Planning Committee: 24 June 2021 **Item Number:** 5

Application No: W 20 / 2134

Registration Date: 22/12/20
Town/Parish Council: Leamington Spa **Expiry Date:** 23/03/21
Case Officer: Andrew Tew
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United Reformed Church, Spencer Street, no.5 and Old Dole Office, Spencer Yard, Leamington Spa, CV31 3NE
Extensions, alterations and change of use to office space (Use Class E). FOR Complex Development Projects

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This application is being presented to Committee because Warwick District Council own the site and due to the number of public objections received.

RECOMMENDATION

Planning Permission is recommended to be GRANTED.

DETAILS OF THE DEVELOPMENT

The proposal seeks extensions, alterations and change of use to office space (Use Class E) for three buildings within Spencer Yard.

Specifically, the details can be summarised as:

United Reform Church (URC)

- Open up staircase well to basement, with staircase to serve upper floors
- Reinstate windows
- Reroof and insertion of 4 No. conservation rooflights
- Works to basement to create office space
- Steps and new entrance for rear elevation

The Old Dole Office

- Extension to create an additional floor at second storey
- New aluminium windows and doors
- New stair and ramp with metal balustrade to Southern elevation
- Paint brickwork to Southern elevation
- Addition of perforated metal panels at various angles to one corner of the building

The Nursery

- Single storey, flat roof extension
- New aluminium windows and doors
- New rooflights to match existing
- New stair with metal balustrade to Northern elevation
- Metal balustrade to roof terrace
- Paint brickwork

THE SITE AND ITS LOCATION

The application site, known as Spencer Yard, lies within the town centre of Leamington Spa, within the Conservation Area and forms an integral part of "The Creative Quarter". The site is situated within a predominantly commercial part of Leamington Town Centre.

The application site comprises 3 elements; the Grade II listed United Reform Church (URC), the former benefits office building (the Old Dole Office), and the Nursery.

The site is adjoined to the east by the Grade II listed buildings comprising Victoria Colonnade and Victoria Terrace. These contain a variety of residential and commercial uses and include a number of windows overlooking the site.

Further Grade II listed buildings adjoin the site to the south in Spencer Street. The Loft Theatre adjoins the site to the north.

Vehicular access to the rear of the site is gained off Spencer Street via Spencer Yard; there is presently no public access into Spencer Yard via Victoria Colonnade.

The eastern half of the site is situated within Flood Zone 2. The church building is situated within an Air Quality Management Area, and the vehicular and pedestrian access to the site is through this Area.

PLANNING HISTORY

W/06/1718/LB & 1719 - Part demolition, conversion, refurbishment and extension of existing building for use as theatre and associated facilities

W/09/0081 & 0082/LB - Formal approval of amendments to application No. W06/1718LB & W06/1719 Part demolition, conversion, refurbishment, and extension of existing building for use as theatre and associated facilities

RELEVANT POLICIES

- National Planning Policy Framework
- Warwick District Local Plan 2011-2029
- DS1 - Supporting Prosperity
- DS5 - Presumption in Favour of Sustainable Development

- PC0 - Prosperous Communities
- TCP1 - Protecting and Enhancing the Town Centres (Warwick District Local Plan 2011-2029)
- EC1 - Directing New Employment Development
- SC0 - Sustainable Communities
- HS8 - Protecting Community Facilities
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR2 - Traffic generation
- TR3 - Parking
- HS7 - Crime Prevention
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- FW3 - Water Conservation
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Air Quality & Planning Supplementary Planning Document (January 2019)
- Royal Leamington Spa Neighbourhood Plan 2019-2029
- RLS3 - Conservation Area
- RLS12 - Air Quality
- RLS6 - Protection of Community Facilities
- RLS13 - Traffic and Transport
- RLS16 - Royal Leamington Spa Town Centre
- RLS17 - Royal Leamington Spa Creative Quarter

SUMMARY OF REPRESENTATIONS

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Royal Leamington Spa Town Council: No objection. Note condition attached to previous scheme regarding limit on overall height and wish to see this carried forward.

Environment Agency: No comments received.

WCC Highways: Unable to offer a response either in favour or against due to it not being possible to conduct a full assessment in the absence of a parking survey. It is not possible to undertake a parking survey at present due to Covid altering normal parking patterns. Note that the on-site parking falls well short of the number of spaces required by the Council's Parking Standards and raise concerns that employees are likely to seek out spaces in residential streets beyond the Residents' Parking Zone.

