

Planning Committee: 27 November 2012

Item Number: 16

Application No: W 12 / 1231

Town/Parish Council: Kenilworth

Registration Date: 03/10/12

Case Officer:

Liam D'Onofrio

Expiry Date: 28/11/12

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Kenilworth School & Sports College Leyes Lane, Kenilworth, CV8 2DA

Proposed air training corps cadet building and replacement store. FOR West Midland R F C A

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

Planning permission is sought for an Air Training Corps (ATC) cadet building. The building will measure 21.8 metres long by 9.7 metres wide by 5.3 metres high and will be constructed of brick with a tiled roof. The building will accommodate three lecture rooms, a parade room, offices, a store, a kitchen and toilets. Disabled access ramps are provided into the building with metal handrails. A 6 metre high white painted flag pole with gold coloured finial will be provided to the east of the building on a tarmac 'parade ground'.

The scheme includes the re-positioning of fences, the re-configuring of an existing car park area (28 spaces), and the creation of 11 new car parking spaces east of the existing driveway adjacent to the caretaker's bungalow. An existing brick built store located to the western boundary will be demolished and a replacement prefabricated store measuring 6.1 metres by 4.4 metres is proposed within the school site, set to the south of main school buildings.

The Design and Access Statement confirms that the new cadet building is required by Kenilworth/Balsall Common area to accommodate 496 Squadron ATC Cadets, whose current premises at The Heart of England School, Balsall Common will cease to be available after the spring of 2013. The building will be shared by Kenilworth School and Sports College, which will also use the lecture rooms for small group tutorials, examinations etc.

The Design and Access Statement advises that the ATC Cadets meet generally on weekday evenings and at weekends. Existing school car parking provision will therefore be suitable for use by cadet staff when they are not being used by the School and an overall increase in car parking spaces is not required. The new spaces to replace those lost in the existing car park are proposed adjacent to the sports field, however no sports pitch space or run off area will be lost by

this provision. The scheme includes the removal of a tree located to the western boundary.

Proposed ATC operating hours are 4pm to 10pm Monday to Friday and 8am to 10pm at weekends, with potential school use between the hours of 9am and 4pm Monday to Friday.

THE SITE AND ITS LOCATION

The application site relates to Kenilworth School and Sports College located on the southern side of Leyes Lane. The proposed ATC building will be located to the western boundary of the site adjacent to the rear garden boundaries of properties on Windy Arbour to the west. The site is located within the urban area of Kenilworth and is surrounded by residential properties.

PLANNING HISTORY

Various historic applications relating to the School site, none relevant to the current scheme.

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)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Distance Separation (Supplementary Planning Guidance)
- National Planning Policy Framework

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Members support the proposal commenting that they warmly welcomed the proposal, which enhanced the range of youth activities available in the town.

Sport England: No objection.

Councillor Mobbs: No objection (in principle) to the activities of the cadets and the organisation is welcomed as one which engages with young people in an extremely positive and worthwhile manner. The sense of utilising the site in Leyes Lane should encourage an increase in membership from students who attend Kenilworth school.

Councillor Mobbs notes the following however: There is very little information regarding the actual activities that would take place if this was granted and this therefore raises anxiety with regard to the impact on residents in the immediate vicinity; many of whom have gardens that back on to the site, namely loss of

privacy, noise and disturbance. The new building will be some 2 metres from residents' boundaries. The hours of operation would be up to 10pm on both weekdays and weekends. I believe that these hours are also unacceptable and worrying to residents. It is hoped that an alternative part of the School site away from residential properties could be considered which reduces the impact on neighbours.

Public response:

Five objections received from local residents raising the following concerns:

- No adverse comments are raised in respect of the cadet organisation but there is concern how an informed decision can be made without knowing the number of cadets and proposed usage/activities.
- The size and siting of the building is wholly inappropriate being only 2 metres from the rear garden boundary, creating noise and disturbance and being clearly visible. Concerns would be mitigated by locating the building further away.
- Operating hours until 10pm will create unacceptable levels of noise and disturbance.
- The building will cause a loss of privacy/will be intrusive.
- A more suitable location could be found within the school site, further away from neighbouring boundaries, avoiding the need to demolish the store building and remove a healthy tree.

ASSESSMENT

Siting and Design

The proposed building will be well located within an existing school site, providing facilities to be used by both the ATC Cadets and pupils of the school. The building will be set back from the highway and will be unobtrusive within the streetscene. The building will encroach into the existing tarmac tennis court area and the proposed 11 parking spaces will result in a minor encroachment onto the edge of the northern playing field. Sport England have been consulted accordingly and raise no objection to the scheme as it would not lead to the loss of ability to the use/size of playing pitches.

