

Planning Committee: 16 July 2019

Item Number: 10

Application No: [W 19 / 0582](#)

Town/Parish Council: Kenilworth

Registration Date: 25/04/19

Case Officer:

Rebecca Compton

Expiry Date: 20/06/19

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104 Clinton Lane, Kenilworth, CV8 1AX

Formation of new access and parking area to front of property (retrospective application) FOR Mr A McGowan

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

RECOMMENDATION

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of the report.

DETAILS OF THE DEVELOPMENT

The application seeks retrospective permission for the formation of a new access and associated driveway which involved the excavation of the banked frontage and removal of the front boundary wall.

THE SITE AND ITS LOCATION

The application site forms one half of a pair of semi-detached dwellings situated on the southern side of Clinton Lane, Kenilworth.

PLANNING HISTORY

102 Clinton Lane

W/18/1657 - Permission granted for rear extensions and new driveway parking.

RELEVANT POLICIES

- National Planning Policy Framework
- The Current Local Plan
- BE1 - Layout and Design (Warwick District Local Plan 2011-2029)
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Neighbourhood Plan
- Kenilworth Neighbourhood Plan

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Object on grounds that the development does not comply with Kenilworth Neighbourhood Plan Policy KNP13L

WCC Highways: No objection.

ASSESSMENT

Design and impact on the street scene

The driveway parking area is considered acceptable in the street scene as there are a number of similar examples along this part of Clinton Lane. The immediate neighbour at No.102 Clinton Lane has recently been granted permission for a similar development which also involved the excavation of the frontage along with the removal of the front boundary wall. The proposal is therefore considered to be in keeping with the character and appearance of this part of the street scene.

The proposal is considered to comply with Local Plan Policy BE1.

Compliance with the Kenilworth Neighbourhood Plan

The Town Council have objected to this application on grounds that it does not comply with Kenilworth Neighbourhood Plan Policy KP13L. This policy specifically relates to design characteristics along Clinton Lane and states that the loss of boundary treatments for frontage parking should be avoided.

Whilst the aim of this policy is noted and understood, the character of this particular part of Clinton Lane is already established by such features and this is a material consideration which must be weighed in the balance in the assessment of this application. It is also important to note that a similar proposal at the adjoining neighbour at No.102 was recently approved following the adoption of the Neighbourhood Plan. It is therefore considered unreasonable not to support the current proposal.

Other parts of Clinton Lane, most notably the end closer to the Castle and the Conservation Area are more intact in terms of their original character and it is considered that the Neighbourhood Plan policy is more appropriately applied there.

The proposal is therefore considered to be in keeping with the established character of the street scene.

Highway safety

The Highways Authority have been consulted and have raised no objection to the works. The proposal is therefore not considered to be detrimental to public safety.

Conclusion

The access and driveway parking is considered to be in keeping with character and appearance of the street scene.

CONDITIONS

- 1 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved site plan, and specification contained therein, submitted on 25th April 2019. **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.
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