

Application No: [W 23 / 0381](#)

Town/Parish Council: Leamington Spa
Case Officer: Lucy Hammond

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Registration Date: 05/04/23

Expiry Date: 31/05/23

Town Hall, Parade, Leamington Spa, CV32 4AT

Use of Town Hall as a 'creative hub', including new steps and ramps to the building's main entrance together with the demolition and reconstruction of an existing two storey structure at the rear to provide upgraded toilets and new lift
FOR Warwick District Council

This application is being presented to Committee because it is an application made by the District Council and relates to a District Council owned building.

RECOMMENDATION

That planning permission is granted subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

This is a full planning application which proposes the use of the Town Hall as a creative hub. The operational development required to facilitate this comprises improvements to the main entrance of the building through the replacement of the existing ramp and revealing the original steps together with the demolition of an existing two storey structure at the rear and its replacement with an improved and more fit for purpose two storey structure (to accommodate improved toilet facilities and a lift).

The proposed works are also subject to a separate application for listed building consent which is being considered simultaneously to this and it is noted that the listed building consent also covers all internal works necessary to facilitate the building's proposed use (which, for the avoidance of doubt, do not form part of the full application).

It is worth noting here, that during the course of this current application, revised plans have been submitted; the previously proposed new entrance in the Livery Street elevation of the Town Hall has been removed from the plans and the supporting statements amended accordingly to reflect the change. The rest of the proposals remain as per the plans originally submitted and are unaffected by the amendment.

THE SITE AND ITS LOCATION

The application relates to the Town Hall in Royal Leamington Spa; an imposing Grade II listed municipal building dated 1882-1884 constructed from pinkish-red brick with sandstone ashlar dressings and a Welsh slate roof, partly fish-scaled. The building contains many architectural details and flourishes incorporating Tudor and French baroque elements and there is a central projecting portico to the ground floor, fronting Parade, above which sits pairs of Tuscan pilasters and paired Corinthian columns, with single columns between windows and decorated frieze with masks. A clock tower sits on the building's southern end.

The Town Hall is centrally placed in the town centre and is within the Royal Leamington Spa Conservation Area as well as the Creative Quarter. Internally, the building provides a range of spaces and uses for the Town Council's offices, the University of Warwick, Motionhouse (dance company), Leamington Music and the Post Office. There are also several hireable rooms and leased offices as well as spaces, such as the Council Chamber, for District Council functions.

While the building's main entrance fronts Parade to the west, it has a further entrance (not currently in use) to its southern elevation fronting Regent Grove. To the north side is Livery Street, otherwise known as Regent Court, which is a pedestrianised route through to Regent Street to the north, characterised by restaurants and other dining facilities. At the rear of the Town Hall, there is an area for car parking which is accessed off Regent Grove to the south.

PLANNING HISTORY

While there are several planning records for the Town Hall, over approximately the last thirty years, these are mostly Listed Building Consents which are primarily concerned with internal works, refurbishment, alterations to doors and so on and as such are of no direct relevance to the proposals being considered here.

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- DS5 - Presumption in Favour of Sustainable Development
- PC0 - Prosperous Communities
- TCP1 - Protecting and Enhancing the Town Centres
- CT1 - Directing New Meeting Places, Tourism, Leisure, Cultural and Sports Development
- SC0 - Sustainable Communities
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking
- HS8 - Protecting Community Facilities
- CC1 - Planning for Climate Change Adaptation
- FW1 - Development in Areas at Risk of Flooding

- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE5 - Protection of Natural Resources

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS3 - Conservation Area
- RLS6 - Protection of Community Facilities
- RLS16 - Royal Leamington Spa Town Centre
- RLS17 - Royal Leamington Spa Creative Quarter

Guidance Documents

- Air Quality & Planning Supplementary Planning Document (January 2019)
- Parking Standards (Supplementary Planning Document- June 2018)

SUMMARY OF REPRESENTATIONS

WCC Highways: Neutral response which offers comments; parts of the building affected by the proposals fall within sections of the highway not maintainable at public expense and as such the Highway Authority offers no comment. The reduction in parking is deemed acceptable given the sustainable town centre location of the building.

WDC Conservation: No objection, subject to conditions

Conservation Advisory Forum: Generally supportive of the overall aim to reinvigorate the Town Hall. In terms of detail, these are primarily considered acceptable; the originally proposed Livery Street entrance was seen by some as a potentially positive move, but raised by others that its purpose was unclear and potentially unjustified in terms of heritage harm.

