

Planning Committee: 26 April 2022

Item Number: 9

Application No: [W 22 / 0194 LB](#)

Town/Parish Council: Leamington Spa
Case Officer: Jane Catterall

01926 456533 jane.catterall@warwickdc.gov.uk

Registration Date: 15/02/22

Expiry Date: 12/04/22

22 Augusta Place, Leamington Spa, CV32 5EL

Repair of garden wall pillar FOR Mr B Gifford

This application is being presented to Committee because the applicant is a District Councillor.

RECOMMENDATION

Planning Committee is recommended to grant Listed Building Consent, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

This application is for Listed Building Consent for the repair and rebuilding of a historic boundary wall which is currently in a state of dilapidation due to mortar loss and vegetation.

THE SITE AND ITS LOCATION

The application property is a Grade II-listed dwelling located within the Royal Leamington Spa Conservation Area. The application relates to a brick pillar and adjoining wall which run along the western boundary of the site, adjacent to Portland Place East.

PLANNING HISTORY

There is no relevant planning history

RELEVANT POLICIES

- National Planning Policy Framework
- [Warwick District Local Plan 2011-2029](#)
- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas
- [Royal Leamington Spa Neighbourhood Plan 2019-2029](#)
- RLS3 - Conservation Area

SUMMARY OF REPRESENTATIONS

Royal Leamington Spa Town Council - No objection.

ASSESSMENT

Impact on the Listed Building/ Conservation Area

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that in considering whether to grant permission for developments affecting listed buildings or their setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed Buildings and Conservation Areas) 1990 imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 199 of the NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Policy HE1 of the Warwick District Local Plan 2011-2029 states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

The wall in question is comprised of a variation of random bonds, indicating rebuilding over the years, built on a stone plinth. The upper sections appear to be of Flemish Garden Wall bond, primarily consisting of three stretchers to a header laid in an offset pattern. Due to the age of the bricks, the mortar will be lime based to ensure it remains sacrificial in nature in relation to the softer composition of the bricks.

Due to the state of current disrepair of the wall, for which collapse is a future possibility, the work is considered necessary to secure the longevity and appearance of a curtilage listed structure whilst also improving the street scene of this part of the conservation area. This proposal would preserve the special architectural and historic interest of the listed building. The application is therefore recommended for approval on the basis that it complies with Local Plan Policies HE1 & HE2, NP Policy RLS3 and the relevant sections of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

A condition is considered necessary in order to ensure that appropriate materials are used, namely any replacement bricks together with the mortar and bond of the boundary wall.

Summary/Conclusion

The boundary wall in question is in a state of disrepair and requires rebuilding to prevent potential future collapse. The repair of the wall is considered necessary to secure the longevity and appearance of the setting of a listed building whilst also improving the street scene of the conservation area. The application is therefore recommended for approval, subject to conditions, on the basis that it complies

with Local Plan Policy HE1, NP Policy RLS3 and the relevant sections of the NPPF and Planning Act 1990.

CONDITIONS

- 1 The works hereby permitted shall begin not later than three years from the date of this consent. **Reason:** To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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) contained within the Heritage Statement, and specification contained therein, submitted on 22/2/22. **REASON:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029.
- 3 No development shall be carried out above slab level unless and until samples of the external facing materials to be used including bond pattern of boundary wall, mortar and any new bricks required have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development has a satisfactory external appearance in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029.