In design terms the building will provide an acceptable solution, with a simple linear form. The building will be constructed of substantial brick and tile materials, which is considered to be more visually appropriate than a more 'temporary' portacabin style structure, which can often weather poorly. Materials can be conditioned to ensure that they are appropriate.

Neighbours' Amenity

The concerns raised by neighbours are noted. In terms of built form the proposed building will be located some 2 metres from the site boundary formed by mature hedging. The separation distance between properties on Windy Arbour and the proposed building will be some 40 metres, which is well in excess of the 12 metres separation distance usually specified between the front/back and the side of two-storey dwellinghouses set in SPG. The proposed building relates to a single storey structure and the scheme is not therefore considered to

result in any significant impact upon light, outlook or visual amenities of the occupiers of adjoining properties.

In terms of noise and disturbance generated by the Cadets and their use of the building this is harder to quantify, as it would not be a constant noise (such as that a mechanical device may make) and would depend upon the various activities being undertaken by the Cadets. The Air Cadet Organisation website describes the ATC and a UK-wide Cadet force with more than 40,000 members aged between 13 and 20 years, which is sponsored by the Royal Air Force to give young people a hands-on experience of activities and courses that will challenge and develop their skills. The ATC's aims are to: promote and encourage a practical interest in aviation and the Royal Air Force among young people; provide training which will be useful in the Services and civilian life; and encourage the spirit of adventure and develop qualities of leadership and good citizenship. In terms of use it is clear that a variety of activities would be undertaken on site as well as camps, walks and flying experiences undertaken off-site.

The case officer has investigated relocating the building to another part of the site, however the cadet building has been conveniently sited to allow it to remain accessible after the main school site has been secured. Swapping the building with the outside 'parade area' where the flag pole is located would serve little purpose and would bring any outside activities undertaken in this area closer to the site boundary. The building has a blank elevation facing the boundary, which will assist in containing any noise from activities within the building. The proposed use would be entirely consistent with the existing and established use of the school site (D1 Use Class) and given the distance to adjoining properties the scheme is not considered to cause any significant loss of amenity to the occupiers of surrounding residential properties through disturbance or comings and goings.

The applicant has clarified that the proposed opening hours are not prescriptive and in reality the Cadets only parade twice a week, Monday and Thursday between 6.30pm and 9.30pm, with a very occasional parade at the weekend. The applicant is reluctant to have these operating hours conditioned to allow flexibility for the use of the building, particularly as it will also have a shared use with the school on Monday-Friday within school hours. It is considered prudent to restrict the operating hours of the building to the hours of 8am to 10pm each day to minimise disturbance to surrounding residents at quieter times of the day, particularly as Cadets leave the site onto Leyes Lane in the evening.

Highway matters

The existing tarmac parking area accommodates 39 parking spaces and this will be reduced to 28 spaces in a re-configured layout. A further 11 new car parking spaces will be provided off the entrance driveway. The proposed spaces will provide acceptable manoeuvring space and vehicles will still be able to turn within the site and exit within a forward gear. The site access from Leyes Lane will be unaltered.

The scheme will not result in the loss of any car parking spaces and as the proposed building will be used by the ATC after the school has closed, no additional parking to serve the scheme is considered necessary.

The scheme is not therefore considered to raise any highway safety or parking issues.

Sustainability

The Design and Access Statement confirms that the photovoltaic panels will be used, which are to be located to the southern roof pitch to meet the required Sustainable Buildings SPD.

Other Matters

The scheme will result in the loss of a Willow Tree. This tree has limited visibility in the streetscene and no particular merit to warrant its retention. The Tree Officer has raised no objection to the trees removal.

CONCLUSION/SUMMARY OF DECISION

In the opinion of the Local Planning Authority, the proposed development is of an acceptable standard of siting and design and provides an appropriate use within the context of this established school site. The scheme does not result in an unacceptable adverse impact on the amenity of nearby residents by reason of overbearing effect, loss of light, privacy or disturbance. 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) 200 Rev P3, 204 Rev P5, 206 Rev P2, 207 Rev P1, 211 Rev P4, and specification contained therein, except as required by conditions 3 and 4 below. **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 shall be carried out only in full accordance with sample details of the elevational materials, which have been submitted to and approved in writing by the local planning authority. **REASON:** To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
- 4 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.

- 5 No person shall use and no activity shall take place in the building hereby approved before 8am or after 10pm at any time. **REASON:** To ensure that the buildings are not used at a time which would be likely to cause nuisance or disturbance to nearby residents in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.
- 6 The areas indicated on the approved drawings for vehicular manoeuvring space and parking shall be completed prior to first occupation of the building. Thereafter those spaces shall at all times be kept free of obstruction and be available for those purposes. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies DP6 & DP8 of the Warwick District Local Plan 1996-2011.
