

Planning Committee: 20 September 2006

Item Number: 12

Application No: W 06 / 1039

Registration Date: 10/07/06

Town/Parish Council: Kenilworth

Expiry Date: 04/09/06

Case Officer: Martin Haslett

01926 456526 planning_west@warwickdc.gov.uk

9 School Lane, Kenilworth, CV8 2GR

Erection of a car port and cycle and store room, to serve proposed residential development FOR Mr K Cockell

The application is being reported to Committee due to an objection from Kenilworth Town Council and the number of letters supporting the proposal.

SUMMARY OF REPRESENTATIONS

Town Council: objects on the following grounds:

- "1. Although described as a car port this was effectively a double garage with a high pitched roof which was being constructed on built up ground raised high enough to enable an addition storey of storage at ground level facing the public open space behind. This large additional building constitutes overdevelopment of the site.
2. It will reduce the amenity space for the houses currently being built and is unneighbourly to them.
3. The site is on the edge of both the Conservation Area and the Area of Restraint but does not respect either of them.
4. This raised building will adversely change the views both from and into the Conservation Area and Public Open Space."

WCC (Ecology): Comment that any trees or hedges should be preserved and recommend a bird nesting note since nesting season now underway.

Neighbours : Letters of support have been received from 6 residents.

RELEVANT POLICIES

- (DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
- (DW) ENV6 - Protection and Enhancement of Conservation Areas (Warwick District Local Plan 1995)
- (DW) ENV8 - New Development within Conservation Areas (Warwick District Local Plan 1995)

PLANNING HISTORY

The site has been the subject of 8 planning applications since the early 1970's although the relevant ones are those for the conversion of the old buildings and the erection of extensions to form eight dwellings (W20041345 and W20051260). A planning application for the erection of a dwelling at the back of the site (W06/0429) was refused under delegated powers on grounds of conflict with the managing housing supply policy, unsuitable backland location and detrimental impact on townscape character.

KEY ISSUES

The Site and its Location

The property lies opposite the fire station and backs onto the riverside walk open space, this end of which lies in the Conservation Area. The land falls away fairly rapidly from School Lane to the back of the site with the fenced off lower lying land being an unauthorised encroachment onto the land owned by the Council. This piece of land lies outside the red line of the application site.

Details of the Development

The proposal is to erect a building which, due to the ground levels, is two storey at the back (facing the Conservation Area) and single storey at the front. The "first floor" would be used as a two vehicle car port with the "ground level" being accessed from the rear and used for secure storage of cycles, barbeque equipment and as a garden store. The building work, at the time of the site visit, was up to first floor level.

The finished building would measure some 4.5m to eaves at the back and 2.5m at the front, with the ridge being 6.8m at the rear and 5.0m at the front. It is being constructed in brick and would have a clay tile roof.

Assessment

The principal issue in this case is the impact of the proposal on the setting of the adjoining Conservation Area.

In this context, it would be seen as a two storey building when viewed from the riverside walk, and would stand within a couple of metres of the true boundary of the Conservation Area. The existing trees, and close-boarded fence, which appear to form the site boundary are actually on land owned by the Council and, if the true boundary was reinstated, the building would then appear to stand almost on the boundary. It is considered that such a tall building, at the back of the original plot, would then form an incongruous feature in the setting of the Conservation Area since any buildings at this back end of the School Lane plots would normally be expected to be single storey sheds or outbuildings.

RECOMMENDATION

That planning permission be REFUSED for the following reason, and enforcement action authorised for the removal of the existing structure.

REFUSAL REASONS

- 1 The site lies close to the boundary of the Kenilworth Conservation Area of which the District Planning Authority have a duty to protect the character and appearance, including the setting. It is considered that the development proposed would seriously detract from the setting of the Conservation Area due to its height and close proximity to the boundary and to permit its erection would result in an incongruous feature in this position at variance with the established pattern of developments in the area and contrary to policy (DW) ENV6 of the Warwick District Local Plan 1995.