Health & Community Protection - Environmental Sustainability: No objection, subject to conditions

LLFA: No objection

WCC Ecology: No objection, subject to conditions and notes

ASSESSMENT

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

- Principle of development;
- Impact on heritage assets;
- Visual impact / character of area;

- Impact on neighbouring/residential amenity;
- Access and parking;
- Impact on ecology;
- Drainage; and
- Any other relevant considerations.

Principle of development

There are several relevant policies which are key to determining whether or not the principle of development is considered acceptable. These are set out below.

Local Plan Policy HS8 relates to the protection of community facilities and states that their redevelopment or change of use will only be permitted where it can be demonstrated:

- a) There are 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.

In the first instance it is important to note that the proposals presented here do not propose to redevelop the Town Hall in such a way that would result in its loss as a community facility. While this is explored in more detail below, for the purposes of considering the application against this policy, officers are of the view that the resulting development would continue to protect a community facility which serves local needs.

Policy CT1, in relation to new meeting places, tourism, leisure, cultural and sports development, advises that such uses will be permitted in the town centre in accordance with the town centre policies. Policy TC1 states that subject to Policies TC2 to TC16 and any relevant area action plan, proposals for any of the main town centre uses will be permitted within town centres where they are of an appropriate scale in relation to the role and function of the town centre and provided that non-shopping proposals would not compromise its shopping function. Proposals will also be required to reflect the character and form of the town centre.

The application site is located within the town centre and is considered by officers to be an appropriate mixed town centre use which is not considered to compromise the town centre's shopping function.

Policy RLS6 of the Royal Leamington Spa Neighbourhood Development Plan (RLSNDP) relates to the protection of community facilities which are identified on Figure 8 within the Plan. The Town Hall is listed No.32 (Fig. 8b – Community Facilities East) at Appendix 1 of the Plan. Policy RLS6 states that proposals for new and improved community facilities will be supported where they are in accordance with other neighbourhood and development plan policies.

Policy RLS17 relates to the Royal Leamington Spa Creative Quarter and states that proposals for development within this area will be supported where they address

as appropriate bullet points a) – f) listed in the policy. Officers consider points b) and d) (copied below) to be of direct relevance although the proposals would no doubt have an indirect positive impact on other criteria listed in the policy:

- b) Environmental improvements to key buildings, frontages, through routes and gateway points;
- d) Re-use of empty buildings and use upper floors in accordance with other development plan policy.

The policy further stipulates particular uses which will be supported (when it is in accordance with the Local Plan) to further the development of the Creative Quarter. Amongst the list, and of particular relevance for the purposes of assessing the principle of development, are community/event space as well as studio and co-working space for small businesses, artists and makers. Lastly the policy states that the redevelopment of certain key opportunity sites for the aforementioned uses will be supported. One such key opportunity site listed is the Town Hall.

By way of a summary, the proposals presented here seek to reimagine the Town Hall and create a new multifunctional space, which would continue to provide some Town Hall civic functions, whilst at the same time would have greater flexibility and a more expansive range of uses within the site. In detail, the works comprise improvements to the main entrance onto Parade, the main circulation spaces incorporating new public exhibitions, a new reception and anchor space, shop, rebuilt and upgraded toilet facilities and lift, break-out and multi-use spaces and all necessary refurbishment works and fire upgrades to facilitate the proposed multifunctional space.

These uses would fall neatly within the suggested uses contained within RLSNDP Policy RLS17 and would result in a more effective use of the building which is, in part, currently under-utilised. The proposed change of use is therefore considered to represent an enhancement of an existing community facility which complies with the requirements of Policy RLS6 and is also compliant with the other relevant and aforementioned policies.

Impact on heritage assets

Considerable importance and weight should be given to the duties set out in the Planning (Listed Buildings and Conservation Areas) Act 1990, when making decisions that affect listed buildings and conservation areas respectively. These duties affect the weight to be given to the factors involved.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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."

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that, "In the exercise, with respect to any buildings or other land in a

conservation area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.”

Policy HE1 of the Local Plan expects development proposals to have appropriate regard to the significance of designated heritage assets. Where any potential harm may be caused, the degree of harm must be weighed against any public benefits of the proposal.

Policy RLS3 of the RLSNDP states that development proposals that are within or directly affect a Conservation Area must assess and address their impact on their heritage significance and must demonstrate attention to certain criteria specified within the policy.

Paragraph 199 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. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Following an amendment being made to the plans as originally submitted, a new entrance door proposed in the Livery Street elevation of the Town Hall no longer forms part of the proposed works for which planning permission and listed building consent are being sought. The remainder of the proposed works which are mostly internal but also involve the demolition and rebuilding of a rear two storey extension that accommodates the toilets and lift as well as some improvements to the main entrance steps and disabled ramp, have been confirmed by the Principal Conservation Officer as works to which there is no objection on heritage grounds.

