Planning Committee: 12 October 2021 **Item Number: 6**

Application No: W 21 / 1165

Registration Date: 16/06/21
Town/Parish Council: Leamington Spa **Expiry Date:** 15/09/21
Case Officer: Dan Charles
01926 456527 dan.charles@warwickdc.gov.uk

Land at the corner of Ramsey Road and St Mary's Road, Leamington Spa, CV31 1PP

Demolition of existing industrial units, erection of 15no. dwellings (Use Class C3) together with associated vehicular access, parking and landscaping FOR Deeley Homes

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This application is being presented to Planning Committee because it is recommended that planning permission be granted subject to the completion of a s.106 legal agreement.

RECOMMENDATION

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

Planning Committee is also recommended to delegate authority to the Head of Development Services in consultation with the Chair of Planning Committee to finalise the terms of the Section 106 agreement including any variation to, or clarification of, the sums requested where the revised sums meet the relevant statutory test together with alterations to the final list of conditions.

Should a satisfactory Section 106 Agreement not have been completed within 4 months from the date of the Planning Committee meeting and there is no ongoing progress towards the satisfactory completion of the Section 106 Agreement, Planning Committee is recommended to delegate authority to the Head of Development Services to refuse planning permission on 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 the demolition of the existing commercial premises and replacement with a residential development of 15no. units compromising:

4 x 1 bedroom maisonettes.
6 x 2 bedroom two storey houses.
5 x 3 bedroom two storey houses.

Of the 15 units proposed, 40% (6 units) are to be provided as affordable housing.

The proposal also includes the provision of access, parking and hard and soft landscaping together with appropriate drainage across the site.

THE SITE AND ITS LOCATION

The application site comprises an area of approximately 0.28 hectares of land to the north of St Mary's Road and is flanked by Ramsey Road to the East.

The site currently contains existing commercial buildings and hardstanding areas with limited planting. The highway verge to St Mary's Road is laid to grass with 2 mature highway trees located within the verge. On the Ramsey Road side, there are some smaller street trees set within existing hardstanding areas.

The site flanked by housing to the north, east and west with a mixture of houses and flats in close proximity to the site. The boundaries are formed from a combination of walls and security fencing.

To the south of the site, the area is more industrial/ commercial in character with a range of businesses operating from a mixed range of buildings.

The site is currently accessed directly off Ramsey Road from existing dropped kerbs serving the buildings. Pedestrian access is also available directly to the buildings from St Mary's Road.

PLANNING HISTORY

No relevant planning history for this form of development. All history relates to the commercial/industrial use of the site.

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- DS1 - Supporting Prosperity
- DS2 - Providing the Homes the District Needs
- DS3 - Supporting Sustainable Communities
- DS4 - Spatial Strategy
- DS5 - Presumption in Favour of Sustainable Development
- DS6 - Level of Housing Growth
- DS7 - Meeting the Housing Requirement
- PC0 - Prosperous Communities
- H0 - Housing
- H1 - Directing New Housing
- H2 - Affordable Housing
- H4 - Securing a Mix or Housing
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HS1 - Healthy, Safe and Inclusive Communities
- CC1 - Planning for Climate Change Adaptation
- CC2 - Planning for Renewable Energy and Low Carbon Generation

- CC3 - Buildings Standards Requirements
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- HE1 - Protection of Statutory Heritage Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Affordable Housing (Supplementary Planning Document - June 2020)
- Parking Standards (Supplementary Planning Document- June 2018)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Distance Separation (Supplementary Planning Guidance)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS1 - Housing Development Within the Royal Leamington Spa Urban Area
- RLS2 - Housing Design
- RLS4 - Housing Character Outside the Conservation Areas
- RLS5 - Royal Leamington Spa Housing Mix and Tenure
- RLS12 - Air Quality
- RLS13 - Traffic and Transport
- RLS14 - Cycling

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: The Town Council is supportive of this application to redevelop this site for residential use, subject to no objection from WCC Highways particularly with regard to vehicular accessibility and flow via the canal bridge to the north of the site. The inclusion of a 40% affordable housing element and the requisite number of parking spaces per property is very welcome.

