

Application No: [W 23 / 1048](#)

Town/Parish Council: Leamington Spa
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Stoneleigh Arms, 31, Clemens Street, Leamington Spa, CV31 2DP

Proposed demolition of Stoneleigh Arms and reuse of materials for the erection of a new three storey building for use as a mixed used creative workspace.
Proposed refurbishment and single storey extension to the Old School for education and community use at Court Street.
Proposed creation of public realm landscaping. FOR Complex Development Projects

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

Planning permission is sought to redevelop the site of the former Stoneleigh Arms public house. The proposals include the complete demolition of the existing building and its replacement with a new building which would be for a mixed creative use. The proposals also include the refurbishment and further extension of the building which sits to the rear of the Stoneleigh Arms, in Court Street, known as The Old School; this would be for educational as well as community uses. Between the two buildings it is proposed to create a new 'pocket park' public realm landscaped area.

THE SITE AND ITS LOCATION

The site currently comprises the vacant Stoneleigh Arms historic public house which is in a state of disrepair. This building fronts Clemens Street while to the rear, fronting Court Street, is The Old School building. The site is dissected by the Royal Leamington Spa Conservation Area boundary; the Stoneleigh Arms falls within the Conservation Area (Area 4: Clemens Street) while the rear of the site including The Old School building falls outside of it.

The site as a whole forms part of one of the allocated housing sites, H16 - Court Street (allocated for 75 dwellings in Policy DS11 of the Local Plan). It is also lies within the Creative Quarter and as such forms part of the wider development proposals for that particular project.

In planning policy and principle terms, the site is within the Urban Area of Leamington Spa, the designated town centre boundary and the vacant public house fills a gap in an otherwise established retail frontage in the designated retail area. Residential properties in Tower Street are located to the rear of the Stoneleigh Arms (on the south side) while Court Street surface car park sits to the rear on the north side. In Court Street, opposite the Old School, there is a mix of residential and industrial uses.

The vacant public house is unlisted but is considered to make an important contribution to the character and appearance of the conservation area as well as the wider street scene. To that end, it is considered to be a non-designated heritage asset.

PLANNING HISTORY

W/22/1203 - Demolition of the rear of the Stoneleigh Arms and erection of temporary building supports as required - Approved 16.11.2022

W/18/1763 - Proposed improvements to existing municipal car park to include additional parking bays, extended asphalt surfacing, change of use of existing disused area to form enlarged car park, lighting, CCTV and an additional pay machine - Approved 16.11.2018

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- DS5 - Presumption in Favour of Sustainable Development
- DS11 - Allocated Housing Sites
- PC0 - Prosperous Communities
- TCP1 - Protecting and Enhancing the Town Centres
- TC2 - Directing Retail Development
- TC16 - Design of Shopfronts
- 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
- HS1 - Healthy, Safe and Inclusive Communities
- HS6 - Creating Healthy Communities
- CC1 - Planning for Climate Change Adaptation
- CC2 - Planning for Renewable Energy and Low Carbon Generation
- FW1 - Development in Areas at Risk of Flooding
- FW2 - Sustainable Urban Drainage
- HE1 - Protection of Statutory Heritage Assets

- HE2 - Protection of Conservation Areas
- HE4 - Archaeology
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

Royal Leamington Spa Neighbourhood Plan 2019-2029

- RLS3 - Conservation Area
- RLS12 - Air Quality
- RLS13 - Traffic and Transport
- RLS14 - Cycling
- RLS16 - Royal Leamington Spa Town Centre
- RLS17 - Royal Leamington Spa Creative Quarter
- RLS18 - Secondary Retail Areas within the Creative Quarter

Guidance Documents

- Air Quality & Planning Supplementary Planning Document (January 2019)
- Parking Standards (Supplementary Planning Document- June 2018)
- Open Space (Supplementary Planning Document - April 2019)
- Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council: Support for the following reasons:

- The redevelopment of this important site is supported as it is in line with Policies RLSNP17 and HE2 of the Local Plan
- The proposals are within the Creative Quarter
- If there is scope to provide any EVCP in the public car park adjacent to the building this would be welcomed

WDC Conservation: Initially, no objection in principle to some form of demolition at the Stoneleigh Arms but cannot currently support the total demolition and proposed redevelopment. No objection in principle to the nature of the works proposed at The Old School which is outside the CA, although some reservations in relation to the single storey extension.

No concerns in relation to the creation of public realm landscaping which would improve the character of the area.

Original concerns based on lack of justification for the total demolition proposed together with the scale, mass and bulk (and design) of the proposed replacement building on the site of the Stoneleigh Arms. Following additional supporting information/justification together with revised plans of the replacement building, there is no longer any objection from a conservation point of view subject to recommended conditions

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

WCC Highways: No objection - several parking surveys have been submitted recently for nearby planning application sites which have enabled the County Council Highways Team to establish that sufficient capacity exists during the day within nearby car parks. A further parking survey is not considered necessary as the main use of the proposal is during the day, when parking demand is lower in the area.

LLFA: No objection subject to conditions

WCC Ecology: No objection subject to conditions

Safer Communities, Leisure and Environment: No objection

Designing Out Crime Officer: No objection; conditions and notes recommended

WCC Archaeology: No objection subject to conditions

Public Response:

1 objection comment received for the following reasons:

- The proposal strips away the character of the original buildings;
- The extension to the Old School looks like overdevelopment and is out of line with neighbouring buildings;
- A pocket park, whilst a benefit, will result in problems in terms of potential anti-social behaviour;
- Who will be responsible for the maintenance of the pocket park? and;
- There will be an increase in the need for parking and yet the proposal results in the loss of spaces from the Court St car park.