The rear elevation of the Town Hall is arguably of much lower sensitivity, appearing relatively utilitarian at present. The proposed lift and extension, with decorative brickwork, offers some degree of architectural visual interest and is considered to be a sympathetic addition to the building's evolution. There is sufficient justification presented in the supporting documentation for a lift of this scale and nature.

On the building's frontage, the proposed new entrance and ramp would necessitate the removal of two original stone steps from outside the front entrance. Whilst these have not been visible to officers during the course of the application, it is the intention of the applicant to ensure that a site investigation is undertaken, involving the removal of a section of the existing ramp in order to document the steps subject to removal. Officers are satisfied that a carefully worded condition requiring the details of what should be submitted and the timeframe within which this investigative work should be undertaken adequately deals with this aspect of the proposed works. Consequently, there are no heritage objections, in principle, to this part of the development.

Overall, and in light of the amended plans received showing the omission of the Livery Street entrance, officers are of the view that the proposed works involving the improved main entrance and the demolition and rebuilding of the two storey

structure at the rear would result in no harm to the significance of the heritage assets, principally the Grade II listed building, nor to the character and appearance of the Conservation Area.

Since no material harm has been identified to the significance of the heritage asset it is not necessary to engage the public benefits test. The application is considered to comply with Policy HE1 and in making this assessment, officers have had regard to the weight that should be given to the desirability of preserving the special interest and setting of the heritage assets.

Visual impact / character of area

Policy BE1 requires new development to positively contribute to the character and quality of its environment through good layout and design. While primarily applicable to residential development, it is still worth noting the Residential Design Guide SPD (2018) which provides a framework through which additional design principles are set out to ensure that high quality design is promoted, sensitive to, and in keeping with the area in which it is located.

From a visual amenity point of view the key changes proposed externally to the Town Hall involve the front entrance steps/ramp and the removal and re-building of the two storey extension to the rear elevation, intended to accommodate improved toilet and lift facilities.

The building's front façade would be largely unaltered by the proposals given that the only intervention is the removal of the existing timber steps and ramps which arguably detract from this elevation at present, in favour of a more considered solution to achieve level access. At the rear, on the northeast elevation the proposed interventions, which are more involved, would result in the removal of an existing two storey structure, an existing unsympathetic modern ramp, an unsympathetic metal fire escape stair and two windows together with the enlargement of window openings and other ancillary alterations (i.e. to down pipes, air conditioning units).

The proposed two storey extension as re-built would consist of matching brickwork in English bond brick, with design features to include brick banding detail and arched heads. Despite the fact that this particular elevation is not readily visible from within the public domain, given its location to the rear of the Town Hall, officers are satisfied that the resulting development would represent a sympathetic addition to the rear and would be aesthetically preferable to the arrangement currently in situ.

Accordingly, it is not considered that the proposed external works would result in any material harm to the visual amenities of the site and surrounding area and moreover the proposals represent a visual improvement certainly to the rear elevation. Accordingly, the development is considered acceptable in this regard and as such accords with Policy BE1.

Impact on neighbouring / residential amenity

Policy BE3 states that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents. At the same time, the policy also requires development to provide acceptable standards of amenity for all future users and occupiers of the development.

There are residential units to the rear (east/northeast) of the Town Hall, which occupy the upper floors of the buildings in both Livery Street and Regent Grove. Ground floor uses are occupied by a mix of offices, retail and café/restaurants. A hotel sits to the north and other commercial uses to the west on the opposite side of Parade.

Officers are satisfied, given the configuration and layout of the rear elevation and car parking area that the re-built two storey extension would result in no material harm by reason of additional loss of light, loss of privacy or loss of outlook to neighbouring land uses to the rear. In terms of any additional noise, which might arise from external plant and/or equipment a suitably worded planning condition, limiting any such noise would ensure that residential neighbours are not adversely affected by the proposals.

Accordingly, officers are satisfied that the development is acceptable in this regard and as such accords with Policy BE3.

Access and parking

Policy TR1 requires development to provide safe, suitable and attractive access routes for all road users; including drivers of motor vehicles as well as cyclists, pedestrians and public transport users.

Policy TR3 requires development to make provision for parking which has regard to the location and accessibility of the site by means other than the private car, does not result in on-street car parking detrimental to highway safety; takes account of the parking needs of disabled car users, motorcyclists and cyclists; and takes account of the requirements of commercial vehicles. Moreover, development will be expected to comply with the parking standards set out in the most recent Parking SPD.