WDC Waste Management: No objection.

WDC Arboricultural Officer: No objection. The Tree Survey and Arboricultural Impact Assessment from Westside Forestry is thorough and their analysis seemed reasonable, and their recommendations for crown pruning work to prevent harm to the trees was considered to be an appropriate response to the presenting symptoms. Recommend Arboricultural Method Statement and Tree Protection Plan secured by condition.

WDC Health & Community Protection - Safer Communities Section: No objection, subject to conditions.

WCC Highways: No objection, subject to condition regarding construction of footways and carriageways.

WCC Ecology: No objection, subject to conditions and informative notes.

WCC Local Lead Flood Authority: Recommend submission of additional details to demonstrate an acceptable drainage strategy can be achieved.

WCC Landscape: Recommend additional screen planting to substation to minimise visual impact.

Warks Police (Designing Out Crime): Concern regarding the proposed pedestrian links onto St Marys Road. In the interest of crime prevention, a closed cul-de-sac with a single point of access is preferable to increase natural surveillance.

Severn Trent Water: No objection. Foul and surface water will be connected to mains for which formal consent will be required. Recommend explanatory note regarding drainage connections.

Warwickshire Fire & Rescue: No objection, subject to fire hydrant condition.

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 2020, the Local Planning Authority is able to demonstrate a 5.63 year Housing Land Supply.

NPPF

The National Planning Policy Framework (NPPF) seeks to promote sustainable development with paragraph 8 providing the starting point against which the sustainability of a development proposal should be assessed. This identifies three dimensions to sustainable development - an economic element, a social element and an environmental element which are interdependent and need to be pursued in mutually supportive ways.

Local Plan

Policy H1 of the Warwick District Local Plan sets out where housing is to be directed within the district, including within urban areas.

The application site is located within the urban area of Leamington Spa. Therefore, the principle of development is acceptable in accordance with H1 of the WDLP. The site also forms an area of brownfield land identified with the Local Plan as poor quality employment land that has been earmarked for redevelopment for residential with replacement employment land to be provided elsewhere within the Local Plan period.

Neighbourhood Plan

Policy RLS1 of the NDP states that proposals for new housing development within the Royal Leamington Spa Urban Area, will be supported for the following:

1. Re-use of previously developed land and buildings when not in conflict with other development plan policies.
2. Infill development that is of an appropriate scale and that does not lead to the loss of residential gardens (unless in accordance with Policy H1 of the Warwick District Local Plan), overdevelopment, or have a
significant adverse impact on the amenity of adjacent existing occupiers and uses.
3. Proposals for custom and self-build housing provision that are acceptable when assessed against Warwick District Local Plan Policy H15.
4. Proposals for purpose-built student accommodation when positively assessed against all related development plan requirements and guidance.

The proposal accords with this policy.

Housing Mix

Policy H4 of the Local Plan relates to providing a mix of housing. It is noted that the scheme proposes a mix of 1, 2 and 3 bedroom homes. The 15 unit scheme also provides 40% Affordable Units (6 in total).

The proposal in the context of the requirement set out in the Joint Strategic Housing Market Assessment (SHMA) for the private units is as follows:

Property Size	JSMHA Mix	No. of Units	Proposed Mix	Difference
1 Bed	5-10%	0	0%	-5%
2 Bed	25-30%	4	44.4%	+14.4%
3 Bed	40-45%	5	55.6%	+10.6%%
4+ Bed	20-25%	0	0%	-20%

Whilst the proposed housing mix for the private units does not accord with that set out within the SHMA, Officers note that the site area is limited and the low overall number of private dwellings would preclude providing a mix that would meet the above guidelines.

The affordable mix proposed is 4 x 1 bedroom and 2 x 2 bedroom units which have been negotiated with the Council's Housing Team as an acceptable mix for the low level of affordable units proposed.

Taking into consideration the setting and surrounding form of residential development, the overall mix of 1, 2 and 3 bedroom properties would be the most appropriate mix for this site and would provide be in keeping with the new residential development immediately adjacent to the site.

