

Planning Committee: 06 January 2004
Investigation No: ACT201/20/03

Principal Item Number: 7

Town/Parish Council: Leamington Spa

Case Officer: Mike Duffett
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‘FAT FACE’ 88 REGENT STREET, LEAMINGTON SPA

Alterations to the shop front, including the provision of a strip timber externally illuminated fascia panel on the front elevation of the Grade II Listed building – for Fat Face Ltd

SUMMARY OF REPRESENTATIONS

In May 2003 it was noted that alterations had been carried out to the ground floor front elevation of the listed building, which included the installation of a new shop front and the introduction of rough timber strip panelling at fascia level as well as the introduction of timber pieces to one side of the shop front. The site was visited by the Enforcement Officer and photographs taken. The representative of Fat Face Ltd was contacted by phone. It was explained to him that the alterations did not have the benefit of listed building consent, and that the works carried out were likely to be considered unacceptable on visual amenity grounds.

During June 2003 it is understood that there was some contact with the Conservation section, and a verbal indication was given by Fat Face Ltd that an application would be made incorporating suitable changes to the front elevation. In September 2003 a verbal attempt to make contact with the business was made, but no response was received. As no type of application has been received for any of the external alterations a further letter was sent in December 2003 explaining that the alterations, particularly the introduction of the timber cladding, had adversely affected the character of the listed building and that the matter was to be considered by Members.

On 16 December 2003 a sketch proposal was submitted for comment showing the proposed introduction of pilaster columns at either end of the shop front, the painting of the columns and stallrisers in brown-grey, and the retention of the strip timber fascia panel. In response a letter was sent stating informally that the proposal was unacceptable because the proposed changes did not fully respect the status of the building and the character of the immediate area.

PLANNING HISTORY

In November 2002 planning permission and listed building consent subject to conditions was granted for the installation of a new shop front and an externally illuminated fascia sign. (Application W20021437/38LB) A new shop front has been installed but not in accordance with the approved details. The pelmet fitment to provide external illumination to the fascia is as approved, although the use of rough timber does not accord with the approved details.

RELEVANT POLICIES

The site is a Grade II listed building located within the Leamington Spa Conservation Area. The Environment and Conservation section of the 1995 Warwick District Local plan sets out a number of specific policy objectives which are applicable. The relevant policies with regard to the protection of listed buildings and the character of Conservation Areas are policy (DW) ENV6 and (DW) ENV8 – Conservation Area, and (DW) ENV11 and (DW) ENV12 which relate to proposed works to listed buildings and the protection of their setting.

As part of the work carried out relates to advertisements then policy (DW) ENV20 is also relevant

because it states that normally advertisements that are detrimental to the character or appearance of buildings will not be permitted.

KEY ISSUES

The Site and its Location

Number 88 Regent Street forms part of a terrace of Regency buildings on the south side of Regent Street in close proximity to Satchwell Court and the pedestrian entrance into the Royal Priors indoor shopping centre. The first floor balcony railings are included in the listing description of the building. The adjacent unit has been recently renovated as part of the Regent hotel development scheme.

Details of the Development

The alleged breach of listed building control is the installation of a new shop front and the installation of strip timber clad fascia panel with cut timber cladding on the ground floor front elevation of the building without the benefit of listed building consent.

Assessment

There is a need to ensure that external alterations and the display of advertisements on any listed building, especially those within the commercial centre of Leamington Spa are sympathetic to the character and appearance of the listed building, and its setting in the street scene and the immediate locality. In this case there are not only amenity issues associated with the protection of the integrity of the listed building, but also more general amenity concerns because of the location of the building in a Conservation Area and the proximity of other listed buildings.

1. What evidence is there of a breach of planning control?

The introduction of the timber panelling has been in association with the current retail use of the ground floor and represents a material change to the external appearance of the listed building. The shop front appears to be not in accordance with the approved plans, especially as the depth of the fascia panel is greater than that on the adjacent retail units in the same terrace. Listed Building consent is required for any works to a listed building which would materially affect the character or appearance of the structure and therefore should have been the subject of a prior consent application.

2. Amenity considerations

The use of timber strips and pieces as a material for both the fascia panel and around the ground floor shop front may be acceptable within an indoor shopping centre to introduce some visual interest, but when applied to a listed building in a Conservation Area has created an incongruous feature which seriously harms the traditional attractive character and appearance of the whole listed terrace.

Colour and texture are important elements associated with protecting the quality of all listed buildings. The location of the building within the commercial town centre means that it is in a very prominent position, and the cladding is not only harmful to the character of the listed building but also the character of the street scene generally. The principal concern with regard to the new shop front is that the depth of the fascia panel does not match those adjacent, and therefore the fascia is excessively large. The use of modern style of lettering and an emblem on the enlarged fascia has emphasised the unsympathetic use of materials and design in association with the retail use.

In policy terms it is essential to maintain or enhance the character and appearance of the Conservation Area and, and the continued presence of the timber cladding on the front elevation does not achieve this objective. With regard to the premises itself its special character is being

adversely affected and therefore there is clearly non compliance with a number of local plan policies, those as specified above.

3. Justification for enforcement action

In view of the detrimental visual impact associated with the new shop front and the introduction of the advertisements on a Grade II listed building situated in a Conservation Area the service of a listed building Enforcement Notice is the only option available to resolve the current breach of listed building control.

The occupiers have failed to come forward with any acceptable alternative scheme within a reasonable time period and appear unresponsive to the needs for sympathetic elevation treatment. Instead, Fat Face considers that without the rough timber and brown colour the store “*would look very bland without this texture and brand statement.*” This statement highlights the present resistance to achieving a more sympathetic design solution which complements the intrinsic character of the listed building. The compliance requirements will be for the removal of all the timber cladding and the making good of the exposed elevation in matching materials

RECOMMENDATION

That enforcement action be authorised to ensure that the alterations to the shop front in terms of fascia depth accord with the details approved in W20021437/38LB and that the whole of the timber cladding is removed. The period for compliance to be four months.
