

**Planning Committee:** 16 August 2011

**Item Number:**

**Application No:** W 11 / 0497 LB

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Rob Young

**Registration Date:** 12/04/11

**Expiry Date:** 07/06/11

01926 456535 planning\_east@warwickdc.gov.uk

**Regency Arcade, 154-156 Parade, Leamington Spa, CV32 4BQ**

Alterations to the east, south and west elevations including new/replacement window openings, provision of external rooftop plant, signage zones and other internal and external works associated with a change of use to a hotel. FOR Whitbread PLC

-----

This application is being reported to Planning Committee because it is recommended that the associated planning application is approved subject to the completion of a legal agreement.

**SUMMARY OF REPRESENTATIONS**

**Town Council:** The Town Council welcomes the application in view of the improvements to a neglected building

**Conservation Area Advisory Forum:** Generally this was welcomed as it was felt it would be an asset to the lower part of the Parade and made very little changes to the external appearance of the building. Some concerns were expressed at the adequacy of the refuse storage for the hotel and also the location of the refuse storage from the retail premises. It was also considered important that a full Fire Certification should be obtained for this type of development and that adequate flues were provided in a discrete location from the kitchen. The provision of plant on the roof was highlighted and the impact of this it was felt needed to be carefully monitored. Concerns were expressed at the way in which the rear access to the arcade had been locked and made into a window it was felt possibly the arcade entrance should be removed altogether so a normal window could be inserted. The question of parking and any type of arrangement with St. Peters car park was also discussed.

**English Heritage:** No comment.

**RELEVANT POLICIES**

- 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)

## **PLANNING HISTORY**

There have been a large number of previous planning applications and applications for listed building consent relating to the application site. The following are relevant to the consideration of the current proposals.

In 1967 planning permission was granted for "Reconstruction" (Ref. 11572).

In 1983 planning permission and listed building consent were granted for "Alterations to frontages and conversion and extension to form shopping arcade with shops, restaurants, offices and roof terrace" (Ref. W83/0507).

In 1988 planning permission and listed building consent were granted for "Alterations to frontage to include portico and new shopfronts and demolition of building behind facade. Erection of a shopping mall on 3 floors with associated offices, plant room, W.C.s above and a 2 storey office/studio on Bedford Street/St. Peters Road" (Ref. W87/1488). This was amended later in 1988 to include lettable office space at second floor level (Ref. W88/0972).

In 1993 planning permission and listed building consent were granted for "Positioning of replacement roller grilles fronting Parade and Bedford Street entrances" (Refs. W93/0486 & W93/0487LB).

In 1997 planning permission and listed building consent were granted for "Alterations to ground floor elevation fronting Bedford Street" (Refs. W97/0909 & W97/0910LB).

In 2001 planning permission was granted for "Change of use of part of second floor from office use (Class B1) to an orthodontic surgery (Class D1)" (Ref. W01/0101).

In 2003 planning permission was granted for "Installation of glazed entrance doors on Bedford Street elevation" (Ref. W03/1585).

The current application for listed building consent was submitted with an associated planning application for a change of use to a hotel and retail unit (Ref. W11/0496). That planning application is recommended for approval alongside the current application for listed building consent.

## **KEY ISSUES**

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

The application relates to a substantial 4 storey (plus basement) Grade II Listed Building situated on the western side of Parade and extending through to Bedford Street to the rear. The application property is situated within a predominantly commercial part of Leamington Town Centre and within the Leamington Spa Conservation Area. The application property is currently vacant, but was previously in retail use on the basement, ground and first floors, with offices and an orthodontist on the second and third floors.

The application site is situated within the retail area of Leamington Town Centre and the frontage to Parade forms part of a Primary Retail Frontage. The site is situated within Flood Zone 2.

The application site is bounded by Parade to the east and by Bedford Street to the west. To the north, the site is adjoined by a bank at ground floor with offices

on the upper floors fronting onto Parade, and by offices fronting onto Bedford Street to the rear. To the south, the site is adjoined by retail premises at ground floor with offices on the upper floors fronting onto Parade and by Bedford Place (a service road off Bedford Street) to the rear of that. The rear elevations of buildings in Dormer Place face the site from the opposite side of Bedford Place. These buildings are used for a variety of commercial uses and some of the upper floors are in residential use. There is also a current planning application to convert Nos. 5-7 Dormer Place into flats.

## **Details of the Development**

The application proposes alterations to the east, south and west elevations including new/replacement window openings, provision of external rooftop plant, signage zones and other internal and external works associated with a change of use to a hotel.

The following amendments have been made to the application:

- revised flood mitigation measures proposed;
- floor level to loading bay raised;
- demountable flood defences to be provided to all potential access points;
- window cills to rear and side elevation raised above flood level; and
- design of secondary glazing to first floor windows amended.

## **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.

As amended, I am satisfied that the proposals would preserve the character and appearance of the Listed Building and the Conservation Area. The proposals would bring a Listed Building back into use after a long period of vacancy. I note the comments of the Conservation Area Advisory Forum about the treatment of the former arcade entrance to Bedford Street, but the applicant has advised that the columns are structural and so cannot be removed and that the window has been designed to match the existing window on the upper floors. The Council's Conservation Architect has agreed that this will be an appropriate treatment for this part of the building. The secondary glazing details for the first floor have been amended to show plain french doors with no glazing bars or solid panels and this will give a more discrete appearance when viewed from Parade. The condenser units that are proposed to be installed on the roof would not be readily visible from public vantage points because they would be set back some way behind the tall parapet that runs along the edge of the roof. The fresh air intake and extract for the kitchen would be located in a discrete position behind the existing plant room on the roof. A condition is recommended to require full details of this to be submitted for approval.

In terms of internal alterations, the interior of the building has previously been reconstructed and consequently there are no historic features to be affected by the proposals. The treatment of the atrium walls has been agreed in principle by the Council's Conservation Architect and a condition is recommended to require details of the finishes to this area to be approved.

## **RECOMMENDATION**

GRANT, subject to the conditions listed below.

## **CONDITIONS**

- 1 The works hereby permitted must be begun not later than the expiration of 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 by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing(s) SK01E, SK02G, SK03B, SK04B, SK05B, SK06A, SK07A, SK08, SK09, SK10, SK11A, SK12 and BMW/1312/100 P4, and specification contained therein, submitted on 12 April 2011, 13 May 2011, 17 May 2011, 27 June 2011, 26 July 2011 & 3 August 2011, unless first agreed otherwise in writing by the District Planning Authority. **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), balconies and the bridge link 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of this permission, until details of the demountable flood barriers and the treatment of the walls of the atrium 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 a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.
- 5 All external facing materials for the development hereby permitted shall be of the same type, texture and colour as those of the existing building. **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.
- 6 All window frames shall be constructed in timber and shall be painted and not stained. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy DAP4 of the Warwick District Local Plan 1996-2011.

## **INFORMATIVES**

For the purposes of Article 31 of the Town and Country Planning (Development Management Procedure) (England) Order 2010, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated. The proposal is therefore considered to comply with the policies listed.

-----