Taking all of the above into consideration, Officers are satisfied that the scheme is acceptable in principle.

Design and impact on visual amenity and the character of surrounding area and adjacent Canal Conservation Area

Section 12 of the 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.

Policy BE1 of the Local Plan 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. There is also a requirement for development to be constructed using appropriate materials to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not harm the and appearance of the local area.

The Residential Design Guide SPD sets out steps which should 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.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

Warwick District Local Plan Policy HE1 (Protection of Heritage Assets) states that development will be expected to respect the setting of conservation areas and important views both in and out of them.

Policy RLS3 states that development proposals that are within or directly affect a conservation area must assess and address their impact on their heritage significance.

The site as existing has industrial buildings immediately on the boundary with St Mary's Road with the additional building at the rear of the site abutting the recently constructed apartment building to the north. The buildings currently cover the majority of the site with limited parking and yard areas within the curtilage of the site. To the north and east of the site is a recently constructed development and the proposal identified on the indicative site layout takes its design cues from the existing development.

The design rationale of the proposed units is broadly in keeping with the development within the local area and Officers are satisfied that this is in keeping with the surrounding area and complements the existing residential scheme opposite the site.

The development is of a scale to carry a varying design style and palette of materials to blend with the adjacent development and ensures that it is well integrated into the local area.

One element that could be of concern for a new scheme is the impact of frontage parking. Normally this is overcome through additional landscaping or where possible the provision of tandem parking to the side of units to allow for the dwellings to have green frontages in accordance with garden suburbs principles.

However, it is noted that the scheme is designed to be in keeping with the adjacent development opposite where there are various areas of frontage parking. On balance, in this case, Officers are satisfied that the development is in keeping with the local area and are satisfied that the scheme is acceptable. It is also noted that this development has the frontage parking located within the cul-de-sac area which is less publicly visible which helps to mitigates this impact further.

The scheme has been designed so that the properties front onto St Mary's Road giving an active frontage. In addition, the proposed flats also have an active frontage onto Ramsey Road to provide a sense of place that is appropriate for the area.

Overall, the scheme is considered to provide a high quality development that complements the existing residential development to the east as well as the newly completed development of apartments on the former Elisabeth the Chef site immediately to the west. The site completes the residential frontage of this side of St Mary's Road giving a coherent appearance to the Local Area and improves the setting of the Canal Conservation Area in this location.

The scheme is therefore considered acceptable having regard to Policy BE1 and HE1 of the Local Plan.

Impact on adjacent properties

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

The proposal has been designed to ensure that all windows are located appropriately to prevent harmful overlooking of adjacent properties and loss of privacy. Where there are facing windows, these greatly exceed the required separation distances to prevent unacceptable loss of privacy.

The site lies adjacent to an existing apartment block constructed as part of the earlier residential development of the site. The rear elevation of this building has a blank elevation facing the site so the new development would not result in any harm to the amenity of residents of the block.

Officers therefore consider that the proposal is acceptable having regard to Policy BE3

Amenity of future occupiers

Policy BE3 of the Warwick District Local Plan states that new development which does not provide acceptable standards of amenity for future occupiers of a development will not be permitted.

All of the proposed dwellings have been designed to benefit from appropriately sized areas of private external amenity space. In addition, all habitable rooms are provided with adequately sized windows to provide acceptable levels of light and outlook for future residents.

Officers therefore consider that the proposal is acceptable having regard to Policy BE3.

Parking & 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.

Policy RLS13 of the Neighbourhood Plan requires all development to support measures for sustainable transport methods to make Royal Leamington Spa a cleaner, safer and healthier town.

The proposal includes the provision of a new highway access into the cul-de-sac built to the required specifications of the County Highways Authority. The proposed access has acceptable visibility in both directions and will also provide an appropriate footpath link from within the site to the wider network.

The properties have been provided with a level of parking commensurate with the adopted Parking Standards SPD.

Officers therefore consider that the proposal is acceptable having regard to Policies TR1 and TR3.