The main entrance to the site is located on Parade. Alterations are proposed at this entrance, however, this section of the highway is not maintainable at public expense and as such the County Highway Authority has offered no comment on this aspect of the works.

It is noted that the proposals would result in a net loss of 3no. parking spaces, reducing the number of parking spaces available at the site from eight to five. However, it is acknowledged that the site is situated within a sustainable location with good public transport links and there are public car parks within close proximity for staff, and as such the reduction in car parking spaces can be accommodated by these amenities.

With this in mind, the County Highway Authority has confirmed there is no objection to the proposed development and no conditions or advisory notes have been recommended in this case.

For the above reasons officers are satisfied that the development is acceptable in this regard and as such accords with Policies TR1 and TR3.

Impact on Ecology

Preliminary ecological reports were submitted with the application, with which the County Ecologist is in broad agreement, noting there is negligible risk to bats though caution should still be taken. Since the scope of the proposed works does not realistically allow for landscape measures to be taken, recommended measures including the use of bat boxes and swift bricks for installation within the new lift extension into the brickwork were explored with the applicant. Such features would not detract from the significance of the heritage asset and if installed at the same time as construction would avoid any bird disturbance.

Upon the submission of further information and clarification by the applicant of the measures proposed to be taken, the County Ecologist has confirmed that the risk to protected species has been thoroughly assessed, suitable measures will be implemented and consequently there are no objections to the development subject to the imposition of relevant conditions and precautionary notes.

Officers are therefore satisfied that the works would not result in any harm to protected species and the development accords with Policies NE2 and NE3.

Drainage

Notwithstanding the fact that the application proposes minimal changes to the building, the LLFA provided an initial response to the application stating that no details of drainage and surface water management had been submitted and as such it would be unable to review the proposals which essentially amounted to an objection. Further information was requested from the applicant, whilst also recognising the minimal scale and nature of the proposed development and the resulting impact this might have on drainage.

The applicant provided further information in this regard which has consequently resulted in the LLFA removing its objection. No conditions or advisory notes are recommended. To that end, officers are satisfied that the development is acceptable in this regard and as such it accords with Policy FW1.

Other matters

Adapting to Climate Change/Sustainability Measures

Policy CC1 aims to ensure that all new development is resilient to and adapted to the future impacts of climate change through the inclusion of measures to mitigate against rising temperatures and increased flood risk through sustainable construction measures and the incorporation of sustainable drainage methods.

In this particular instance, the proposals involve the change of use of an existing building, which incidentally is a Grade II listed heritage asset, and such works primarily involve some internal reconfiguration of spaces to facilitate the end use with exterior works involving the re-building of one small rear extension which would accommodate toilet facilities and a lift. Accordingly, and especially in view of the heritage significance of the building, the opportunities for sustainability measures to be incorporated into the development are extremely limited.

Overall, having regard to both the scale and nature of the proposals and the physical works they involve, together with the Grade II listed status of the building, officers are satisfied that the development is acceptable in this regard.

Summary/Conclusion

The principle of development which involves the change of use of the Town Hall to form a 'creative hub' through predominantly internal works to facilitate multi-functional spaces together with improved access to the building's frontage and a re-built two storey extension at the rear to accommodate improved toilet facilities and a lift is considered acceptable having regard to the relevant provisions of Local Plan Policies HS8, CT1 and TC1 as well as RLSNDP Policies RLS6 and RLS17.

The majority of the works are internal and where external works are proposed officers are satisfied that these would not result in any visual harm to the character or appearance of the area nor would there be any harm to neighbouring amenity. The heritage impacts of the proposed works have been carefully considered and following amendments being made to the plans showing the omission of the originally proposed Livery Street entrance officers are now satisfied that the improvements to the main entrance together with the works proposed to the rear would represent a sympathetic addition to the building and consequently would result in no harm to the significance of the heritage assets; principally the fabric of the Grade II listed building and also to the character and appearance of the Royal Leamington Spa Conservation Area.

There are no access or parking concerns with the proposed development given the central town centre location of the building and the ample provision of on-street and car park spaces available in close proximity together with the availability of connections and routes to public transport.

There would be no harm to features of ecological importance; matters of drainage have been satisfactorily addressed through the course of the application and in view of the listed status of the building together with the minimal scale and nature of the physical works involved to facilitate the change of use, opportunities for sustainability measures to be incorporated are considered extremely limited.

Overall, and having regard to all of the above considerations, officers recommend that planning permission be granted subject to the conditions set out below.

