Planning Committee: 11 November 2014 **Item Number:** 10

Application No: W/14/1293

Registration Date: 28/08/14
Town/Parish Council: Warwick **Expiry Date:** 27/11/14
Case Officer: Liam D'Onofrio
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Land at Foxes Study, Warwick Castle ,Warwick CV34 4QU
A hybrid planning application in two parts:
Part i: outline application with all matters reserved except for siting for up to 12 permanent semi-detached lodges: up to five permanent tree houses: and associated infrastructure works.
Part ii: Full planning application for erection of 8 permanent semi-detached lodges providing visitor accommodation, associated infrastructure works (including drainage) an ancillary facilities building, a sub-station, boardwalks, re-alignment of the existing perimeter footpath, widening of the existing internal access road, lighting and landscaping works and the siting of 41 seasonal glamping tents including associated seasonal support facilities including a banqueting tent, showers and toilets. FOR Merlin Attractions Operations Ltd
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This application is being presented to Committee due to the number of objections and an objection from the Town Council having been received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

This is a hybrid planning application, seeking part outline and part full planning permission.

The Full Planning Application

The full planning application seeks the erection of 8 permanent semi-detached lodges to provide visitor accommodation and associated infrastructure works, an ancillary facilities building, a sub-station, boardwalks, the re-alignment of the existing perimeter footpath, the widening of the existing internal access road, lighting and landscaping works. It also seeks the siting of 41 seasonal 'glamping' [glamorous camping] tents, including associated seasonal support facilities with a banqueting tent, showers and toilets. The seasonal 'glamping' element of the scheme is only proposed to operate between 1st May and 30th September each year.

The glamping tents are proposed to be up to 4 metres in height and have a maximum diameter of 5.6 metres (circular type) or 8 metres by 4.5 metres (oval type) and will be either white or cream coloured canvas with a small amount of coloured scalloping.

The proposed lodges are located to the east and south of the glamping area and measure 9.6 metres by 6.6 metres and 6.7 metres in height (to the ridge). Each lodge has its own bathroom, kitchen/living/dining area and two bedrooms, one within the roof pitch at mezzanine level. The proposed materials take into account the woodland setting and the main elevations are natural wany edge timber cladding with exposed frame/half timbers and timber framed windows. The pitched roofs will be timber shingle clad and chimneys will be stone clad (reaching 7.9 metres high).

A permanent facilities building to the northwest of the site comprises 206sq.m of floor space and provides a welcome and administration area for visitors. The building will also accommodate a small shop, laundry store, showers and staff facilities. The sub-station is proposed to be located to the rear of the facilities building and all service networks will run below the proposed network of boardwalks to avoid trenching below ground level. The applicant confirms that boardwalks will be lit using low level lighting and will provide a safe, convenient and attractive access for pedestrians and those with mobility/sensory issues.

No additional parking is proposed and visitor accommodation will be located within walking distance (100 metres) of the Stratford Road Car Park.

The Outline Planning Application

The outline planning application seeks further accommodation comprising of up to 12 permanent semi-detached lodges five permanent tree houses and associated infrastructure works. All matters are reserved for further approval for this element of the scheme with the exception of the siting of the structures.

The applicant has stated that Phase 1 of the proposal will focus on the detailed part of the development which would be implemented in 2015 with the intention that the outline part of the development would be implemented over subsequent phases probably in 2016 and 2017.

The application is accompanied by various detailed supporting documents comprising a Planning Statement, Design and Access Statement, Transport Assessment, Tree Survey and Arboricultural Assessment, Flood Risk Assessment, Geo-Environmental report, Extended Phase 1 Habitat Survey, Noise Assessment, Services Strategy, Economic Statement, Heritage and Landscaping Assessment and Archaeology Assessment.

The Planning Statement sets out the social and economic context of Warwick Castle identifying the key benefits to the region as being:

- The delivery of £32 million of revenue to the region.
- The consistent generation of publicity and awareness of Warwick at national level.
- The proportion of castle guests(35%) visiting Warwick town.
- The generation of £1.5 million revenue directly to the town.
- The provision of 70 full-time; 77 part-time and 305 seasonal employees.
- Expenditure of £200K spent annually locally on staff lunches.
- The proportion of glamping guests (30%) who dined in Warwick town in 2013.
- The forecast for glamping to deliver £75k to Warwick restaurants in 2014.
- The creation of 70 temporary construction jobs and 23 full-time, part-time and seasonal jobs at the Castle arising from the proposal.

In terms of heritage restoration, the Planning Statement advises that safeguarding the castle and its extensive grounds is a major and key undertaking and that since 1978 an extensive investment and refurbishment programme has been undertaken to ensure that the fabric of the listed buildings and grounds are maintained and enhanced.

The continued attraction of visitors is considered vital for the Castle's economic viability and to ensure that funds are available for the upkeep of this key heritage asset. Over the past 35 years over £20 million has been spent on restoration, including £7 million over the past ten years. Restoration of the Castle walls and tower are scheduled to be undertaken between 2015-2019 at an estimated cost of £1 million and a total of £2.15 million heritage restoration works are planned.

Warwick Castle, as a visitor attraction, operates in a highly competitive sector of the economy and essential factors for retaining its visitor numbers include meeting and exceeding customer expectations and standards, providing unique insights/opportunities and a range of experiences in order to continue to attract people of varying ages and interests, including families.

The provision of visitor accommodation is considered to play a vital role to ensure a unique visitor experience and the Planning Statement indicates several reasons why this is important to the castle's future operation and benefits to the town generally including:

- The proven benefits for the demand from visitors for a unique accommodation offer.
- The absence of such unique accommodation elsewhere in the local area resulting in the attraction of visitors who would not otherwise visit Warwick Castle.
- The delivery of incremental overnight stays in addition to that generated by the existing town hotel room stock.
- The promotion of town visitation and spending.
- The generation of additional revenue to fund further investment in the Castle.
- The creation of new employment opportunities.
- The differentiation of Warwick Castle from its main competitors.

The Heritage and Landscape Assessment seeks to demonstrate that the proposals have sensitively considered the significance and setting of Warwick Castle and its wider heritage assets. It sets out that the development will be discretely sited and set within a well screened location within the wider castle grounds and that the seasonal nature and limited duration of the glamping tents/infrastructure is not considered to harm the heritage assets. The report concludes that the harm is at most the very low end of the scale envisaged by the concept of "less than substantial harm", leading to a presumption to grant planning permission.

The Planning Statement includes a Statement of Community Engagement and the applicant has sought to undertake detailed pre-application advice and neighbour consultation prior to the submission of this application. The key elements of the approach taken which has resulted in further studies and assessment being undertaken and the making of revisions to the scheme are indicated in the table below:

Date	Meeting
20-Jan	WDC planning team: Annual Warwick Castle planning update
02-May	WDC Tree Officer site meeting
26-Jun	WDC Planning Officers pre-application meeting
03-Jul	English Heritage
07-Jul	Warwick Town Council Plans Meeting
07-Jul	Warwick District Council Plans Forum
09-Jul	Warwick Chamber of Trade
22-Jul	WDC Planning Officers pre-application meeting
31-Jul	Warwick Castle Neighbours Forum
01-Aug	Resident drop in session for viewing and discussion of plans
02-Aug	Resident drop in session for viewing and discussion of plans
06-Aug	WDC Tree Officer site meeting
14-Aug	Conservation Advisory Forum
14-Aug	WDC Planning Officers pre-application meeting
30-Aug	Resident drop in session for viewing and discussion of plans
24-Sep	Cllr Littlejohn to answer questions relating to proposal
25-Sep	WDC Noise Officer
08-Oct	Cllr Grainger to answer questions relating to proposal
13-Oct	Warwick Town Council planning committee
17-Oct	WDC planning case officer and conservation officer site visit

THE SITE AND ITS LOCATION

Warwick Castle is a Grade I Listed Building, a Scheduled Ancient Monument and Warwick Park and Gardens are designated as Grade I on the English Heritage Register of Historic Parks and Gardens. The Castle Park is within a designated Area of Restraint in the current Local Plan, and within Warwick Conservation Area. The site is within open countryside close to Warwick Town Centre.

The application site is located about 450m to the south-west of the Castle on the western bank of the River Avon, near the southern end of the island, and in an area of Castle Park known as Foxes Study. The site area is well screened from views from the Castle, Conservatory and grounds to the north by existing mature trees within the Castle grounds.

There is a hard surfaced path running around the edge of the lawned vista running from the Conservatory down to Foxes Study. To the north-west of the application site lies the main public car park which is enclosed by a chain link fence. Further to the west outside the Park are dwellings on Tudor Close, Stuart Close and Temple Grove.