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. Where this is not possible, mitigation or compensatory measures should be identified accordingly.

The proposal has been submitted with a Preliminary Ecological Assessment. This has been assessed by the County Ecologist who is satisfied with the results of the survey work and has no objection subject to the imposition of conditions to secure biodiversity gains across the site and to ensure protected species are not harmed by the development works.

Officers therefore consider that the proposal is acceptable having regard to Policy NE3.

Impact on Local Infrastructure / Services

The proposed development of 15 dwellings would create additional demand for local infrastructure/ services and therefore developer contributions are required.

Having assessed the available evidence, the contributions sought are considered to be in accordance with Regulation 122 of the Community Infrastructure Levy Regulations 2010. A development of 15 dwellings on this site would have a material impact on or need for improvements to local facilities to mitigate the impact of the development.

Therefore, it is considered that appropriate contributions are necessary to make the development acceptable in planning terms and subject to being directly related to the development, are fairly and reasonably related in scale and kind to the development (as required by Regulation 122).

The necessary contributions identified would be secured through an appropriate Section 106 Legal Agreement. At the current time, the following financial contribution requests have been received:

Outdoor Sporting Contribution	£1,059
Indoor Sporting Contribution	£11,787
Grass Pitch Contribution	£16,530
Off-site Open Space Contribution	£tbc
Doctors Surgeries	£tbc
Hospitals	£tbc
Footpath Improvements	£tbc
Libraries	£tbc
Education	£tbc
Sustainable Travel Promotion	£tbc
Monitoring (County)	£tbc
Monitoring (WDC)	£tbc

Where the figure is to be confirmed, this will be provided within the update report for Members ahead of the meeting.

In addition, the Section 106 Agreement will also secure the following:

- 40% Affordable Housing
- Local Labour Agreement.

Drainage

Policy FW1 requires all new development to be resilient to surface water flooding through the use of appropriate drainage solutions. Policy FW3 seeks water efficiency measures.

Policy RLS1 of the NDP states that development proposals for previously developed land, where appropriate, should undertake a surface water outfall assessment, following the Drainage Hierarchy (NPPG, Paragraph 80) to determine if there are viable alternatives to existing connections to the combined sewer network.

In terms of surface water drainage, the site is within Flood Zone 1 which is identified as the areas of lowest risk from flooding. Drainage is proposed to be dealt with on-site using Sustainable Urban Drainage systems (SuDs). The scheme was submitted with a drainage strategy demonstrating that as part of the SuDs scheme, it is proposed to install an attenuation tank within the limits of the site to ensure run-off results in an 88% betterment compared to the existing drainage on site. This exceeds the 50% requirement as stipulated by the Local Lead Flood Authority.

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 Water. It is appropriate to attach a condition seeking the details of the drainage to be submitted and approved as well as a condition requiring water efficiency measures to satisfy Policy FW3. All drainage will be secured by condition.

The proposal is therefore considered to satisfy the relevant policies referenced.

Contaminated Land

Paragraph 183 of the NPPF states that decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination.

Paragraph 184 of the NPPF states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

As the site is a former industrial site, the Environmental Protection Officer has recommended that an appropriate Ground Investigation Survey is carried out to identify any contamination and to provide a mitigation scheme to address any contaminated land found. This is to be secured by condition.

Trees/ Hedgerows

The site is predominantly laid to hardstanding and buildings so there are no trees or hedgerows within the site. The closest trees lie within the public highway and these are to be retained as part of the scheme. A protection scheme is proposed to ensure that these trees are not harmed by the development.

Waste Storage

The development has been assessed by the waste management team who are satisfied that the layout of the scheme will facilitate appropriate waste collections by the weekly waste service. Each plot contains adequate space for storage of bins.

Air Quality

A condition will be added to secure the provision of electric vehicle charging points to satisfy the requirements of the Air Quality & Planning SPD.

