

**Planning Committee:** 22 June 2005

**Item Number:** 29

**Application No:** W 05 / 0510 LB

**Registration Date:** 30/03/2005

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 25/05/2005

**Case Officer:** John Beaumont

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**5 Spencer Street, Leamington Spa, CV31 3NE**

Erection of a single storey rear flat FOR Mr Rai

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## **SUMMARY OF REPRESENTATIONS**

Town Council : Object. Overdevelopment; poor standard of amenity through inadequate levels of outdoor recreation space; design/disposition fails to recognise or enhance the Listed Building. Little merit in revised plans as they affect the Listed Building.

Neighbours : One neighbour has raised objections. Local area well served by properties of this type; results in loss of parking spaces; no off-street car parking proposed; possible inconvenience to other users of this access; may include land not owned by applicant; overdevelopment which should be refused.

CAAF : Overdevelopment creating an unpleasant environment. Outside space small and close to bin store. Does nothing to improve or enhance Conservation Area. (NB. These comments relate to plans as originally submitted.)

## **RELEVANT POLICIES**

(DW) ENV12 - Protection of the Setting of Listed Buildings (Warwick District Local Plan 1995)

(DW) ENV11 - Retention of Listed Buildings (Warwick District Local Plan 1995)

DAP6 - Protection of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

DAP9 - Restoration of Listed Buildings (Warwick District 1996 - 2011 First Deposit Version)

## **PLANNING HISTORY**

Planning permission for the amended scheme, the subject of this Listed Building application was granted under delegated powers on 5th May 2005, reference W05/0407.

## **KEY ISSUES**

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

This site forms part of a terrace of Listed Buildings which front Spencer Street and are located within the Conservation Area. This building has a retail unit, presently vacant, on the ground floor with flats above; the access to the flats is via a side door off a 'bridged' access through the building which serves as an access to both a detached building at the rear (No. 5a, presently used as a

childrens nursery) and other adjoining premises fronting Spencer Street. The site presently includes a hard surfaced, open area used for car parking; it also includes a flat roof outbuilding to the rear of No. 5 Spencer Street. It is adjoined to the east by the blank side wall of extension to the rear of the adjoining premises, No. 7, Spencer Street.

### **Details of the Development**

This is an application to demolish an existing flat roof rear extension and its replacement by a single storey pitched roof building to provide an entrance and toilet for the ground floor shop together with a dwelling providing a kitchen/living room, bedroom and shower room with an enclosed yard; to the rear of the dwelling would be an enclosed bin storage area.

The design of this proposal has been amended so that it would have the appearance of series of linked outbuildings with new boundary walls.

### **Assessment**

The planning application W05/0407 was received prior to this Listed Building application and in response to the planning application the Town Council raised no objection. Having achieved an amended design which was considered to be sympathetic to the Conservation Area and this Listed Building, planning permission W05/0407 was therefore granted under delegated powers. Whilst noting the objections now raised by the Town Council, CAAF and the neighbour, I consider that the impact of this amended proposal on the setting, character and appearance of this Listed Building would be wholly acceptable. I therefore consider an objection to this Listed Building application could not be reasonably sustained.

### **REASON FOR RECOMMENDATION**

The proposal is considered to comply with the policies listed above.

### **RECOMMENDATION**

GRANT as amended subject to the following conditions :

- 1 The works hereby permitted must be begun not later than the expiration of five years from the date of this consent. **REASON** : To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing no. 816-10B, and specification contained therein, deposited on 4th May 2005 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 Local Plan Policy ENV3.
- 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), eaves, gates, boundary walls, verges and rainwater goods at a scale of 1:5 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** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.

- 4 Samples of all external facing materials to be used for the construction of the development hereby permitted, shall be submitted to and approved by the District Planning Authority before any constructional works are commenced. Development shall be carried out in accordance with the approved details. **REASON** : To ensure that the visual amenities of the area are protected, and to satisfy the requirements of Policy ENV3 of the Warwick District Local Plan.
  - 5 All rainwater goods for the development hereby permitted shall be metal and no development on site shall take place until a sample of the rainwater goods has been submitted to and approved by the District Planning Authority. **REASON** : To ensure a high standard of design and appearance for this Listed Building, and to satisfy Policy ENV11 of the Warwick District Local Plan 1995.
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