The application site slopes gently upwards from east to west, occupying a plateau which is elevated above the river bank, and is currently grassed with a large number of TPO trees, mainly Oaks, Sycamores and a number of Pines, Redwoods and Spruce. The part of the site immediately adjacent to the River bank is within Flood Risk Zones 2 and 3.

PLANNING HISTORY

There is an extensive planning history at the Castle, the most recent/relevant to this proposal is:

W/13/1781: Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 17th May 2014 and 9th September 2014 only at Foxes Study, Warwick Castle: Granted 7th February 2014.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP4 - Archaeology (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)
- RAP15 - Camping and Caravanning Sites (Warwick District Local Plan 1996 - 2011)
- RAP16 - Directing New Visitor Accommodation (Warwick District Local Plan 1996 - 2011)
- The Emerging Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS3 - Supporting Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS5 - Presumption in Favour of Sustainable Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- PC0 - Prosperous Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

- CT1 - Directing New Tourism, Leisure and Cultural Development (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CT2 - Directing New or Extended Visitor Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CT4 - Extensions to Tourism, Cultural or Leisure Facilities in Rural Areas (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CT6 - Camping and Caravan Sites (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CT7 - Warwick Castle and Warwick Racecourse/St Mary's Lands (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- CC1 - Planning for Climate Change Adaptation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW1 - Development in Areas at Risk of Flooding (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE4 - Protecting Historic Parks and Gardens (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE6 - Archaeology (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: Objection. Too few details are provided to assess the impact upon the Grade 1 Listed Registered Park and Garden/setting of Warwick Castle. To approve development without the necessary details would be contrary to NPPF. This application is premature before the assessment of the restoration works required as a result of the temporary glamping permission (W/13/1789). The Town Council recommend submission of a more detailed application.

Environment Agency: No objection, subject to conditions.

Warwick Chamber of Trade: Support. Grateful for the economic benefits that the Castle's visitors bring to the town. It is known from the experience of glamping that there is significant benefit to the evening economy.

Councillor Bob Dhillion: Support, on the following points:

- Allowing Warwick Castle to build new seasonal and permanent accommodation at the site will not only help fund the ongoing maintenance at the Castle, but will also bring more tourists into the town which will boost the local economy. In general the Castle visitors help support the town economy and local business and/or with accommodation in the form of glamping which has been extremely successful over the past couple of years.

1 The Castle is the focal point in Warwick which is a great local benefit and they are a good neighbour. There is no real disturbance from the events at the Castle as they always give neighbours plenty of notice of the planned events which are well managed.

2 The location of the visitor accommodation within Foxes Study is the most appropriate location for this type of development within the Castle grounds as it is well screened by mature woodland.

3 The proposed design and siting of the visitor accommodation has been carefully considered and will not affect the key historic features of the area or views around the site. No veteran trees or ancient woodland is to be removed from the site as a result of the development.

4 The design of the lodges and the use of natural materials are welcomed to complement the woodland setting.

5 It is comforting to know that the proposed development will not generate additional traffic or will require additional parking at the Castle.

6 It is satisfying to see that the Applicant has undertaken extensive studies to support the application and to ensure that the accommodation can be located adequately within Foxes Study, ensuring there is minimal ground and ecological disturbance.

English Heritage: No objection, subject to conditions following the repositioning of some of the lodges. It is essential that infrastructure is kept to a bare minimum, and it is understood that drainage/services will be achieved within the walkways. Rigorous conditions will be required to avoid associated clutter/intrusive fencing.

CAF: Objection. Very significant concern was expressed by all members that this proposal would cause irreparable damage to the woodland. It was felt that although the applicant has suggested this area is of lesser interest, it is part of the 18th century woodland originally with walks and would have had underplanting. The use as proposed will completely destroy all under-planted and plant life at ground level. The fencing has created an urbanisation of woodland. The planning statement completely ignores the impact on the historic landscape and dismisses it out of hand and concentrates on the more notable parts of the historic landscape. It was felt that there could be impact on the wider views from Castle Park itself including Spears Lodge. The fact that this was all in different ownership is irrelevant in terms of the maintenance of the fabric and grain of the historic parkland. It was felt that this is of national importance, there are a very limited number of Grade I listed landscapes in the country and this could have irretrievable damage particular in terms of providing permanent buildings within the landscape and allowing the landscape to be trafficked in a way that was already damaging by the 'glamping' tents. It was felt that the extensive fencing and associated works with the 'glamping' has already caused significant harm to the landscape and completely changed the character of this area of the park. It was strongly felt that the application should be refused.

WCC Archaeology: No archaeological comments to make on this application.

WDC Environmental Services: No objection, subject to conditions.

WCC Ecology: No objection, subject to conditions.

Natural England: All of the necessary species surveys (for bats and badgers) should be carried out prior to a decision being made.

Warwickshire Wildlife Trust: Consider that more detailed bat and badger surveys should have been submitted to enable full and thorough consideration of the impacts resulting from the proposals. Concern that human activities after occupation of the site could lead to the erosion of the river bank and WWT would like to see a 30m buffer between any new development and the river.

Woodland Trust: NPPF para.118 noted, which states that: *planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for and benefits of the development in that location clearly outweigh the loss.* The WT recommend further research is carried out regarding the antiquity of the woodland, submitted to Natural England for review.

WDC Tree Officer: No objection.

CPRE Warwickshire: Objection. This is a very damaging proposal which would seriously harm part of Warwick Castle's Registered Park & Garden, by converting what was historic woodland into a leisure area, which most of the original woodland has been lost. The current time-limited permission for glamping has harmed the Park & Garden already. The pitching of tents, laying of hard surfaces, and creating in effect a recreation area is wholly contrary to the purposes for which the Park & Garden were protected. Other objectors have submitted details of the harm that has been caused. Woodland that was largely undamaged in 2000 has been thinned out and the understory largely lost, causing harm to wildlife and flora. The further development of holiday lodges and 'tree houses' with a service access and other infrastructure would urbanise what is left of this woodland. This proposal should be refused on conservation grounds. The application for permanent planning permission for other buildings and use of the land for glamping tents should also be refused. They have already proved to be harmful to the woodland and the Park & Garden on the current temporary permission.

The Garden History Society: Objection. The development will have a significant adverse impact on heritage asset of the greatest national significance and is contrary to NPPF para.132, which requires harm to heritage assets of the highest significance (Grade I or II*) to be "wholly exceptional". This setting of the designated landscape as a whole is considered to be of outstanding significance and attempts to dismiss Foxes Study as an area of lesser significance is at best naive, at worst deliberately misleading. Foxes Study is a significant

and integral element of the overall historic designed landscape at Warwick Castle. The document submitted in support of the application does not, in our view, provide an appropriately rigorous assessment. The opportunity to assess the impact of the temporary consent (W/13/1781) has not been taken before consent has been sought for the permanent development.

Warwickshire Garden Trust: Objection. Development will conflict with NPPF para.132, which requires harm to heritage assets of the highest significance to be "wholly exceptional". Warwick Castle is Grade I listed and the park and gardens are also Grade I listed. The English Heritage Guidance on settings (Consultation of 2014) is noted. The submitted Heritage and Landscape Assessment argues that the Foxes Study was not planted by Capability Brown and is therefore peripheral to the historic core of the park, this is refuted and the register makes clear that the interest of the park and gardens derives from its multi-layered history. The function of the Study is to stop the view straight down Pageant Field and deflect the eye to the river; provide a transition between the more ornamental garden and the park and view from the park back towards the Castle. Foxes Study has been allowed to thin, producing two glades and a shocking reduction in tree cover is visible in 2000-2006 aerial photographs. It was expected woodland would recover from temporary glamping (41 families over 25 weeks) an application on a permanent basis for another 45 families in units sleeping up to 7 people all year round, will rapidly destroy the quality of the woodland through wear and tear. Further potential damage from visitors. Fencing will be provided for security /privacy and will be even more intrusive than at present. Tree planting is derisory and demonstrates lack of understanding of the character of an 18th Century landscape. The present lack of public access is not a relevant factor in determining the damage that will be caused by the development and is not justified by economic arguments.

WCC Highways: No objection.

WDC Health and Community Protection: No objection

Public response:

There have been 21 letters of **support**, noting the following:

- The scheme will bring visitors to spend money in Warwick Town Centre shops/restaurants; the proposal will boost the local economy and generate increased footfall within the town.

- (Town Centre cafe) We have had a lot of extra trade from the introduction of the glamping.

