

**Planning Committee:** 03 May 2005

**Principal Item Number:** 10

**Application No:** W 05 / 0331 CA

**Registration Date:** 28/02/2005

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 25/04/2005

**Case Officer:** Joanne Fitzsimons

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**40 Kenilworth Road, Leamington Spa, CV32 6JF**

Part demolition of existing hotel. FOR Court (Warwickshire) Ltd

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**SUMMARY OF REPRESENTATIONS**

Town Council: Comment that they have concerns regarding the access arrangements and in the interests of Highway safety suggest that access is via Woodcote Road.

English Heritage: Do not wish to make any representations on this occasion.

WDC Environmental Health: No comments

WCC Ecology: Recommend a bat survey.

1 neighbour letter raising objection to simply whole or part demolition without an agreeable proposal to follow its demolition as it would leave a void which would be detrimental to the Conservation Area.

**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) ENV7 - Demolition of Non-Listed Buildings within Conservation Areas (Warwick District Local Plan 1995)

(DW) ENV8 - New Development within Conservation Areas (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)

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

DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 First Deposit Version)

**HEAD OF PLANNING & ENGINEERING**

The application site relates to a corner site on Kenilworth Road and Woodcote Road, which is an unadopted road. This application has been amended following the Council's opposition to the complete demolition of the building. The site lies within the Conservation Area and as such it was considered that this building provides a positive contribution to the character and appearance of the area. This proposal seeks to retain part of the building - the dominant corner element and rebuilt the two wings to provide 14 no. apartments.

In assessing this application, Members should be aware of the application W05/0329 which incorporates the conversion and rebuild proposal, which is also in this agenda. Following negotiations, I am satisfied that the proposal is acceptable and retains a substantial portion of the building and furthermore I consider the replacement buildings respect the character and appearance of this part of Kenilworth Road and the immediate Conservation Area.

### **REASON FOR RECOMMENDATION**

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

### **RECOMMENDATION**

GRANT subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
  - 2 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W05/0329 has been made. **REASON** : To ensure an appropriate replacement building within the Conservation Area and to satisfy the requirements of Policy ENV8 of the Warwick District Local Plan 1995.
  - 3 Before any works for demolition are first commenced, a survey of the premises by a qualified bat surveyor shall be undertaken to demonstrate the presence, absence or usage of the premises by bats. In the event that the survey demonstrates the presence or usage of the premises by bats, a report recommending mitigation measures to ensure any bats will be protected during the demolition works shall be submitted to and approved in writing by the District Planning Authority before the demolition works are commenced. The approved mitigation measures shall be wholly implemented strictly as approved. **REASON**: To ensure the protection of bats and compliance with Policy ENV27 of the Warwick District Local Plan 1995.
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