WCC Landscape Officer: No objection.

WCC Ecology: No objection, subject to mitigation measures.

WCC Flood Risk Management: No objection.

WDC Conservation: No objection, following amendments, and subject to conditions.

WDC Environmental Health: Request further information in relation to air quality. Recommend conditions in relation to noise, contamination and odour.

WDC Contract Services (Waste Management): No objection.

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

Public Response: 7 letters of objection (including one from WCC Cllr Chilvers), 6 support received and 1 neutral;

Objections

- Lack of parking
- Wants the installation of a yard gully at the bottom of the driveway prior to the closing of the existing outlet.
- No Air Quality Management Plan
- Insufficient travel plan
- More support for small creative businesses
- Wants a cafe
- Wants an orchestral hall
- More parking provision
- Too much office space in town
- No risk assessment for emergencies
- Safety issues caused by increased density
- Road safety issues

Support comments

- Bringing listed building back into use
- Community use would be beneficial but cost would be prohibitive
- Want railings at front of URC re-installing and disabled parking space retaining
- Good to see development
- Address drainage in Spencer Street
- Minimise disruption to business
- Good to regenerate area
- Transport not an issue as good links available
- Welcomes development, but would like to see a music and film studio with upmarket coffee shop

ASSESSMENT

Principle of Development

Policy EC1 states that new office development will be permitted within the town centres. Policy HS8 allows for the redevelopment or change of use of a community facility that is redundant and that no other user is willing to acquire or manage provided there are similar facilities accessible to the local community by means other than the car.

The Old Dole Office's current lawful Use Class is A2 and B1, or a mixed use of E(c) and E(g) under the recent changes to the Use Classes Order.

The Nursery already benefits from Use Class E.

The URC remains in Use Class F1, meaning this is the only element that requires a change of use.

The site sits within the Town Centre Boundary and is surrounded by other employment uses. Therefore, in this location, Officers are satisfied that an E Class use is in accordance with Policy EC1.

The United Reform Church has sat redundant for many years. Furthermore, in this town centre location there are similar community facilities accessible to the local community by means other than the car. Moreover, this is not one of the community facilities that is protected by Neighbourhood Plan Policy RLS6. Therefore bringing this building back into use as an office accords with Local Plan Policy HS8.

Impact on the Listed Building

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that in considering whether to grant permission for developments affecting listed buildings or their setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Policy HE1 of the Warwick District Local Plan 2011-2029 states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The URC in its current state has been left empty for many years. It is starting to fall into a state of disrepair. The structural report accompanying the application suggests that water ingress and lack of maintenance is starting to affect the building, including main roof trusses.

The application, as amended, proposes to recover the roof, saving as much of the original tiling as possible. The insertion of 4 no. conservation rooflights has

required careful consideration because this impacts the historic fabric of the listed building and the existing largely unbroken traditional roof form. The applicant has demonstrated that the rooflights are essential to provide sufficient light to the proposed redevelopment, as the basement will be opened up as well, and light needs to penetrate to all levels of the building. The rooflights therefore make a critical contribution to bringing the listed building back into use and securing its long term future. Furthermore, the size and profile of the rooflights has been reduced to minimise the impact.

The proposed mezzanine will make use of the existing balcony structure and columns, which are cast iron. New steel supports will be inserted over the top of the existing structure and could be reversed.

The opening up of the basement and the incorporation of a new stairwell connecting all floors has also required careful consideration. Site investigation suggests the basement foundations are shallow and the installation of a new insulated slab would mean no remedial works would be necessary. The area of the ground floor that will be punched through into the basement has previously been infilled. Removing this brickwork will not have a detrimental effect on the masonry of the vaults spanning parallel. Again, it is also important to consider that facilitating the use of the basement is a critical element in securing the viable re-use of the listed building.

WDC Conservation have been consulted throughout the course of the application. They are happy with the principles contained within a submitted window repair document; a full schedule of proposed repairs can be covered via condition. The roof lights now proposed are noticeably smaller and the overall level of harm has been appropriately mitigated and, combined with the ventilation strategy, Conservation feel this provides sufficient justification for this element of the scheme. Conservation note that the proposed staircase looks to appear relatively lightweight in appearance and consider this to be acceptable subject to a condition requiring large scale details (including colour finishes).