12 support comments received raising the following points:

- This presents a much needed improvement to the area;
- This is a positive project for the town which proposes the re-use of existing materials;
- The uses proposed are good for the community and provide much needed activities;
- This is an exciting opportunity to regenerate a disused area with modern useful facilities;
- The building is an eyesore and in an unsafe condition, potentially a danger to the public and the proposal will transform it into a creative space for the benefit of the local community;
- Encouraging to see the arts being supported which will serve the community and bolster wellbeing; and
- This is much needed and will bring a great level of regeneration to a deprived area

3 neutral comments received raising the following points:

- Concerns regarding the maintenance of the pocket park and the potential risks of anti-social behaviour;
- Concerned about the design of windows; i.e. these are historic buildings and special consideration should be given to period features;
- The development's impact(s) on Court St, Clemens St and the whole area are complex but the application is generally welcomed;
- Biodiversity, access and management to the pocket park and attention to architectural detailing are all important considerations, as well as designing out crime;
- Consideration needs to be given of potential noise impacts; and
- Parking will be reduced and vehicles displaced into surrounding streets which will inevitably put added pressure on existing spaces;

[Officer Note - other non-material planning considerations were raised in all three categories of public representations received which have not been included here.]

Conservation Advisory Forum (CAF): Supportive of the possible merits of the scheme but expressed some concerns about the design rationale, materials, appearance etc (these comments were received prior to final amendments being submitted)

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;
- Impact on archaeology;
- Drainage;
- Sustainability; and
- Any other relevant considerations.

Principle of development

There are several strands to the principle of development and consequently a number of relevant policies which are key to determining whether or not the proposals are considered acceptable in principle. These are set out below.

Demolition of an unlisted building in a Conservation Area

Policy HE2 sets out the presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a Conservation Area. The policy advises that consent for total demolition of unlisted buildings will only be granted where the detailed design of the replacement can demonstrate that it will preserve or enhance the character or appearance of the conservation area. Lastly, the policy states that measures will be taken to restore

or bring back into use areas that presently make a negative contribution to conservation areas.

The Stoneleigh Arms building was originally a public house, dating from the 19th century which has been vacant since the 1990's. The existing building is clearly dilapidated and internally, floors have collapsed. However, its façade with Flemish bond brickwork does make a positive contribution to the character of the Leamington Spa Conservation Area as well as the street scene and its contribution is such that the building can reasonably be considered a non-designated heritage asset.

Accepting its total demolition therefore, as opposed to the partial demolition approved in 2022 which sought to retain the façade and side returns of the building, requires robust justification in order to satisfy Officers that complete demolition is the only feasible option before considering any scheme for a proposed replacement building (or buildings).

To that end, supporting information has been submitted with this application in the form of a series of structural reports, undertaken at different times, together with a report detailing the findings of mortar samples taken from the building. Earlier versions of the structural report had previously been submitted with the 2022 application seeking to partially demolish the building. At that time, it was thought the façade and side returns of the building could be retained. However, another year on and with the submission of two further structural reports it is now evident that the building is in a much worse condition than previously thought.

The report from June of this year details the main points of concern as:-

- The collapse of ground floor timber structures;
- Rotten timber joists visible from the entrance door at both ground level and at first floor level;
- Heavy weighted debris laying on what remains of the ground floor;
- Structural movement of the façade indicated by large cracks forming on the front and rear of the façade; and
- Evidence of vandalism through unauthorised entry to the building.

Perhaps most notable is the fact that the structural engineers undertaking the inspections could not gain safe access into the building because there is none. Loss of ground floor structure and rotten timber joists are evident within the building from visual inspections at the doorway. At that time (June 2023) the overall stability of the façade could not be safely assessed due to the unsafe nature of entry into the building though it could be stated with certainty that the façade has lost the restraint once provided by the ground floor. Together with the first floor timber elements in at least partial collapse, the report stated that the façade is performing beyond its designed intent and design life. Moreover, the façade has undergone some concerning movement with large cracks forming on the front and in multiple locations on the rear of the building. The conclusion stated that there is a medium to high risk of further elements within the structure failing which may then lead to sudden and disproportionate collapse of part or all of the structure.

A further inspection, undertaken in October 2023, was followed by a subsequent report which reiterated all of the above but further highlighted the continuing deterioration of the building. In this inspection, samples of mortar and render from the façade were taken and sent away for laboratory analysis. Whilst awaiting the outcome of those tests, indications showed that the samples were of poor quality and highly likely to show that the masonry walls would need to be taken down and rebuilt due to insufficient mortar strength. Having regard to the risks associated with the retention of the building as it stands, the report concluded that should the structure be required to remain, it was strongly recommended that provision be made for closing the footpath to reduce the risk to members of the public.

The report detailing the findings of the mortar sampling and testing highlighted the further deterioration of the building even since the previous inspection in the summer. This detailed cracks on the front increasing in size and depth with new cracks forming around the corner, loose masonry and considerable bowing of the walls where restraint has been lost internally. Testing samples of both the mortar and render concluded that it is not suitable for re-use and as such the façade would need to be taken down carefully in order to re-build it.

The above conclusions demonstrate, in their own right, that it is not possible to retain the building, even in part, and if any redevelopment scheme were to seek to re-use part of the original building then it would first need to be demolished in order to re-build it. To that end, officers are satisfied with the evidence that has been presented to justify the complete demolition of the Stoneleigh Arms and there is no longer any objection in principle to its loss.

The secondary aspect to Policy HE2 relates to the detailed scheme of any proposed replacement structure and whether or not this preserves or enhances the character or appearance of the Conservation Area. This is considered in more detail below, in the relevant section of this report that addresses impacts on heritage assets.

For the purposes of the principle of development however, Officers are satisfied that the loss of the existing building has been satisfactorily justified and this aspect of the proposals is considered acceptable in principle, in accordance with Policy HE2.

