

Application No: W 12 / 0988

Town/Parish Council: Kenilworth
Case Officer: Penny Butler

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Rear of 16 High Street, Monmouth Close, Kenilworth, CV8 1LZ

Conversion of existing retail buildings to two 2-bedroom apartments. Alterations to existing fenestration including insertion of Juliet balcony at first floor level to rear elevation. Extension of existing roof. Demolition of existing chiller unit. FOR
MSL Developments

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

RECOMMENDATION

Planning Committee are recommended to grant planning permission subject to conditions.

DETAILS OF THE DEVELOPMENT

The proposal is for the conversion of the buildings to form two 2-bedroom apartments. The internal space would be partitioned to create rooms and the existing staircase would be replaced. External alterations consist of the insertion of a Juliet balcony at first floor level to the rear elevation, the replacement of existing windows and doors and the insertion of roof lights. The roof would also be extended to link the two wings. At the rear, the existing chiller unit would be demolished to provide a small garden. The existing parking space would be retained at the front of the building.

THE SITE AND ITS LOCATION

The application site comprises the former abattoir building adjoining the rear of the Grade II Listed butchers shop fronting the High Street. The buildings which form part of this application are listed due to their attachment to the front part, which would remain unaltered, but they are of little architectural merit and have no historic value. This is a single storey building in two parts with a lower wing containing front facing dormer windows which links to the rear of the shop, and a taller single storey wing with front facing gable end without ground floor windows. First floor accommodation is provided within the roof spaces. At the rear is a small poor quality flat roofed enclosure containing a chiller unit and a small yard. The unit is accessed via the entrance to Monmouth Close, a privately owned highway leading to a small group of dwellings erected in the 1990s. The front curtilage of the building provides unmarked parking space for four vehicles. Adjoining the rear boundary of the site is the residential garden of no.14 High Street which contains a garage adjoining the boundary. To the north is a parking and manoeuvring area for Monmouth Close, and the side gable of a two storey

house containing two small windows. To the south on the High Street is the post office which has a beauty salon above.

PLANNING HISTORY

Planning permission was granted in 2002 (W02/0567) for the conversion of offices and outbuildings into four flats at the rear of 16 High Street. Two 2-bedroom flats were approved within the building which is the subject of this application, with two 1-bedroom flats provided within the rear of the butchers shop. Five parking spaces were provided for the flats. The internal layouts were similar to the proposed, but with a larger shared rear garden for the ground floor flats, no rear balcony, and dormer windows on the north side roof slope.

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)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- Vehicle Parking Standards (Supplementary Planning Document)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP12 - Energy Efficiency (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- Open Space (Supplementary Planning Document - June 2009)
- UAP4 - Protecting Local Shopping Centres (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: No objection in principle but express concern as to whether adequate parking facilities were being provided. Also question where the displaced business vehicles that currently utilized the area would now be positioned in this congested area.

Public response: 4 objections received from residents of Monmouth Close raising the following concerns:

- Traffic generation and maintenance of access to Monmouth Close
- Additional use of privately maintained Monmouth Close
- Loss of privacy from proposed balcony
- Noise and disturbance
- Parking of vehicles. One existing space is undersized so vehicles overhang onto road. Vehicles associated with the existing butchers shop use cause obstruction
- Disturbance and inconvenience during building works

One objection received from the proprietor of the beauty salon at 16 High Street. The proposed balcony will overlook one of the beauty rooms and the toilet. Noise during building works will affect business.

Monmouth Residents Association: Object. The proposed parking cannot be contained within the application site. What will happen to the parking for the butchers which is often not provided within the site?

WCC Ecology: A standard bat note is required as the buildings appear unsuitable for bat use.

In the opinion of the Local Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated, and would not lead to an unacceptable impact on parking availability in the vicinity. The proposal is therefore considered to comply with the policies listed.

ASSESSMENT

Principle of use

The proposed change of use will not result in the loss of a retail unit, as the building only provides ancillary meat processing facilities for the butchers shop. The change of use to residential is therefore acceptable in principle, and will not conflict with the objectives of Policy UAP4 which seeks to protect existing retail units from change of use. The existing butchers shop will retain large ancillary areas at the rear which will enable its continued operation.

Impact on traffic generation and parking

In considering the impact of the proposed use of the building on traffic generation and parking, using the Council's Vehicle Parking Standards SPD, the proposed flats require 1.5 spaces each, leading to a total requirement of 3 spaces. Four parking spaces are provided within the application site therefore the standards are met and the development would comply with the SPD and Policy DP8. Furthermore, regard must be had to the existing lawful use of the building and the parking that would be required to serve that use (9.6 spaces) and the likely traffic generation that would arise. Given the likely significant reduction in traffic and parking demand generated by the proposed use, there are no grounds to raise objection on highway matters. The existing butchers shop will lose its parking spaces, and will therefore have to be serviced in the same manner as other units on High Street, but the overall demand for parking that it will generate, due to its reduced floor area and therefore reduced activity, will be less.