On this basis, WDC Conservation raise no objection. All things considered, it has been concluded that the proposals would preserve the character and appearance of the listed building.

The proposed works would facilitate the reuse of a listed building that has been vacant for a number of years. As such, the proposal accords with the NPPF and Policies HE1 and RLS3.

Design and impact on visual amenity and the character of the conservation area

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area. Furthermore, the provisions of the NPPF and Policy HE1 that have been outlined in the preceding listed building section apply equally to the assessment of the impact on the conservation area.

The National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area.

The application site has been unused for many years. The theatre complex which shares the Spencer Yard site would seemingly benefit from the redevelopment of the surrounding buildings to make the area more welcoming, with improved lighting and safety. This is supported by comments from users of the facility.

Public views of the site are limited due to the location of the site where it is flanked by existing development. Efforts have been made, particularly with the Old Dole Office, to acknowledge the past of the building. A unique façade will be incorporated as part of this. This facade will be made of perforated metal panels in different patterns.

A single floor extension will be added to the Old Dole Office. This will use glass panels within aluminium frames for the Southerly and Westerly elevations. The Northerly and Easterly elevations will consist of brick with no fenestration. New aluminium windows and doors will be fitted into existing openings. A new stair and ramp with balustrade will be fitted to the principle elevation to allow for better access.

The extension to the Nursery consists of a large, flat roof extension. A flat roof is necessary because a pitched roof would block views of the listed URC from within the site. This affect was deemed damaging to the URC. Therefore, on balance, a flat roof extension is deemed appropriate.

It is noted by Officers that the site will be read against the backdrop of existing commercial buildings. The conversion of buildings for office use on this site would not be out of character with the surrounding area. Bringing the disused buildings back to life will have a positive impact on the visual amenity of the area. Whilst the changes to the URC are sympathetic to the listed building, a bolder approach has been applied to the Old Dole Office to acknowledge its past, but also make it a future destination area.

All things considered, the design of the scheme is judged to be appropriate for this unique location within the conservation area. Therefore it has been concluded that the proposals would preserve the character and appearance of the conservation area.

On this basis, the application accords with Local Plan Policies BE1 and HE1 and Neighbourhood Plan Policy RLS3.

Impact on adjacent properties

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

The conversion of the URC raises no specific concerns in relation to impacting adjacent properties. The building has been empty for many years and there is evidence of squatting within the building. Bringing it back into use would have a positive impact on the adjacent properties.

The conversion and extension of the Nursery again raises no specific concerns in relation to the adjacent properties. The extension is single story and will not overlook any of the closest properties on Spencer Street, which are predominantly commercial. Similarly, the proposed roof terrace is considered to be appropriate for this predominantly commercial location.

The extension to the Old Dole Office consists of a single floor extension to create a 3-storey building. It is noted that the Old Dole Office is currently 3 storeys in places and the extension will effectively join these 3 storey areas to create another useable floor. Glass panels within aluminium frames will be used for the Southerly and Westerly elevations, which will look into the courtyard of the proposed development, and not cause any issues of overlooking adjacent properties. The Northerly and Easterly elevations will consist of brick with no fenestration. The Northerly elevation is the closest to a neighbouring building, backing onto the rear of Victoria Colonnade. However, the proposed extension has no fenestration to the northerly elevation and parts of the Old Dole Office are already 3 stories. Furthermore, the extension is at least 12m from the nearest residential windows in Victoria Colonnade, which complies with the Council's Distance Separation Guidelines. Therefore the impact is deemed acceptable.

The part of the Old Dole Office building closest to the adjacent buildings in Victoria Terrace is already 3 storeys in height. As the proposals will only amount to a small increase in the bulk of this part of the building it is not considered that the alterations will have a material impact on those properties.

For the above reasons, it has been concluded that the proposals would have an acceptable impact on the living conditions of neighbouring dwellings. On this basis, the application accords with Policy BE3.

Parking and Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

WDC Parking Standards for the proposed development would require 88 allocated parking spaces and 11 cycle spaces. The development provides for 7 allocated car parking spaces and 18 cycle spaces.

Officers note that this application relates to the conversion of existing buildings within the town centre and therefore it is not possible to provide any more parking. The re-use of the buildings for any purpose will impact on parking and will not comply with the Parking Standards. This is common with conversions within predominantly commercial parts of the town centre.