- Change can be scary, we can't live in past and treat every new idea with hostility/cynicism. Anything supporting the town's development and encourages it to flourish is a good thing.

- A great addition to Castle facilities.

- Supports shortfall in accommodation in Warwick Town Centre; encourages short breaks; adds truly unique accommodation.

- Merlin have original, modern ideas to promote and protect our biggest asset, whose upkeep must be massive.

- It is comforting that the development will not generate additional traffic or additional parking requirements.

- The proposed visitor accommodation seems appropriate and sympathetic, well screened by woodland and can't be seen from the road.

- The lodges designed to be contextual with suitable materials.

- It is important that Warwick Castle thrives and historic buildings are maintained; the scheme provides funding for ongoing maintenance.

- No real disturbance has been experienced from events [Jury street resident]. Neighbours have plenty of notice and events are well managed.

- Pleased to see that no veteran trees/ancient woodland to be removed.

- Consider that Warwick Castle have undertaken extensive studies and effort to minimise ground/ecological disturbance.

Carols at Warwick Castle Committee note three grounds of support:

1. Financial - Restoration work continues year-on-year, works are about to start on the east front wall, costing over £1,000,000. Fabric spend brings in NO extra visitors. The Castle has to stand alone and be successful as an autonomous business within the wider Merlin Group and needs to generate additional revenue streams (without raising ticket prices) to continue upkeep.

2. Environmental - It is incumbant upon the castle owners to remain sensitive to Grade 1 listed landscape, we have confidence in this. The landscape of the grounds has evolved ever since the castle was built and Capability Brown made significant changes in the mid-18th Century. Challengingthe proposed accommodation on impact to grounds is at odds with historic evolution.

3. Responsibility - The owners of Warwick Castle are hugely responsible and fully comprehend their role at the heart of the community.

There have been 46 letters of **objection**, noting the following:

- Detriment to flora/fauna; harm to protected species; and the ecosystem.

- The impact upon and loss of trees.

- The potential for light impact upon nocturnal wildlife.

- The castle and park are registered under the Historic Buildings and Ancient Monuments Act; the impact to parkland setting; the impact on the Grade 1 listed building/parks and gardens.

- The development will have a significant detrimental impact to whole landscape.

- Concerns that the Castle will be turned into a 'theme park'; being cheapened and threatened by commercialisation; and is fast becoming a 'holiday resort'.

- The Castle is to be protected for future generations; tents easily removed, log cabins not so.

- Merlin are merely custodians of a significant part of English heritage; the proposal will only provide further financial gain to owners.

- Noise; disturbance; pollution concerns to local residents; the proximity of the development extremely close to houses.

- The traffic increase; chaos to Stratford Road and traffic jams.

- Sewage concerns.

- 23 new jobs created, but will this take trade from the town's own hotels.

- Can emergency services access the site; NHS at capacity; security for site.

- The vast proportion of visitors to the Castle do not enter the town.

- History should not be tampered with.

There have been two neutral letters commenting on the scheme.

Assessment

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

7 Principle/Impact on the heritage assets;
- Impact upon trees;
- Impact upon ecology/protected species;
- Impact on residential amenity;
- Highway safety;
- Drainage/Flood risk;
- Renewable energy.

Principle/Impact upon Heritage Assets

The site falls within open countryside, however it is located adjacent to the Warwick Town Centre and is therefore in a sustainable location with excellent links to the Town Centre's facilities, services and public transport, encouraging linked trips. The NPPF paragraph 28 seeks to support sustainable rural tourism and leisure developments that will benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This can be through conversion of existing buildings or well designed new buildings. Local Plan Policy RAP15 states that camping or caravanning sites will not be permitted unless they can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local facilities and are not in areas of high flood risk.

The contribution the Castle makes to the economy of the town is clearly significant (as detailed above) and the benefits of the development in terms of supporting the Castle in its function as a major tourist attraction for the town (and region) is a material consideration to the assessment of the scheme. The NPPF paragraph 126 states that the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring should be taken into account and paragraph 131 recognises the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation; and the positive contribution that conservation of heritage assets can make to sustainable communities, including their economic vitality.

Nevertheless, these positive aspects of the scheme need to be carefully balanced

against any potential harm to the heritage asset. The NPPF paragraph 132 states that when considering the impact of a proposed development great weight should be given to the asset's conservation. Substantial harm or loss to heritage assets of the highest significance, including Grade 1 Listed Buildings and Grade 1 Registered Parks and Gardens, should be wholly exceptional. Local Plan Policy DAP4 states that development will not be permitted that will adversely affect the setting of a Listed Building, Policy DAP8 requires development to preserve or enhance the appearance of Conservation Areas and Policy DAP11 states development will not be permitted if it would harm the historic structure, character, principle components and setting of Registered Parks and Gardens.

Concerns raised by The Garden History Society and Warwickshire Gardens Trust are noted. The applicant has responded to these comments directly and considers that the methodology used in both representations to be flawed, as 'substantial harm' is a high test to meet and does not occur frequently.

Such harm is considered to involve either total loss of the asset or direct or indirect effects which are so significant that the original justification for the designation is undermined. The applicant recognises that the park and gardens have significance as a whole, however they do not consider that a minor change to one element of the park gives rise to substantial harm to the asset as a whole.

English Heritage have raised no objection to the revised scheme and are aware that concern has been expressed as to the impact of this development on the Historic Park and Garden.

Undoubtedly the woodland will be less tranquil during periods when visitors are occupying the glamping site and the cabins. The point has also been raised that the wood was intended as an area of ornamental woodland and shrubbery which was meant to be visited in its own right. Nevertheless English Heritage understand the Castle’s desire to have visitor accommodation on site. English Heritage consider that it is essential that the development is controlled so that it does not acquire the clutter that can be associated with development, such as extra security fences, service compounds or any other clutter which would affect the overall impact.

The Council's Conservation Officer has assessed the scheme and has commented that Warwick Castle Park is a significant garden historic landscape which has evolved over various historical periods covering 250 years. Capability Brown was perhaps the most significant designer in terms of his influence on the earlier seventeenth century parkland features, however the period of his influence is only part of the reason for the high status of the park as its further evolution and re-alignment of the Banbury Road are also of significance in the parks development.

The emphasis on the Brownian landscape features in the applicants submission does somewhat underestimate the contribution of the later developments to the whole – which is very much a series of layers – contributing to the overall significance. Foxes Study, which is the application site, is an area of woodland that appears to have been planted in the later part of these developments and as described by the Warwickshire Gardens Trust in their response to the application has a somewhat complex developmental history over a relatively short period of

time. It acted as part of boundary tree planting and also formed part of the significant view created from the conservatory - the tree planting leading the eye to the important view across the park to the hanging woods. The purpose of this area of Woodland therefore forms part of a very complex park and garden, which has at its core the Grade I and Scheduled Warwick Castle which like the park has a complex architectural history which it displays today.

The development will provide permanent timber lodges and tree houses and seasonal glamping tents for which the impact of the latter will be restored on a seasonal basis. This proposal must be considered within the context of the provision of on site accommodation at the Castle, which has been a desire of the present custodians for some years. Off-site provision has been investigated and while it may in some ways have been less controversial it was considered not to provide the desired visitor experience and outcomes, which would contribute to the castle's continuing appeal as a unique destination. Various on-site options and arrangements have been discussed with the Castle's owners and are identified to an extent in the submissions with this application. They all bring with them potential impacts on the various aspects of the historic environment, however there is no impact free solution that would fulfil the desired visitor outcomes and ultimately the overall safeguarding and maintenance of the Castle as a viable working asset.

The potential impacts of the glamping element of the proposal will be seasonal, and the applicant has stated that the grounds will be restored as part of this arrangement.

The cabins and tree houses are intended to be permanent features involving different potential effects within the landscape. As simple chalet buildings, the design and scale of the cabins and use of natural materials is appropriate within this sensitive environment. Clearly there will be an impact on the understorey planting arising from the proposals and the increased activity in this area, however the proposed use of decked pathways to contain service cables etc. above ground levels will limit ground and tree root disruption and will be beneficial in that respect. The potential visual impact of the proposals within the landscape are considered below. It should be noted that the existing boundary treatment around the glamping site is a temporary feature and a more sympathetic solution will be secured through condition.

In terms of evaluating the impact of this element of the proposal, which will result in the construction of permanent features within this part of the Grade I Park and Gardens it is considered that there are two levels of potential impact: 1) that within Foxes Study itself and; 2) that within the wider views and settings of heritage assets within the park as a whole.

