

Application No: [W 15 / 0796 LB](#)

Town/Parish Council: Warwick
Case Officer: Rob Young

Registration Date: 20/05/15

Expiry Date: 15/07/15

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Lord Leycester Hotel, 17-19 Jury Street, Warwick, CV34 4EJ

Demolition of existing extensions to rear, renovation and change of use of remaining building to form 11 no. self-contained flats & one commercial unit to ground floor (A1/A2 Use Class) including internal alterations, external repairs & alterations and the erection of 11 no. dwellings to the rear, alterations to rear wall, re-surfacing of rear courtyard & ancillary works (resubmission following withdrawal of application no. W14/1339LB) FOR Lord Leycester LLP

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

RECOMMENDATION

Planning Committee are recommended to GRANT listed building consent, subject to conditions.

DETAILS OF THE DEVELOPMENT

The application proposes the following development:

- demolition of existing extensions to rear;
- renovation and change of use of remaining building to form 11 no. self-contained flats & one commercial unit to ground floor (A1/A2 Use Class);
- associated internal alterations and external repairs and alterations to the existing building;
- erection of 10 no. dwellings to the rear;
- alterations to the rear wall; and
- re-surfacing of the rear courtyard and other ancillary works.

The following amendments have been made since the application was submitted:

- changes to the design of the new build dwellings;
- confirmation that all of the windows in the new build houses will be traditional sliding sash windows;
- amendments to the design of the rear elevation of the Listed Building; and
- confirmation of the design of the covered cycle store and bin enclosure.

The application was accompanied by a Planning, Design and Access Statement, a Heritage Statement, an outline Schedule of Works to the Listed Building, a Bat Survey, a Viability Appraisal and a Noise Report.

The Planning, Design and Access Statement concludes that the removal of the existing inappropriate extensions will better reveal the significance of the Listed Building. It goes on to advise that there is a need for additional residential

development to the rear of the site to ensure that sufficient funds are available to deliver a viable form of development. Even then, the Viability Assessment demonstrates that with full Section 106 costs included the scheme would not be viable. The Planning, Design and Access Statement finally concludes that the design of the houses to the rear is commensurate with the site's character as a tight urban site, but still manages to provide private amenity space for each dwelling, whilst also being located such that it provides excellent proximity to public open space.

THE SITE AND ITS LOCATION

The application relates to a Grade II Listed hotel situated on the north-western side of Jury Street. The site is situated within Warwick Town Centre, in an area designated as a "Mixed Use Area" in the Local Plan. The site is also situated within the Warwick Conservation Area.

The hotel is a 3 storey mid-terraced building. The building was originally in residential use. The medieval core of the building remains and this was subsequently re-fronted in brick.

There are a range of substantial extensions to the rear of the building that are understood to date from around the inter-war period. These detract from the character and appearance of the Listed Building.

There is an archway through from Jury Street that provides vehicular access to a car park at the rear of the hotel. The car park is surfaced with concrete and covers the whole of the rear curtilage of the hotel. The boundaries of the car park are enclosed by brick and stone walls.

The neighbouring building to the north-east is a Grade II Listed Building that is used as offices. The neighbouring building to the south-west is a modern building that is used as an estate agents and shop on the ground floor with flats on the upper floors. The rear car park of the application property adjoins the car parks, gardens and rear yards of surrounding commercial and residential properties. A public footpath "the Tink-a-Tank" runs along the north-western boundary of the site and on the opposite side of this is the churchyard of St. Mary's Church, a Grade I Listed Building. There is also a Scheduled Ancient Monument to the north of the site, the "Site of St. Mary's College".

PLANNING HISTORY

There have been a significant number of previous applications for planning permission and listed building consent associated with the existing hotel. These all relate to relatively minor developments that are not relevant to the consideration of the current proposals.

The most recent applications were submitted in 2011 when planning permission and listed building consent were granted for "Change of use of part of the ground floor of the hotel (C1) to form separate restaurant & coffee shop (A3) and related internal alterations" (Refs. W11/1388 & W11/1389LB).

Recent applications for planning permission and listed building consent for residential development were withdrawn (Refs. W14/1338 & W14/1339LB).

RELEVANT POLICIES

The Current Local Plan

- 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)

The Emerging Local Plan

- HE1 - Protection of Statutory Heritage Assets (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HE2 - Protection of Conservation Areas (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

SUMMARY OF REPRESENTATIONS

Town Council: Object. The development now provides for 11 units including 3 bedroom houses and in the Town Council's view the number of car parking spaces are inadequate. The existing on street parking provision is fully taken up by existing Town Centre residents and in respect of previous applications the Highway Authority has objected to both parking provision and arrangements for refuse collection. The on site parking was not considered adequate by the Highway Authority and in the view of the Highway Authority, on street car parking would not provide for that shortfall for either residents or visitors. Heritage England have previously stated that the proximity of the residential development, given both its height and location, hard against the town boundary walls, would adversely affect the setting of St Mary's Collegiate Church, one of the most significant non-cathedral Churches in England, a Grade I listed building and the Beauchamp Chapel.

The Town Council consider that the development seeks to provide a number of residential units greater than can be reasonably provided on the site and for the above reason, believe that the development should be refused, and that the issues regarding car parking would be exacerbated by the retention of a commercial enterprise on the site.

