Planning Committee: 11 November 2014 **Item Number:** **6**

Application No: W 14 / 1267

Registration Date: 21/08/14
Town/Parish Council: Leamington Spa **Expiry Date:** 20/11/14
Case Officer: Rob Young
01926 456535 rob.young@warwickdc.gov.uk

Newbold Centre, Leicester Street, Leamington Spa, CV32 4TE
Demolition of existing building and erection of 31 dwellings FOR Waterloo Housing Group

---

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

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

DETAILS OF THE DEVELOPMENT

The application proposes the demolition of the existing building and the erection of 31 dwellings. The development will use the existing vehicular access from Leicester Street which will be upgraded to adoptable standard. The access road will run along the northern side of the site, behind the existing front boundary wall to Leicester Street.

The proposed development includes 7 houses and 24 flats. The houses are two storey and will be set back from Leicester Street, behind the proposed access road. The access road then continues to the eastern end of the site where it is proposed to erect a 4 storey block of flats.

The application is submitted by Waterloo Housing Group and all of the dwellings are proposed to comprise affordable housing. This would include the following:

- 13 no. 1 bedroom flats for affordable rent;
- 11 no. 2 bedroom flats for affordable rent;
- 4 no. 2 bedroom shared ownership houses; and
- 3 no. 3 bedroom shared ownership houses.

A total of 41 parking spaces are proposed. These are located to the front and side of the proposed houses and in an undercroft area on the ground floor of the flats.

This is an amended application following the withdrawal of previous application no. W14/0679. The following amendments have been made since that withdrawn scheme was originally submitted:

- the number of houses has been reduced by 1 and the houses have been moved away from the boundary with No. 48 Leicester Street;
- the houses have been moved forwards to ensure a minimum 22m separation distance to the dwellings in Queen Street;
- the gable of the flats facing the dwellings in Queen Street has been part-rendered;
- various cosmetic changes have been made to the design of the block of flats;
- the bin store for the flats has been relocated;
- the access road has been amended to bring it up to adoptable standard;
- covered cycle parking has been provided for the proposed flats; and
- the parking layout has been amended.

THE SITE AND ITS LOCATION

The application relates to the site of the Newbold Centre on the southern side of Leicester Street. The premises are currently vacant and were last used as a day centre for people with learning difficulties.

The existing building is located to towards the eastern end of the site and is a single and two storey structure. The building incorporates a modern two storey pitched roof element (to the rear), together with a late Victorian / Edwardian flat-roofed element (to the front). The late Victorian / Edwardian element was originally a school.

The existing building is set down below the level of Leicester Street and therefore is not prominent in views from that road. The front boundary to Leicester Street is defined by a brick wall and railings. Vehicular access to the site is located towards the western end of the Leicester Street frontage.

The site is situated within a predominantly residential area and is surrounded by dwellings. The western boundary of the site adjoins the boundary of the Leamington Spa Conservation Area.

There are a number of trees situated towards the Leicester Street frontage of the site. There are also trees within the highway in this part of Leicester Street.

PLANNING HISTORY

In 1978 planning permission was granted for "Demolition of part of school and erection of extensions to form adult training centre" (Ref. W78/1054).

Earlier in 2014 a planning application was submitted for "Demolition of existing building and erection of 32 dwellings" (Ref. W14/0679). This was withdrawn in August 2014.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 1996-2011

- SC8 - Protecting Community Facilities (Warwick District Local Plan 1996 - 2011)
- DP5 - Density (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (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)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- SC11 - Affordable Housing (Warwick District Local Plan 1996 - 2011)
- SC14 - Community Facilities (Warwick District Local Plan 1996 - 2011)
- 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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

Warwick District Local Plan 2011-2029 (Publication Draft - April 2014)

- 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)
- DS2 - Providing the Homes the District Needs (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)
- DS6 - Level of Housing Growth (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS7 - Meeting the Housing Requirement (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS10 - Broad Location of Allocated Sites for Housing (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H0 - Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)

- H1 - Directing New Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- H2 - Affordable Housing (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- SC0 - Sustainable Communities (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)
- HS1 - Healthy, Safe and Inclusive Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS6 - Creating Healthy Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS7 - Crime Prevention (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS8 - Protecting Community Facilities (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)
- CC3 - Buildings Standards Requirements (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW2 - Sustainable Urban Drainage (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW3 - Water Conservation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- FW4 - Water Supply (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)
- DM1 - Infrastructure Contributions (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

<u>Supplementary Planning Documents & Supplementary Planning Guidance</u>

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Distance Separation (Supplementary Planning Guidance)
- The 45 Degree Guideline (Supplementary Planning Guidance)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)
- Affordable Housing (Supplementary Planning Document - January 2008)

SUMMARY OF REPRESENTATIONS

Town Council: Support. Members welcomed this development as it would provide much needed housing in this area.