The lack of parking must be balanced against the benefit of bringing redundant - and listed - town centre buildings back into use. Furthermore, it is important to have regard to the fact that the current lawful use of the premises do not comply with the Parking Standards and any proposed use is unlikely to be able to comply with Parking Standards.

WCC Highways have been consulted but are unable to provide a response in favour or against. They advise that they are unable to conduct a full assessment on the grounds that COVID-19 prevents a parking survey from being undertaken because shops, offices and other businesses have not been operating at full capacity. They note the shortfall in parking provided, as per requirements in WDC's Parking SPD, as well as the applicant's justification for the shortfall in that the site is in a highly sustainable location for public transport, as well as the availability of town centre car parks and limited on-road parking within 200m due to TRO's.

The applicant has provided an updated transport statement in light of WCC Highways comments which reiterates the sustainable nature of the location within a short walk of bus and rail services, that the net increase in trips comparative to the current lawful Use Class is minimal, that there is capacity within public car parking facilities to meet the increase and that a strong travel plan will be implemented by occupiers, controlled by condition if necessary.

The applicant's transport statement has been considered, along with the issues raised by WCC Highways. It is noted that WCC Highways comments must focus solely on highway matters, whereas in determining this planning application the local planning authority must weigh parking in the balance with all other material considerations.

In this regard it is notable that this is a key project in the regeneration of Leamington Creative Quarter. Moreover, the Creative Quarter is one of the Council's corporate priorities. The regeneration of this area will bring significant economic, social and environmental benefits. As touched upon before, the scheme will also secure the long term future of an important listed building that has been vacant for some time and is falling into disrepair. This all weighs heavily in favour of the scheme in the planning balance.

Against this, it is recognised that there is the potential for some negative impacts from increased commuter parking in residential streets beyond the current Residents' Parking Zones. WCC Highways point out that this is more likely for an office than may be expected from other commercial uses because

office workers may be more likely to seek out parking further afield due to the long term and regular nature of their visits.

Concerns have also been raised about the robustness of the draft Travel Plan measures that have been submitted with the application. This can be addressed by a condition requiring a detailed Travel Plan to be submitted for approval prior to occupation.

Another important consideration on this issue is that the site is situated within the commercial core of the town centre. The District Council's established approach to commercial schemes in such locations has been that visitors would be expected to use the public car parks. Also of note is the fact that the NPPF and Local Plan Policy EC1 direct new office development to the town centre, where the Parking Standards are unlikely to be met.

Finally, and perhaps most significantly for this particular issue, the site is situated within the most sustainable location in the District, being a short walk from both the main railway station and the point at which most of the bus routes in the District converge.

Taking all of this into account, it is considered that any potential negative impacts of increased on street parking are far outweighed by the benefits of the scheme.

Subject to the imposition of appropriate conditions, the application is considered to comply with Policies TR1 and TR3 of the Local Plan.

Impact on Ecology/Protected Species

Policy NE3 of the Warwick District Local Plan states that development proposals will be expected to protect, enhance and/or restore habitat biodiversity and where this is not possible, mitigation or compensatory measures should be identified accordingly. Policy NE2 deals with the impact on protected species.

The initial ecology report supplied showed an inspection of three buildings was carried out to establish their potential to support a bat roost. Suitable access and roosting features were present in all three buildings and evidence of roosting bats was found in the church. The report's conclusion was that further bat surveys are necessary to establish whether the nursery and Old Dole Office support a bat roost and to characterise the bat roost present in the church. With the agreement of WCC Ecology, the applicant has submitted a mitigation strategy based on a worst case scenario for the presence of the species of bat that have been identified.

For Brown Long Eared Bats this comprises:

- A roof space they can fly in. The ideal roof dimensions are apex height in excess of 2.8m and a length and width of 5m or more. The minimum should be void height (floor to ridge board) 2m and a length and width of at least 4m.
- Access retained into this loft space provided by bat access tiles and holes in roof lining- best position for BLE would be situated near the gable ends but also include some elsewhere on the roof as well;

- Use of bitumen felt 1F for roof lining. No other type of roof lining can be used. Roof lining must not be used where access tiles into the loft space are proposed as free access needs to be possible for the BLE bats at all times.
- A sensitive lighting strategy that provides a dark corridor from the roosts to the River Leam.

The Pipistrelle species roost in both the loft space and more often between the roofing felt and the tiles as they are crevice dwelling. The mitigation for the Pipistrelle species will need to include:

- Provision of modified bat tiles as close to the location of existing access points/slipped and missing tiles etc
- Use of bitumen felt 1F for roof lining. No other type of roof lining can be used.
- A sensitive lighting strategy that provides a dark corridor from the roosts to the River Leam.

