Warwick District Local Plan 2011 – 2029.

11 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.

12 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; and 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.

13 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) 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.