Other Matters

The County Landscape Officer has requested that screening be provided for the substation adjacent to Plots 4-7. Having assessed this element, it is noted that a hedgerow is proposed along the rear of the parking area to provide screening and only the outdoor utility area serving the plots would be unscreened. Officers consider that the substation, whilst utilitarian in appearance, is low profile and constructed of a buff mix brick under a flat roof and would not be sufficiently

obtrusive to cause demonstrable harm to the amenity of future occupiers or the character and appearance of the area.

The Warwickshire Police Designing Out Crime Officer has raised concern about the open nature of the frontage with St Mary's Road and has stated a preference for a "closed cul-de-sac" in the interest of reducing opportunities for crime. The introduction of some form of boundary along the St Mary's Road frontage would give a much harder edge to the development than the open, green frontage proposed that provides a soft edge to the development. This approach would also inhibit movement through the site for pedestrians and cyclists entering and leaving the site. It would also make access to the fronts of Plots 1-3 more difficult from the rear parking area. On balance, the benefits of the open frontage are considered to outweigh the negative in this case and Officers are satisfied that the layout as proposed is acceptable.

Conclusion

The development of the site for the construction of 15 dwellings is considered to be acceptable in principle in accordance with Local Plan Policies H1 and DS11.

The proposals would ensure appropriate levels of amenity for neighbouring dwellings whilst also providing positive and suitable living conditions for future occupants. The proposals would have a positive impact on the character and appearance of the area and are considered to be acceptable in terms of car parking and highway safety. The development would not result in an impact on the setting of the heritage asset of the Canal Conservation Area. The development is therefore considered acceptable in this regard.

Furthermore, the proposals are considered to be acceptable in ecological terms and there are a number of necessary and relevant conditions recommended in the event permission is forthcoming which would ensure that any possible impacts of the development are adequately mitigated.

Overall, the development is considered to accord with all relevant provisions of the Development Plan and for these reasons, it is therefore recommended that planning permission be granted subject to the signing of a Section 106 Agreement to secure the relevant obligations.

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) 4004-05D, 4004-10B, 4004-11B, 4004-12C and ZLA-1015-L200-B, and specification contained therein, submitted on 16 June 2021 and approved drawings EW1051-01-P1 and EW1051-02-P2 and specification contained therein, submitted on 12 August 2021.

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 Prior to the commencement of the development hereby approved (including all demolition and all preparatory work), an arboricultural method statement (AMS) and a tree protection plan (TPP) in accordance with BS 5837:2012, shall be submitted to and approved in writing by the Local Planning Authority for the protection of the retained trees.

Specific issues to be considered in the AMS and TPP shall include, without being limited to:

a) The location and installation of services/utilities/drainage above- and below-ground.
b) Methods of demolition within the root protection area (RPA as defined in BS 5837:2012) of the retained trees
c) Details of construction within the RPA or that may impact on the retained trees.
d) Recommendations for the specification for the construction of any roads, parking areas and driveways that encroach over RPA's of off-site trees and the retained trees within the site, including the extent of those areas to be constructed using a no-dig specification.
e) A recommendation for protective measures to safeguard the off-site trees and the retained trees within the site during both demolition and construction phases, those control measures to be shown on a plan with offsets from fixed points to confirm the alignment of any protective fencing and the extent of any ground protection.
f) A recommendation for ground protection measures where scaffolding will be erected within the RPA or which will affect retained trees' canopies.
g) A recommendation for ground protection measures where cranes will be installed within the RPA or which will affect retained trees' canopies (if appropriate).
h) A specification and schedule of tree pruning work to allow the crane to operate effectively (if appropriate).
i) Recommendations for site set up (to include access, internal roads, contractor parking, on-site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste, as well as the delivery or mixing of concrete) and suitable control measures to protect the retained trees from harm from those facilities or activities.
j) Details of an arboricultural site monitoring protocol that will confirm to the local planning authority by independent examination that the agreed tree protection measures are in place for the duration of the development.
k) Methods to improve the rooting environment for retained and proposed trees and landscaping.

The development thereafter shall be implemented in strict accordance with the approved details and the control measures shall be kept in place until all parts of the development have been completed and all equipment, machinery and surplus materials have been removed.