In addition to the above requirements for loft space and tiles etc:

- Mounted or hanging bat boxes on site suitable for both Pipistrelle species and BLE will need to be installed on site before works commence. This is to provide a temporary roosting place whilst works on the existing roost is undertaken, although the boxes should stay in place post development as well.
- The existing roost(s) will be made unsuitable under the supervision of a licensed ecologist and under a European Protected Species Licence (EPSL), once granted by Natural England post planning.
- Integrated bat boxes within the finished development, if possible.
- Wildlife friendly landscaping to provide foraging habitat.

WCC Ecology have been consulted on the proposed mitigation methods and raise no objection subject to a condition requiring further surveys and a detailed mitigation plan. Subject to this condition, Officers are satisfied that the development is acceptable having regard to Policies NE2 and NE3 of the Local Plan.

Air Quality

The proposed development is located within an air quality management area (AQMA) that covers Bath Street, High Street, Clemens Street, and Spencer Street in part. Existing air quality monitoring results in the vicinity of Spencer Street have generally been below the national annual mean objective level for nitrogen dioxide (NO2), however, other nearby locations have continued to exceed this level.

Health and Community Protection – Safer Communities Section have been consulted and have requested further information in relation to expected traffic associated with the proposed development. The applicant has submitted this information and furthermore comments are awaiting from Health and Community Protection. These will be included in the Update Report to Committee.

In addition to addressing the above, Health and Community Protection note the proposals for a mechanical ventilation system with heat recovery (MVHR) for the office accommodation to be provided within the basement/crypt of the United Reformed Church building. As the building is located within an AQMA they would wish to ensure that any fresh air inlet for this system is located away from sources that may draw in contaminated or polluted air. Whilst the air quality monitoring results on Spencer Street have largely been below the national air quality objective in recent years, this level is based on an annual mean therefore there are daily and seasonal fluctuations that can take place when vehicle emissions could be higher. Health and Community Protection recommend that any fresh air inlet is located at sufficient height, away from the roadside façades, as well as ensuring that the inlet is located away from any kitchen or mechanical exhaust systems that will draw in unpleasant odours. This can be secured by condition.

Subject to conditions controlling these aspects of the development, it is considered that the proposals would be acceptable from an air quality point of view and accords with Neighbourhood Plan Policy RLS12

Contaminated Land

The proposed development is a redevelopment of a brownfield site. Community Protection – Safer Communities Section's current records do not indicate that contamination is present, although the brownfield nature of the site means that some localised contaminants may be present due to previous historical uses or the construction of the existing structures. On this basis they would recommend that a watching brief is maintained throughout the development in the event that any contamination is discovered. Should this occur the applicant will need to notify the local planning authority and agree how the contamination will be dealt with. This could be secured by a planning condition.

Odour

The proposed development now falls under the recently introduced Class E use therefore the premises could be used for a number of additional purposes if planning permission is granted. One of these purposes includes the sale of food and drink for consumption (mostly) on the premises which would have previously fallen under a Class A3 use. As these premises often require the installation of mechanical extraction systems and emit cooking odours, Community Protection – Safer Communities Section recommend a suitably worded planning condition that shall require the details of any such extraction system to be agreed with the local planning authority to prevent adverse impacts on residential amenity.

Other Matters

<u>Flooding</u>

Warwickshire County Council as the Lead Local Flood Authority (LLFA) have been consulted and raise no objection. The Environment Agency have also been consulted on the recommendation of the LLFA. However, no comments have been

received. It is noted that the proposals are for a type of development that the Environment Agency do not normally expect to be consulted upon. Furthermore, when compared to the existing lawful uses of the buildings, the proposed uses are either the same or lower risk in terms of the government's flood risk vulnerability classification. Therefore, the proposals are considered to be acceptable from a flood risk point of view.

Noise

To ensure that any external plant or equipment installed as part of the proposed development does not result in adverse noise impacts on nearby existing residential dwellings or other noise sensitive premises, Environmental Health recommend a condition is placed on the equipment.

Leamington Neighbourhood Plan

The Neighbourhood Plan includes a specific policy on the Creative Quarter. The proposals comply with all of the requirements of this policy. Indeed, the proposals positively contribute to some specific objectives in relation to re-using empty buildings and in particular redeveloping two of the opportunity sites that are named in the policy: Spencer Yard and the United Reform Church.