With regard to the first consideration the siting of the proposals was selected for its relative separateness from other elements of the park. It is considered that if all elements associated with the proposal are contained within Foxes Study itself the physical impact is focussed on this part of the park rather than the wider setting.

From the plans and submitted reports it is considered that containment has been the primary objective of the overall design of the proposal. In order to ensure that any potential wider visual impacts are dealt with appropriately, planning conditions are proposed, particularly in terms of access points, boundary treatments, light sources etc.

With regard to wider potential impacts within the park and garden concerns were originally expressed by English Heritage that the cabins would be visible outside Foxes Study and the Garden History Society and Warwickshire Gardens Trust have expressed concerns at similar views and views from the island.

In response the proposed scheme has been revised to address English Heritage's concerns and as a result the visibility of the cabins will be largely restricted to within the woodland itself. No issues were raised with the location of the tree houses. The glamping element of the scheme will continue to be visible from the island however it is considered that the impact is seasonal, in a similar manner to the use of other tents within the Castle grounds such that this is considered to be acceptable in visual terms - historically scout camps and other forms of tentage did form part of country house landscapes especially in the early twentieth century.

The prime view from the conservatory is largely unaffected (an application for a children's play area in a location that would have significantly impacted on this view was refused some years ago). There will be a view of the glamping area looking from a vantage point east of the conservatory, through a break in the trees, however as with the island view it is not considered to be of major significance or detriment. In terms of the proposed tree planting upon which the Warwickshire Gardens Trust have commented, this will be addressed by condition to secure a historically researched and appropriate schedule of planting.

In terms of the overall visual impact of the revised proposals on the historic park and garden, subject to the appropriate conditioning of details of proposed boundary treatments and planting it is considered that any potential impact arising from this proposal is essentially limited within Foxes Study itself. As set out above, the applicant has sought to limit the physical impact within the immediate area by means of the design and servicing of the proposed lodges/tree houses, glamping facilities and associated service tents.

That being the case it is considered that the impact of the proposals amounts to less than substantial harm to the Castle Park and Castle historic assets and therefore that the application should be considered in the context of paragraph 134 of the NPPF.

That paragraph states that where development will lead to 'less than substantial' harm to the significance of a designated heritage asset, as in this case, any such harm should be weighed against the public benefits of the proposal including securing the optimum viable use of the heritage asset.

In this context it is considered that this unique proposal to provide visitor accommodation on site will significantly contribute to the sustainability and safeguarding of the Castle in its present form as both a visitor attraction in the area and a suitably protected and maintained historic building. As set out above it is also considered that the positive benefits likely to accrue to the local economy from the ongoing viability of the Castle and grounds are significant material considerations in support of the proposed development.

The Conservation Officer seeks to qualify that it is considered that cumulative harm of a less than substantial nature to part of a heritage asset, when multiplied, can lead to substantial harm, however it is not considered that this development is in any way forming part of a cumulative situation at the Castle at this present time.

Officers note that the tents are easily removed and although the lodges and tree houses are permanent they have a certain transitory nature and are removable in the longer term. Following a recent site visit Officer's can report that all seasonal glamping tents associated with the temporary permission W/13/1781 have been removed and although a 'terra lift' is awaited for the access track there appears to have been minimal compaction of the soil beneath the glamping tents and no impact to surrounding trees.

Accordingly it is considered that in accordance with paragraph 134 of the NPPF, the less than significant harm arising from the proposed scheme is outweighed by the other material benefits which will accrue from it.

It is also considered that the nature of the proposed development, including its well screened location and the sympathetic design of the lodges and their materials (submitted under the full part of the planning permission) will preserve the appearance of the Warwick Conservation area.

On balance, the proposal is therefore considered to be acceptable in principle.

Impact upon trees

The Council's Tree Officer has assessed the amended scheme and has raised no objection to the proposed layout, tree protection plan and arboricultural method statement including in respect of the mini-pile foundation details, which are proposed for the lodges and board walk routes through the site, which are designed to prevent damage to the trees and their rooting systems. Dimensions for the protective tree boxes (a physical plywood box formed around the lower trunk of the tree) have been agreed and added to the Tree Protection Plan.

With regard to the proposed additional tree planting the Tree officer has recommended changing the proposed semi-mature Alder *Alnus saethii* with an alternative form of Chestnut *Aesculus x neglecta*, which is known for its autumn colour and its resistance to many of the problems our more common horse chestnut suffers. The Tree Planting Plan has been amended accordingly.

The Tree Officer has also asked for revised drainage details to ensure that the discharge of surface water from the proposed roof structures returns to the host

tree's root protection area. An amended scheme has been submitted to provide a gravel filled 'blanket' laid on the soil. This approach will allow water to percolate through the 'blanket' on to the soil and recharge vertically at rates similar to that experienced by the trees now. The Tree Officer considers the revised proposals to provide an appropriate amended solution.

The Woodland Trust's concerns are carefully noted. The applicant has responded, noting that the site is not currently included within Natural England's Ancient Woodland Inventory following an assessment undertaken in June 2014, which concluded that the application site did not qualify for inclusion. Nevertheless it is recognised that there are a number of aged and veteran trees on the site and the proposed development has been designed specifically to avoid any detrimental impact upon these trees. The applicant notes that the London Plane Tree referred to by the Woodland Trust is not located within the application site.

It has been stated that all mature and veteran trees will be retained within the design scheme which WCC Ecology encourage and welcome recommending that a condition is attached to ensure that these trees are protected with an appropriate tree protection buffer. The Ecologist notes that Veteran trees are an important and irreplaceable biodiversity resource and therefore it is important that they are not harmed by development. As recommended by the Tree Officer WCC Ecology also recommend all trees that are not to be removed should be protected against possible root damage and soil compaction through appropriate mitigation such as the incorporation of appropriate buffers for excavation machinery and ecological supervision of excavations which may occur near to important features such as mature trees.

Ecology Impact

The County Ecologist notes that Warwick Castle Park is part of Ecosite 120/26 Warwick Castle Park, an important complex of woodland, old parkland, veteran trees, wetland, scrub, river and reedbeds. Several areas of the wider Ecosite have been designated as Local Wildlife Sites or identified as potential Local Wildlife Sites. The application site has no specific conservation status; however, it consists of an area of historic semi-natural broad-leaved woodland / parkland, which is an important habitat. The site lies immediately adjacent to the River Avon, Local Wildlife Site (LWS). There are many records of protected and notable species in the surrounding area including otters, bats, reptiles, amphibians, rare plants and notable invertebrates.

Following detailed inspections of the site the Ecologist considers that the development (within each phase) can be controlled by conditions, including a Construction and Environmental Management Plan (CEMP) that will take consideration of protected species of concern during each phase.

A draft bat survey of the trees has also been prepared by the applicant, which shows that only one of the trees to undergo arboricultural works is considered to have a high potential to support bats. The Ecologist agrees with the recommendations made within the report that a precautionary approach is taken.

Lighting will need to be sensitive to avoid any adverse impact upon nocturnal species. The applicant has confirmed that all lighting would be in line with the Bat Conservation Trust's Guidance Document 'Bats and Lighting in the UK' Jan

2008 and the Ecologist has requested a condition to secure an acceptable lighting scheme.

Impact on residential amenity

The Council's Environmental Health Officer is mindful of the concerns raised by local residents with regard to noise and disturbance. The main access point for arriving/exiting guests will be the Stratford Road entrance. The EHO considers that an appropriate solution to the potential for any increased noise and disturbance arising from the proposed uses would be a comprehensive management plan (i.e. traffic and pedestrian movements, site access and egress, restrictions on outdoor activities, curfews and check in times, stewarding of the site, as well as deliveries) to be reviewed by both the Council and Warwick Castle on an annual basis. The applicant has agreed to this approach by means of a condition.

In terms of plant and equipment a noise assessment has been submitted. The EHO notes that the sub-station will be enclosed in a solid brick structure located some 50m from the closest residential boundary, however to ensure that residents are not disturbed an appropriate condition has been suggested by the EHO to ensure the background noise level is not significantly exceeded by plant noise. A construction method statement has also been requested to minimise disturbance during construction works.

The EHO is satisfied that the there are no contaminated land issues and has confirmed that the design of the buildings, raised above ground level with a void beneath the floor, will not require any gas mitigation measures.

Accordingly with suitable conditions the scheme is not considered to result in any significant impact upon the amenities of the occupiers of surrounding properties.

