

Planning Committee: 25th September, 2012

Item Number: 13

Investigation Number: ENF 293/28/12

Town/Parish Council: **Leamington Spa**

Case Officer: Dave Fry
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10 Victoria Terrace, Leamington Spa, CV31 3AB

Unauthorised alteration to Listed Building
Barnardo's

RECOMMENDATION

That appropriate enforcement action for the removal of the unauthorised logo feature be authorised with a compliance period of 1 month.

BACKGROUND

Unauthorised alterations to this Grade II Listed Building within the Leamington Spa Conservation Area have been identified. These comprise alterations to the existing signage on the ground floor Victoria Terrace frontage specifically the addition of a corporate logo adjacent to existing lettering.

The investigation commenced on 3 July this year. During contact with the parties responsible for the display, officers have advised that consent would be unlikely to be granted for the retention of the logo and requested its removal.

Nevertheless, to date, the unauthorised feature remains.

RELEVANT POLICIES

DP1: Warwick District Local Plan 1996 – 2011 - Layout and Design
DAP4: Warwick District Local Plan 1996 – 2011 - Protection of Listed Buildings
DAP8: Warwick District Local Plan 1996 – 2011 - Protection of Conservation Areas

National Planning Policy Framework
Guidance on Shop Fronts and Advertisements in Leamington Spa

PLANNING HISTORY

The property has been the subject of several planning and listed building applications, none of which are specifically relevant here.

KEY ISSUES

The Site and its Location

The site comprises a Grade II Listed Building situated in the Leamington Spa Conservation Area. It is located within a terrace of Listed properties to the south of the Victoria Bridge facing All Saints church which itself is a Grade II* Listed Building.

Assessment and Justification for Enforcement Action

This Grade II Listed Building is prominently located within the Leamington Spa Conservation Area where there is a concentration of Listed Buildings.

In order to protect and enhance the historic character of Leamington town centre and Conservation Area, one of the principles of the District Council's published guidance on the design of Shopfronts and Advertisements is the provision of simple and uncluttered advertisements usually comprising individual letters excluding the inclusion of logos, etc.

It is considered that in this case, the incorporation of a logo of the size and design installed detracts from the elegant simplicity and character of this listed Regency terrace and fails to preserve or enhance the character of the Leamington Spa Conservation Area both contrary to the above listed policies and guidance.

The National Planning Policy Framework (paragraph 133) sets out that development causing harm to heritage assets including Listed Buildings should be exceptional, and should be refused unless it can be demonstrated that the harm is necessary to achieve substantial public benefits that outweigh it.

In this case, it is considered that the unauthorised logo does cause harm and that there are no public benefits sufficient to outweigh that harm.

Justification for Enforcement Action

In view of the absence of the voluntary resolution of this matter, it is considered that the service of a Listed Building Enforcement Notice is required in order to remedy this situation.