Public response: 17 objections have been received, raising the following concerns:

- poor layout and design;
- detrimental to the character and appearance of the area;
- harm to the setting of the adjacent Conservation Area;
- the proposed block of flats is too tall and out of scale with existing development in Leicester Street;
- overdevelopment;
- the density (70 dwellings per hectare) is far higher than that sought by the Local Plan (50 dwellings per hectare);
- the undercroft parking is a poor quality design feature and would have low levels of natural surveillance;
- the proposed houses should be moved closer to Leicester Street to reflect the established pattern of development in the area;
- some of the existing buildings on the site have architectural merit and should be retained;
- the provision of 100% affordable housing is contrary to Local Plan Policy SC11, which only requires 40%;
- the development would add to the existing over-concentration of affordable housing in this locality;
- the design is clearly that of an affordable housing scheme, whereas the Affordable Housing SPD requires the design to be "tenure blind";
- loss of trees;
- detrimental to highway safety;
- the access is too narrow and visibility is very poor;
- insufficient parking - this is the first area of unrestricted parking on this side of the town centre;
- increased pollution;
- increased noise from construction work and increased traffic;
- loss of privacy;
- loss of light;
- overbearing impact on the outlook from adjacent dwellings;
- loss of a community facility; and
- the gate in the boundary wall with the properties in Queen Street should not be retained because this represents a security risk.

Cllr Dean: Supports the development of the site in principle and particularly the provision of affordable housing. However, raises concerns about the height and bulk of the proposed block of flats. This would be very dominant and will tower over the houses. The block of flats would have an overbearing effect on the adjacent houses in Queen Street. The height of the flats should be reduced and they should be moved further from the boundary with the adjacent dwellings in Queen Street.

Conservation Advisory Forum: It was felt that the houses were rather bland and did not address the road and adjacent houses at all well. It was felt that the retention of the retaining wall and undercrofts was a positive contribution to the site. It was generally felt that the design needed to be reconsidered and it was also suggested that the Planning Committee should visit the site to understand the setting fully.

Severn Trent Water: No objection.

Warwickshire Police: No objection.

South Warwickshire NHS Trust: Request a contribution of £1,678 towards the provision of acute and community healthcare facilities.

WCC Education: Request a contribution of £144,352 towards education facilities.

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

WCC Archaeology: No comment.

WCC Highways: No objection, subject to conditions.

WDC Housing Strategy: Fully support this proposal for affordable housing.

WDC Waste Management: Comments regarding the size, design and access for the refuse and recycling storage areas.

WDC Tree Officer: The significant trees within the site should be retained, if possible.

ASSESSMENT

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

- loss of the community facility and the principle of development;
- the impact on the living conditions of neighbouring dwellings;
- impact on the character and appearance of the area and the setting of the adjacent Conservation Area;
- car parking and highway safety;
- affordable housing;
- Section 106 contributions;
- impact on trees;
- ecological impact; and
- health and wellbeing.

Loss of the community facility and the principle of development

The existing premises comprise a community facility to which Local Plan Policy SC8 applies. This states that redevelopment or change of use of community facilities that serve local needs will not be permitted unless:

(a) there are other similar facilities accessible to the local community by means other than the car; and either

(b) the facility is redundant and no other user is willing to acquire and manage it; or

(c) there is an assessment demonstrating a lack of need for the facility within the local community.

The Design and Access Statement submitted with the application includes a section to address the above policy. Looking first at Criterion (a), the applicant has demonstrated that the facility is surplus to the requirements of the County Council due to changes in the way in which they provide learning disability services. The County Council have adopted a revised strategy for these services and this ensures that similar facilities are available in accordance with Criterion (a).

