

Planning Committee: 24 May 2011

Item Number:

Application No: W 11 / 0055

Town/Parish Council: Warwick
Case Officer: Steven Wallsgrove
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Registration Date: 01/02/11
Expiry Date: 29/03/11

Land rear of 51, Coten End/ Cherry Street, Warwick

Proposed change of use of building fronting Cherry Street to form a 1 bedroom dwelling (Resubmission of W09/1231) FOR Premier Flooring Ltd

The application is reported to the Committee as the recommendation is a minor departure from the Development Plan.

SUMMARY OF REPRESENTATIONS

Warwick Town Council: no objection.

Cultural Services: request a contribution to improvements to open space (there is a five year plan for improvements to St Nicholas Park).

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)
- UAP4 - Protecting Local Shopping Centres (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

The original small shop with dwelling, and a separate store behind, had approval in 1988 for the shop to be extended onto the site of the ground floor part of the dwelling, with a link through to the store. A replacement storage building was approved in 1992 and 1993. A replacement showroom and store was approved in 2006 (to replace a 'coachhouse'), which is the subject of the present application. An application for a change of use of this part to a dwelling was refused under W09/1231.

KEY ISSUES

The Site and its Location

The property is a modern, attached, two-storey, storage building behind the existing shop which fronts on to Coten End. There is no yard or garden on the plot, unlike the other properties in the row, which are in commercial use and form part of the Coten End Local Centre.

Details of the Development

The proposal is to use the storage wing as a single dwelling, with the only alterations being internal ones. On the ground floor there would be a hall, lounge and kitchen, and an en-suite bedroom on the first floor. A Planning Statement was submitted with the application, which proposes a 2.4mx1.2m solar panel on the front roof slope..

Assessment

The issues that need to be considered are the policy issue (and impact on the shopping centre), the amenity of future residents, and car parking.

The application site consists of a two-storey rear wing which was approved as a storage facility for the shop, with a direct access between the two at ground floor level. The space has not, apparently, been used (although a small amount of carpet roll or remnants have been seen through the windows) and the other 'shops' to the east of Cherry Street are also small (being the original cottages) with only small rear wings. The only residential unit here appears to be that over the present shop as the other properties have offices above, or are used with the ground floor (such as at the cafe). The general character, therefore, is of commercial frontages to Coten End, with residential uses in the side streets, the only real exception being the electrical business opposite the present site, in Cherry Street. Although the proposal would be a minor departure from the development plan, (in that shopping areas are normally protected from changes of use under policy UAP3), the impact in this case is small, since it is the subsidiary rear section of the shop which is involved and the character of the street in which it is located is residential.

With regard to the amenity of residents, it is normal to expect an amount of private garden with a dwelling, but this does not apply to flats, and there is a large area of Public Open Space nearby at St Nicholas Park. Furthermore, a financial contribution has been requested towards improving open space, in accordance with the adopted Open Space SPD. The applicant has agreed to this, and intends to prepare a Section 106 Obligation.

The parking requirements suggest that the approved shop should have five parking spaces (1 per 20 sq.m.), while the front shop should have 3 (the floor area is a little over 40 sq.m.) while a one-bedroom dwelling should have 1 space only. This means that the proposal should result in a reduction of need by one parking space. In terms of renewable energy, the applicant proposes 2.8 sq.m. of solar panels whereas the Council's toolkit (Enplanner) indicates 3 sq.m. This aspect of the proposal therefore appears to be acceptable.

The principal changes since the previous refusal are that a statement has been submitted which provides additional support for the application and there have been changes in government policy. The Policy team have not made a substantial objection to the application and the Ministerial Statement of 23 March 2011 advised local planning authorities, when deciding whether to grant planning permission, to "take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing". It is considered, therefore, that it would be difficult to justify a refusal on appeal.

RECOMMENDATION

That planning permission be GRANTED, after completion of a Section 106 Agreement/ Obligation for open space contributions, subject to the following conditions.

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(s) 2920-2, and specification contained therein, submitted on 13 January 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 first occupied unless and until the renewable energy scheme submitted as part of the application has been wholly implemented in strict accordance with the approved details. The works within this scheme shall be retained at all times thereafter 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.

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:

Granting consent in this case will not prejudice the continued application of the policy about protecting Local Centres since there are no known similar situations.