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 the following approved drawings:-

241990-PUR-00-01-DR-A-3002 Rev.P03; 241990-PUR-00-01-DR-A-3003 Rev.P03; 241990-PUR-00-01-DR-A-3004 Rev.P03; 241990-PUR-00-01-DR-A-3006 Rev.P03; 241990-PUR-00-B1-DR-A-1010 Rev.P03; 241990-PUR-00-B1-DR-A-2000 Rev.P03; 241990-PUR-00-GF-DR-A-3000 Rev.P03; 241990-PUR-00-GF-DR-A-3001 Rev.P03; 241990-PUR-00-RF-DR-A-1014 Rev.P03; 241990-PUR-00-RF-DR-A-2004 Rev.P03; 241990-PUR-00-ZZ-DR-A-1110 Rev.P03; 241990-PUR-00-ZZ-DR-A-1112 Rev.P03; 241990-PUR-00-ZZ-DR-A-1113 Rev.P03; 241990-PUR-00-ZZ-DR-A-2100 Rev.P03; 241990-PUR-00-ZZ-DR-A-2102 Rev.P03; 241990-PUR-00-ZZ-DR-A-2103 Rev.P03; 241990-PUR-00-ZZ-DR-A-5001 Rev.P03; and 241990-PUR-00-ZZ-DR-A-5002 Rev.P03, and specification contained therein, submitted on 13 March 2023;

241990-PUR-00-01-DR-A-1012 Rev.P05; 241990-PUR-00-01-DR-A-2002 Rev.P05; 241990-PUR-00-01-DR-A-2302 Rev.P04; 241990-PUR-00-01-DR-A-2402 Rev.P04; 241990-PUR-00-02-DR-A-1013 Rev.P05; and 241990-PUR-00-02-DR-A-2003 Rev.P05; and specification contained therein, submitted on 27 April 2023; and

241990-PUR-00-GF-DR-A-1011 Rev.P06; 241990-PUR-00-GF-DR-A-2001 Rev.P06; 241990-PUR-00-GF-DR-A-2301 Rev.P05; 241990-PUR-00-GF-DR-A-2401 Rev.P05; 241990-PUR-00-GF-DR-A-3005 Rev.P04; 241990-PUR-00-GF-DR-A-3007 Rev.P04; 241990-PUR-00-ZZ-DR-A-1111 Rev.P04; 241990-PUR-00-ZZ-DR-A-1210 Rev.P04; 241990-PUR-00-ZZ-DR-A-2101 Rev.P04; and 241990-PUR-00-ZZ-DR-A-2200 Rev.P05; and specification contained therein, submitted on 24 May 2023.

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 The development hereby permitted shall not commence unless and until a Construction Management Plan (CMP) has been submitted to and approved in writing by the local planning authority. The CMP shall provide for: the parking of vehicles of site operatives and visitors; site working hours and delivery times; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not

carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction, together with any details in relation to noise and vibration; and a scheme for recycling / disposing of waste resulting from demolition and construction works. A model CMP can be found on the Council's website (https://www.warwickdc.gov.uk/downloads/file/5811/construction_management_plan) or by searching 'Construction Management Plan'. The development hereby permitted shall only proceed in strict accordance with the approved CMP. **Reason:** In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies BE3, TR1 and NE5 of the Warwick District Local Plan 2011-2029.

- 4 No part of the development hereby permitted shall be commenced until a scheme for the provision of 2 suitable nesting boxes/bricks for swifts to be erected on buildings within the site has been submitted to and approved in writing by the County Planning Authority. The scheme to include details of box type, location, and timing of works. Thereafter, the boxes/bricks shall be installed and maintained in perpetuity. **Reason:** To enhance the nature conservation value of the site and ensure biodiversity net gain in accordance with the NPPF and Policy NE3 of the Warwick District Local Plan 2011-2029.
- 5 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.
- 6 No development shall be carried out above slab level unless and until large scale details of internal doors, 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 to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029.
- 7 During the works, if hidden original stone steps to the front entrance are revealed they should be retained in-situ. If these are deemed to be beyond repair, the steps should be recorded and suitable replacement steps agreed with the Conservation Officer. **Reason:** To secure and safeguard the provision for inspection and recording of matters of historical importance associated with the building that may be lost in the course of works in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.

- 8 The development hereby permitted shall be carried out in accordance with the measures to safeguard the nesting peregrine falcons identified within the Preliminary Bat Roost and Nesting Bird Assessment dated 22 February 2023 Ref: C3077-1. **Reason:** To safeguard the presence and population of a protected species in line with UK and European Law, the National Planning Policy Framework and Policy NE2 of the Warwick District Local Plan 2011-2029.
- 9 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 ensure that the level of noise emanating from the building is confined to levels which would not cause unacceptable disturbance to the detriment of the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
-