

Planning Committee: 20 June 2023

Item Number: 7

Application No: [W 23 / 0334](#)

Town/Parish Council: Kenilworth
Case Officer: Theo Collum

Registration Date: 27/03/23
Expiry Date: 22/05/23

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24 Albion Street, Kenilworth, CV8 2FW

Proposed driveway. FOR Mr Mason

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

RECOMMENDATION

The recommendation is to approve the application.

DETAILS OF THE DEVELOPMENT

The application seeks planning permission to install a brick-finished paved driveway, with associated landscaping works, including the levelling of part of the front garden and a 1250mm high retaining wall.

THE SITE AND ITS LOCATION

The application site relates to a terraced house in Kenilworth.

PLANNING HISTORY

None relevant

RELEVANT POLICIES

- National Planning Policy Framework

Warwick District Local Plan 2011-2029

- BE1 - Layout and Design
- BE3 - Amenity
- TR3 - Parking

Kenilworth Neighbourhood Plan

- KP13 - General Design Principles

Guidance Documents

- Parking Standards (Supplementary Planning Document- June 2018)

SUMMARY OF REPRESENTATIONS

WCC Highways - no objection

Kenilworth Town Council - Object on grounds of loss of on street parking, potential hazard to pedestrians, changes to the street scene

Assessment

Impact on the street scene

Local plan policy BE1 details that planning permission will only be granted where the proposals harmonise with the existing street scene. Neighbourhood Plan Policy KP13 requires new development to show a positive response to the site's surroundings.

Number 24 is part of a small terrace of houses on Albion Street that don't currently feature driveways, however they are set back some way from the street, in line with the rest of the north side of the street, where driveways are a common feature. It is not considered that introducing a driveway here would be incongruous with the rest of the street scene. The proposal is acceptable in line with Local Plan Policy BE1.

Impact of the proposal on the living conditions of neighbouring occupiers

Warwick District Local Plan Policy BE3 states that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents and/or does not provide acceptable standards of amenity for future users and occupiers of the development.

Policy KP13 of the Kenilworth Neighbourhood Plan states that the impact on the residential amenity of existing and future residents must be assessed and addressed.

In the context of Policy BE3, amenity is defined as the ability of people 'to enjoy public spaces and their own residences without undue disturbance or intrusion from nearby uses'. Examples of harm to amenity may include loss of privacy, loss of daylight, visual intrusion, noise or light pollution. The construction of a driveway to the front of 24 Albion Street is not considered to create undue visual intrusion, or any loss of privacy or daylight to the neighbours, and it is not that any unacceptable level of noise or light pollution would result from the use of the space as a residential driveway.

The proposed construction of a driveway is not considered to harm the amenity of neighbouring occupiers and is acceptable under Local Plan Policy BE3.

Parking and highway safety

Warwick District Local Plan Policy TR3 states that development will only be permitted that makes provision for parking which does not result in on-street car parking detrimental to highway safety. Development will be expected to comply with the parking standards set out in the most recent Parking SPD.

In line with the Parking Standards SPD, the proposed driveway would provide parking for two cars, whereas at present, there is no off-street parking available to this property. It is noted that Kenilworth Town Council objected to the loss of public on-street parking, however, the space in front of the proposed driveway would only accommodate a single car, compared to the two spaces provided within the driveway. It is also likely that some of the demand for street parking in the area would be coming from occupants of number 24.

Kenilworth Town Council also identified a potential hazard to pedestrian safety from the creation of a new access. Warwickshire County Council Highways Authority were also consulted and did not identify any potential dangers. It should also be noted that Albion Street is classified as a D road, the installation of a dropped kerb would not normally require planning permission, and it is the driveway itself that requires permission in this case.

It is not considered that the proposed works would lead to an increase in on-street parking, or compromise highway safety, and are acceptable under Local Plan Policy TR3

Summary

The proposed development is considered to be acceptable in terms of design, as assessed under Local Plan Policy BE1 and Neighbourhood Plan Policy KP13, impact on neighbouring amenity, as assessed under Local Plan Policy BE3 and Neighbourhood Plan Policy KP13 and parking and highway safety, as assessed under Local Plan Policy TR3. It is therefore recommended that the planning permission is granted.

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 site location plan and approved drawing(s) 1286 02 A, and specification contained therein, submitted on 27/03/2023. **Reason:** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
