Planning Committee: 05 July 2011 **Item Number:**

Application No: W 11 / 0257 LB

Registration Date: 23/03/11
Town/Parish Council: Leamington Spa **Expiry Date:** 18/05/11
Case Officer: Rob Young
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Regency Business Centre, 81 Warwick Street, Leamington Spa, CV32 4RR

Internal alterations including the removal of walls and doors and the insertion of new partitions and doors; and erection of a bin store and installation of an air source heat pump on rear flat roof. FOR Mr Savage

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This application is being presented to Committee due to an objection from the Town Council having been received.

This application is also being reported to Planning Committee because it is recommended that the associated planning application (Ref. W11/0256) is granted subjected to the completion of a legal agreement.

SUMMARY OF REPRESENTATIONS

Town Council: Object. The proposed development fails to address the storage of waste and recycling facilities; suitable fire exits; the provision for cycle and car parking.

Conservation Area Advisory Forum: Part II item, no comment.

RELEVANT POLICIES

- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP7 - Restoration of Listed Buildings (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

There have been a large number of planning applications submitted relating to the application site. A significant number of these relate to signage and alterations to the ground floor retail premises. The following applications are relevant to the consideration of the current proposals.

In 1986 planning permission was granted for "Change of use of upper floors from a maisonette to offices and erection of covered entrance and walkway at ground and first floor level" (Ref. W86/0053).

In 1989 planning permission was granted for "Alterations to existing building to form separate access to upper floors; erection of a new shop front and separate access fronting Oxford Row; internal alterations" (Ref. W89/1385).

In 2005 planning permission was granted for "Change of use of first floor office suite (3 rooms) from office use (B1) to Beauty Therapy (D1)" (Ref. W05/0728).

The current application for listed building consent was submitted with an associated planning application for "Change of use of first, second and third floors from offices to an 8 bedroom house in multiple occupation" (Ref. W11/0256). That application is the subject of another item on this agenda.

KEY ISSUES

The Site and its Location

The application relates to a 4 storey, Grade II Listed Building situated on the northern side of Warwick Street. The application property is situated within a terrace of similar properties and is Listed as a group with Nos. 83 and 85 Warwick Street. The application site is situated within a predominantly commercial part of Leamington Town Centre and within the Leamington Spa Conservation Area.

The ground floor of the property is in retail use. The upper floors are used as offices. The adjoining building at No. 79 Warwick Street is currently vacant but was previously in retail use on the ground and first floor with storage above. The adjoining building at No. 83 Warwick Street is in retail use on the ground floor with an employment agency on the first floor and residential on the second and third floors. The application property has a single storey flat roofed rear wing that extends through to Oxford Row to the rear of the site. The rear part of this is used as a hairdressers with a shopfront onto Oxford Row.

Details of the Development

The application proposes the following works:

- internal alterations including the removal of walls and doors and the insertion of new partitions and doors; and
- erection of a bin store and installation of an air source heat pump on rear flat roof.

The following amendments have been made to the application:

- bin store added to rear flat roof;
- air source heat pump added to rear flat roof; and
- partition and door across internal staircase omitted.

Assessment

The main issue relevant to the consideration of this application is the impact on the character and appearance of the Listed Building and the Conservation Area.

As amended, I am satisfied that the proposals would preserve the character and appearance of the Listed Building and the Conservation Area. The Council's Conservation Architect raised concerns about a partition and door that were initially proposed across the internal staircase. However, these have now been omitted from the proposals. The remaining internal alterations would not impact on any features of historic importance. With regard to the external alterations, the proposed bin store and air source heat pump would be located on the rear flat roof and would not be readily visible from public vantage points. Therefore I am satisfied that these additions would not harm the character and appearance of the Listed Building or the Conservation Area.

The concerns of the Town Council do not relate to the impact on the Listed Building or the Conservation Area. These are dealt with in the report on the associated planning application.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

1 The works hereby permitted must be begun not later than the expiration of three years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) 1/02/11E, and specification contained therein, submitted on 9 June 2011, unless first agreed otherwise in writing by the District Planning Authority. **REASON** : For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.

INFORMATIVES

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated. The proposal is therefore considered to comply with the policies listed.