

Planning Committee: 5th April 2006
Investigation Number: ENF 457/49/02

Item Number: 25

Town/Parish Council: Bishops Tachbrook

Case Officer: Martin Perry
01926 456523 planning
_appeals@warwickdc.gov.uk

Greys Mallory, Banbury Road, Bishops Tachbrook, Warwick. CV34 6SX
Unauthorised change of use of single dwelling house to commercial car sales.`

This report is brought before committee in order to request that enforcement action be authorised.

BACKGROUND

In January 2004 it was brought to our attention that a car sales business was operating from Greys Mallory, Banbury Road, Bishops Tachbrook, Warwick without the prior consent of the District Council. The property is a Listed Building.

Contact was made with the owner of the property Mr Holton. A subsequent site visit established that Mr Holton was using the grounds of his house for the storage and display of vehicles associated with his vehicle sales business. A room in the house was being used as an office associated with the vehicle sales and a single garage was used for valeting of vehicles. There were no staff on site associated with vehicle sales.

Subsequent to the site visit, contact was maintained with Mr Holton who has on several occasions stated it is his intention to relocate the business to suitable commercial premises but that contract negotiations have not been successful.

In addition Mr Holton has claimed that the property has been used for vehicle sales for a period in excess of 10 years. An application for a Certificate of Lawfulness with supporting evidence has not been submitted or a planning application made for a change of use seeking to gain consent for the vehicle sales use.

The business operates under the name of Warwick Specialist Cars, Banbury Road, Warwick with a web site containing details of the vehicles for sale including photographs of the vehicles taken on the Greys Mallory site. The trading hours indicated on the web site are 9am to 9pm Monday to Friday and 9am to 6pm Saturday and Sunday.

RELEVANT POLICIES

(DW) ENV3 Development Principles [Warwick District Local Plan 1995]
(DW) ENV12 Protection of the setting of a Listed Building (Warwick District Local Plan 1995)
(DW) C1 Protection of the appearance and character of the rural landscape.
DAP6 Protection of Listed Buildings (Warwick District Local Plan 1996-2011 First Deposit Version)

PLANNING HISTORY

Planning Permission and Listed Building consent was granted in 2004 to retain pole and wall mounted security cameras and a timber fence. [W04/0932 & W04/0935LB]

KEY ISSUES

The site and its Location

The property is a Listed Building consisting of a large Manor House with walled forecourt. It is on the west side of the A452 Banbury Road with the vehicle access being from the Banbury Road approximately 400 metres north of the roundabout junction with Europa Way/Gallows Hill/ Banbury Road. Banbury Road is a major road feeding traffic to and from the M40, Warwick and Leamington Spa.

Assessment

The use of the property for the storage, display and sale of vehicles affects the setting of the Listed Building both in terms of visual appearance and the historic setting.

The land is not green belt but the use of the property for the storage and display of vehicles affects the appearance of the rural landscape and does not harmonise with the surroundings in terms of land use.

The traffic generated by the car sales business, by the very nature of the business, increases the vehicle movements to and from the site above the level normally associated with a domestic dwelling, which is an “unsustainable” location outside the urban area.

Justification for enforcement action

In view of the significant adverse impact on the Listed Building, the traffic generation and the rural location the service of an Enforcement Notice is now the only option available to require the use of the property for car sales to cease.

RECOMMENDATION

That enforcement action be authorised to ensure that the use of the site for the storage, display and parking of vehicles for sale ceases. The period of compliance to be two months.