The creation of mixed use comprising creative, community and educational spaces

Policy CT1 of the Local Plan relates to new cultural (amongst other) developments, stating these will be permitted in the town centres in accordance with the town centre policies (policies TC1 to TC18). Policy TC1 states that 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 are also required to reflect the character and form of the town centre. Explanatory text 3.50 lists arts and culture amongst appropriate town centre uses. Insofar as the type of proposed development is concerned, together with what it would replace and where it is located, Officers are satisfied that the other town centre policies are not directly relevant for the purposes of considering the principle of development.

Having regard to Policy CT1, which supports new cultural development, the proposed replacement building on the site of the Stoneleigh Arms would offer a mixed use creative workspace. In reality, this would provide artist studios, gallery spaces, project rooms and other studios (e.g. for ceramics) together with an area for a shop to sell artist materials, books, prints etc and a family area. The Old School would be refurbished and extended to provide an educational space as well as offering hireable space for local community groups and businesses and an exhibition area which can be hired out for meetings and events.

Officers are satisfied that the aforementioned uses proposed within this application site are acceptable in principle having regard principally to Policy CT1 but also in considering the site's town centre location. It is not considered that the proposed development would compromise the shopping function of the town.

Creative Quarter development proposals

The site forms part of the Royal Leamington Spa Creative Quarter. A document entitled 'The Big Picture' (2019) sets an overarching vision for the delivery of the Creative Quarter and specifically for Court Street car park, which includes the Stoneleigh Arms and vacant historic warehouse, refers to a Makers Community Hub, to include (for example) creative workspace, makers' community, workshops and co-working/creative office space.

Policy RLS17 of the Neighbourhood Development Plan supports proposals for development within the Creative Quarter when they address (as appropriate) specified proposals listed at a) to f) in the policy. Point b) is of particular relevance here insofar as it relates to environmental improvements to (*inter alia*) frontages and through routes. The former public house is located in a prominent location in Clemens Street and with access already existing along both sides to Tower Street, Court Street and beyond, there are opportunities to improve accessibility through and around this site.

RLS17 further advises that development for particular uses, including (iv) community/event space and (vii) studio and co-working space for small businesses, artists and makers [my emphasis] will be supported when it is in accordance with Local Plan policies.

Officers consider that the proposed redevelopment of the Stoneleigh Arms site, including The Old School to the rear, would result in the introduction of uses entirely in accordance with the spirit of the Creative Quarter development proposals and the relevant NDP policy, RLS17.

The site's location as part of a wider housing allocation in the Local Plan

The site makes up a small part of a larger allocated housing site; H16 Court Street which is one of the Urban Brownfield Sites listed in Policy DS11 for 75 dwellings. It is noted that planning permission has already been approved, under ref. W/19/0531, for the erection of two blocks of residential accommodation comprising up to 90 bed spaces. The red line site area for this approved scheme excludes a substantial part of the allocation, including all of the Court Street surface car park, and it is noted that this alone could satisfy the requirement for 75no. dwellings.

Notwithstanding the above, the application site before Members at this time relates to the Stoneleigh Arms building and its historic yard to the rear together with the Old School building at the back of the site. If approved and subsequently developed this would not preclude further development from coming forward within the remainder of the allocation.

Conclusions on the principle of development

The proposals seek to demolish the former Stoneleigh Arms public house, and replace it with a new building to provide a mixed use creative workspace. The proposals also include the refurbishment and further extension of The Old School for both educational and community uses and the two buildings would be connected by a pocket park. All of the proposed uses are considered acceptable in principle in accordance with Policy CT1 of the Local Plan and RLS17 of the Leamington Spa Neighbourhood Development Plan.

Moreover, the complete demolition of the former Stoneleigh Arms, which is an unlisted building in a conservation area, has been satisfactorily justified through a number of structural reports, visual inspections and mortar/render samples which conclude the building as it stands cannot be safely retained without first demolishing it in order to rebuild it. In its current condition it poses a risk to members of the public and based on the evidence before Officers, the loss of the building is considered acceptable in accordance with Policy HE2 of the Local Plan. The detailed scheme to replace it is considered below in the section related to heritage impacts.

The site's location within a larger housing allocation (H16) does not preclude it from being redeveloped for the proposed creative, community and education uses. Since the application site is contained to the former public house, its garden and The Old School at the rear, this in itself does not preclude any remaining parts of the allocation from being brought forward for residential development in the future.

Overall, the principle of development is considered acceptable having regard to the aforementioned policies of the Local Plan and the Royal Leamington Spa NDP.

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 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 HE2 sets out the presumption in favour of the retention of unlisted buildings which make a positive contribution to the character and appearance of a Conservation Area and advises that consent for total demolition will only be granted where the detailed design of the replacement can demonstrate that it will preserve or enhance the character or appearance of the conservation area.

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 200 adds that any harm to, or loss of, significance of a designated heritage assets should require clear and convincing justification. 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.

In terms of non-designated heritage assets (NDHA), paragraph 203 states that the effect of an application on the significance of a NDHA should be taken into account in determining the application. In weighing applications that directly or indirectly affect NDHA's, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Paragraph 204 states that Local Planning Authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. It is important here to note that the definition of 'heritage asset', in the NPPF, is *"a building, monument, site, place, are or landscape identified as having a degree of significance meriting consideration in planning decision, because of its heritage interest. It includes designated heritage assets and assets identified by the Local Planning Authority (including local listing)"*. It is generally accepted that the Local Planning Authority can itself consider something to be a NDHA and therefore this would mean that such an asset would be considered a 'heritage asset' for the purposes of the NPPF. However, it is noted that this is still a non-designated heritage asset and accordingly the provisions of Local Plan Policy HE1 above do not apply specifically to the proposed loss of the building.

