

**Planning Committee:** 11 October 2023

**Item Number:** 10

**Application No:** [W 23 / 1220 LB](#)

**Town/Parish Council:** Leamington Spa  
**Case Officer:** Jane Catterall

**Registration Date:** 21/08/23

**Expiry Date:** 16/10/23

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**Pump Rooms, Parade, Leamington Spa, CV32 4AA**

Works to reception area including removal of all modern roller shutters in reception as well as removal of modern door and partition wall to back office and replacement with new door-set and glazed panel. Installation of solid partition wall with clerestory glazing to follow previous placement of roller shutters. FOR  
Warwick District Council

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This application is being presented to Committee due to the number of objections and an objection from the Royal Leamington Spa Town Council having been received.

**RECOMMENDATION**

Planning Committee is recommended to approve this application for the reasons set out at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The applicant seeks listed building consent for works which consist of the removal of modern roller shutters to a section of the reception area alongside the replacement of a modern door and section of a partition wall to a rear office with a glazed door and panel.

**THE SITE AND ITS LOCATION**

The application relates to the Grade II Listed Pumps Rooms in Leamington Spa Town Centre. The site is located within the Leamington Urban Conservation Area and is within a Grade II Registered Park and Garden. The Royal Pump Rooms were originally constructed in 1814, of which the colonnade with Doric columns are still apparent, with various later additions. The site was previously a spa and later housed the local swimming pool however in the late twentieth century, the site was redeveloped and now provides other functions such as the public library, the Leamington Spa art gallery and a café.

**PLANNING HISTORY**

W/20/0828/LB - Insertion of timber screen as entrance feature from foyer to cafe area – Granted.

There are various previous permissions for the listed building and wider site however, none are considered relevant to the assessment of this application.

## **RELEVANT POLICIES**

- National Planning Policy Framework

### Warwick District Local Plan 2011-2029

- HE1 - Protection of Statutory Heritage Assets
- HE2 - Protection of Conservation Areas

## **SUMMARY OF REPRESENTATIONS**

**Royal Leamington Spa Town Council** - Object as they consider the application to be contrary to Local Plan policy HE1 due to a change of use for which the building was designed, with significant detrimental changes to the aesthetic experience, due to loss of light and vista, as well as inappropriate partitioning. It is also considered to be contrary to policies HS8/RLS6 and NPPF paragraph 131. These points have been addressed in the report however Paragraph 131 of the NPPF relates to trees so this has been discounted.

**The Gardens Trust** - No comment.

**Public Comments:** 136 Comments received overall.

133 Objection Comments received.

A summary of the main points of these comments has been compiled below:

- Loss of light and openness to foyer
- Loss of visitor shop
- Cost of proposal
- Space will be less attractive
- Change of use not supported
- Change of character to the entrance area
- Failure to support cultural and tourism offer
- Lack of parking provisions
- Glazing will provide no privacy to those using the proposed space
- Does not protect local heritage assets
- Reduces access to Library/Art Gallery
- Lack of parking for visitors
- Adversely impacts ambience of the library, museum and art gallery
- Loss of revenue stream for local artists
- Important to safeguard existing retail floor space

A number of objections incorrectly state that this is a Grade II\*-listed building however the Royal Pump Room and Baths is Grade II-listed. As a Grade II-listed building, Historic England are not a statutory consultee and, as such, have not been consulted.

3 Support Comments received.

- It is already a functional space so adding another useful function is sensible and the design will use more of the cavernous space, lending intimacy to what is a rather stark and hard environment.
- It sounds as though it will improve the Pump Rooms.

For clarity, whilst the main issues raised within the comments received have all been summarised above, only those pertaining to the effect of the specific works the subject of this application on the building's character and features of special architectural or historic interest are material considerations in this case.

The majority of the issues listed above including, but not limited to the use of the building; the loss of facilities; the cost of the proposal; the general attractiveness of the space; and the parking facilities available are not material considerations and therefore are not to be taken into account in the assessment of this proposal.

## **ASSESSMENT**

### **Impact on the Listed Building**

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 explains that in considering whether to grant permission for developments affecting listed buildings or their setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the same Act imposes a duty when exercising planning functions to pay special attention to the desirability of preserving or enhancing the character of a Conservation Area.

Paragraph 199 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage assets, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Policy HE1 of the Warwick District Local Plan 2011-2029 states that development will not be permitted if it would lead to substantial harm to or total loss of the significance of a designated heritage asset, unless it is demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

Policy HE2 seeks to retain the integrity and form of conservation areas and recommends resisting alterations to both listed and unlisted buildings that would have an adverse effect on the overall character of these areas.

The overall impact of this proposal is felt to be neutral, with the works considered to be acceptable in nature.

The proposed works are to the foyer area of the pump rooms, located by the main entrance to the building, in a late twentieth century addition to the site. The location of the works is within an area occupied by a visitor shop at present and is primarily open to the foyer but can be segregated through the use of roller shutters.

This proposal intends for the removal of the modern roller shutters, the installation of stud walling with clerestory glazing to follow the existing layout of the shutters, the replacement of a modern door and part of a modern wall with a glazed door and insert.