Highway safety

The Highway Authority have assessed the supporting Transport Assessment and does not consider that any additional trips associated with the proposed use will be detrimental to public highway safety, particularly as trips associated with the development is likely to occur outside of the castle's peak operating hours. The Highway Officer considers there to be sufficient parking within the site and notes that several public car parks available in close proximity to the site in addition to an overflow car park. The existing Stratford Road access is to standards and will enable two vehicles to pass each other within the access without obstructing the public highway. There is also a ghost island on Stratford Road, preventing vehicles waiting to turn right into the site from obstructing the flow of traffic. The Highway Authority therefore raises no objection to the scheme.

Drainage/Flood risk

The eastern edge of the application site falls within Flood Zone 2/3. To meet the Tree Officer's requirements amendments have been made to the surface water irrigation strategy, which ensures that the disposal of roof water is directly to a granular storage blanket located beneath the footprint of the proposed lodges / treehouses. The granular storage blanket would allow runoff to naturally disperse through adjacent soils, thus ensuring no reduction in water supply to immediate surrounding trees. The applicant notes that whilst the infiltration potential of

surrounding soils is extremely limited, the voids within the granular storage blanket would provide sufficient capacity to store the difference in volume pre and post-development for the 1 in 100 year six-hour event in accordance with the requirements of the "Interim Code of Practice for Sustainable Drainage Systems". A set of calculations is attached which confirms the pre-development (greenfield) runoff volume for the lodge footprint to be 0.6m3, with the post-development runoff volume associated with the impermeable area for the lodge footprint calculated to be 1.9m3. The granular storage blanket would provide a total storage volume of 3.0m3 thus accommodating the difference in volume pre and post-development for the 1 in 100 year six-hour event of 1.3 m3 with a residual 1.7m3 of storage for exceedance. In the event that the capacity of the storage blanket was exceeded, surface water could overtop and follow the sites natural flow pattern to the River Avon. All lodges will be erected on stilts with interlinking boardwalks for access, so there would be no risk of buildings being affected by such overland flows.

Health and Community Protection have raised no objection to this solution. The Environment Agency have also raised no objection, subject to conditions to secure implementation of mitigation measures, finished floor levels and safe access/egress routes for visitors.

Health and Wellbeing

Matters of residential amenity in terms of noise and disturbance have already been assessed. There are considered to be health and well-being benefits to individuals able to enjoy short breaks and experience the attractions that Wawick Castle has to offer, including the town and immediate countryside. Attracting additional visitors to the town and the associated spending power and economic benefits that this is likely to bring are also considered to be highly positive for the town's residents and shop owners.

Renewable Energy

The seasonal glamping tents will have low energy light fittings and small power circuits for charging mobile phones/lap tops etc. The lodges and tree houses have their own facilities and it is proposed to provide a energy efficient boiler to each of the lodges to provide heating and hot water. Energy demand is likely to be low compared to that of a permanent place of residence and renewable technology is unlikely to be visually sympathetic to the well-designed lodges given their context. The requirement for renewables on each individual unit of visitor accommodation is therefore considered necessary.

The applicant has confirmed that the facilities building will have renewable technology in the form of air source heat pumps. The size/location of these units can be successfully controlled by condition. As previously mentioned a condition has been suggested by the EHO to ensure the background noise level is not significantly exceeded by plant noise.

Summary/Conclusion

In the opinion of the Local Planning Authority, the proposed development is acceptable in principle and does not adversely affect the historic integrity, character or setting of the listed building or the registered park and garden. The detailed part of the permission provides an acceptable standard of design and

preserves the character and appearance of the Conservation Area and does not adversely affect the amenity of nearby residents. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

1 Details of the means of access to the building(s) and site, appearance of the building(s), landscaping of the site and its relationship with adjoining development, and the scale of building(s) (hereinafter called 'the reserved matters') shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out in full accordance with these reserved matters as approved. **REASON:** To comply with Article 4(1) of the Town and Country Planning (Development Management Procedure) Order 2010 (as amended).

2 Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

3 The development to which this permission relates shall begin within three years of the date of this permission or within two years of the final approval of the reserved matters, whichever is the later. **REASON:** To comply with Section 92 of the Town and Country Planning Act 1990 (as amended).

4 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 8459/03 Rev A, 010 P5, 01 2/2 Rev A, 060 P4, 100 P5, 101 P5, 102 P5, 130 P3, 131 P1, 132 P1, 135 P1, 140 P3, 220 P1, 230 P3, 231 P1, 235 P4, 250 P1, 300 P5, 301 P5, 302 P5, 303 P5, 330 P3, 332 P1, 331 P3, 333 P1, 335 P3, 336 P3, and specification contained therein, submitted on 28/08/14, 03/09/14, 15/10/14, except as required by conditions 5 to 15. **REASON**: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

5 No development shall take place in the areas identified as Outline Applications (Drawing No. WCV JTA PR AL 063 P7) Until a Protected Species Contingency Plan has been submitted to and approved in writing by the planning authority. The plan shall include:

- Further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys – Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Any approved mitigation plan shall thereafter be implemented in full.

a) A detailed badger survey, including a bait marking study, has been carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the District

Planning Authority. Any approved mitigation plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

6 Each phase of the development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging each part of this condition the LPA will require 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 other wildlife dependent of further survey work, that are to be employed whilst works are taking place on site. The plan will also include measures to prevent contamination of the Local Wildlife Site and watercourse the River Avon both during and after development. In accord with the Pollution Prevention Guidelines produced by the Environment Agency. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

7 Each phase of the development hereby permitted shall not commence until a detailed Landscape and Ecological Management Plan 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 water bodies, native species planting, wildflower grasslands; woodland creation/enhancement, provision of habitat for protected species. Such approved measures shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

8 No phase of the development hereby permitted shall be commenced and nor shall any equipment, machinery or materials be brought onto the site until a scheme for the protection of all existing trees*, in particular the veteran trees,* to be retained on site has been submitted to and approved in writing by the District Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837: 2005, a Guide for Trees in relation to construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the grounds levels be altered or any excavation

take place without the prior consent in writing of the District Planning Authority. The approved scheme 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 Policy DP3 of the Warwick District Local Plan 1996-2011.

9 No phase of the 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 around the boundary edges, around known bat roosts and badgers setts, 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:

a. low pressure sodium lamps should be used in preference to high pressure sodium or mercury lamps;

b. the brightness of lights should be as low as legally possible;

c. lighting should be timed to provide some dark periods;

b. connections to areas important for foraging should contain unlit stretches.

The agreed scheme to be fully implemented before/during development of the site as appropriate. **Reason:** To ensure that protected species are not harmed by the development in accordance with National Planning Policy Framework (NPPF), ODPM Circular 06/2005 and Saved Policy DAP 3 of the Warwick District Local Plan.

10 The use of the site (or any phase of development) permitted by this permission shall not be undertaken until an Operational Management Plan relating to the activities to be carried out pursuant to this planning permission has been submitted to and approved in writing by the Local Planning Authority. Upon receipt of the written approval, the agreed Operational Management Plan shall be implemented in full and thereafter all activities taking place pursuant to this planning permission shall be carried out in accordance with its provisions. The Operational Management Plan shall be reviewed annually with each review submitted to and agreed in writing by the Local Planning Authority and implemented accordingly. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

11 The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: any temporary measures required to manage traffic during construction, measures to

control noise and light nuisance, plans and details for the turning and unloading and loading of vehicles within the site during construction, dust suppression, demolition or clearance works, details of wheel washing, restrictions on burning and details of all temporary contractors buildings, plant and storage of materials associated with the development process. **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 DP2, DP6, DP8 & DP9 of the Warwick District Local Plan 1996-2011.

12 Each phase of development shall be carried out only in full accordance with sample details of the facing and roofing materials for the permanent buildings, which shall have been submitted to and approved in writing by the local planning authority. **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 Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011.

13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be erected or constructed without a detailed scheme having first been submitted to an approved in writing by the local planning authority. All details shall be carried out as approved and shall not be altered in any way. **REASON:** That having regard to the sensitive nature of the application site it is important to ensure that no further development is carried out which would detract from the appearance of the area in accordance with Policies DP1, DAP4 and DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF 2012.

14 No development shall take place (for each phase) until details of doors, windows (including a section showing the window Reveal, heads and cill details), eaves, verges and rainwater goods for the permanent buildings, at a scale of 1:10, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details. **REASON**: To ensure the character and appearance of the buildings are appropriate to their setting in accordance with Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011.