Turning to Criterion (b), the applicant's statement confirms that the County Council decided to dispose of the property because it was surplus to requirements. This demonstrates that the facility is redundant. The applicant advises that the disposal has been undertaken in accordance with the County Council's "Surplus Property Protocol", which requires an assessment to be carried out to determine if there is any other viable alternative use for the property either by the Council or its partners. This involves discussion with the relevant District/Borough Council, the Police, NHS, Government Agencies and the voluntary and community sectors. If no alternative Council or partner use is identified, the Protocol requires consideration to be given to whether or not it would be appropriate to seek interest from a community organisation for a potential asset transfer.

The applicant and the County Council have confirmed that this Protocol was strictly adhered to in the disposal of the application site. This protocol mirrors the requirements of Criterion (b) of Policy SC8 and therefore it is considered that compliance with the Protocol also demonstrates compliance with Criterion (b).

As the proposals meet criteria (a) and (b), the development is in accordance with Policy SC8.

Now that compliance with Policy SC8 has been established, the proposals must be assessed against Local Plan Policy UAP1 to determine whether it is a suitable site for residential development, in principle. The application site comprises previously developed land within the urban area. Therefore the proposals would be in accordance with Local Plan Policy UAP1.

Impact on the living conditions of neighbouring dwellings

The current proposals represent an amended scheme following the withdrawal of an earlier application. A number of the amendments have improved the relationship with neighbouring dwellings. This includes the omission of one unit alongside the boundary with the existing dwelling at No. 48 Leicester Street. It is considered that the nearest dwelling is now far enough away from No. 48 to ensure that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for that dwelling.

Another amendment has involved the repositioning of the proposed houses (plots 1-7) to ensure a minimum 22m separation distance from the existing dwellings in Queen Street. This would be in accordance with the minimum distance required by the Council's Distance Separation Guidelines and therefore this is considered to be sufficient to ensure that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for those dwellings.

The separation distance between the proposed block of flats (plots 8-31) and the existing dwellings in Queen Street remains the same as originally submitted (18.7m). The Distance Separation Guidelines do not include a standard that exactly matches the relationship that will be created by this part of the proposed development, i.e. two storey dwellings facing a four storey gable end (containing only obscure glazed windows). The closest match is the standard for two storey dwellings facing a three storey gable end, which specifies a minimum distance of 16m. The proposed development exceeds this distance by 2.7m. This additional distance is considered to provide adequate mitigation for the extra height created by the fourth floor. This additional distance is also considered to provide adequate mitigation for the fact that this elevation would be wider than a conventional gable end, as it comprises two gables with a total width of 17.65m. The scheme has also been amended to part-render this gable end, which would provide some relief from the mass of brickwork. Therefore, considering the separation distance and the design of this elevation, it is considered that the proposed block of flats would not cause unacceptable loss of light, loss of outlook or loss of privacy for the adjacent dwellings in Queen Street.

Turning to the adjacent dwellings to the east of the site in Aqua House, the separation distance from the windows in the proposed block of flats and the side elevation of Aqua House would be 20.5m. There are only bathroom windows in that elevation of Aqua House and therefore it is considered that the proposals would not cause unacceptable loss of light, loss of outlook or loss of privacy for those properties.

Finally, looking at the impact on the houses on the opposite side of Leicester Street, the separation distances would be 27.5m from the proposed block of flats and 41.5m from the proposed houses. As a result, there would be no significant impact on those properties in terms of loss of light, loss of outlook or loss of privacy.

For the above reasons it has been concluded that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings.

Impact on the character and appearance of the area and the setting of the adjacent Conservation Area

Whilst the site itself is not situated within a Conservation Area, it does adjoin the boundary of the Leamington Spa Conservation Area. Therefore the Council's Conservation Architect has been involved in considering the design of the scheme. Amendments have been made to improve the design, and these have been agreed with the Conservation Architect. The amendments have also addressed some, but not all, of the concerns of the Conservation Advisory Forum.

Notwithstanding the concerns of objectors and the Conservation Advisory Forum, it is considered that the amended scheme would represent a suitable design for this site outside of the Conservation Area. The design and form of the development would be in keeping with surrounding buildings. In terms of height, the four storey block of flats would be set on land that is one storey lower than Leicester Street. Therefore, when viewed from the street, it would be seen as a three storey building. This would be in keeping with the height of Aqua House on the adjoining site to the east.

