

**Planning Committee:** 06 April 2011

**Item Number:**

**Application No:** W 09 / 1403 CA

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Sandip Sahota

**Registration Date:** 24/11/09

**Expiry Date:** 19/01/10

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**5-6 Milverton Crescent West, Leamington Spa, CV32 5NE**

Demolition of existing buildings with the retention of existing facade to no.6 and forward projection of no.5 Milverton Crescent West. FOR Mrs & Mrs M Kitchen

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This application is being presented to Committee as it is linked to planning application (W09/0251) which is also on this agenda.

**SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council:** Raise no objection, but make the following comments: "Providing the demolition does not include the Dutch style gable front to Milverton Crescent West, which was intended to be preserved in the original plans".

**Policy, Projects & Conservation:** "I thought we had agreed that the front and possibly the side walls of the smaller building fronting the road would be retained. I think we had already agreed that the larger building was now beyond repair in terms of the contribution it makes and could be demolished. I think the position of the smaller building needs clarifying".

**RELEVANT POLICIES**

- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP9 - Unlisted Buildings in Conservation Areas (Warwick District Local Plan 1996 - 2011)

**PLANNING HISTORY**

Conservation Area Consent (ref: W06/0073/CA) for demolition of no.6 Milverton Crescent West was refused in 2006 due to the absence of a detailed proposal for its replacement and suitable evidence to demonstrate a case for demolition on grounds of contamination or structural defects.

An application (ref: W09/0252/CA) for demolition of existing buildings was submitted to the District Planning Authority in 2009, but was subsequently withdrawn by the applicant because the planning application for the replacement scheme was invalid.

**KEY ISSUES**

**The Site and its Location**

Milverton Crescent West lies to the north east of Leamington Town Centre between Rugby Road to the north and Beauchamp Hill to the south.

The application relates to a nineteenth century two-storey former mews/ stable building and external yard situated on the western side of Milverton Crescent West within an area which is predominantly residential in character. It is likely that the site originally served as stables/ grooms quarters serving the large house in Milverton Crescent West. The application site has been vacant for a number of years but the building was formerly used as carpentry and engineering workshops/ car repairs business and the open yard to the rear known as 'Bell Yard' was formerly used as a builders yard. The yard to the front is enclosed by a high brick wall through which vehicular access is available. The yard to the rear is overgrown with pockets of scrub vegetation. The site is situated within the Royal Leamington Spa Conservation Area. There are a mix of residential properties within the area. The east side of Milverton Crescent West to which this site faces are mainly listed Regency houses / modern flats standing on the site of a demolished large Victorian house. On the north side of Milverton Crescent West are mainly mews houses to the western end and originally Victorian houses to the eastern end. The application site backs onto the rear of nos. 24-34 Union Road and nos. 53-69 Rugby Road. No. 6 Milverton Crescent West is attached to the Crescent Garage, a small garage business carrying out vehicle repair and maintenance which operates Monday - Friday 9am - 6pm and on Saturday mornings, which is situated to the north of the site on the corner of Milverton Crescent West and Rugby Road.

### **Details of the Development**

Demolition of existing buildings with the retention of existing facade to no.6 and forward projection of no.5 Milverton Crescent West.

### **Assessment**

The proposed demolition has been amended in accordance with the recommendations made by the Conservation Architect.

The proposed development would require the partial demolition of the existing buildings which are considered to make a positive contribution to the special character and appearance of this part of the conservation area. Policy DAP9 of the Warwick District Local Plan 1996-2011 states that alterations or extensions to unlisted buildings which will adversely affect the character, appearance or setting of a conservation area will not be permitted. It goes on to state that there will be a presumption in favour of the retention of unlisted buildings that make a positive contribution to the character and appearance of a conservation area.

A structural survey of the existing buildings was submitted with this application. The report recognises that the existing buildings are in a poor state of structural repair and identifies the extensive remedial works necessary to bring the buildings back to a useable state. The report concludes that *"It can be seen that the above works are extensive, expensive and most likely not cost effective. We would also confirm that major structural works are required and that even if they are carried out you would only be upgrading a poor quality building to a standard well below that of a new structure and therefore we do not consider it a viable option"*.

Given the poor structural state of the buildings it is considered that it would be difficult to insist on the retention of the buildings in their entirety. However, the existing facade to no. 5 is to be retained as part of the proposed redevelopment, as is a large area of the front section of no. 6 as indicated on the proposed site layout plan.

The development has been designed in the style of the adjoining mews houses incorporating details applicable to the existing developments adjoining and reflecting the original built form of typical stable blocks of the nineteenth century. The proposal would have no greater impact on the streetscene than existing. The elevational treatment will be in render and brick to echo the existing houses in the area. The design is tailored to pick up some of the features from the site, e.g. the strong gable parapets from the existing building, barge board detail at eaves level and the use of horizontal transome/ glazing bars in the windows. The proposal is successful in creating a streetscene similar in character to the existing developments along this side of the road. In particular the scheme has been designed to reflect and mirror the existing development.

I am therefore satisfied that the proposed demolition would not be harmful to the special character and appearance of this part of the Conservation Area.

### **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 drawings (drawing number 1525 rev 1d), and specification contained therein, submitted on 16 April 2010 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 Prior to the commencement of the development hereby permitted, a detailed structural survey/report demonstrating the method in which the frontages of 5 and 6 Milverton Crescent West, as shown on drawing 1525 1d, are to be supported, retained and refurbished during the demolition, shall be submitted to and approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in strict accordance with such approved details. **REASON**: To ensure an appropriate method of support is exercised to ensure the retention of the frontages onto Milverton Crescent West, in accordance with the requirements of Policies DA8 and DA9 of the Warwick District Local Plan 1996 - 2011.
- 4 The demolition hereby permitted shall not be undertaken before a contract for the carrying out of works of redevelopment under W09/0251 has been made. **REASON**: To avoid the creation of an unsightly gap within the Conservation Area, in order to satisfy the requirements of DAP8 of the Warwick District Local Plan 1996-2011.

## **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 proposed demolition would not result in harm to the character or appearance of the Conservation Area and the proposal is considered to comply with the policies listed.

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