

**Planning Committee:** 29 November 2011  
**Application No:** ENF 226/30/11

**Item Number: 15**

**Case Officer:** Dave Fry  
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**La Coppola, 86 Regent Street, Leamington Spa, CV32 4NS**

Altering a Grade II Listed Building without consent by installing new front surround and sign  
Property Owner(s) Mr & Mrs P Ahmadi

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This enforcement case is being presented to the committee to request that enforcement action be authorised.

**BACKGROUND**

The property is a Grade II Listed three storey building, forming part of a Grade II Listed terrace within Leamington Spa town centre and Conservation Area, currently in use as an Italian style restaurant. It was brought to the attention of the Enforcement Section on 26<sup>th</sup> July, 2011 that a shopfront surround incorporating a sign had been installed on the front elevation of the property without the appropriate consent being granted.

Contact was made with the owner regarding this, stating that it was unlikely that consent would be granted for these alterations due to its design and incongruous appearance in this row of Listed Buildings. Despite repeated correspondence regarding this issue and personal visits to the property, no response has been received from the owners.

**RELEVANT POLICIES**

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)  
DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)  
DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)  
Design Advice on Shopfronts & Advertisements in Royal Leamington Spa (Supplementary Planning Guidance).

**PLANNING HISTORY**

There has been an extensive and varied planning history for the property, the most recent and relevant being:

Advertisement Consent for canopy advertisements was refused on 9 September 2008

Listed Building Consent for installation of awning at fascia level was refused on 30<sup>th</sup> November, 2010



A Listed Building Enforcement Notice was issued on 19<sup>th</sup> February, 2009 for removal of an unauthorised canopy, complied with on 10<sup>th</sup> November, 2009 after an appeal against the Notice was dismissed on 4<sup>th</sup> September, 2009.

A similar Notice was also issued on 1<sup>st</sup> October, 2010 for removal of a further unauthorised replacement canopy, complied with on 19<sup>th</sup> May, 2011 after an appeal against the Notice was similarly dismissed on 8<sup>th</sup> February, 2011.

## **KEY ISSUES**

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

The application property relates to a three storey mid terraced building situated on the south side towards the eastern end of Regent Street, one of the principal shopping streets with Royal Leamington Spa's historic town centre and Conservation Area.

The building forms part of a Grade II Listed terrace (comprising nos. 86, 86a, 88 and 90) dating back to c1814-1836 with later additions including mid C-20 shop front. The principal facade is stucco rendered and at first floor level there is a continuous cast iron balcony balustrade which emphasises the overall cohesiveness of the group. Also at first floor there are 2 10-pane French windows with margin lights in plain reveals.

There are at least 16 further Grade II Listed Buildings within the immediate vicinity of the application property, mostly dating from the early 19th Century, and the whole of Regent Street lies within the Royal Leamington Spa Conservation Area.

The unauthorised shopfront surround is of mock dark stone, with a metallic light gold band inserted throughout, reflective in type with black lettering inserted over the front door stating 'LA COPPOLA', underlined in black, with 'RISTORANTE' in smaller block lettering in black underneath.

### **Assessment**

The main issue in the consideration of this matter is whether the unauthorised alterations would preserve the special architectural or historic interest of the listed terrace.

This part of the street is characterised by predominantly 2 and 3 storey buildings of simple appearance. Frontages are, for the most part, relatively narrow and retain individual shop fronts of varied but conventional designs that generally reflect the character of the building concerned and the area as a whole.

Most of the fascia signs are of a traditional appearance, compatible with the historic character of the area.



Shop fronts on either side of no. 86 are of traditional design, and broadly sympathetic to the historic character of the properties concerned and of the wider area. The shopfront surround and sign on the property are wholly unsympathetic to the character of the building. Their appearance materially detracts from the elegant simplicity of the Regency design of this group of buildings. As a result, it is considered to cause harm to the special architectural and historic interest of the listed terrace and appear as an incongruous element within the street scene and Conservation Area.

### **Justification for enforcement action**

Contact has been made with the owners and the situation fully explained but the matter has not been resolved. The service of a Listed Building/Enforcement Notice is now the only option available to rectify this breach.

### **RECOMMENDATION**

That Officers be authorised to take appropriate enforcement action directed at the removal of the unauthorised shopfront surround/signage and the restoration of the permitted frontage, with a period of compliance of 3 months.

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