



This matter is being dealt with by
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Gary Fisher
Development Manager
Warwick District Council
Riverside House
Milverton Hill
Leamington Spa
CV32 5HZ

Our ref: 1708617.1
Your ref: PP-10482673

23rd December 2021

Dear Gary,

Internal alterations and insertion of extraction system to facilitate the use of building as a restaurant at 37 Regent St, Leamington Spa CV32 5EE

On behalf of our client, Designer Connection Ltd, we have submitted a planning application for the above property.

The existing building is currently being altered and refurbished to provide a restaurant use. The restaurant use is established by virtue of a previous consent (W/07/0036) whereby works have commenced.

Alongside this letter, the application comprises of the following documents:

- Application Form
- Site Location Plan
- Existing Plans
- Proposed Plans
- Noise Impact Assessment (Noise Air)
- UV-O Odour Control Units – Technical and Operations Manual (Purified Air)

The application has been submitted via the Planning Portal (reference PP-10482673). The below paragraphs set out how the proposed development is in accordance with the Local Plan.

Principle of development

The building is located outside of the primary retail frontage, as identified in policy TC6 of the Local Plan.

Planning permission was granted for a change of use of 37 Regent Street to a restaurant in March 2007. This proposal does not seek to alter the approved use.

Impact on adjacent properties/public amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

Noise

The Council's Environmental Health Officer (EHO) has confirmed that the information submitted in relation to noise is acceptable, as per the comments on a previously withdrawn application (W/20/0406).

"...we are satisfied that issues relating to noise can be addressed by planning conditions."

The EHO has previously requested noise related conditions to ensure compliance with the recommendations of the noise assessment report and the timing of cooking in the kitchen.

"...we would recommend that the plant is installed and maintained in accordance with the recommendations of the submitted noise assessment report"

"The applicant and future operator would therefore need to ensure that cooking stops before 23:00 and that any activities requiring the use of the kitchen extraction equipment, e.g. cleaning and maintenance, need to cease by 23:00."

My client is happy to review suggested wording of conditions. The use will continue to be operated in accordance with the existing permission.

Odour

In an email exchange between EHO Matthew Shirley and Don Miles of Purified Air, the EHO confirmed that flues which discharge vertically and are unobstructed would be the best option in terms of odour dispersion.

The resubmitted application provides amended plans on this basis and ensures compliance with Policy BE3 of the Warwick District Local Plan.

Visual impact

Policy BE1 of the Local Plan seeks for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Policy HE1 (protection of Heritage Assets) states that development will be expected to respect the setting of conservation areas and important views both in and out of them

No changes are proposed to the front elevation of the building under this current application.

The Conservation Officer, in commenting on the previously withdrawn application (W/20/0406), had no objections to the installation of the extraction system to the rear of the building. The flues would not be readily visible from the street on John Street to the rear of the building. John Street does not form part of the town centres shopping frontage and acts as a rear service route for a number of commercial premises.

It is therefore not considered a sensitive location and it is clear that several other units have flues and other associated infrastructure in clear sight on Johns Road. Therefore, the development complies with local and national policy in respect of its visual impact. There would be no harm to the character and appearance of the Conservation Area or setting of nearby listed buildings.

Conclusion

The building has been vacant since at least 2008 and its re-use will provide a positive enhancement to the street scene and add to the vitality of the town centre. We therefore conclude the impact on the surrounding area will be a positive one and the application should be supported, subject to appropriate conditions.

I look forward to hearing from you on the validation of the application.

Yours sincerely

George Smith
Senior Planner

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