

**Planning Committee:** 22 November 2006

**Item Number:**

**Application No:** W 06 / 1203

**Registration Date:** 18/07/06

**Town/Parish Council:** Leamington Spa

**Expiry Date:** 12/09/06

**Case Officer:** Rob Young

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**6 Bedford Street, Leamington Spa, CV32 5DY**

Second floor extensions to form drama studio and external alterations including new shopfronts FOR Mr G Maloney

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This application is being presented to Committee due to an objection from the Town Council having been received.

**SUMMARY OF REPRESENTATIONS**

**Town Council (original plans):** Object. The proposal is considered to have a detrimental effect on visual amenity by virtue of its inappropriate scale.

**WCC (Ecology):** Recommend bat notes if the proposal will affect existing roof space.

**WDC Environmental Health:** No comment.

**RELEVANT POLICIES**

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
- (DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)
- UAP9 - Directing New Leisure Development (Warwick District 1996 - 2011 Revised Deposit Version)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 Revised Deposit Version)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011 Revised Deposit Version).
- DAP10 - Protection of Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)
- DAP11 - Unlisted Buildings in Conservation Areas (Warwick District 1996 - 2011 Revised Deposit Version)

**PLANNING HISTORY**

In 2003 planning permission was granted for "Change of use of first floor from offices to retail" (Ref. W03/1485).

In 2004 planning permission was granted for "Change of use of ground floor office into two shop units, installation of two shop fronts, new first floor window to existing retail unit" (Ref. W04/0783).

In 2004 planning permission was granted for “Proposed change of use of first floor offices to health suite (D2 Use)” (Ref. W04/1110).

In April 2006 a planning application was submitted for “Second and third floor extension to form drama studio” (Ref. W06/0722). This was withdrawn in June 2006.

A number of other applications have been submitted relating to the application site, but none are considered to be relevant to the consideration of the current proposals.

## **KEY ISSUES**

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

The site comprises a two storey building situated at the corner of Bedford Street and Windsor Place, within Leamington Town Centre. The site is within the Leamington Spa Conservation Area. The existing building is a two storey flat-roofed structure of modern appearance occupying the whole of the site.

The Mumbai Bluu restaurant and bar adjoins the site to the north. This is a traditional building ranging from 1 to 3 storeys in height. The part of that building adjoining the Bedford Street frontage of the application site is single storey.

A modern 3 storey commercial building faces the site from the opposite side of Windsor Place. Adjacent to the site to the west is the service yard to Mumbai Bluu, with the two storey rear elevation of the Yates's premises being on the opposite side of that site. Planning permission has recently been granted for a 3 storey extension to Mumbai Bluu, to infill the gap between the application site and the rear of Yates's (Ref. W06/0991). To the east of the site on the opposite side of Bedford Street is the 5 storey rear elevation of the Woolworth's premises (which front onto Parade).

The application building currently comprises 3 retail units at ground floor, with a health suite and further retail space at first floor. The surrounding area is predominantly commercial in character. The site is within the retail area of the town centre, as defined in the local plan.

### **Details of the Development**

The application proposes second floor extensions to form a drama studio, together with external alterations to the facades of the existing building, including new shopfronts. The extensions would comprise a second floor with a flat roof on the Windsor Place frontage, and a second floor within a new mansard roof including dormer windows on the corner with Bedford Street. The external walls would be rendered, and the mansard would be faced with slate, with lead faced dormers. The window frames are proposed to be aluminium.

### **Assessment**

The main issue relevant to the consideration of this application is the impact on the character and appearance of the Conservation Area.

The application has been amended to reduce the scale of the proposed extensions. A proposed third floor on the Windsor Place frontage has been omitted, and the second floor on the corner with Bedford Street has been incorporated within a mansard roof.

The application site is in an area of mixed character, with the surrounding area containing a number of modern flat roofed buildings (including opposite the site in Windsor Place and Bedford Street), as well as buildings of more traditional appearance (including the adjacent Mumbai Bluu premises). Surrounding buildings also vary in height, from single storey (adjacent part of Mumbai Bluu), up to 5 storey (rear of Woolworth's). The application property itself is a modern flat roofed building, and at two storeys in height is lower than many of the surrounding buildings, but taller than the adjacent single storey part of the Mumbai Bluu premises. In this context, as amended I am of the opinion that the scale, form and design of the extensions would be in keeping with surrounding development. Therefore I am of the opinion that the proposals would have an acceptable impact on the character and appearance of the Conservation Area.

In my view, a drama studio would be an appropriate use for this town centre location. The site is within a predominantly commercial area and is surrounded by commercial premises. In this context, I do not consider that the proposals would impact upon the living conditions of any residential properties. There would be an acceptable relationship between the proposed extensions and adjacent commercial premises.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON** : To comply with Section 91 of the Town and Country Planning 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), and specification contained therein, submitted on 7 November 2006, 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), shopfronts, parapets, rainwater goods and the mansard roof 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 an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

- 4 Details of the render colour shall be submitted to and approved in writing 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 The facing material for the mansard roof hereby permitted shall be natural slate, a sample of which shall have been submitted to and approved in writing by the District Planning Authority before the development hereby permitted is commenced. The development shall be carried out in accordance with the approved details. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 6 All rainwater goods for the development hereby permitted shall be metal. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.
- 7 All shopfronts and all window frames shall be constructed in timber, painted and not stained, unless identified otherwise on the approved plans. **REASON** : To ensure an appropriate standard of design and appearance within the Conservation Area, and to satisfy Policy ENV8 of the Warwick District Local Plan.

### **INFORMATIVES**

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development is of an acceptable standard of design which is in keeping with the architectural and historic character of the Conservation Area within which the site is located. The proposal is therefore considered to comply with the policies listed.

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