

**Application No:** W 11 / 0350

**Town/Parish Council:** Kenilworth  
**Case Officer:** Steven Wallsgrove  
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**Registration Date:** 21/04/11  
**Expiry Date:** 16/06/11

**Crackley Hall School, Coventry Road, Kenilworth, CV8 2FT**  
Erection of hall and music centre (after demolition of chapel and caretakers bungalow) and two-storey extension to west end of school building (after demolition of part) FOR Warwickshire Catholic Independent School Foundation  
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This application is being presented to Committee due to the number of objections received.

### **SUMMARY OF REPRESENTATIONS**

**Kenilworth Town Council:** (Comments awaited).

**Crackley Residents Association:** Notes the existing consents at the east end of the school and has no specific concerns regarding the works in that area. They are concerned, however, about the impact of the proposals at the west end on light, privacy, and vermin on the neighbours, and exiting traffic/parking problems. They welcome the intention by the school to adopt a Green Travel Plan.

**WCC (Ecology):** Note the contents of the bat report but consider that a further activity survey is needed. (A further survey has been forwarded to them). They also note the contents of the other reports, including the Tree Report, which confirms that none are to be removed.

**Public Response:** A total of four local residents have objected on grounds of loss of daylight/ sunlight, possible impact on trees, 'office block' design, loss of privacy and parking problems.

### **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)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)

### **PLANNING HISTORY**

There were a substantial number of applications for extensions in the 1950's and 1960's, with further extensions in the late 1970's and early 1980's, with additional parking being approved in 2003. A free standing canopy and a storage shed were approved in 2004. A sports hall/assembly building was allowed on appeal in 2006 to replace buildings at the east end of the building. This approval has recently been renewed.

## **KEY ISSUES**

### **The Site and its Location**

The property is a substantial detached, converted and extended, house which lies close to Kenilworth Common and has a parking area to the front. It has a tree belt to the east, which separates the site from modern housing, a tree lined avenue approach road, and trees on the west boundary.

### **Details of the Development**

The proposal is to erect a substantial extension to the east of the original building (after demolition of previous extensions) and a smaller, two storey, extension to the west (also after demolition of previous extensions).

The extensions at the east end will include a large assembly hall (12.0 m by 18.3 m) with a two-storey linking classroom and music room block, and toilets. The extensions at the west end consist mainly of a two-storey 'specialist' classroom block with changing rooms, the end elevations basically being in brick, with high level windows. A bin and recycling store, and a cycle store are also proposed beside this boundary. A planting area is also proposed against the end of this western extension.

The application was accompanied by a Design and Access Statement, a Sustainable Building Statement (which proposes the 'use of solar thermal panels and air source heat pumps'), a Transport Statement, a Tree Report and a Bat Report. Matching materials are specified on the forms.

### **Assessment**

The principal issues in this case are the impact of the extensions on the surrounding trees, the impact on neighbours amenities, and parking. Since the bat surveys have shown no evidence of any habitats in the flat roofed parts of the school buildings (only in the main parts) this is not a significant issue.

In the case of the impact of the proposal on the surrounding trees, the appeal decision accepted that the substantial extension to the east would not unreasonably affect the trees on that side, subject to pile and beam foundations being used. The same applies in the present case since the extensions on this site are almost identical in footprint and bulk, while the new extensions at the west end are further from the trees on this boundary. It is considered, therefore, that this aspect is acceptable, subject to details of the foundations being approved.

The affected neighbours are those at the west end, in Littleton Close, where there are two dwellings. The dwelling principally affected has some fairly substantial trees which act as a screen, although the existing building to be demolished is single storey and the proposed building is two storey. However, the two storey part is some 20 m away from the rear windows of this house and the twin gables of the extension are to be mainly brick, with high level glazing in the gables themselves. The plans as originally submitted did include a narrow strip of glazing, at first floor, down either side of the double gable end but this has now been amended to be obscure. It is considered that, on this basis, the extension will not have an unreasonable impact on the residential amenities of these dwellings due to loss of light or privacy.

The remaining principal issue is parking. In this context, there is staff parking at this end of the building, but this only consists of about half a dozen spaces (10

cars were parked here at the time of the submitted traffic study) with the main car park consisting of 20 spaces, with about half a dozen of the spaces being free at the time of the site visit. Since the school has stated that there are no proposals to increase pupil or staff numbers, only to improve facilities, it is considered that the loss of the spaces at the side (shown as 5 spaces on previous plans) should not have any material impact on the existing parking problems.

