

## Appendix B

**Construction of a new single storey nursery and children's centre and a single storey extension within the Kingsway Community Primary School, demolition of single storey building currently accommodating the nursery, children's centre and part of the school facilities, Kingsway Community Primary School, Baker Ave, Leamington Spa, CV31 3HB.  
WDC/22CC002**

### Planning Conditions

1. The development hereby approved shall be commenced no later than three years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. The development hereby approved shall be carried out in accordance with the application forms, Design and Access statement, Arboricultural Survey and Impact Assessment, Ridge Ground Condition Assessment (5015098-RDG-XX-ST-DOC-C-01-GCA dated 09.06.21, Ecological Assessment Final-Rev02 dated June 2022, Flood Risk Assessment & Outline Drainage Strategy dated 07.06.2022, Environmental Noise Assessment Report P3001812(REP)U001 dated May 2021, Ridge Transport Statement dated 08.03.2022, Ridge Kingsway Community Primary School Travel Plan dated March 2022, and drawings numbered:

- KGP-AHR-ZZ-ZZ-DR-A-20-001-S2-P17 Proposed Site Plan
- KGP-AHR-ZZ-ZZ-DR-A-20-002-S0-P3 Site Location Plan
- KGP-AHR-ZZ-ZZ-DR-A-20-004-S0-P1 Demolition Plan
- KGP-AHR-ZZ-ZZ-DR-L-90-002-S0-P4 Tree Protection and Removals Plan
- KGP-AHR-ZZ-ZZ-DR-L-90-003-S2-P3 Fencing Plan
- KGP-AHR-ZZ-ZZ-DR-L-90-004-S2-P4 Access and Security Strategy Plan
- KGP-AHR-ZZ-ZZ-DR-L-90-005-S2-P2 Hard Landscape
- KGP-AHR-ZZ-ZZ-DR-L-90-007-S0-P4 Concept Planting Plan
- 20220610\_KCPS\_BIA\_v19.1.xls Biodiversity Impact Assessment
- KGP-AHR-EX-ZZ-DR-A-20-101-S0-P5 Hall Elevations

- KGP-AHR-EX-ZZ-DR-A-20-001-S0-P6 Floor Plans Hall Extension
- KGP-AHR-NU-ZZ-DR-A-20-101-S0-P8 Nursery Elevations
- KGP-AHR-NU-ZZ-DR-A-20-102-S2-P3 Section Nursery & Children's Centre
- KGP-AHR-NU-00-DR-A-20-001-S0-P9 Ground Floor and Roof Plans – Nursery and Children's Centre
- KGP-AHR-ZZ-ZZ-DR-A-20-008-S0-P1 Proposed Site Sections

and any samples or details approved in accordance with the conditions attached to this permission, except to the extent that any modification is required or allowed by or pursuant to these conditions.

**Reason:** In order to ensure a satisfactory standard of development.

3. The details of all external materials and external colour samples to be used for the development shall be submitted within 3 months of the commencement of the approved development and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the details (or any variation) so approved.

**Reason:** To ensure a satisfactory appearance of the completed works.

4. The development hereby permitted, including works of demolition or construction shall not commence until a Construction Management Plan has been submitted to and approved in writing by the County Planning Authority. All development shall take place in accordance with the approved Construction Management Plan unless agreed in writing with the County Planning Authority.

**Reason:** In the interest of highway safety and to protect the amenities of the locality. (In discharging this condition, the notes numbered 1 and 2 below set out the details required to be included in the Construction Management Plan)

5. The development hereby permitted shall not commence until the temporary construction access has been constructed in general accordance with details approved as part of the Construction Management Plan. On completion of all development the temporary access shall be permanently closed and highway features reinstated.

**Reason:** In the interests of highway safety and amenity of the location.

6. The development hereby permitted, including site clearance, shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the County Planning Authority. In discharging this condition, the County Planning Authority expects to see details concerning pre-commencement checks and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. 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.

7. The development hereby permitted shall not become operational until it has been laid out and constructed in general accordance with drawing number KGP-AHR-ZZ-ZZ-DR-20-001-S2-P17 or any amendment agreed in writing by the County Planning Authority.

**Reason:** In the interests of highway safety and residential amenity.

8. 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 County Planning Authority. The Plan shall include a landscape drawing including details of planting and maintenance of all new planting. Details of species used and sourcing of plants should be included. The Plan shall also include a Habitat Management Plan with details of habitat enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles). Such approved measures shall thereafter be implemented in full.

