

**Planning Committee:** 21 September 2005

**Item Number:** 07

**Application No:** W 05 / 1084

**Registration Date:** 04/07/05

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 29/08/05

**Case Officer:** Alan Coleman

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**84 Regent Street, Leamington Spa, CV32 4NS**

Alterations to provide 2 no. additional flats, installation of 2 no. additional windows to eastern side elevation and amendments to existing windows (amendment to W04/1798) FOR Peachy Maisey Simmons

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

**SUMMARY OF REPRESENTATIONS**

**Town Council:** Object on grounds that the proposal is considered over-development of the site and will occur in close proximity to Key Site E and as such natural lighting and outlook will be compromised. The design of the flats is considered unsatisfactory resulting in a cramped form of accommodation.

**CAAF:** No objection, the scheme is felt to be acceptable.

**RELEVANT POLICIES**

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)

(DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV15 - Encouragement of full use of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV16 - Retention and Re-Establishment of Access to Upper Floors (Warwick District Local Plan 1995)

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011 First Deposit Version)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP8 - Upper Floors within Listed Buildings and Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

## **PLANNING HISTORY**

In 2004, ref: W04/1798 was granted for the erection of a second floor rear extension, conversion of first and second floor to form 2 no. self contained flats and enlargement of ground floor retail unit. This permission has been commenced in respect of the ground floor retail unit and upper floor flat within the original building.

## **KEY ISSUES**

### **The Site and its Location**

The property comprises of a three storey Grade II Listed Building within the Conservation Area. It stands within a terrace of buildings on the southern side of Regent Street within the main retail area of the Town Centre. Key site E (Regent Hotel site) adjoins the rear of the site where the rear wing has separate access from the passageway via Livery Street.

### **Details of the Development**

This proposal seeks to provide an additional flat in the rear wing by internally altering the layout including the installation of a mezzanine floor and new windows.

### **Assessment**

I consider the main issue in determining this application to relate to the impact on this Grade II Listed Building, the street scene and impact on neighbouring amenity. I do not consider the creation of an additional flat within the two storey rear wing (approved under W04/1798) would create a cramped environment or cause harm to the setting and character of this Listed Building. The internal alterations to this area do not in my view cause harm to the integrity of this building or have a detrimental impact on the streetscene. The insertion of additional, traditional style windows is appropriate and therefore is acceptable in my opinion.

With regard to the objection received by the Town Council, I do not consider a refusal could be sustained on grounds that the site adjoins the Regent Hotel and I am of the view that the internal works do not have a detrimental effect on this building.

## **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

## **RECOMMENDATION**

GRANT subject to the following conditions :

- 1 The development hereby permitted must be begun not later than the expiration of five years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing numbers 4440/10/B and 4440/11 and specification contained therein, submitted on 4 July 2005 and 26 August 2005 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 Local Plan Policy ENV3.
- 3 No development shall be carried out on the site which is the subject of this permission, until a schedule of proposed external works, including construction materials, and corresponding method statement have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995 and Policy DAP10 of the Warwick District Local 1996-2011 (First Deposit Version).
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of all new external doors, windows (including a section showing the window reveal, heads and cill details) and rooflights at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995 and Policy DAP10 of the Warwick District Local 1996-2011 (First Deposit Version).
- 5 All window frames shall be constructed in timber, painted and not stained, and be of a sliding sash type set in reveals of 75mm from the face of the building, unless otherwise agreed in writing by the District Planning Authority. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan 1995 and Policy DAP10 of the Warwick District Local 1996-2011 (First Deposit Version).
- 6 No development shall be carried out on the site which is the subject of this permission, until details of any extraction vents and grilles, tv aerials and dish antennas have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy (DW) ENV8 of the Warwick District Local Plan

1995 and Policy DAP10 of the Warwick District Local 1996-2011 (First Deposit Version).

- 7 No development shall be carried out on the site which is the subject of this permission, until satisfactory details of a noise insulation scheme to minimise transmission of airborne noise between: the proposed flats; the ground and first floors of the premises, and; flat 1 and the upper floors of 82 and 86 Regent Street have been submitted to and approved by the District Planning Authority and the development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : In the interests of the amenities of future occupiers of the building, in accordance with Policy (DW) ENV3 of the Warwick District Local Plan 1995 and Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011 (First Deposit Version).

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