

Planning Committee: 05 July 2011

Item Number:

Application No: ENF 433/49/10

Case Officer: Dave Fry
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**Land adjacent to The Stag at Offchurch, Welsh Road, Offchurch,
Leamington Spa, CV33 9AQ**

Field being used as parking and stone being laid down
Property Owner(s) Ms C Harris

This report is brought before Committee to request that enforcement action be authorised.

BACKGROUND

In December, 2010 it was brought to the attention of the Enforcement Section that the area of land in question was being used as an overflow car park for the public house, 'The Stag at Offchurch,' not associated with the established use of the land for agriculture, and that a hard surface had recently been laid on this land in association with its use as a car park.

Our assessment of the position was that such use constituted a material change of use of the land requiring planning permission and the laying of the hard surface constituted an engineering operation, also requiring planning permission. 'The Stag at Offchurch' is a licensed premises, Grade II Listed and falls within a Conservation Area, as does the adjoining land in question. The site is also in the Green Belt.

The lessees of the premises were contacted and stated that use as an overflow car park had occurred for a period of over 10 years, but have not provided any direct evidence to support that position and to date, have failed to restore the land to its original use.

RELEVANT POLICIES

DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

DP2 - Amenity (Warwick District Local Plan 1996 - 2011)

DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)

DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)

Planning Policy Guidance 2 : Green Belts

PLANNING HISTORY

W/78/770, 'construction of additional 22 car park spaces and vehicular access', was refused because the proposed development would be seriously detrimental to the amenities of the locality by reason of the effect on the visual character of

the area and also by disturbance from noise, (particularly during evenings and at weekends) to adjoining residents.

KEY ISSUES

The Site and its Location

The land is located off Welsh Road, Offchurch adjacent to 'The Stag at Offchurch' in the Green Belt and in the Offchurch Conservation Area.

Assessment

The use of the land in question as a car park and associated hard surfacing in a small village within open countryside and Green Belt at this location reduces the openness of the Green Belt and therefore comprises inappropriate development within the Green Belt to which there is an objection in principle. That development is also detrimental to the visual amenities of the Green Belt and to the character and appearance of the countryside in this rural village which further impacts adversely upon the character and appearance of the Offchurch Conservation Area and the setting of the adjacent Listed Building.

Justification for Enforcement Action

The change of use and associated operational development has already taken place. Negotiations to resolve the matter were undertaken and as the situation has not been resolved, the service of an Enforcement Notice will ensure that the unauthorised use ceases and the land is restored to its original condition

RECOMMENDATION

That Officers be authorised to proceed with the service of an Enforcement Notice, directed at the cessation of use of the land as an overflow car park, the permanent removal of all associated operational development including hard surfaced areas and the restoration of the land to its original condition with a compliance period of 3 months.