Public response: 10 objections have been received, raising the following concerns:

- loss of light;
- loss of outlook;
- loss of privacy;
- loss of views of St. Mary's Church and Gardens;
- harm to the setting of St. Mary's Church and Gardens;
- harm to the setting of the Listed Building on the site;
- harm to the character and appearance of the Conservation Area;
- insufficient parking;
- detrimental impact on local businesses due to a reduced availability of on-street parking for customers;

- there is a shortage of on-street parking in the vicinity;
- unsympathetic design for the new build houses;
- loss of the hotel would be detrimental to tourism in the town and the local economy;
- harm to the vitality and viability of the town centre due to the loss of the hotel;
- the property could be run as a viable hotel;
- the viability appraisal underestimates the sale value of the houses;
- insufficient contributions towards affordable housing, schools, open space, libraries etc;
- overdevelopment;
- lack of amenity space;
- noise and disturbance from construction works;
- dust from demolition works;
- the gardens are too small;
- unacceptable living environment for future occupants due to the cramped layout;
- the dwelling on plot 1 would be incongruous and does not relate or link to any other structure;
- blocking access to a garage belonging to a neighbouring property; and
- impact on the stability of the boundary wall.

Historic England: On balance, in heritage terms, we are content to see this scheme proceed, subject to appropriate conditions to ensure that the historic building is fully repaired and refurbished.

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.

The proposed new build dwellings represent a substantial development to the rear of the Listed Building. However, these would replace unsightly modern extensions that currently dominate the rear of the building and conceal much of the original rear elevation from view. The proposals would reveal and restore much of the original rear elevation of the Listed Building and would secure the repair and refurbishment of the whole of the Listed Building. These represent significant benefits of the scheme, particularly considering the extent of repairs that are required to the fabric of the Listed Building (as evidenced by the draft Schedule of Works that has been submitted by the applicant). Furthermore, the proposed internal alterations would not adversely affect any historic features of note and would reinstate some historic rooms to their original proportions. Therefore, considering the scheme as a whole, it is concluded that the proposals would enhance the character and appearance of the Listed Building and the Conservation Area. There has been no objection from Historic England or the Council's Conservation Officer.

In terms of other heritage assets, Historic England had initially raised concerns about the potential impact on the setting of St. Mary's Church. However, following a detailed inspection of the site, they have withdrawn these concerns due to the fact that the proposed houses sit behind the boundary wall and will not be very visible from the churchyard. This is demonstrated by the precedent of the building on the rear of the adjacent property.

As the proposals would not harm the significance of any designated heritage assets, the proposals would meet the tests set out in Section 12 of the NPPF and Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Objectors have raised a number of other issues that are not relevant to the consideration of this application for listed building consent but are considered in the assessment of the associated application for planning permission (Ref. W15/0795).

SUMMARY / CONCLUSION

The proposals would preserve the character and appearance of the Listed Building and the Conservation Area and would have an acceptable impact on the setting of St. Marys Church. Therefore it is recommended that listed building consent is granted.

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 approved drawing(s) 009 P5, 023 P2, 024 P1, 025 P1, 026 P2, 027 P1, 030 P3, 034 P3, 035 P2, 036 P2, 037 P2, 040 P1, 041 P1, 042 P2, 043 P2, 044 P2, 045 P1, 046 P3, 047 P2, 049 P4, 051 P2 & 052, and specification contained therein, submitted on 20 May 2015, 28 July 2015 & 4 August 2015. **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.
- 3 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details), parapets, eaves, verges and rainwater goods at a scale of 1:5 (including details of materials) 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 :** For the avoidance of doubt, and to ensure an appropriate standard of design and appearance for this Listed Building and within the Conservation Area, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.
- 4 Samples of all external facing and surfacing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON :** To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy DP1 of the Warwick District Local Plan 1996-2011.

- 5 No development shall commence until details of secondary glazing and mechanical ventilation for the rooms fronting onto Jury Street have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. **REASON :** To protect the character and appearance of the Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.
 - 6 No demolition works shall commence unless and until a scheme for the monitoring, recording and analysis of the fabric of the building during the demolition process has been submitted to and approved in writing by the local planning authority. All demolition works shall be carried out in strict accordance with scheme approved under this condition. None of the dwellings hereby permitted shall be occupied unless and until a report detailing the results of the recording and analysis of the fabric of the building has been submitted to and approved in writing by the local planning authority. **REASON :** To protect the character and appearance of the Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.
 - 7 Within 1 month of the completion of the demolition works hereby permitted, a schedule of works for the repair and restoration of the Listed Building shall be submitted to and approved in writing by the local planning authority. No repairs or restoration work shall be carried out other than in strict accordance with the schedule of works approved under this condition. None of the dwellings hereby permitted shall be occupied until the repairs and restoration work approved under this condition have been completed in full. **REASON :** To protect the character and appearance of the Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.
 - 8 No building fabric dating from prior to 1900 shall be demolished unless agreed otherwise in writing by the local planning authority. **REASON :** To protect the character and appearance of the Listed Building, in accordance with Policy DAP4 of the Warwick District Local Plan 1996-2011.
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