For the purposes of assessing the proposal to demolish the building against paragraph 204, the principle of development has considered this in the context of the Creative Quarter proposals which is a Council initiative. The application itself is a Council led development proposal, on a Council owned site, which seeks to make a significant contribution towards the Creative Quarter's vision. Officers are satisfied that in the event planning permission is forthcoming for this development,

there is no doubt that the new development will proceed in due course after the loss has occurred.

The Stoneleigh Arms building was originally a public house, dating from the late nineteenth century and has been vacant since the 1990's. The existing building is clearly dilapidated, and floors internally have collapsed, however its façade with Flemish bond brickwork does clearly contribute towards the character of Leamington Spa Conservation Area and street scene. Its contribution is such that the building can reasonably be considered as a non-designated heritage asset (NDHA) due to its local interest though it is noted that the building is not locally listed. A previous approval is in place for some demolition of the building which involves the retention of the façade and side returns. Objection has therefore never been raised, in principle, to some form of demolition but the extent of demolition proposed now requires additional supporting justification and evidence.

Total demolition of a NDHA would result in a level of harm to that NDHA, by reason of total loss of significance, which requires strong justification. This has been considered above as part of the principle of development and by way of a summary, the most recent survey and mortar inspections have clearly identified that the building is not salvageable. Added to the other considerations set out above, this is considered to be acceptable in terms of justifying the loss of the existing building. The complete loss of the Stoneleigh Arms does result in some harm to the significance of the Conservation Area although this is considered to be less than substantial. This identified level of harm engages the public benefits test set out in paragraph 202 of the NPPF.

As also set out above in the context of the principle of development, this site forms part of the Creative Quarter for which there is a specific policy in the Royal Leamington Spa NDP (RLS17) which encourages particular uses conducive to the Creative Quarter such as community/event space and studio space for artists. This is not a speculative development. Lighthouse Arts CIC (Community Interest Company) propose to use the redeveloped Stoneleigh Arms which is intended to serve as a collective art hub in Leamington Spa, and expand on the Art Room; a gallery and community arts space opened in September 2022.

The vision for this development is to create a community space and specifically, a collective arts space, for any and all individuals interested in the Arts, regardless of background and skill level. The development would incorporate:-

- Gallery Space - used not only for exhibiting artwork, but would also be hireable to those wishing to show a collection and would provide a room for artists in residence, enabling people to see artists at work;
- Project Room - a large, open, shared art studio space with shared resources; aimed at those needing short term or occasional studio space;
- Private Artist Studio - available to rent from medium to long term;
- Shop - selling artist materials, books, prints and so on;
- Family Area - intended to encourage families; i.e. parents with young children, and to provide family focused workshops and activities; and
- Ceramics Studio and Kiln - to assist with the current short supply of availability on ceramics courses in the area.

The uses above are fundamentally embodied within the very nature of what the vision for the Creative Quarter has set out to encapsulate. Such a development would offer a creative, shared and community space in an area of the town which has been designated for such purposes and to that end, Officers are of the opinion that these not only amount to but indeed go beyond the type of public benefits necessary to outweigh the level of less than substantial harm identified to the heritage assets (principally, the significance of the conservation area).

The proposed replacement building for the Stoneleigh Arms has undergone a series of amendments, primarily seeking to address some initial concerns about the scale, mass and bulk of the building. The proposal was originally considered to impact quite substantially on the character and appearance of the Conservation Area due to excess scale and bulk and a predominant expanse of flat roof standing at three storeys in height. The latest revisions have resulted in a much-reduced roof scape, a design which includes a double pitched appearance and incorporates the use of large areas of glazing at the rear to maintain a sense of lightweight appearance which is neither obtrusive nor harmful to the character of the Conservation Area.

With regard to the Old School element of the proposals, this lies outside of the Conservation Area boundaries although there is the potential for any redevelopment to impact on its setting. No objection is raised in principle to some form of extension, although initially the use of appropriate materials formed the basis of some further discussion and revisions to the plans, resulting in the current scheme which incorporates the use of some glazing to create more of a visual separation between the original building and the extension sitting in front of it. The revised plans in relation to the Old School are deemed acceptable and would not result in harm to the character and appearance of the conservation area.

The proposed pocket park and public realm landscaping are considered improvements which would enhance the conservation area. No concerns are raised in this regard.

Overall, in view of the additional supporting information justifying the loss of the existing Stoneleigh Arms building, the revisions made to the plans for its redevelopment showing a much reduced scale, mass and bulk, and together with the proposals for the Old School and the pocket park, the heritage impacts of the proposal are considered by Officers to be acceptable. Where some level of harm has been identified (to the NDHA and the significance of the Conservation Area) Officers are satisfied that the public benefits outweigh this harm and as such the development is considered to be compliant with Policies HE1 and HE2.

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.

The replacement building for the Stoneleigh Arms has undergone a number of revisions during the course of the application. These revisions have sought to address concerns raised by officers, primarily in relation to the proposed scale, mass and bulk of the new building. The position of the existing building is such that it is not only highly prominent in Clemens Street but views through the site and from the rear, across the Court Street car park are also easily facilitated in view of the open nature of the back of the site/Court Street. To that end Officers consider it is important to ensure that the original form and scale of the existing building continues to be respected, albeit within a purpose-built new development on the site.

The most recent plans for the replacement Stoneleigh Arms illustrate, from the Clemens Street view, a simple two storey building with dual pitched roof, not dissimilar in form and scale to the existing building. Behind this however the footprint is essentially doubled through the introduction of a further two storey dual pitched roof component, creating a valley between the two roof pitches. It is proposed to 'link' the two pitched roofs together with a further slate covered roof, pitched on both sides to further minimise the perception of any additional bulk and mass. The view from Clemens Street, whether viewed from the north or the south sides, would therefore be of a two storey pitched roof building, similar to the existing, whose eaves and ridge heights are lower than both neighbouring buildings either side. When viewing the side elevations from Clemens Street, particularly from the south side, there would be a partial view towards the rear wing and connecting roof structure although this would no longer present a dominating or excessively bulky feature within the street scene as was previously the case prior to the plans being substantially revised.