These problems are related to parents dropping off and collecting children, rather than normal daytime parking needs, and the submitted Transport Plan confirms that the school is already making progress towards a Green Travel Plan, based on the County Councils model. It is considered, therefore, that there are no grounds to justify a refusal due to parking problems.

### **RECOMMENDATION**

GRANT, subject to the conditions listed below.

### **CONDITIONS**

- 1 The development hereby permitted must be begun not later than the expiration of three years from the date of this permission. **REASON :** To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the approved drawing nos. 713-A-110-A, -111-A, -113-B, -114-A, -A3-116, and specification contained therein, received on 18/3/2011 and 31/5/2011 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.
- 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 site, or in the locality, 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. **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 Notwithstanding the details included with the application, no development shall be carried out on the site which is the subject of this permission, until details of the pile and beam method of foundation construction have been submitted to and approved by the District Planning Authority. The details shall include 1:20 scale cross and long sections and a 1:50 scale plan of the extent of the excavations necessary to construct them and shall not involve any excavations for the proposed ground beams except as may be approved in writing by the District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details.

**REASON** : To ensure that the trees are adequately protected in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 5 No development shall be carried out on the site which is the subject of this permission, until details of existing and proposed slab levels 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 that the retained trees are adequately protected in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 6 No development shall be carried out on the site which is the subject of this permission, until a scheme for draining rainwater run-off from the roof of the development hereby permitted has been submitted to and approved by the District Planning Authority. The scheme shall include details of the means for supplying water to the ground under the east end of the development. The development shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the retained trees are adequately protected in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 7 No development shall be carried out on the site which is the subject of this permission, until a statement of the proposed method of implementing both the proposed demolition of the existing buildings and the construction of the development hereby permitted has been submitted to and approved by the District Planning Authority. The statement shall include the measures set out in the submitted arboricultural method statement dated July 2007. The demolition and construction work shall not be carried out otherwise than in full accordance with such approved details. **REASON** : To ensure that the retained trees are adequately protected in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 8 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraph (ii) below shall have effect until the expiration of 5 years from the date of the occupation of the building for its permitted use.
  - i) Before the development hereby permitted is begun, details of the method for the protection of the retained trees shall be submitted to and approved in writing by the local planning authority. The details shall include plans of the protection zones around the trunks of all retained trees and measures in accordance with figures 2 and 3 of British Standard 5837:2005 (Trees in Relation to Construction). The erection of fencing for the protection of the retained trees shall be undertaken before any equipment, machinery or materials are brought on to the site for the purposes of the development and shall be retained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.
  - ii) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local

planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998:1989 (Tree Work) or its successors.

iii) Before any works are undertaken within the protected zones of the retained trees, including excavations, topping, lopping or pruning, 7 days written notice of the nature of this work shall be given to the local planning authority to enable consideration to be given to it. The approved works shall not commence until written approval has been given by the local planning authority.

iv) During construction the work shall be monitored by a qualified arboriculturalist to be agreed in writing by the local planning authority before the works commence. A monthly report by the arboriculturalist shall be submitted to the local planning authority and any deviation from the agreed method statement or conditions shall be notified by the arboriculturalist to the local planning authority immediately.

**REASON:** To ensure that the retained trees are adequately protected in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.

- 9 A landscaping scheme, incorporating existing trees and shrubs to be retained and new tree and shrub planting for the whole of those parts of the site not to be covered by buildings shall be submitted to and approved by the District Planning Authority before the development hereby permitted is commenced. Such approved scheme shall be completed, in all respects, not later than the first planting season following the completion of the development hereby permitted, and any trees removed, dying, being severely damaged or becoming seriously diseased within five years of planting, shall be replaced by trees of similar size and species to those originally required to be planted. Existing trees which are shown as being retained shall be dealt with in accordance with BS 5837:2005. In particular, before any materials are brought on the site or any demolition or development commenced, stout protective fencing should be erected to enclose the perimeter of the branch spread of each tree or shrub to be retained, together with the branch spread of any tree growing on adjoining land which overhangs the site. Such fencing shall be satisfactorily maintained until all development has been completed. **REASON :** To protect and enhance the amenities of the area, and to satisfy the requirements of Policies DP1 and DP3 of the Warwick District Local Plan 1996-2011.

## **INFORMATIVES**

For the purposes of Article 31 of The Town and Country Planning (Development Management Procedure) (England) Order 2010, 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 impact on trees, residential amenity, or parking which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.

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