In terms of layout, it is considered appropriate for the proposed houses to be set back from Leicester Street behind the access road. Moving the houses forward to line through with adjacent buildings would not be practical due to the changes in levels across the site and between the site and Leicester Street. In any case, as a result of the change in levels and the set back from the frontage, the proposed houses would not be prominent in views from Leicester Street. The proposed block of flats is located closer to the front boundary and provides a more conventional frontage for that part of the site.

For the above reasons, it is considered that the proposals would have an acceptable impact on the character and appearance of the area and would preserve the setting of the adjacent Conservation Area.

Car parking and highway safety

In terms of car parking, the proposed layout shows a total of 41 spaces. The Council's Parking Standards require a total of 41.5 spaces. A shortfall of half a space in the context of a scheme of this size is considered to be immaterial. Therefore it is considered that the parking provision is acceptable and will not create parking problems on Leicester Street.

Objectors have referred to the fact that the site is used as a car park for nearby St. Paul's Church. However, this is not a permanent arrangement. Furthermore it relates to a facility on a different site that is in different ownership. Therefore this cannot have any bearing on the assessment of proposals for the redevelopment of the site.

Turning to highway safety, the design of the access and the road within the site has been amended to address issues raised by the Highway Authority. As a result of these changes, the Highway Authority have raised no objection to the

proposals. Therefore the proposals are considered to be acceptable from a highway safety point of view.

Affordable housing

The application has been submitted by a Registered Social Landlord and proposes that all of the dwellings will comprise affordable housing. Objectors have suggested that this is contrary to the Local Plan because Policy SC11 only requires 40% affordable housing. However, this is a minimum requirement. There is no policy imposing a maximum limit on the proportion of affordable housing.

It is true that there are some limited concentrations of affordable housing not too far from the application site, notably around St. Paul's Square and Kennedy Square and the surrounding streets. However, looking at the wider area, there is a reasonable mix of tenures. It is also important to note that the mix proposed for the application site comprises affordable rented units and shared ownership units. This would serve to broaden the mix of affordable housing units in the locality, which currently comprises predominantly social rented units. It is also of note that Leicester Street itself now contains very little affordable housing; most of the local authority housing is now in private ownership.

For the above reasons it has been concluded that the proposals would not create a harmful over-concentration of affordable housing in this locality.

Section 106 contributions

Consultees have requested various contributions towards community facilities, including public open space, hospitals, education facilities and measures to promote sustainable travel. However, the applicant has argued that these contributions would render the scheme unviable because they are reliant on grant funding to finance the development. The applicant has submitted a viability appraisal in support of their case. The Council have appointed consultants to review the applicant's appraisal. They are expected to report back prior to Committee and their findings will be reported in the addendum report.

Impact on trees

The application proposes the removal of a number of trees within the site. The most significant of these are a Sycamore and a Maple that are situated approximately 11m behind the front boundary with Leicester Street. Of these, the Sycamore is the more visible from the street, because it can be seen through the existing site access. In contrast, when viewed from the street the Maple is partially screened by the front boundary wall and the existing street trees in the pavement.

The Council's Tree Officer has advised that these two trees should be retained, if possible. However, the removal of these trees is necessary to enable the access road to be constructed to an adoptable width. Furthermore, it is the street trees in the pavement in front of the application that make the most significant

contribution to the character of this part of Leicester Street. The street trees partially screen the trees on the application site and this reduces the amenity importance of the application site trees. There is also scope within the proposed layout for replacement planting which would go some way towards compensating for the loss of these trees. Taking these factors into account, it is considered that the benefits of securing a significant amount of affordable housing outweigh the limited harm that would result from the loss of these trees.

Ecological impact

An Ecological Appraisal was submitted with the application. WCC Ecology have accepted the findings of the appraisal and have advised that the proposals would have an acceptable ecological impact, provided conditions are put in place to impose certain safeguards.

Health and Well-being

The proposals would provide affordable housing for people in housing need. This is a significant benefit that contributes to health and well-being.

Other Matters

Objectors have raised concerns about the demolition of the late Victorian / Edwardian part of the building. However, as this building is not worthy of Listing and is not situated within a Conservation Area, the Council have no power to insist upon its retention.