At the rear, the replacement building would change in character, providing a more contemporary design which incorporates a single storey flat roof element, dormer style features and the use of glazing to create large floor to ceiling and full-width windows. The rear of the buildings fronting Clemens Street varies in character, with an array of roof forms for extensions. It is considered that the proposed rear of the replacement building, following the latest set of revised plans, would not be a departure from the prevailing form of buildings and as such would be appropriate to and in keeping with the wider street scene.

Court Street is read in quite a different context to Clemens Street. It is altogether more industrial in nature, though there are some residential units as well (both existing as well as approved but not yet built). The Old School, sitting at the back of the Stoneleigh Arms site and which fronts onto Court Street, is a two storey building with traditional detailing and fenestration and this is read in the immediate context of a surface car park to its north/west, and a mix of residential and industrial opposite (east/south). As such, there is scope to extend this building in a more contemporary way without impacting deleteriously on the street scene or wider surrounding. It is also noted that this part of the site lies outside of the Royal Leamington Spa Conservation Area.

The existing building is to be retained and refurbished. A further extension is proposed on its frontage (facing Court Street) which is designed with a flat roof. Recent revisions to the plans have introduced the appearance of a glazed link between the original and the proposed buildings which create a visual separation, and the proposed materials include a mix of brick, glazing and timber cladding.

Materials for the replacement Stoneleigh Arms building include both reclaimed brick from the demolished structure, timber cladding and glazing to tie in with the Old School, as well as clay plaster in red/pink and green finishes, painted timber boarding and slate.

Proposed landscaping plans of the pocket park illustrate the boundary treatment along the northern boundary where the site adjoins the car park comprising 2.8m high hit and miss timber fencing. This would include a sliding door for when the pocket park is opened. The southern boundary is already defined by a brick wall. On the Clemens Street frontage, to the north side of the building, there would be matching hit and miss timber panelling forming a gate, with a fixed panel to the side for signage.

Overall, the proposed development seeks to reclaim and re-use as many of the original bricks from the Stoneleigh Arms building as possible, and further retains and refurbishes The Old School. The proposed redevelopment proposals would open up the whole site and make it more accessible by connecting Clemens Street and Court Street and the use of complimentary materials and design features across both buildings is considered, by Officers, to result in a harmonious scheme which can be read positively in the context of both street scenes as well as the conservation area.

Accordingly, it is not considered that the proposed works would result in any material harm to the visual amenities of the site and surrounding areas and moreover the proposals represent a visual improvement, certainly to the rear elevation. The development is therefore considered acceptable in this regard and 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.

The nearest residential neighbouring properties are located to the south of the Stoneleigh Arms building. Three storey buildings fronting Clemens Street have commercial uses at ground floor with residential on the floors above, while in Tower Street, two storey properties face towards the rear of the Clemens Street buildings.

The replacement Stoneleigh Arms building would increase the whole plan depth of the building compared to what is there at present although it is noted that the existing pub previously had a rear wing which projected some length down its

garden. This has since been demolished under a previous demolition consent. The upper floors of the new building would not project much further beyond the rear building line of the neighbouring buildings in Clemens Street to the south. Whilst a terraced area is proposed above the ground floor projection it is noted that this would be enclosed on all sides by a parapet wall measuring over one metre in height and a landscape strip is proposed on the southern side to effectively provide screening between the proposal and the Clemens Street/Tower Street properties.

Officers have considered the relationships between the proposals and the existing neighbours and concluded that there would be no materially harmful impact on amenity by reason of loss of privacy, outlook or light. This is based on a number of factors, but principally has regard to the oblique angle at which the terrace would be positioned and experienced by both sets of neighbours' windows. Whilst there may be the perception of some overlooking, the reality is that the distances involved are such that when combined with the parapet wall, proposed landscaping, oblique angles and lower ground level that the Tower Street properties are sitting at, any actual overlooking (into windows) which may occur would be minimal, in Officers' opinion.

It is further worth noting that there are no issues in relation to overlooking/loss of privacy of neighbours' private gardens because there are none. The rear elevation of the Clemens Street buildings contain doors at ground floor to access the upper floor flats and which open directly onto the associated parking areas. Similarly, the Tower Street properties' frontages face towards the rear of the development site and as such no concerns are raised with regard to loss of private amenity space.

Having regard to the 45° guidance and noting the increased depth of the building at ground floor, there would be a very minor breach from the ground floor rear facing window of the nearest building on the south side of the site. However, mitigating circumstances include the orientation of the buildings, the fact that the breach occurs almost 8m away (the distance stipulated as being acceptable in the Residential Design Guide) and the fact that the neighbouring ground floor window is already breached by the presence of a bin store. Furthermore, the existing boundary wall separating the two sites stands at more than 2 metres in height.

No.29 Clemens Street has upper floor side facing windows serving habitable rooms. Since there are two first floor side facing windows in the proposed new building which would look towards these it is proposed to condition these to be obscure glazing. Officers do not consider this requirement would impinge on the use of the development for artists' studios and creative workspace given the amount of other glazing contained within the building and further having regard to the fact that this side of the building is north facing and as such, natural light into this aspect of the building would be somewhat limited in any case. There are no side facing windows on the north facing side of No.33 and there is no concern in this regard.

Distance separation has been considered in the context of the existing situation which provides a distance of approximately 21m between the rear of Clemens Street and front of Tower Street properties. Given this relationship is shared between four storey and two storey buildings, Officers are of the view that the

proposed replacement Stoneleigh Arms would not result in material harm in this regard given that the relationship between the two elevations would be oblique and not direct facing.