15 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the

generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

16 The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated 27 August 2014 reference 13142/GC/FRA undertaken by Simpson Associates and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 46.62 m above Ordnance Datum (AOD).
2. Access and egress routes to all lodges will be set above the 1 in 100 year flood level of 46.04 m above Ordnance Datum (AOD).
3. All treehouses and lodges will be located outside of the 100 year floodplain extent (Flood Zone 3) as identified on drawing 13142:SK05 included in Appendix E of the Flood Risk Assessment.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme. **Reason:** To reduce the risk of flooding to the proposed development and future the site, to ensure safe access and egress from and to the site and to prevent flooding elsewhere by ensuring that flood plain storage is not lost as a result of the development in accordance with Policy DP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the NPPF 2012.

17 The seasonal glamping tents hereby permitted and associated seasonal support facilities/infrastructure shall only be occupied between 1st May and 30th September each year. Annual works to erect these structures/facilities shall not start more than 3 weeks before 1st May and all seasonal structures, facilities and infrastructure shall have been be completely removed within two weeks after 30th September with land that was beneath removed structures restored to its former condition. Where visible compaction of soil has occurred land shall be re-instated to former levels using terrain aeration techniques within one month of the structures removal. **REASON:** To ensure that demountable structures relating to the seasonal element of the scheme hereby permitted are not unnecessarily retained on site and reduce the likelihood of visual deterioration, which may cause the structures/land to become injurious to the amenities of the area contrary to Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of NPPF 2012.

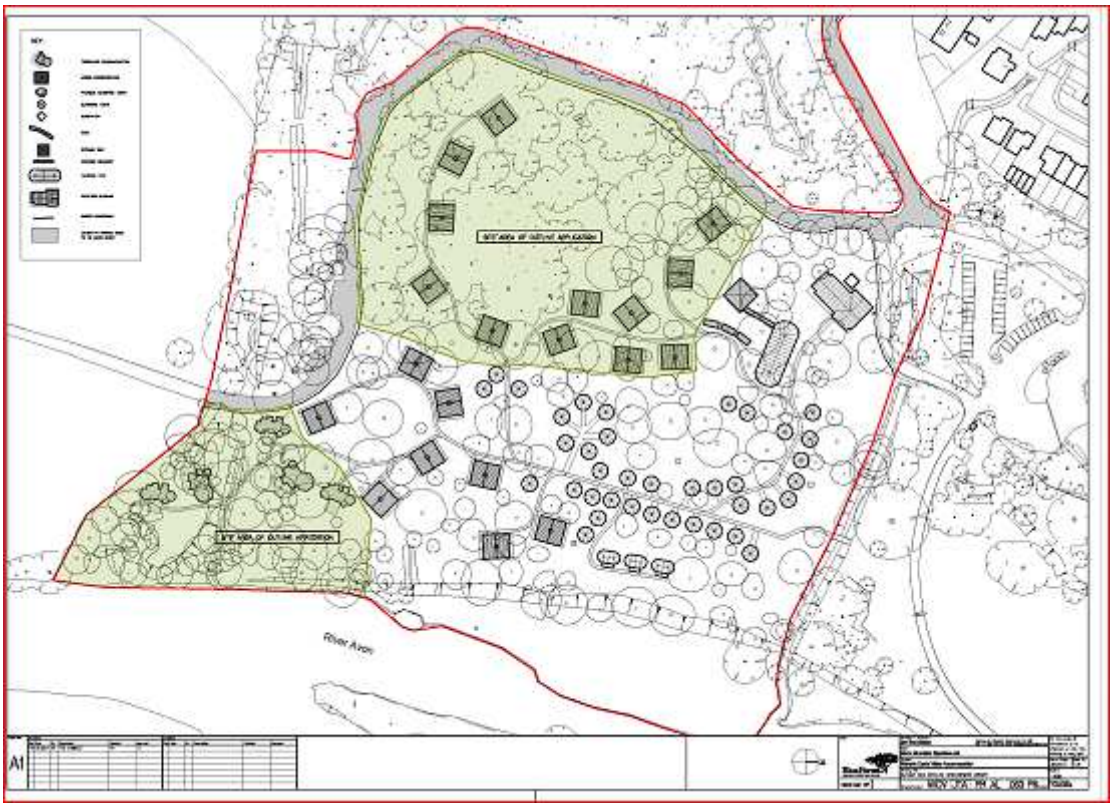
18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of any permanent building hereby permitted. **REASON:** That having regard to the nature and justification for the proposed development and its context it is important to ensure that no further development is carried out which would detract from the appearance of the area in accordance with Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011.

19 Should the holiday accommodation permanently cease to be required for those purposes the lodge and tree house buildings shall be completely removed from site and the land restored to its former condition. **REASON:** The retention of redundant buildings on site after their need has gone could lead to their deterioration which may cause the buildings to become injurious to the amenities of the area by virtue of an unsightly appearance contrary to Policies DP1, DAP4, DAP8 and DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of NPPF 2012.

20 The visitor accommodation hereby approved shall only be used as short term holiday lets and shall not be occupied by an individual, family or group otherwise than for holiday use only. Holiday use means for occupation over a set period of recreation away from the sole permanent place of residence. The visitor accommodation shall at no time be used for the purposes of permanent residential accommodation. **REASON:** To ensure that approved visitor accommodation is not used for unauthorised permanent residential occupation, which would create sub-standard units of permanent residential accommodation and in the interests of protecting the Grade 1 listed building, park and garden in accordance with Policies RAP1, DAP4 & DAP11 of the Warwick District Local Plan 1996-2011 and the aims and objectives of the National Planning Policy Framework 2012.

21 Noise arising from any plant or equipment at the site, when measured one metre from the façade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB(A) measured as LAeq(5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc) or if there are discrete impulses (bangs, clicks, clatters, thumps etc) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **Reason:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