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

9. The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the County Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.

**Reason:** In accordance with NPPF, ODPM Circular 06/2005 (In discharging this condition the County Planning Authority expects lighting to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats – see note 8 below.)

10. The development hereby permitted shall not commence until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and the approved Flood Risk Assessment (reference P3001812, revision P02, dated 07.06.22), has been submitted to and approved in writing by the County Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

**Reason:** To prevent the increased risk of flooding; to improve and protect water quality and to improve habitat and amenity. (The notes

numbered 4 below set out the details required to discharge this condition).

11. Within one month of the installation of noise generating plant or equipment required for the development hereby approved, a Noise Verification Report shall be submitted to and approved in writing by the County Planning Authority to demonstrate that externally mounted ancillary plant, equipment and servicing shall be selected and/or acoustically treated in accordance with a scheme designed so as to achieve a freefield rating level (LArTr) not exceeding the typical background (LA90) level at the nearest residential noise sensitive receptor location.

**Reason:** To protect the amenities of occupiers of nearby properties in the locality.

12. The landscaping drawing approved pursuant to condition 8 of this permission shall be implemented in the first planting season following completion of the development hereby approved and, unless otherwise agreed in writing by the County Planning Authority, should any plants, trees or shrubs planted as part of the landscaping scheme die, be removed or become damaged or seriously diseased within five years of the initial planting then they shall be replaced in the next planting season with others of a similar size and species.

**Reason:** To ensure the satisfactory appearance of the completed development and to ensure a biodiversity net gain.

13. A 2 m close boarded fence shall be erected between the eastern boundary of the school and the rear gardens of houses in Hawthorn Road.

**Reason:** To mitigate noise from the informal play area affecting residential gardens to the rear of dwellings on Hawthorn Road.

14. Within 3 months of the first occupation of the approved development a Green Travel Plan shall be submitted to and approved in writing by the County Planning Authority.

**Reason:** In order to minimise traffic congestion and potential parking issues in and around the school site and to preserve highway safety.

15. No occupation and subsequent use of the development shall take place until a detailed, site specific surface water drainage structure maintenance plan is provided to the County Planning Authority.

**Reason:** To ensure the future maintenance of the sustainable drainage structures. (The notes numbered 6 below set out the details required to discharge this condition).

## **Development Plan Policies Relevant to the Decision**

Warwick District Adopted Local Plan 2011 – 2029 (Sept 2017).

Policy DS5 - Presumption in Favour of Sustainable Development  
Policy SC0 - Sustainable Communities  
Policy BE1 - Layout and Design  
Policy BE3 - Amenity  
Policy TR1 - Access and Choice  
Policy TR2 - Traffic Generation  
Policy TR3 - Parking  
Policy HS7 - Crime Prevention  
Policy CC1 - Planning for Climate Change Adaptation  
Policy CC3 - Buildings Standards and other Sustainability Requirements  
Policy FW1 - Reducing Flood Risk  
Policy FW2 - Sustainable Drainage  
Policy NE3 - Biodiversity  
Policy NE5 - Protection of Natural Resources  
Policy HE4 - Archaeology

## **Compliance with the Town and Country Planning (Development Management Procedure) Order 2015**

In considering this application the County Council has complied with paragraph 38 contained in the National Planning Policy Framework 2021.

## **Notes**

### **Requirements for Construction Management Plan (Condition 5):**

**1. The consultation response from Warwick District Council Environmental Health Officer set out the details required to be included within the construction management plan. The details shall include but not be restricted to:**

- (i) any temporary measures required to manage traffic during construction,
- (ii) plans and details of haul roads within the site and for the turning and unloading and loading of vehicles within the site during construction,
- (iii) dust management and suppression measures,
- (iv) odour management and suppression measures,
- (v) demolition or clearance works,
- (vi) wheel washing,
- (vii) Noise assessment and mitigation method statements for the construction activities; in accordance with provisions of BS 5228:2009 Code of practice for noise and vibration control on construction and open sites – Part 1 and 2; Concrete crusher if required or alternative procedure;

- (viii) delivery times,
- (ix) site lighting,
- (x) Access and protection arrangements around the site for pedestrians, cyclists and other road users,
- (xi) restrictions on burning and details of all temporary contractors buildings,
- (xii) plant and storage of materials associated with the development process.'
- (xiii) External safety and information signing notices,
- (xiv) Complaints procedures, including complaints response procedures and dedicated points of contact,
- (xv) Membership of the considerate contractors scheme,
- (xvi) Best practicable means shall be employed at all times to control noise and dust on the site including:
  - (a) Work which is likely to give rise to noise nuisance be restricted to the following hours: Mon-Fri 7.30 am - 5 pm, Sat 7.30 am - 1pm. No working Sundays or Bank Holidays.
  - (b) Delivery vehicles should not be allowed to arrive on site before 8 am or after 4.30 pm Mon – Fri, 8 am - 1 pm Sat and not on Sundays or Bank Holidays.