Objectors have raised concerns about the density of the development and have suggested that this is contrary to the Local Plan. The density of the proposed development is approximately 70 dwellings per hectare whereas objectors suggest that the Local Plan seeks only 50 dwellings per hectare. However, the relevant Local Plan policy (DP5) specifies 50 dwellings per hectare as a *minimum* density. The Local Plan does not specify any maximum limit for densities. This is generally governed by matters such as the ability to provide adequate car parking or a suitable design that is in keeping with the character and appearance of the area. The proposed development has been assessed as being acceptable in these respects. Consequently the density of the development is considered to be acceptable.

Objectors have raised concerns about the lack of natural surveillance of the undercroft parking area. However, there has been no objection from Warwickshire Police. They have advised that an application has been made for "Secured by Design" and that they can see no reason by this should not be achieved. Therefore the proposals are considered to be acceptable in terms of designing out crime.

Objectors have raised security concerns about the retention of the existing gate in the southern boundary with the properties in Queen Street. However, these concerns relate to a private right of way and therefore cannot be considered in the assessment of this planning application.

The other issues raised by objectors have also been carefully considered, including the concerns about increased pollution, noise from construction work, increased traffic and concerns about the development not being "tenure blind". However, none of these other issues would justify a refusal of planning permission.

SUMMARY/CONCLUSION

The applicant has submitted evidence to demonstrate compliance with Local Plan Policy SC8 in terms of the loss of this community facility. The development that is proposed would have an acceptable impact on the living conditions of neighbouring dwellings. The design and layout of the development is considered to be in keeping with the character and appearance of the area and would preserve the setting of the adjacent Conservation Area. The proposals are considered to be acceptable in terms of car parking and highway safety. The limited harm arising from the loss of trees is outweighed by the benefits associated with the provision of affordable housing. Finally, the proposals would have an acceptable ecological impact. Therefore it is recommended that planning permission is granted.

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 application form, site location plan and approved drawing(s) D05G, D10, D12C, D11, D12C, D13D, D14, D15, D16C, D17B, D18A, D20, D21, D22A, 13364-D1B & 13364-D2B, and specification contained therein, submitted on 20 August 2014 & 1 October 2014. **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.

3 The development shall not begin until a scheme detailing the affordable housing provisions has been submitted to and approved in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

(a) the tenure split;
(b) the arrangements for the management of the affordable housing;
(c) the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
(d) the occupancy criteria to be used for determining the identity of

occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

REASON : To meet the requirements of Policy SC11 of the Warwick District Local Plan 1996-2011.

4 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.

5 No development shall commence until details of measures to ensure that construction traffic will not deposit mud and debris within the public highway have been submitted to and approved in writing by the local planning authority. The approved measures shall be implemented at all times that construction work is taking place on site. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

6 No development shall commence until space has been provided within the site for the parking and loading / unloading of construction vehicles. This area shall be kept clear at all times for this purposes throughout the construction period. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

7 The development shall be carried out only in full accordance with sample details of the facing and roofing materials 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 Policy DP1 of the Warwick District Local Plan 1996-2011.

8 No part of the development hereby permitted shall be commenced until a scheme for the provision of suitable bird nesting boxes has been submitted to and approved in writing by the local planning authority. The scheme shall include details of box type, location and timing of works. The bird boxes shall be installed in strict accordance with the

approved details and shall be retained at all times thereafter. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

9 No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced unless and until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of British Standard BS5837 – 2012 Trees in Relation to Design, Demolition & Construction) to all retained tree(s) on the site, or those tree(s) whose root structure may extend within the site. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any retained tree(s); no equipment, machinery or structure shall be attached to or supported by any retained tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s). **REASON:** To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

10 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All 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 (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

11 The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which shall have been submitted to and approved in writing by the local

planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation. 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 DP1, DP2 and DP3 of the Warwick District Local Plan 1996-2011.

12 The development shall be timetabled and carried out to wholly accord with the detailed mitigation measures for the safeguarding of bats within the site as set out in the document 'Biodiversity Report for Site at Newbold Centre, Leamington Spa, Warwickshire - Ecological Appraisal including Protected Species Survey' prepared by Curious Ecologists, dated 3 December 2013. **REASON:** To ensure that protected species are not harmed by the development, in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

13 None of the dwellings on Plots 8-31 shall be occupied until the bin store has been constructed in strict accordance with the approved plans. The bin store shall be retained and kept available for the storage of refuse and recycling for Plots 8-31 at all times thereafter. **REASON** : To protect the amenities of occupiers of the site and the character and appearance of the locality, in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

14 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 unless otherwise agreed in writing by the local planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.