The Old School, once refurbished, would have no greater impact on neighbouring buildings and other land uses given it is already in situ. The proposed extension to the front would be brought closer to the road and therefore closer to the residential development located opposite, at the corner of Court Street and Cumming Street. That being said, there are no windows in the ground floor Court Street elevation that might otherwise look towards/be overlooked by the single storey extension and Officers are satisfied there would be no harmful impacts on residential amenity resulting from this element of the proposals.

In terms of the proposed uses of the development, a Noise Report was submitted with the application (the outcome of which is considered in more detail in the relevant section below) but for the purposes of considering potential impacts on residential amenity, the application has recently been amended to remove any reference to events taking part in the hireable space and the pocket park between the two buildings. As things currently stand this is no longer part of the current proposals, and indeed was never intended as a primary use for the site as a whole in any case, and to that end, any forthcoming permission would be subject to a restrictive condition, prohibiting the use of the outside space, and the community space in The Old School, for events unless and until additional details have been submitted for approval, accompanied by the necessary Noise Reports, which demonstrate there would be no adverse impact on neighbouring properties.

Having regard to all of the above, 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.

This proposal would involve the loss of parking spaces from the Court Street surface car park. However, it is relevant to note that until 2019, the area to the rear of the Stoneleigh Arms buildings, located between it and The Old School, was the former pub garden and not part of the surface car park. Planning permission was approved towards the end of 2018 to improve the car park and provide some additional spaces which, at the time, formed part of the parking displacement strategy resulting from the Covent Garden proposals which are no longer going ahead. In 2020, much of the car park was used as a Covid testing site and therefore it is only in the last 2-3 years that the extended car park has been in use

as such. The applicant states in their supporting statement that the car park is never at capacity in any case and this was evident each time Officers visited the site (at different times of the day, on different days of the week).

Ultimately, the development would result in the loss of broadly the same number of parking spaces that were added as a result of the 2018 planning permission, effectively returning the capacity for parking at Court Street back to its original number. In view of the fact that historically the land between the two buildings to be developed was never part of the car park Officers are of the view that this would not be detrimental to either highway safety or amenity of nearby residents.

Provision is made, as part of the proposals, to adapt some existing spaces closest to the northern end of The Old School to provide 3no. disabled parking spaces for use by the development.

A Transport Assessment was submitted with the application which notes the site's high accessibility by alternative sustainable travel modes, the number of alternative car parking spaces within close proximity and the traffic impact assessment which shows a maximum increase of 0.37% on two links (High Street east and High Street west). The scheme is proposed as a 'car-free' development. Given the type of uses incorporated, the proposals to connect Clemens Street to Court Street and open up the site by providing routes through for both pedestrians and cyclists and the proximity to public transport connections (rail and bus), a lack of dedicated on-site parking is not considered to present a problem in both highway safety and amenity terms.

The County Highway Authority raised no objection to the application and stated that several parking surveys have been submitted recently in support of other nearby planning applications which have established that sufficient capacity exists during the day within nearby carparks. Accordingly, a further parking survey is not considered necessary as the main use of the proposal is during the day, when parking demand in the area is lower.

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. Initially, some additional information was needed to clarify at what point the rear of the Stoneleigh Arms was cleared (in pursuance of the 2018 permission for the extended car park) and how this may impact the survey work undertaken. The County Ecologist has since confirmed their acceptance of the details provided and further, that the survey work has been carried out to a high standard and no bats were found to be using the building. The metric also demonstrates that an on-site net gain is feasible and the mitigation proposed and measures suggested to achieve such a gain can be secured through appropriate conditions.

Subject to the recommended conditions being attached to any forthcoming planning permission Officers are satisfied that the development is acceptable in terms of its ecological impacts. The development therefore accords with Policies NE2 and NE3.

Impact on Archaeology

The application site lies within an area of significant archaeological potential within a part of the town that was subject to some of the earliest phases of urban expansion during the late 18th and early 19th centuries. The supporting information submitted with the application demonstrates that it is likely the site may contain early 19th century remains which would have the potential to provide new information on the development of Leamington Spa. In addition, both the Stoneleigh Arms and The Old School are considered to retain some historical, evidential aesthetic and communal value and the proposals would inevitably involve the loss of the former and some partial obscuring of elements of the latter.

The County Archaeologist has raised no objection to the principle of development subject to two conditions being attached to any forthcoming permission. These would require a written scheme of investigation for a programme of archaeological evaluative work to be submitted, together with associated reports and mitigation strategies as necessary, the works thereafter needing to be carried out in accordance with such approved measures. Additionally, a condition should require the submission of a programme of building recording in accordance with a further written scheme of investigation.

Subject to the aforementioned conditions the development is considered to be acceptable in regard to its impact on features of potential archaeological significance and as such accords with Policy HE4.

Drainage

The site is not within any designated flood zone and the development is minor in nature. Further to the submission of additional supporting information requested by the LLFA, no objection has been raised to the proposals, as recommended by the LLFA.

Officers are satisfied that the development is acceptable in this regard and as such it accords with Policy FW1.

Adapting to Climate Change/Sustainability Measures

Policy CC1 seeks all new development to be resilient to and adapt 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 unavoidable demolition of the existing Stoneleigh Arms building and its replacement with a new building. The proposals also include the retention, refurbishment and further extension of The Old School. The Design & Access Statement sets out the intended renewable

energy generation on site, reduction in embodied carbon and the reuse of existing materials (on the Stoneleigh Arms) where possible. The standard condition requiring a sustainability statement is recommended on any forthcoming permission.

Other matters

Environmental Health considerations

Noise

Initially, some potential concerns were identified by the Environmental Health Officer (EHO) in relation to noise arising from both the extended Old School and the pocket park, both of which are situated close to existing neighbouring properties. While further supporting information has been received which either clarifies or provides additional technical information in response to points identified in the EHO's first response, the application has also been revised to remove any potential use of the outdoor space, as well as the community element of The Old School, for events.