**2. The consultation response from Warwickshire County Council as Highway Authority set out the details required for inclusion within the construction management plan:**

- Construction Phasing Plan
- Details of the temporary access to the site,
- HGV routing plan
- Siting of compound,
- Measures to segregate construction traffic from the school operations,
- Details of proposed traffic management,
- Details of measures to ensure mud and debris will not be deposited on the highway by construction traffic.

*It will be necessary to ensure that all requirements are met to discharge condition 5. Please note that there is some overlap in the requirements from Environmental Health and Highways listed above.*

**3. Highway Authority additional notes:**

- a. Following the discharge of Condition numbers 5 (Construction Management Plan) & x (Temporary Construction Access), the associated works are required to be carried out within the limits of the public highway. Before commencing such works the applicant / developer must serve at least 28 days notice under the provisions of Section 184 of the Highways Act 1980 on the Highway Authority's Area Team.

This process will inform the applicant of the procedures and requirements necessary to carry out works within the Highway and, when agreed, give consent for such works to be carried out under the provisions of S184. In addition, it should be noted that the costs incurred by the County Council in the undertaking of its duties in relation to the construction of the works will be recoverable from the applicant/developer.

The Area Team may be contacted by telephone: (01926) 412515 to request the necessary application form (Form A – VAC). In accordance with Traffic Management Act 2004 it is necessary for all works in the Highway to be noticed and carried out in accordance with the requirements of the New Roads and Streetworks Act 1991 and all relevant Codes of Practice.

Before commencing any Highway works the applicant / developer must familiarise themselves with the notice requirements, failure to do so could lead to prosecution. Application should be made to the Street Works Manager, Budbrooke Depot, Old Budbrooke Road, Warwick, CV35 7DP. For works lasting ten days or less, ten days notice will be required. For works lasting longer than 10 days, three months notice will be required.

**4. The consultation response from the Lead Local Flood Authority set out the details required for inclusion in the detailed surface water drainage scheme. The scheme to be shall:**

- (i). Limit the discharge rate generated by all rainfall events up to and including the 1 in 100 year (plus an allowance for climate change) critical rain storm to the betterment runoff rate of 10l/s for the site in line with the approved Flood Risk Assessment (reference P3001812, revision P02, dated 07.06.22).
- (ii). As the drainage scheme proposes to connect into the existing Severn Trent Water sewer, further information should be provided regarding the right to connect. The LLFA note the provision of a developer enquiry dated 01 February 2022. Developer enquiries are valid for 6 months from the date of issue and therefore, at the discharge of condition stage progression to providing a S106 confirmation should be provided.
- (iii). Provide drawings / plans illustrating the proposed sustainable surface water drainage scheme. The strategy agreed to date may be treated as a minimum and further source control SuDS should be considered during the detailed design stages as part of a 'SuDS management train' approach to provide additional benefits and resilience within the design.
- (iv). Provide detail drawings including cross sections, of proposed features such as infiltration structures, attenuation features, and outfall structures. These should be feature-specific demonstrating that such the surface water drainage system(s) are designed in accordance with 'The SuDS Manual', CIRIA Report C753.
- (v). Provide detailed, network level calculations demonstrating the performance of the proposed system. This should include: a. Suitable representation of the proposed drainage scheme, details of design criteria used (incl. consideration of a surcharged outfall), and