A1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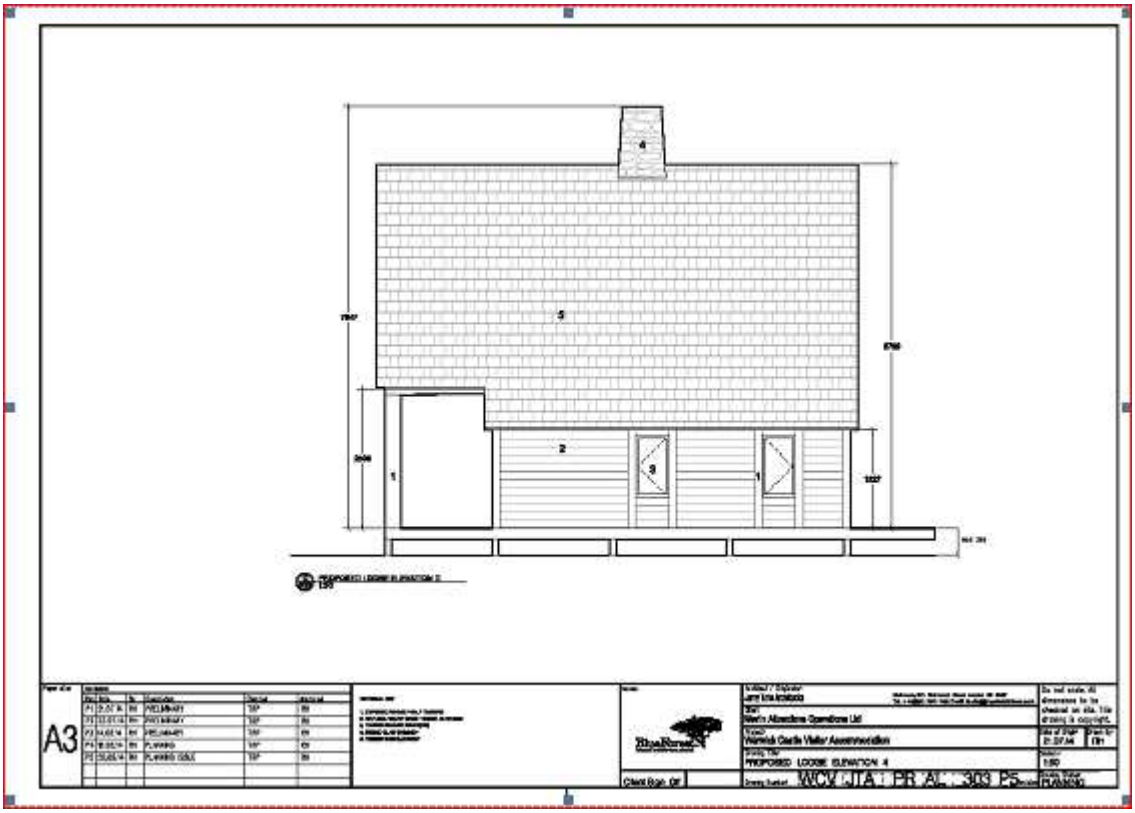
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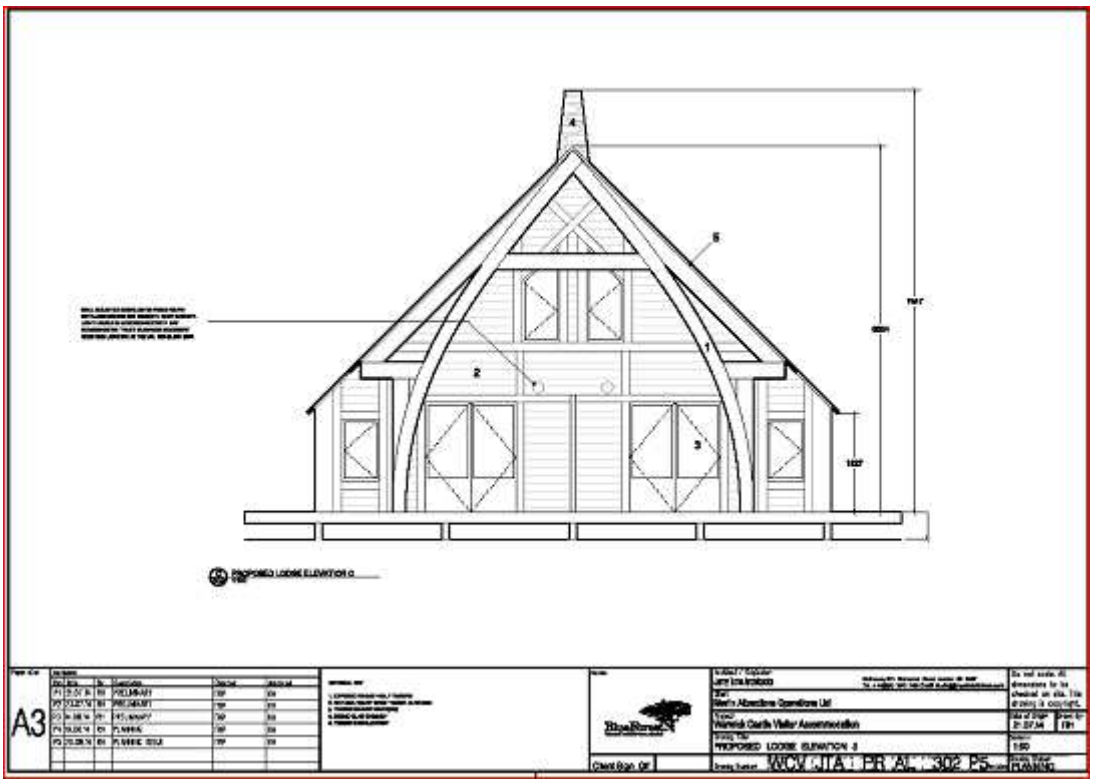
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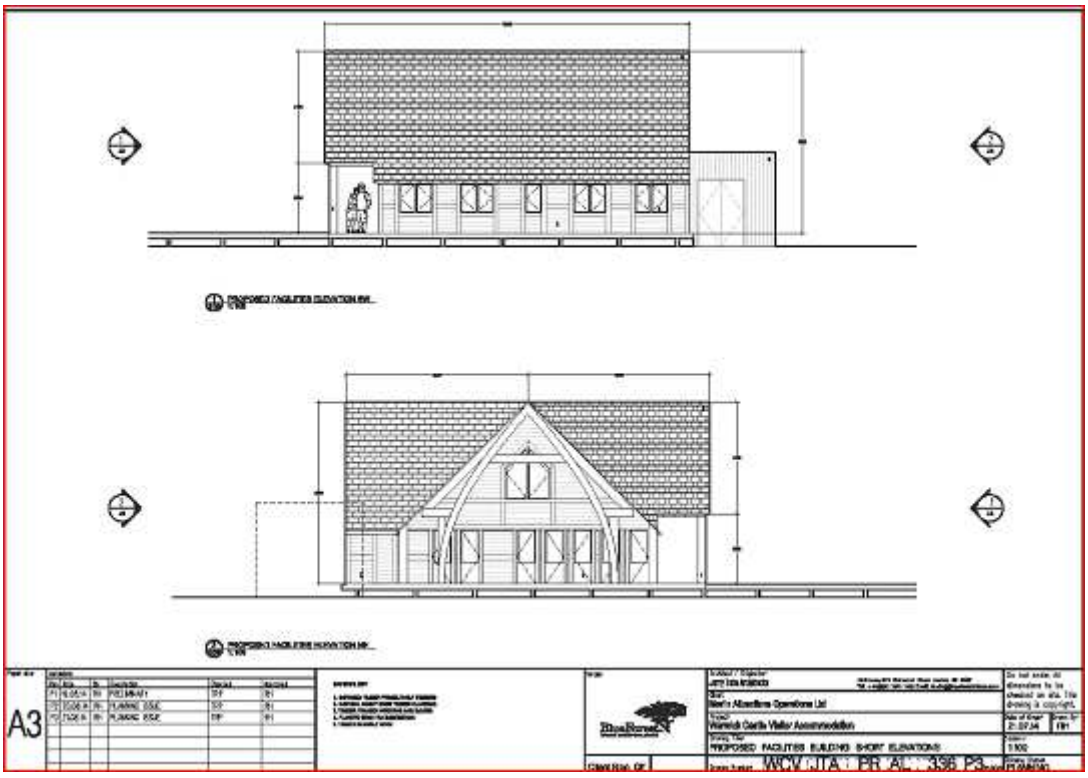
PROPOSED LODGE ELEVATION -3
WCV JTA : PR AL : 302 P5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Warwick Castle Visitor Accommodation
PROPOSED FACILITIES BUILDING SHORT ELEVATIONS
