

**Planning Committee:** 24<sup>th</sup> July, 2012

**Item Number: 19**

**Investigation Number:** ENF 134/15/12

**Town/Parish Council:** **Leamington Spa**

**Case Officer:** Dave Fry  
01926 456522 dave.fry@warwickdc.gov.uk

**The Queen Victoria Public House, 45 High Street, Leamington Spa CV31  
1LN**

Unauthorised alterations to a Grade II Listed Building  
Property Owner: Enterprise Inns  
Licensee: Mr Mick Drake

---

This enforcement matter is being presented to Committee to request that enforcement action be authorised.

### **BACKGROUND**

Unauthorised alterations to this Grade II Listed Building within the Leamington Spa Conservation Area have been identified as follows:-

- i. The repainting of the ground floor front of the building predominantly red;
- ii. The installation of a satellite dish on the building frontage;
- iii. The installation of illuminated fascia and hanging signs at ground and first floor levels on the front elevation of the building;
- iv. The display of advertising banners and 2 replica Royal Standard flags on the building frontage.

This investigation commenced on 10 April this year. During contact with the Licensee and property owner, officers have advised that consent would be unlikely to be granted for the alterations and have sought the voluntary resolution of the above matters. To date, with the exception of the advertising banners which have been removed, the unauthorised features remain.

### **RELEVANT LOCAL PLAN POLICIES**

DP1: Warwick District Local Plan 1996 – 2011 - Layout and Design  
DAP4: Warwick District Local Plan 1996 – 2011 - Protection of Listed Buildings  
DAP7: Warwick District Local Plan 1996 – 2011 - Restoration of Listed Buildings  
DAP8: Warwick District Local Plan 1996 – 2011 - Protection of Conservation Areas.

National Planning Policy Framework

### **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 Public House situated in the Leamington Spa Conservation Area. It is located within a row of terraced properties on High Street.

The property was known as 'The Guards Inn' for many years, changing to 'The Pig and Fiddle' in 1996 and then to 'The Queen Victoria' in August 2011 when the current Licensee took occupation. Whilst High Street contains several interesting heritage buildings, this is the only Grade II Listed property in this terrace.

### **Assessment**

This Grade II Listed Building is prominently located within the Leamington Spa Conservation Area. It is considered that the combination of the bright non-heritage colour of the ground floor frontage and illuminated signage; the satellite dish and the replica flags detract from the classical simplicity of the building to the detriment of the historic character and appearance of this Grade II Listed Building and do not preserve or enhance the character and appearance of the Leamington Spa Conservation Area contrary to the above listed policies.

The National Planning Policy Framework (paragraph 133) requires that development that causes substantial harm to a grade II listed building should be exceptional, and should be refused unless it can be demonstrated that the substantial harm is necessary to achieve substantial public benefits that outweigh the harm. The works undertaken do cause substantial harm and there are not considered to be any public benefits which 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.

## **RECOMMENDATION**

That appropriate enforcement action be authorised directed at the removal of the unauthorised illuminated signage; satellite dish and flags, and the repainting of the ground floor frontage in an appropriate heritage colour with a compliance period of 2 months.

---