- justification of such criteria where relevant. b. Simulation of the network for a range of durations and return periods including the 1 in 2 year, 1 in 30 year and 1 in 100 year plus 40% climate change events. c. Results should demonstrate the performance of the drainage scheme including attenuation storage, flows in line with agreed discharge rates, potential flood volumes and network status. Results should be provided as a summary for each return period. d. Evidence should be supported by a suitably labelled plan/schematic (including contributing areas) to allow suitable cross checking of calculations and the proposals.
- (vi). The above point regarding calculations and plans should also include an updated storage requirement, calculated through different software, which does not produce variables of great significance such as the used software, Quick Storage Estimate. It is noted a storage estimate of 175m<sup>3</sup> has been taken from the Quick Storage Estimate provided of 123-183m<sup>3</sup>. A change of storage requirement must be reflected within the scheme where necessary and consequently reflected within updated plans and calculations. Updated plans and calculations should correspondingly support and display the dimensions and volumes of all features which are currently absent from site plans, including underground attenuation tanks. This is to ensure the scheme proposed can be successfully implemented without risk due to the presence of groundwater which has been noted throughout the site at differing levels.
- (vii). Provide plans such as external levels plans, supporting the exceedance and overland flow routeing provided to date. Such overland flow routing should: a. Demonstrate how runoff will be directed through the development without exposing properties to flood risk. b. Consider property finished floor levels and thresholds in relation to exceedance flows. The LLFA recommend FFLs are set to a minimum of 150mm above surrounding ground levels. This has also been detailed in the approved Flood Risk Assessment (reference P3001812, revision P02, dated 07.06.22, page 15). c. Recognise that exceedance can occur during any storm event due to a number of factors therefore exceedance management should not rely on calculations demonstrating no flooding.
- (viii). Provide details on any remedial actions to be taken as a result of the CCTV survey conducted (CCTV and Drainage Survey 0321-RPL-0364) such as where there is cross-sectional loss of pipes due to encrustation.

## **5. Informatives for the next stage of design**

As outlined within the notes above regarding the condition for the detailed surface water drainage scheme, the strategy should be treated as a minimum at this stage of the design. Further consideration should be given during the next stage of the design to incorporate additional, localised source control SuDS such as green roofs, rain-gardens and tree pits as part of a 'SuDS management train' approach to provide



water quality, amenity and bio-diversity benefits and increase the resilience within the design.

At the 'discharge of condition' stage proposals for surface water drainage should be approaching a level of detail suitable for tender or construction. Documentation should show the drainage scheme including SuDS features, specific details (e.g. standard details or cross sections) and demonstrate the performance and of the system through calculations and exceedance management respectively. Such scheme should be in line with the original planning application/permission and where significant changes are made, justification should be provided.

## **6. Details required to discharge condition 15:**

The surface water drainage structure maintenance plan should:

- (i). Provide the name of the party responsible, including contact name, address, email address and phone number
- (ii). Include plans showing the locations of features requiring maintenance and how these should be accessed.
- (iii). Provide details on how surface water each relevant feature shall be maintained and managed for the life time of the development.
- (iv). Be of a nature to allow an operator, who has no prior knowledge of the scheme, to conduct the required routine maintenance

## **7. Fire Service:**

Warwickshire Fire and Rescue Authority requires the development to comply with the requirements of Approved Document B, Volume 2, Requirement B5 – Access and Facilities for the Fire Service:

- Minimum width of the access road is 3.7 metres along the entire length
- Minimum width of any gateways is 3.1 metres
- Minimum height clearance is 3.7 metres
- Minimum carrying capacity is 12.5 tonnes
- A fire appliance to gain access to within 45 metres of all points within the footprint of each building or in accordance with table 15.1 of ADB, Volume 2.
- Every elevation to which vehicle access is provided should have a door, a minimum of 750mm wide, to give access into the building. The maximum distance between doors, or between a door and the end of the elevation, is 60m.
- Dead-end access routes longer than 20m require turning facilities
- Turning circles should be a minimum of 16.8m between kerbs or 19.2m between walls.

Full details including the positioning of access roads relative to buildings, the arrangement of turning circles and hammer heads etc. regarding this can be found at;

[www.warwickshire.gov.uk/fireguidancecommercialdomesticplanning](http://www.warwickshire.gov.uk/fireguidancecommercialdomesticplanning)

Where compliance cannot be met, please provide details of alternative measures you intend to put in place.

Please also note The Warwickshire County Council Guide 2001, Transport and Roads for Developments, Section 5.18; Access for Emergency Vehicles.

For Consideration: Warwickshire Fire and Rescue Authority fully endorse and support the fitting of Sprinkler installations, in accordance with the relevant clauses of BS EN 12845 : 2004, associated Technical Bulletins, and or to the relevant clauses of British Standard 9251: 2014, for residential premises.

Warwickshire Fire and Rescue Authority ask you to consider and ensure that access to the site, during construction and once completed, are maintained free from obstructions such as parked vehicles, to allow Emergency Service vehicle access.

## **8. Informative note for Condition 9 (Lighting)**

In discharging Condition 9 the County Planning Authority expects lighting to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats.

This could be achieved in the following ways:

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