In regards to the Planning (Listed Buildings and Conservation Areas) Act 1990 and Local Plan Policy HE1, the works are located to a modern section of the listed building and will follow an established layout, which is supported by both the existing columns and roller shutters which identify this area as a separate space. The foyer contains existing individual spaces, including the Café, Library and Art Gallery. The existing retail space is not considered to be a feature of special architectural or historic interest but rather has a neutral impact upon the overall heritage asset.

The use of timber detailing to the partition will align with the existing timber screen detailing in use to the Café area, approved via Application W/20/0828/LB, and will follow the location of the modern metal roller shutters, following the principles of scale and the use of appropriate material. Clerestory glazing is to be inserted within the upper sections of the partitions to allow for natural light and to allow the partition to be more lightweight in nature.

It is considered that visually, the eye is drawn from the entrance into the foyer of the Pump Rooms, towards the reception desk, the Art Gallery and the Library, which this proposal will continue to promote. The roller shutters are considered to create a visual delineation of the space which this proposal will follow, whilst the intended timber slats will tie the proposal to existing surrounding décor. The partitions, whilst fixed, are considered to be non-permanent in nature as these could be altered or removed in future with no loss or harm to the heritage asset.

The works to the wall of the office to replace a modern door and introduce a glazed panel are considered to be acceptable, requiring the minor loss of existing fabric but without an impact upon the character of the building.

As the works will be internal, there is considered to be negligible impact upon the Conservation Area, with the sympathetic colours and materials maintaining the character of the space as viewed through the tinted glazing.

This proposal does not relate to the use of the space, which would be beyond the remit of this Listed Building Consent application, and does not require planning permission. Alongside this, the insertion of modular pods or other furniture would also not form part of the consideration of this application because Listed Building Consent isn't required. Like-for-like repairs, refurbishment and maintenance would also not form part of this assessment for the same reason.

The application has attracted a large amount of public responses, the majority of which are objections and are primarily focused on the usage of the space, alongside the visual impact of the proposal. The Town Council have also objected to the application on the grounds that it does not adhere to local policies HE1, HS8 and RLS6.

In regards to Local Plan Policy HS8 and the Royal Leamington Spa Neighbourhood Plan Policy RLS6, which relate to the protection of community facilities, as previously stated, this application for Listed Building Consent relates to some of the internal works proposed to the building only. The associated revision to the use of the building does not require planning permission and is not the subject of this application. In regards to Policy HE1, as set out above, the proposals are considered to have a neutral effect and not result in harm to the heritage asset.

It is recommended that a sample materials condition is added in regards to the proposed timber slats to ensure that the proposed materials are acceptable within the context of the building.

Overall, the works proposed in this Listed Building Consent application are considered to be acceptable, being confined to the late twentieth century section of the heritage asset, with a neutral impact overall. The proposed materials and design are intended to be sympathetic to the existing space, following established delineation of areas and referencing existing timber screening.

The special historic and architectural interest of the Pump Rooms is considered to be safeguarded, with the works being relatively minor in nature, as the proposed partitions have the option for future removal without major disturbance. The visual impact on the conservation area is considered to be negligible as the works will be internal. The proposal is deemed acceptable and in accordance with the aforementioned policies and, as such, is recommended for approval.

## **Summary/Conclusion**

It is considered that the proposed works are acceptable, with the proposal resulting in a neutral impact overall. The works are confined to the late twentieth century addition to the pump rooms, with partitions following an existing delineation of space and the special historic and architectural character of the listed building maintained. Materials to be introduced are considered to be sympathetic and there is felt to be a negligible impact on the conservation area. The application is therefore recommended for approval on the basis that it complies with Local Plan Policy HE1 & HE2, and the relevant sections of the NPPF and the Planning (Listed Buildings and Conservation Areas) Act 1990.

## **CONDITIONS**

- 1 The works hereby permitted shall begin not later than 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).
  - 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan 5214913-ATK-XX-XX-DR-B-003 P01 and approved drawings WDC-ATK-RP-00-DR-ID-300107 P01, WDC-ATK-RP-00-DR-ID-300106 P01, WDC-ATK-RP-00-DR-ID-300104 P01 WDC-ATK-RP-00-DR-ID-300102 P01, WDC-ATK-RP-00-DR-ID-300101 P01 RPRR-ATK-MB-00-DR-A-171002 P01, RPRR-ATK-MB-00-DR-A-110004 P01, RPRR-ATK-MB-00-DR-A-110002 P01, RPRR-ATK-MB-00-DR-A-110002 P01, RPRR-ATK-MB-00-DR-A-110001 P01, RPRR-ATK-MB-00-DR-A-015001 P01, RPRR-ATK-MB-00-DR-A-011003 P01, and specifications contained therein, all submitted on 21/8/2023. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies HE1 and HE2 of the Warwick District Local Plan 2011-2029.
  - 3 No development shall be carried out above slab level unless and until samples of the proposed timber slats to be used for cladding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details. **Reason:** To ensure that the proposed development has a satisfactory appearance in relation to the listed building in accordance with Policy HE1 of the Warwick District Local Plan 2011-2029.
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