

Application No: [W 17 / 1150](#)

Town/Parish Council: Kenilworth

Case Officer: Lucy Hammond

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Registration Date: 20/06/17

Expiry Date: 15/08/17

Tyre World, Farmer Ward Road, Kenilworth, CV8 2DH

Erection of rear canopy (retrospective application) FOR Tyre World

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

That planning permission be granted subject to the conditions listed at the end of this report

DETAILS OF THE DEVELOPMENT

Planning permission is sought retrospectively for the erection of a 3.3 metre high open sided canopy to the rear of an existing workshop. The canopy provides an area in which to valet vehicles which are washed as part of the overall service provided by Tyre World. It is important to acknowledge that the car wash does not, in itself, require planning permission, being used in association with the business operated by Tyre World. Planning permission is therefore only sought, retrospectively, for the physical structure provided by the canopy at the rear of the workshop and is not sought for any other use or operation within the site.

THE SITE AND ITS LOCATION

Tyre World is a long established tyre fitting and garage service offering a wide range of vehicle services. It forms part of a wider industrial estate located at the corner junction of Farmer Ward Road in Kenilworth with Whitemoor Lane. Within the site, there is a single workshop building which is surrounded on the north and west sides by areas of hardstanding. To the east side, the boundary of which adjoins residential properties in Wyncote Close, is where the canopy has been erected. It is physically attached to the workshop and provides a roof height of approximately 3.3 metres while its sides are open. To the south side, the workshop is close to the boundary, the other side of which sits another industrial unit.

There are no particular landscape designations or other relevant site constraints.

PLANNING HISTORY

W/91/1107 - Installation of roller shutter doors – Approved 29.10.1991

W/77/1143 - Erection of additional fitting bay and battery room extension –
Approved 07.12.1977

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- EC3 - Protecting Employment Land and Buildings (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- SC0 - Sustainable Communities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR1 - Access and Choice (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR2 - Traffic Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- HS8 - Protecting Community Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Residential Design Guide (Supplementary Planning Guidance - April 2008)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Initial objection withdrawn; no outstanding objections

Environmental Sustainability: No objections; the canopy is likely to have little impact on any noise arising from the car wash but it may have some benefits in reducing the amount of water mist/spray migrating over the boundary to nearby residential dwellings which is understood to be a concern for local residents. From an environmental health perspective there is no objection to the retention of the canopy as this is unlikely to have an adverse impact on local residents

Public Response: 6 letters of objection received raising the following concerns:

- the canopy does nothing to minimise the noise from the car wash
- the canopy is not in keeping with the character of the surrounding housing
- the structure is not in keeping with the character of the main building
- concern about lack of privacy and visual intrusion caused by the canopy

It is noted there are a number of other comments and concerns expressed by neighbours and local residents which relate to the actual car wash and the associated noise and disturbance this gives rise to. The car wash itself is not part of the application for which permission is being sought, nor does it require planning permission in its own right and such concerns are therefore not material to the consideration of this planning application which relates solely to the canopy.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- The principle of development
- The impact on the character and appearance of the area
- The impact on the living conditions of nearby dwellings
- Car parking and highway safety
- Noise and disturbance (car wash)
- Renewable energy

The Principle of the development

Saved policy SC2 of the Local Plan seeks to protect employment land and buildings by resisting any redevelopment or change of use proposals. Tyre World is a long-established business that sits alongside a number of other industrial uses and the car wash facility at the site offers a valeting facility as part of the overall service offered by the garage. The canopy at the rear of the workshop is intended to minimise the impact of the car wash on neighbouring properties by reducing the amount of spray that might otherwise cross over the boundary fencing and into private gardens. Since the canopy forms an integral part of the car wash facility associated with the garage and the other services it provides it is considered that this is acceptable in principle having regard to the presumption in favour of supporting and protecting employment land and buildings.

The impact on the character and appearance of the area

The canopy is located to the rear of the workshop building and as such there are limited public views from Farmer Ward Road. Since the site occupies a corner position at the junction of Farmer Ward Road and Whitemoor Road there are some glimpsed views available of the canopy, however, it is open sided and made of a lightweight construction, having a roof made of translucent sheeting on softwood joints and supported on stainless steel posts below. Despite the canopy's unobtrusive position it is considered that its lightweight construction and minimalist appearance is acceptable in visual terms and causes no harm to the general character of the area.

The impact on the living conditions of nearby dwellings

The canopy is open sided with a very shallow mono-pitched roof covered in translucent sheeting, measuring 3.3m above ground level. At its nearest, it is approximately 15m away from the rear elevations of the closest properties in Wincote Close. Due to the open and translucent nature of the physical structure it is not considered the canopy gives rise to any material harm to the amenity of neighbouring properties by reason of overbearing or overshadowing impacts and in light of the purpose it serves, it is not considered to result in any loss of privacy to neighbours either. The physical structure of the canopy is therefore considered to be acceptable in this regard.

Car parking and highway safety

The car wash forms part of the overall service offered by Tyre World and as such is not intended to intensify the use of the site. No changes are proposed to the access or parking arrangements within the site and it is not considered the canopy is detrimental to highway safety in any way.

Other matters

Noise and disturbance (resulting from the car wash)

The comments from neighbouring residents about noise and disturbance resulting from the car wash are acknowledged, however, the car wash does not require planning permission in its own right and therefore does not form part of this application, which seeks permission solely for the canopy. While officers acknowledge neighbours' concerns about general noise and disturbance, this is not for consideration as part of this application.

Renewable energy

The scale of the development in this instance does not necessitate the requirement to provide 10% of the predicted energy requirement of the development through energy efficiency in accordance with saved policy DP12 and the associated SPD.

SUMMARY/CONCLUSION

The principle of development is considered acceptable having regard to the saved policy SC2 of the Local Plan which seeks to protect employment land and buildings. Notwithstanding some of the comments received from local residents that relate to noise arising from the car wash, this is not the subject of this planning application, which seeks permission solely for the erection of a canopy at the rear under which the car washing facility operates. It is not considered the canopy gives rise to any harm to the general character of the area or the amenity of neighbouring properties and there is no detriment to highway safety. For these reasons, it is recommended that planning permission be granted.

- 1 The development hereby permitted shall be maintained strictly in accordance with the details shown on the site location plan and approved drawing 01771 02, and specification contained therein, submitted on 20 June 2017 **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.
