

Planning Committee: 31 March 2010

Item Number: 5

Application No: W 09 / 1457

Registration Date: 04/02/10

Town/Parish Council: Warwick

Expiry Date: 01/04/10

Case Officer: Penny Butler

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Unit 3, Lock Lane, Warwick, CV34 5AG

Change of use of the first floor from storage (B8) to offices and associated facilities (B1) (retrospective) FOR The Globe Trading Ltd

This application is being presented to Committee due to an objection from the Town Council having been received.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: The District Council Local Plan Policies provide for the provision of car park space allocation to meet B1 usage and the Town Council does not consider that the existing car park allocation for B8, is acceptable for B1, and would result in on street parking to the detriment of highway safety.

Warwick Society: Concerned that the proposal has been carried out without considering the car parking requirements for increased staff numbers. Millers Road is a two hour limited, resident permit parking area so that all day parking is directed to the Wedgnoek Green area where there are no restrictions. Complaints have been made by residents who are unable to park near their houses during the day. The issue should be addressed before retrospective permission is granted.

RELEVANT POLICIES

- Vehicle Parking Standards (Supplementary Planning Document)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- SC2 - Protecting Employment Land and Buildings (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

The Council is currently considering an application for a certificate of proposed lawful use of the ground floor of this unit as a wholesale storage and distribution use with an ancillary cash and carry element comprising no more than 10% of the business.

1968- Erection of factory with office above approved.

KEY ISSUES

The Site and its Location

The application site comprises the first floor of a two storey warehouse, which adjoins further industrial units at the side and rear, on an industrial estate on the north side of Millers Road, where there is a residential area opposite. Adjoining the southern-eastern side boundary of the site is an open site used as the Council's recycling depot. The vehicular access to the site spurs off Lock Lane past the front of the building and then extends round other industrial units to the rear of the building. The opposite side of the wide access at the front of the site is used for informal car parking shared by surrounding units and the siting of a storage container, and the applicant has shown this on his plans despite not having control over the land.

Details of the Development

This is a retrospective application to retain the use of the first floor of this storage warehouse as B1 office use. The plans show several large offices with two rest rooms and two toilets, accessed via a lobby at the front of the building, with a fire escape at the rear. The premises were built as a factory with office above in 1968.

Assessment

I consider the main issue to be that of the parking need of the proposed use. Office uses require more parking than storage uses, 1 space per 30 sq.m compared to 1 space per 80 sq.m for storage. The applicant runs two of the adjoining warehouses, and also has consent for a further storage unit at the rear. The applicant has produced a site plan showing existing car parking spaces on his land which includes part of the service road to the rear of the units. The plan shows 24 spaces. Using the Council's adopted parking standards, the total maximum parking requirement for all the applicants buildings, including the approved but not built unit, is 33 spaces, so there is a shortfall of 9 spaces.

The parking standards are maximum standards and state that the Council will allow a lower provision where it can be demonstrated this is appropriate. The document sets out the circumstances where a lower provision can be considered appropriate where the applicant can demonstrate the following circumstances apply:

- i) there is suitable spare capacity for additional demand to be accommodated on-street without detrimentally affecting the safety and convenience of residents and other occupiers.
- ii) there is sufficient spare capacity in local off-street car parks to accommodate any increase in parking demand.
- iii) the development will not generate any (or only negligible) parking.
- iv) the development will generate significantly less parking than suggested by the maximum standards e.g. by meeting a local need.
- v) the development meets other planning objectives and would not unacceptably worsen the parking situation.

Visits to the site at different times of day have not demonstrated a parking problem or indeed any high demand for parking spaces either on the applicants own land, or on the shared land to the front of the unit. The concerns of the Town Council and Warwick Society are noted, but there does not appear to be

any evidence that the proposed use currently results in parking being displaced from this part of Lock Lane to Millers Road or beyond. It seems that overspill parking from other units on Millers Road itself are creating the parking issues at Wedgnoek Green, as the shared spaces at the front of the site have never been witnessed full, and it should be noted that the proposed use has been operating since 2007.

Based on the evidence available, it is considered that a lower provision can be acceptable for the proposed use since there appears to be spare capacity on the shared land at the front of the site to accommodate any increased parking demand. The proposal would also be returning the first floor of the building to its original use.

RECOMMENDATION

GRANT, subject to the conditions listed below.

CONDITIONS

- 1 The development hereby permitted shall be retained strictly in accordance with the details shown on the approved drawing(s) (1470-01), and specification contained therein, submitted on 7 December 2009 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.

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 development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of parking which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.