REASON: In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

4 The development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; site working hours and delivery times; 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, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP.

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.

5 With the exception of demolition works, no development shall take place until: -

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

- A risk assessment to be undertaken relating to human health
- A risk assessment to be undertaken relating to groundwater and surface waters associated on and off site that may be affected
- An appropriate gas risk assessment to be undertaken
- Refinement of the conceptual model
- The development of a method statement detailing the remediation requirements

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

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

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

3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the local planning authority for an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

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

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

6 The development hereby permitted shall not commence until a Construction and Environmental Management Plan (CEMP) in accordance with the British Standard on Biodiversity BS 42020:2013 has been submitted to and approved in writing by the District Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for protected and notable species with subsequent mitigation and monitoring, as deemed appropriate. In addition, appropriate working practices and safeguards for habitats, such as indirect impact to the Grand Union Canal, to be employed whilst works are taking place on site. The compound area should be allocated and illustrated in a site layout within the plan. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

REASON: To ensure that protected species and habitats to be retained are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005.

7 The development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan (LEMP) has 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, wildflower grassland creation, tree/hedgerow planting, provision of habitat for protected/notable species. Such approved measures shall thereafter be implemented in full.

REASON: To ensure a net biodiversity gain in accordance with NPPF.

8 No development shall take place until a detailed lighting scheme has been submitted and agreed between the applicant and the local planning authority.

In discharging this condition the District Planning Authority expects lighting to be restricted next to the broadleaved woodland, around the boundary edges/hedgerows, around the veteran oak tree, and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats and other nocturnal wildlife. This could be achieved in the following ways:

- Lighting should be directed and shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible
- Lighting should be timed to provide some dark periods
- Connections to areas important for foraging should contain unlit stretches

REASON: To ensure that protected species and habitats to be retained are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005.

9 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.

10 No dwelling shall be occupied until the estate road [including footways] serving it has been laid out and substantially constructed to the satisfaction of the Highway Authority in accordance with the details approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and the free flow of traffic in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

11 The proposed development shall proceed in strict accordance with the noise mitigation measures contained within the Hoare Lea Baseline Noise Assessment report (Revision 1, dated 1st June 2021). Once implemented, the approved noise mitigation measures shall be retained thereafter.

REASON: To ensure that future occupants do not experience unacceptable levels of noise, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

12 Prior to the occupation of the dwelling(s) hereby permitted, one 16amp (minimum) electric vehicle recharging point (per dwelling) shall be installed in accordance with details first submitted to and approved in writing by the Local Planning Authority (LPA). Once the electric vehicle recharging point(s) has been installed, the following verification details shall be submitted to and approved in writing by the LPA: (1). Plan(s)/ photograph(s) showing the location of the electric vehicle recharging point(s); (2). A technical data sheet for the electric vehicle recharging point infrastructure; and (3). Confirmation of the charging speed in kWh. Thereafter the electric vehicle recharging point(s) shall be retained in accordance with the approved details and shall not be removed or altered in any way (unless being upgraded).

REASON: To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan and the Air Quality and Planning Supplementary Planning Document.

13 The development hereby permitted shall be carried out in strict accordance with the details of surface and foul water drainage works indicated on the approved drawings.

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.

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 Any hard landscaping shown on the approved plans, including boundary treatment, paving and footpaths, shall be completed in all respects within the 6 months of the first use of the development hereby permitted. Any soft landscaping shown on the approved plans, including any tree(s) and shrub(s), shall be planted within the first planting season following that first use. Any tree(s) or shrub(s) removed, dying, or becoming in the opinion of the local planning authority seriously damaged, defective or diseased within five years from the substantial completion of the scheme shall be replaced within the next planting season by tree(s) or shrub(s) of the same size and species to those originally required to be planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations.

REASON: To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

16 The development hereby permitted shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times.

REASON: To ensure adequate off-street car parking and servicing facilities in the interests of both highway safety and visual / residential amenity in accordance with Policies BE1, BE3 and TR3 of the Warwick District Local Plan 2011-2029.

17 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 fire fighting 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.