

**Planning Committee:** 14 December 2005

**Item Number:** 11

**Application No:** W 05 / 1760

**Registration Date:** 07/11/05

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 02/01/06

**Case Officer:** John Beaumont

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**45 Warwick Street, Leamington Spa, CV32 5JX**  
Proposed halo illuminated fascia lettering FOR Mr P Aktar

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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:** The signage is considered inappropriate to the Conservation Area. Entrance door to premises should not be fixed open during opening hours.

### **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) ENV20 - Advertising Control (Warwick District Local Plan 1995)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

### **PLANNING HISTORY**

There have been a number of planning permissions on this site. In particular, permission was granted in May 2003, reference W03/0351 for a change of use of ground and first floor to form 2 restaurants, internal alterations to provide a function room on second floor and toilet facilities to basement, formation of a 2 bedrooomed apartment on the third floor, formation of a new slate roof; this included the construction of new shop front to the building which was formerly an estate agent on the ground floor with health club above.

Subsequently approval was granted for halo illuminated fascia lettering with two projecting box signs being refused, W042223.

Planning permission for moving a pilaster to create a large fascia was granted by the Planning Committee on 23rd November 2005, W051759.

### **KEY ISSUES**

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

The building, which is not "listed" is in the Conservation Area; it is located on the northern side of Warwick Street adjacent to its junction with Tavistock Street. The existing shop front was installed some two years ago and is constructed of painted timber of a traditional design.

### **Details of the Development**

The proposal is for the installation of individual halo illuminated letters onto a painted timber fascia; the applicant has confirmed the letters will be 300 mm high, 80 mm deep and be constructed of stainless steel fixed onto a white painted fascia; as submitted the application was for letters 100 mm deep, with an orange letter face onto a satin blue fascia.

### **Assessment**

Whilst noting the views of the Town Council, this application is only for advertisement consent and must be considered solely on the basis of its impact on amenity or highway safety.

The Advertisement Regulations, 1992, make it clear that unless it appears to the Local Planning Authority to be required in the interest of amenity or public safety, an express consent for the display of advertisement shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

As amended, I consider that this sign would not have an adverse effect upon either amenity or highway safety and would be an acceptable halo illuminated sign on these premises in the Conservation Area.

### **RECOMMENDATION**

GRANT, as amended, subject to the conditions listed below.

### **CONDITIONS**

- 1 Subject to Condition 2 below, the development hereby permitted shall be carried out strictly in accordance with the details shown on the approved Drawing No. 720-01A, and specification contained therein, deposited with the District Planning Authority on 7th November 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.
- 2 Notwithstanding the details shown on the submitted plan, further details of the size of letters and colour scheme for the proposed advertisement shall be submitted to and be approved in writing by the District Planning Authority before the sign hereby approved is first installed. The advertisement shall be installed strictly in accordance with the approved details. **REASON** : To protect the visual amenity of this part of the Conservation Area and to comply with policies ENV6, 8 and 20 of the Warwick District Local Plan 1995.

### **INFORMATIVES**

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development is of an acceptable standard of design which is in keeping with the architectural and historic character of the Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.