Unless and until the full impact on any sensitive receptors is fully understood, together with any necessary mitigation measures, it is proposed to attach a condition on any forthcoming permission, prohibiting the use of the outdoor space and The Old School for events. This approach ensures that if the development proposes such a use within the space at a future time, it will be subject to a separate planning application which will need to be accompanied by the necessary Noise Reports, together with any proposed mitigation measures as necessary.

In addition to the above, the EHO has confirmed that there are no objections subject to the use of further conditions in respect of noise levels for plant/equipment, access/security of the park i.e. when the gates would be locked and a Noise Management Plan which identifies practicable measures for the control of noise associated with the normal activity at the proposed development.

Subject to the imposition of the aforementioned conditions (final wording to be confirmed with EHO and updated via the updates to committee), Officers are satisfied that the proposed development would not have any adverse impacts on residential amenity as a result of noise.

Air quality

The development is located partly within and accessed via the Leamington Spa Air Quality Management Area (AQMA). Further information has been submitted during the course of the application, at the request of the EHO, and having considered this, there are no longer any concerns in this regard subject to the imposition of suitably worded conditions requiring an appropriate scheme of mitigation to be submitted, as well as construction management plan (covered below).

Contaminated land

Supporting information has been considered and deemed acceptable subject to the imposition of the standard condition requiring a method statement detailing remediation works.

Demolition and construction impacts

In view of the location of the site and its proximity to neighbouring buildings, a construction management plan is recommended by condition, which will ensure any impacts on existing residential amenity during the demolition and construction phases of the proposed development are kept to a minimum.

Maintenance of the proposed pocket park

The proposed pocket park would act as a connecting piece between the new build Stoneleigh Arms and The Old School and would create a new public space within the Old Town. Landscaping is proposed which would facilitate the opportunity for events, festivals, art sales and an outdoor gallery. New planting is proposed in planters on tracks so they can be moved within the site.

This is ultimately proposed to improve links into the site and The Old School as well as providing greater accessibility through the site from Court Street through to Clemens Street. Landscaping has been designed to 'frame' the view from Clemens Street and draw attention through the passageway into the pocket park. The passageway itself would be activated through the use of glazing in the building to provide views both in and out as well as seating and planters to encourage occupation of these routes. It is intended to improve the lighting strategy here, particularly to activate the space at night time and details of lighting can be secured by condition.

Whilst the majority of representations received for this application have expressed support overall for the proposal, some concerns have been articulated in respect of the security of this area with reference to the potential for increased levels of anti-social behaviour. Such concerns tie in with the comments received from the Designing Out Crime Officer who has made some recommendations (in relation to, for example, installation of security cameras and specification of glazing to be used especially on the ground floor of buildings etc). As well as incorporating these particular recommendations into a series of advisory notes on any forthcoming planning decision, a condition is also proposed requiring details of how the site will minimise the potential for crime and anti-social behaviour in accordance with Policy HS7 of the Local Plan.

Summary/Conclusion

The proposals involve the demolition of the existing Stoneleigh Arms building in its entirety and its replacement with a new building to provide a mixed use, creative workspace and in addition The Old School to the rear of the site would be refurbished and extended to facilitate both community and educational uses. The principle of development is considered acceptable in accordance with Policies HE2, CT1 and H16 of the Warwick District Local Plan 2011-2029 as well as RLS17 of the Royal Leamington Spa Neighbourhood Development Plan and fundamentally, Officers are satisfied with the extent of supporting justification which has been provided to demonstrate why the existing building cannot be retained, even in part.

The proposals for the replacement/extension works have been subjected to a number of amendments during the course of the application which have sought to respond to Officer concerns regarding the scale, mass and bulk and overall impact on the significance of the Royal Leamington Spa Conservation Area. It is considered there are public benefits resulting from the proposals sufficient to outweigh the less than substantial harm identified to the heritage asset.

Matters in relation to residential amenity, access, parking and highway safety, drainage, ecology, air quality and noise are all considered acceptable and suitable conditions are recommended to secure any necessary mitigation.

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

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 the following approved drawings:

1247_000, 1247_001, 1247_104, 1247_105, 1247_200, 1247_201, 1247_202 (Section A), 1247_202 (Section B), 1247_204, 1247_304 and 1247_305, and specification contained therein, submitted on July 17th 2023;

1247_004 and specification contained therein, submitted on October 5th 2023;

1247_002, 1247_100B, 1247_101B, 1247_102B, 1247_103a, 1247_300, 1247_301, 1247_302, 1247_303A, 1247_513, 1247_514, 1247_515, 1247_516 and 1247_517, and specification contained therein, submitted on November 9th 2023; and

1247_106B, 1247_306 and 1247_307, and specification contained therein, submitted on November 22nd 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 No works of demolition or construction shall be undertaken 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
1. No development shall take place until a method statement detailing the remediation requirements using the information obtained from the approved site investigation report has been submitted to the Local Planning Authority. The method statement shall include details of how remediation works will be validated upon completion. This shall be approved in writing by the Local Planning Authority prior to the remediation being carried out on the site. Once approved, all development of the site shall accord with the approved method statement.
 2. Upon completion of the remediation detailed in the method statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved method statement. Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Future monitoring proposals and reporting shall also be detailed in the report.
 3. If during development, contamination not previously identified, is found to be present at the site then no further development shall take place (unless otherwise agreed in writing with the Local Planning Authority through an addendum to the method statement). This addendum to the method statement must detail how this unsuspected contamination shall be dealt with.

