

Planning Committee: 11 October 2005

Item Number: 10

Application No: W 05 / 1323

Registration Date: 01/08/05

Town/Parish Council: Kenilworth

Expiry Date: 26/09/05

Case Officer: Martin Haslett

01926 456526 planning_west@warwickdc.gov.uk

Rear of, 12 The Square, Kenilworth, CV8 1EB

Erection of a 2 storey extension to form 5 one bedroom flats with 2 parking spaces FOR S. Collier

This application has been requested to be presented to Committee by Councillor Coker.

SUMMARY OF REPRESENTATIONS

Kenilworth TC: "Members were not in principle against development on this site but OBJECTED to this particular application as they felt that:-

The proposal for what appeared to be 4 one-bedroom flats and one two-bedroomed flat, in addition to the conversion of existing buildings into two flats for which permission had recently been sought, was over intensive use of the site.

Any proposal in the town centre should at the very least be parking-neutral. The total proposed car parking for 7 flats was 2 spaces, so even if no additional parking were to be provided because it was a town-centre site this would be a net loss of 2 places from what was originally on this site."

Neighbours: two neighbours support the proposals: it will improve the area, tree planting welcome, will help wildlife.

WCC(Archaeology): no objection, subject to condition of a programme of investigations.

WCC(Highways): no objection.

WCC(Ecology): no objection, subject to bat note.

RELEVANT POLICIES

(DW) ENV3 - Development Principles (Warwick District Local Plan 1995)
DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011 First Deposit Version)
UAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011 First Deposit Version)
Supplementary planning document: Managing Housing Supply.

PLANNING HISTORY

The site forms the rear part of shops/flats fronting The Square. Permission for the erection of 4 dwellings with parking spaces was refused in 1994 (W940786), but alterations and extensions to existing shop and flat were approved later in the same year (W940978). Further extensions of the same description were allowed in 1998 (W980254) and in 2000 permission was granted for the use of the rear ground floor as an office and rear first floor as a dwelling (W20000365). In the following year, permission was granted for the change of use of a flat to an office (W20011473) and in 2002 change of use from residential to office was also granted (W200209270). Earlier this year, permission was granted for the creation of 2 dwellings in the rear wing (W05/689).

KEY ISSUES

The Site and its Location

The site, presently in use for private car parking, is the rear part of the curtilage of the shops fronting The Square and backing onto the public car park. An existing building on the site is currently used as an office, but was the subject of a change of use to 2 flats earlier in the year. (W05/689)

The site is adjoined by the rear outbuildings of the neighbouring shops and is separated from the Somerfield supermarket by a wooden fence. The site backs onto the Square West WDC car park, which has 92 spaces and is chargeable throughout the week.

Details of the Development

It is proposed to build a large extension (measuring 14m by 14m) at the rear of the existing offices (with permission for change of use to 2 flats). The building would be in similar traditional style to the existing, 2 storeys, with pitched, tiled roofs. At ground floor there would be two additional flats, with two covered parking spaces, and three flats at first floor. Access would be through a courtyard, with cycle store and bin stores. Vehicular and pedestrian access would be obtained from the public car park. There would be a small landscaped area fronting the car park.

Assessment

The application needs to be considered under the new Managing Housing Supply (Supplementary Planning Document) and judged in terms of the suitability of the site for new residential development, and the details of the scheme itself.

The *Supplementary Planning Document: Managing Housing Supply* states that in order to manage the supply of housing in relation to the strategic housing requirement, planning permission for housing development will be refused unless particular criteria apply. None of the criteria set out in the policy apply in this case and there are no very special reasons for departing from the approved policy.

Notwithstanding the policy objection to the application, in general terms, additional housing in town centres has been welcomed in recent years. However, I do not consider that the rear curtilage of a shop backing onto a public car park is a suitable location for substantial new residential development. I would draw a distinction between the change of use of existing office accommodation (granted previously) and the construction of new housing accommodation. Furthermore, I consider that the environment for the future residents would fall below what is normally expected, given that the only amenity area for the new dwellings would be the small courtyard dominated by its binstore.

RECOMMENDATION

REFUSE for the following reasons :

- 1 The application is for a windfall housing development that does not meet one of the criteria set out within the Council's Supplementary Planning Document: "Managing Housing Supply". This policy seeks to limit the overprovision of new homes in the District in accordance with policies CF3 and CF6 in the Regional Spatial Strategy, policy H.1 in the Warwickshire Structure Plan and policies UAP1 and SC8a in the Warwick District Local Plan (Revised Deposit Version). To permit the development would, therefore, be contrary to the aforementioned policies.

- 2 The application site is the narrow, rear portion of shop premises which back onto a public car park and have shops as their neighbours. The proposal would entail a total of 7 flats being located on this small site, each having an outlook over the rear portions of the adjoining shops or over a public car park. It is therefore considered that the proposal would not provide a reasonable standard of amenity for future occupiers of the dwellings. The proposals are therefore considered to be contrary to policy (DW) ENV3 of the Warwick District Local Plan, 1995 (and policy DP1 of the emerging Warwick District Local Plan) which require development proposals to harmonise with their surroundings in terms of design and land use and, policy DP2 of the emerging local plan which requires development to provide acceptable standards of amenity for future occupiers.