Use of Monmouth Close for access by the occupants of the development is a private matter controlled by covenants on the land.

Impact on visual amenity of Conservation Area and Listed Buildings

The existing building is not of particular architectural merit, despite being attached to a Listed Building. The proposed external changes will improve the character and quality of the building by replacing poor quality windows and

doors with better quality replacements, and the roof extension will link the two buildings giving a more uniform appearance. It is considered that the development will have a beneficial impact on the character of the Conservation Area and the Listed Building, and that the development would comply with Policies DP1, DAP4 and DAP8.

Impact on neighbouring amenity

The proposed Juliet balcony on the rear of the building will not lead to loss of privacy for the nearest neighbour at no.14 High Street, since this property has a tall boundary wall which would block views into their garden, and an existing wing of the building would block views into their rear first floor windows. It would also not overlook the nearby beauty rooms. Noise and disturbance during building works are a temporary inconvenience but are not related to the proposed use, which should be quieter than the existing commercial use. It is considered that the development would comply with Policy DP2.

The existing chiller unit which is proposed to be removed as part of this development is very noisy and would have an unacceptable impact on occupants of the proposed development. It is therefore necessary to require its removal prior to occupation of the development, and since its removal will provide adequate private amenity space for the flats.

Other matters

A Sustainable Buildings Statement has been submitted which sets out an intention to provide 10% of the energy needs of the units from a renewable source, by installing an air source heat pump in the rear garden. This would be an appropriate method of complying with Policies DP12, DP13 and the Sustainable Buildings SPD. Replacement windows will improve the thermal efficiency of the building. A condition is imposed requiring the submission of further details in order to ensure that the appropriate model and siting is chosen.

The developer has confirmed they will provide a contribution towards the enhancement of public open spaces, in accordance with Policy SC13 and the Open Space SPD.

CONCLUSION/SUMMARY OF DECISION

In the opinion of the Local Planning Authority, the proposed development does not adversely affect the historic integrity, character or setting of the listed building, is of an acceptable standard of design and detailing and preserves the character and appearance of the Conservation Area within which the property is situated, and would not lead to an unacceptable impact on parking availability in the vicinity. The proposal is therefore considered to comply with the policies listed.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the application form, site location plan and approved drawing(s) (4333 22 and 4333 23), and specification contained therein, submitted on 8 August 2012. **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.
- 3 The development hereby permitted shall not be commenced unless and until a scheme showing how 10% of the predicted energy requirement of this development will be produced on or near to the site, from renewable energy resources, has been submitted to and approved in writing by the District Planning Authority. The development shall not be first occupied until all the works within this scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturers specifications. Microgeneration equipment no longer needed for microgeneration shall be removed as soon as reasonably practicable. **REASON** : To ensure that adequate provision is made for the generation of energy from renewable energy resources in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.
- 4 No development shall be carried out on the site which is the subject of this permission, until large scale details of doors, windows (including a section showing the window reveal, heads and cill details) and roof lights, at a scale of 1:5 have been submitted to and approved by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure a high standard of design and appearance for this Listed Building within the Conservation Area, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.
- 5 No development hereby permitted shall commence unless and until scheme(s) and appropriate details have been submitted and approved in writing by the local planning authority to provide for:-
- i) the provision of and / or improvement of and / or maintenance of public open space within the catchment area of the site; in accordance with Policy SC13 of the Warwick District Local Plan 1996 - 2011
- The facilities shall be implemented in accordance with the approved details prior to the occupation of any of the dwellings hereby permitted.
- REASON:** To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 - 2011.
- 6 No facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building. **REASON:** To ensure a satisfactory standard of

appearance of the development in the interests of the amenities of the locality in accordance with Policies DP1, DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.

- 7 None of the dwellings hereby permitted shall be occupied until the communal car parking spaces to be provided have been completed and marked out in accordance with the approved drawing(s) number 4333 22 and made available for use by the occupants and / or visitors to the dwelling(s) and thereafter those spaces shall be retained for parking purposes. **REASON:** To ensure that satisfactory off-street parking facilities are available within the site for private motor vehicles which otherwise of necessity would be parked on the public highway to the detriment of the free flow of traffic on the highway and the amenities of the occupants of adjacent residential properties in accordance with Policies DP1, DP2 & DP8 of the Warwick District Local Plan 1996-2011.

 - 8 All window frames shall be constructed in timber, painted and not stained, and be of a side hung casement type set in reveals of 75mm from the face of the building. **REASON :** To ensure a high standard of design and appearance for this Listed Building within the Conservation Area, and to satisfy Policies DAP4 and DAP8 of the Warwick District Local Plan 1996-2011.

 - 9 Prior to the first occupation of the development hereby approved the existing chiller unit and chiller building shall be demolished and removed from the site. **REASON:** To protect the amenities of occupants of the development in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
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