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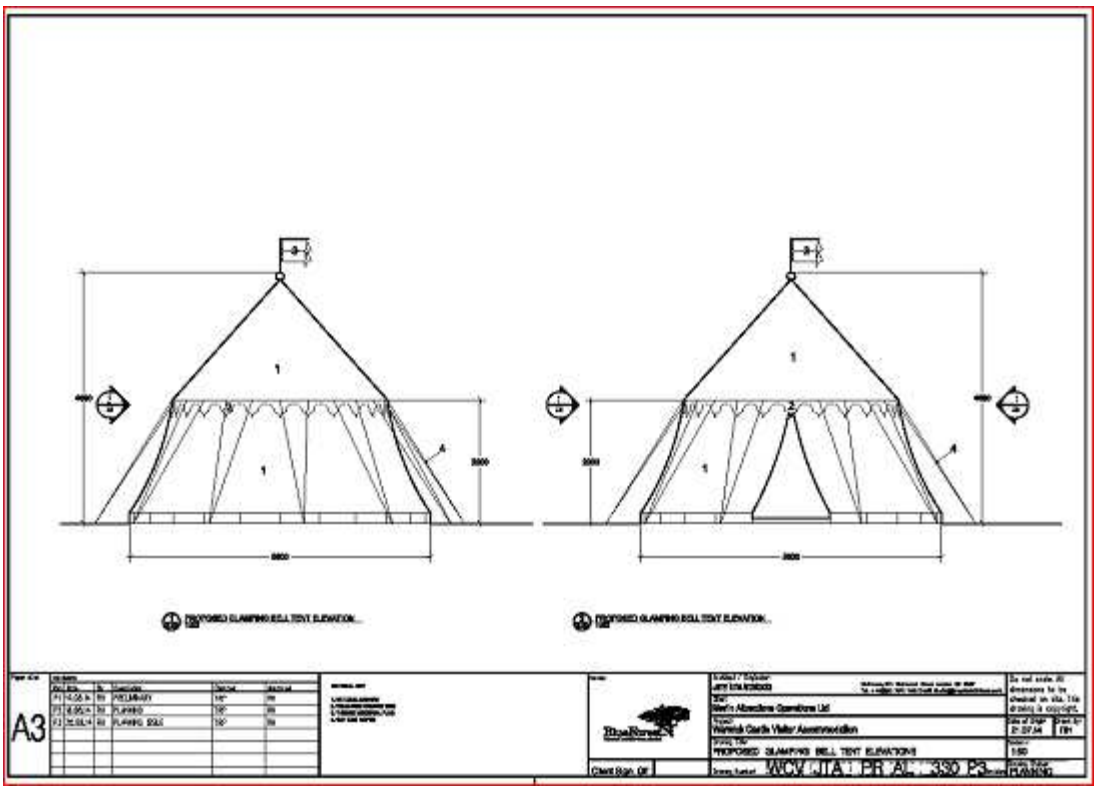
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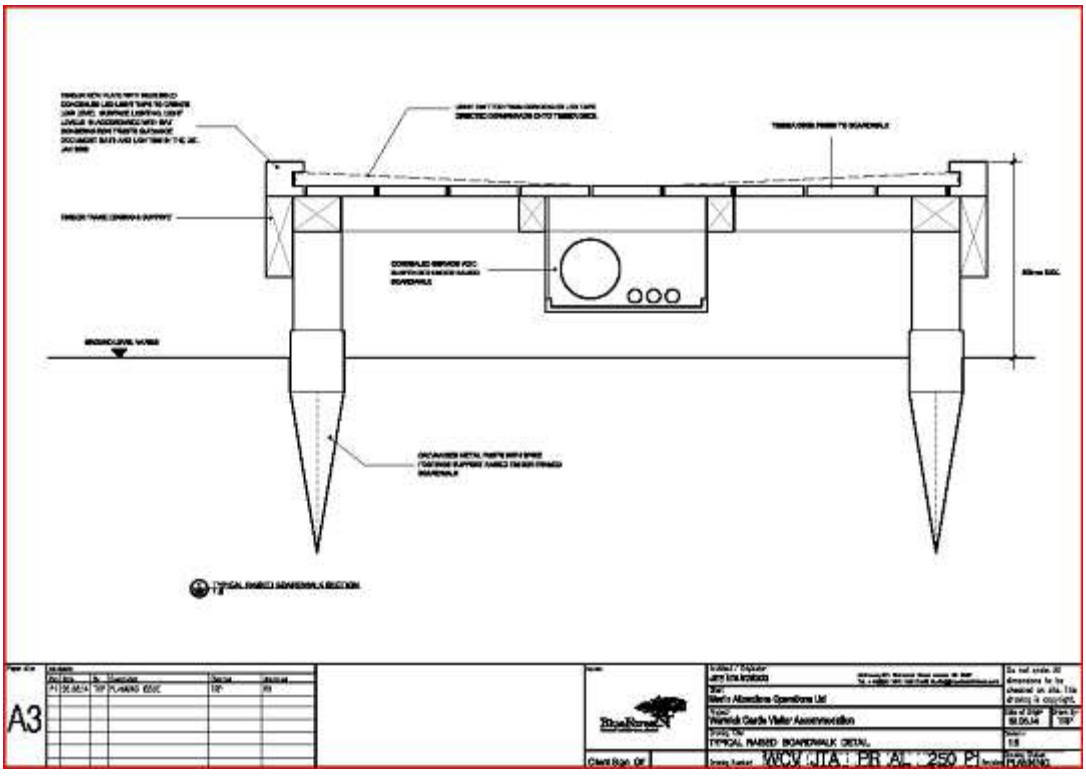
WCV-JTA-PR-AL-330 P3
PLANNING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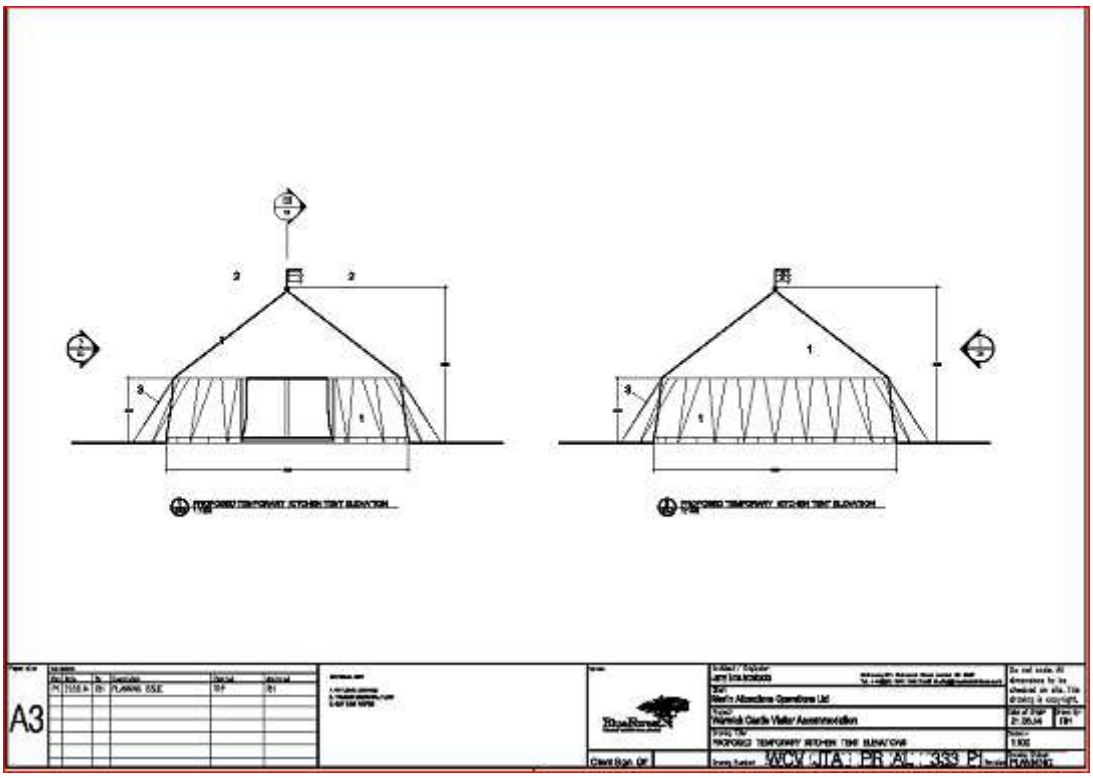
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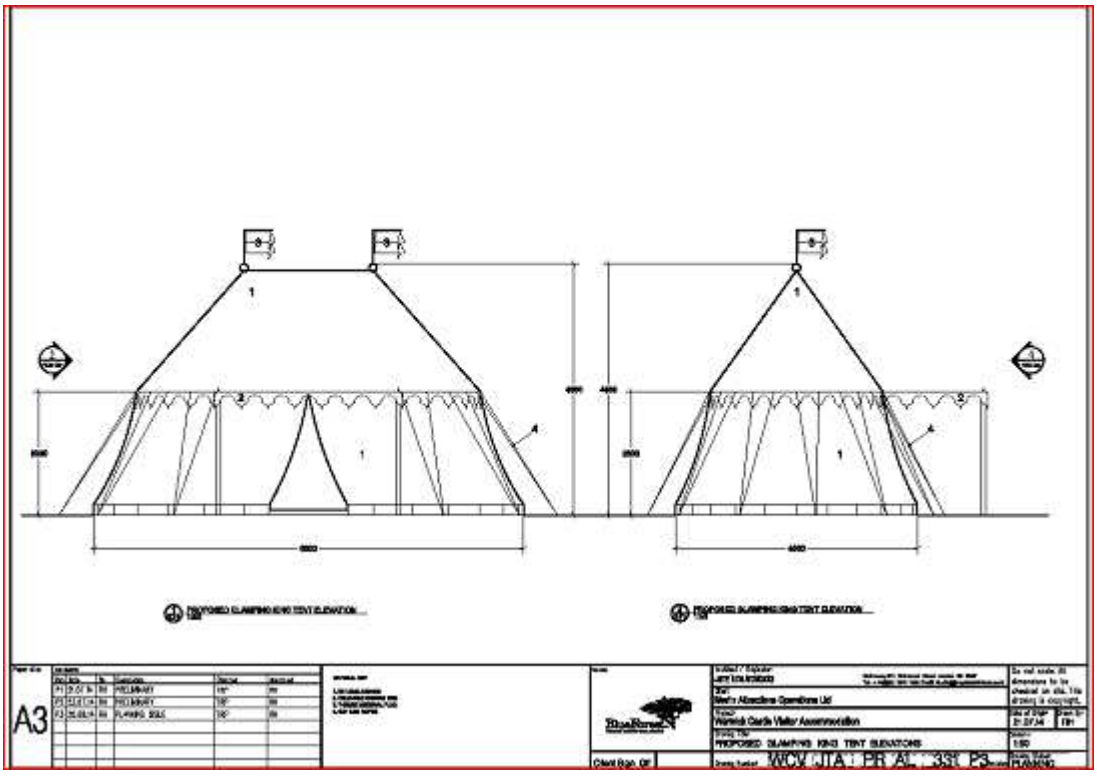
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