SUMMARY / CONCLUSION

The proposals would generate significant public benefits, including making a major contribution to the regeneration of the Creative Quarter and securing the long term use of an important listed building. The proposals are considered to be acceptable in terms of design, the impact on heritage assets, the impact on neighbouring properties, parking / highway safety, ecological impacts, air quality and the other detailed matters assessed above. 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 site location plan and approved drawing(s) 2362.04.3-P2, 2362.03.6-P3, 2362.03.3-P4 and 2362.03.5-P5, and specification contained therein, submitted on 22nd December 2020 and 2362.03.7 P1, 12000 SK02 A, 2362.01.10 P6, 2362.01.12 P4, 2362.01.13 P4, 2362.01.15 P1, 2362.01.16 P1, 2362.01.4 P7, 2362.01.5 P7 , 2362.01.6 P7, 2362.01.7 P6, 2362.02.4 P4, 2362.02.5 P4, 2362.02.6 P4 and 2362.00.04 P2, and specification contained therein, submitted on 27th May 2021. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in

accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

3 Noise arising from any plant or equipment (measured as LAeq,5 minutes), when measured (or calculated to) one metre from the façade of any noise sensitive premises, shall not exceed the background noise level (measured as LA90,T). 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 project the living conditions of nearby dwellings, in accordance with Policies BE3 and NE5 of the Warwick District Local Plan.

4 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the local planning authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the local planning authority.

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

5 The development hereby permitted shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists- 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. Such approved mitigation plan shall thereafter be implemented in full. **Reason:** To ensure that protected species are not harmed by the development, in accordance with Policy NE2 of the Warwick District Local Plan.

6 No development shall be carried out above slab level unless and until samples of the external facing and landscaping materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

7 No development shall be carried out above slab level unless and until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), eaves, verges, rainwater goods, railings, parapets, cladding and the internal staircase at a scale of 1:5 (including details of materials) have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details.
Reason: To ensure a high standard of design and appearance for this Listed Building and the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

8 All rainwater goods for the development hereby permitted shall be metal.
Reason: To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

9 The roofing material for the pitched roof parts of the development hereby permitted shall be natural slate. **Reason:** To ensure a high standard of design and appearance for this Listed Building and Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.

10 No part of the development hereby permitted shall be used for any purpose falling within Class E (b) of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification), unless and until:
a) an odour assessment has been undertaken to assess the impact of odour arising from cooking and any proposed fume extraction system that is required to serve the premises;
b) the results of the odour assessment carried out to comply with criteria (a), together with details of any necessary mitigation measures, have been submitted to and approved in writing by the local planning authority; and
c) any necessary mitigation measures approved under (b) have been implemented in full accordance with the approved details. The mitigation measures shall be retained at all times thereafter and shall not be removed or altered in any way without the prior written approval of the local planning authority.

Reason: To project the living conditions of nearby dwellings, in accordance with Policies BE3 and NE5 of the Warwick District Local Plan.

11 The United Reform Church shall not be used for the purposes hereby permitted unless and until a mechanical ventilation system with heat recovery has been installed in strict accordance with details that shall have been submitted to and approved in writing by the local planning authority. The mechanical ventilation system with heat recovery shall thereafter be operated and maintained in strict accordance with the

approved details at all times that the building is used for the purposes hereby permitted. **Reason:** To ensure appropriate air quality within the building, in accordance with Policy NE5 of the Warwick District Local Plan.

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

13 The development hereby permitted shall not be occupied unless and until a scheme for the provision of adequate water supplies and fire hydrants, necessary for fire fighting purposes at the site, has been submitted to and approved in writing by the Local Planning Authority and the approved scheme has been implemented in full in strict accordance with the approved details. **Reason:** In the interest of the fire safety and protection of public safety and to satisfy Policy BE1 of the Warwick District Local Plan 2011-2029.

14 The development hereby permitted shall not be occupied or brought into first use unless and until:

(a) a Green Travel Plan has been submitted to and approved in writing by the local planning authority; and
(b) the Green Travel Plan approved under (a) has been implemented in strict accordance with the approved details.

Once implemented the Green Travel Plan shall not be withdrawn or amended.

Reason: In the interest of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR2 of the Warwick District Local Plan 2011-2029.