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

5 Notwithstanding details contained within the approved documents, prior to commencement of development other than site clearance, preparation works or demolition works, a Sustainability Statement including a programme of delivery of all proposed measures shall be submitted to and approved in writing by the Local Planning Authority. The document shall include;

- a) How the development will reduce carbon emissions and utilise renewable energy;
- b) Measures to reduce the need for energy through energy efficiency methods using layout, building orientation, construction techniques and materials and natural ventilation methods to mitigate against rising temperatures;
- c) Details of the building envelope (including U/R values and air tightness);
- d) How the proposed materials respond in terms of embodied carbon;
- e) How the development optimises the use of multi-functional green infrastructure (including water features, green roofs and planting) for urban cooling, local flood risk management and to provide access to outdoor space for shading,

For the avoidance of doubt, the scheme must accord with any relevant Development Plan Document and Supplementary Planning Document relating to sustainability which has been adopted by the Council at the time the scheme is submitted.

The development shall not be occupied until the works within the approved scheme have been completed in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure the creation of well-designed and sustainable buildings and in accordance with Policies CC1 and CC3 of the Warwick District Local Plan (2011-2029) and National Design Guidance (2019).

6 The development hereby permitted (including site clearance) shall not commence until a Biodiversity Management Plan (BMP) to include a detailed schedule of habitats and protected species mitigation, and biodiversity enhancement measures including habitat management and long-term monitoring, to result in a biodiversity net gain (to include location of measures, installation timescales, timing of works and species lists for proposed planting) has been submitted to and approved in writing by the Local Planning Authority. Such measures should be shown on all applicable annotated site plans and elevations, and such approved mitigation and enhancement measures shall thereafter be implemented in full and maintained in strict accordance with the approved details in perpetuity. **Reason:** To enhance the nature conservation value of the site and ensure biodiversity net gain in

accordance with NPPF, ODPM Circular 2005/06 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029.

7 No part of the development hereby permitted shall be commenced until a scheme for the provision of two bat boxes/bat roosting features to be erected on buildings within the site, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of box type, location, and timing of works. Thereafter, the boxes shall be installed and maintained in perpetuity. **Reason:** In accordance with NPPF, ODPM Circular 2005/06 and Policies NE2 and NE3 of the Warwick District Local Plan 2011-2029.

8 No development hereby permitted shall take place until:

a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work has been submitted to and approved in writing by the Local Planning Authority.

b) the programme of archaeological evaluative fieldwork and associated post-excavation analysis and report production detailed within the approved WSI has been undertaken. A report detailing the results of this fieldwork, and confirmation of the arrangements for the deposition of the archaeological archive, has been submitted to the planning authority.

c) An Archaeological Mitigation Strategy document (including a Written Scheme of Investigation for any archaeological fieldwork proposed) has been submitted to and approved in writing by the Local Planning Authority. This should detail a strategy to mitigate the archaeological impact of the proposed development and should be informed by the results of the archaeological evaluation.

The development, and any archaeological fieldwork post-excavation analysis, publication of results and archive deposition detailed in the Mitigation Strategy document, shall be undertaken in accordance with the approved Mitigation Strategy document.

Reason: In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

9 No development hereby permitted shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of building recording in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. **Reason:** In order to ensure any remains of archaeological importance, which help to increase our understanding of the Districts historical development are recorded, preserved and protected where applicable, before development commences in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

- 10 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures (including details of hours of operation) shall have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
- 11 No development hereby permitted shall be carried out above slab level unless and until details have been submitted to and approved in writing by the Local Planning Authority which demonstrate how the development will minimise the potential for crime and anti-social behaviour. Such details should include provision for appropriate security measures, including lighting, landscaping and fencing, as well as details regarding the long-term management and maintenance of such features. The development shall thereafter be implemented in accordance with the approved details and maintained as such in perpetuity. **Reason:** In the interests of minimising the potential for crime and anti-social behaviour and to improve community safety in accordance with Policy HS7 of the Warwick District Local Plan 2011-2029.
- 12 No development above slab level shall take place until an appropriate scheme of mitigation in accordance with Warwick District Council's Air Quality Supplementary Planning Document (January 2019) has been submitted to and approved by the Local Planning Authority. The approved scheme shall then be implemented in full and shall not be altered in any way without expressed written consent from the Local Planning Authority. **Reason:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 13 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.
- 14 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 and rainwater goods 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy HE1 of the Warwick District Local Plan 2011-2029. (CA). 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. (LB). To ensure that the rural character and appearance of the barn(s) is protected, in accordance with Policies BE1 and BE4 of the Warwick District Local Plan 2011-2029. (Barn Conversions).

15 The development hereby permitted shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on the approved plans and thereafter those facilities shall remain available for use at all times. **Reason:** In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable development in accordance with Policies TR1 and TR3 of the Warwick District Local Plan 2011-2029.

16 The development hereby permitted shall not be occupied unless and until the car parking 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.

17 The development hereby permitted shall not be occupied unless and until the refuse and recycling storage areas for the development have been constructed or laid out in strict accordance with the approved plans and made available for use by the occupants of the development. Thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse and recycling associated with the development.

The development shall not be occupied unless and until it has been provided with the appropriate refuse containers necessary for the purposes of refuse, recycling and green waste, in accordance with the Council's specifications.

Refuse and recycling storage containers must be stored within the refuse and recycling storage area shown on the approved plans, unless when being presented on street for collection facilities.

Reason: To ensure the satisfactory provision of refuse and recycling storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 18 Any external plant and equipment shall be installed and maintained to ensure that the noise rating level (dB, LAeq,T), when measured (or calculated to) one metre from the facade of any noise sensitive premises, does not exceed the background noise level (measured as LA90,T). **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.
- 19 Prior to the occupation of the development hereby permitted, the first floor side facing windows in the northern elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed windows shall be retained and maintained in that condition at all times. **Reason:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
-