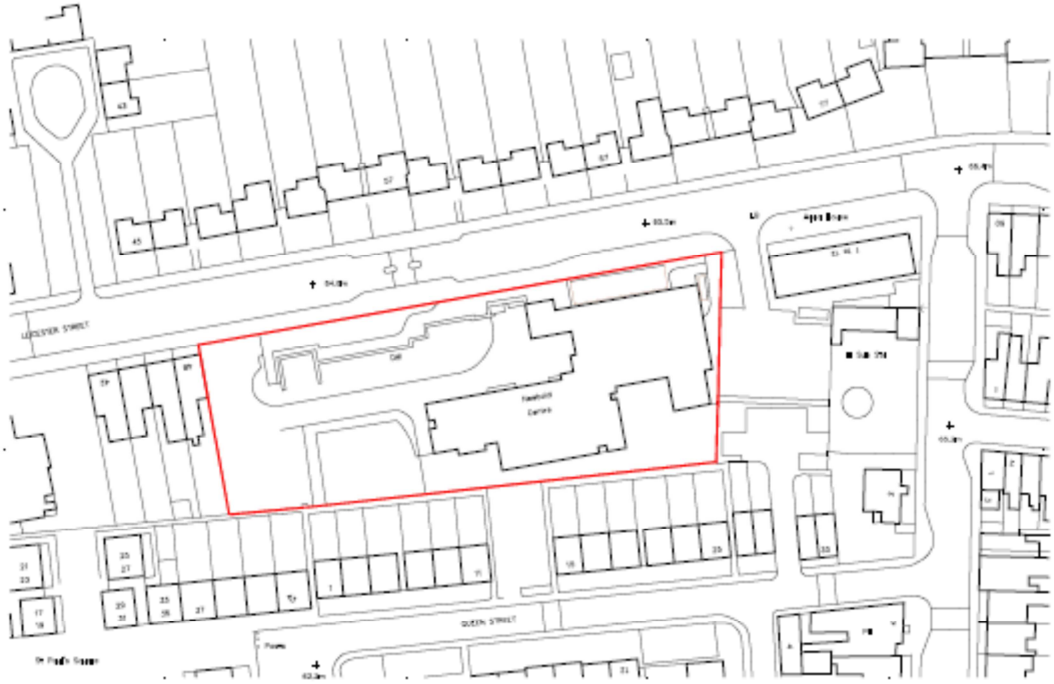
15 The cycle parking provision shown on the approved plans shall be

completed before any part of the development hereby permitted is first occupied and thereafter shall be kept free of obstruction and be available at all times for the parking of cycles associated with the development, unless otherwise agreed in writing by the Local Planning Authority. **REASON** : To ensure that there are adequate cycle parking facilities to serve the development, in accordance with the requirements of Policy DP8 of the Warwick District Local Plan 1996-2011.

16 The access to the site for vehicles shall not be used in connection with the development hereby permitted unless a bellmouth has been laid out and constructed within the public highway in accordance with the standard specification of the Highway Authority. **REASON** : In the interests of highway safety, in accordance with the requirements of Policy DP6 of the Warwick District Local Plan 1996-2011.

17 The hard surfaces forming the car parking spaces hereby permitted shall be constructed of porous materials. **REASON:** To reduce surface water run-off and to ensure that the development does not increase the risk of flooding elsewhere, in accordance with Policy DP11 of the Warwick District Local Plan

18 Prior to the occupation of the development hereby permitted, the windows in the south-facing elevation of the block of flats (plots 8-31) shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **REASON** : To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy DP2 of the Warwick District Local Plan 1996-2011.



BRIDGE LINK TO FIRST FLOOR FROM PAVEMENT LEVEL (2 x PIERS REBUILT FROM FURTHER ALONG EXISTING WALL)
2 x PIERS RELOCATED TO BRIDGE LINK
EXISTING STEPS, WALL, GATE & RAILINGS RETAINED
EXISTING STRUCTURE REMOVED
EXISTING RETAINING WALL & HIGH LEVEL TARMAC TO BE RETAINED
EXISTING WINDOWS TO GABLE END
LINK TO EXISTING ACCESS RETAINED
LEICESTER STREET

STREET SCENE
PART 01
PART 02
STREET SCENE
PART 01
STREET SCENE
PART 02
LEICESTER STREET
LEAMINGTON SPA