

PRINCIPAL ITEM NO. 6

TOWN: KENILWORTH

APPLICATION NO. W20031333

DATE OF RECEIPT: 13.08.2003

CASE OFFICER: MR. W. J. CHARLTON

**LAND ADJ THE BLUNDELLS, ALBION STREET, KENILWORTH**

Erection of 2 blocks of 2 storey high flats containing a total of 15 flats,  
after demolition of existing buildings for John Goodway

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**THE SITE AND ITS LOCATION**

The application site is split into two areas by The Blundells, which is a public right of way linking Albion Street and Priory Road. The western area of land contains a longstanding empty shop unit and a derelict site behind, whilst the eastern area is currently used as a car park and contains a little used hall. Adjacent to the western parcel of land is a Sports/Social club, which is a large and dominant building. To the south/south east of the eastern parcel of land are St Nicholas Junior & Infants School and a Nursing Home, while an individual dwelling lies to the north of the site.

**DETAILS OF THE DEVELOPMENT**

Part of the scheme proposes to construct a two-storey block of 6 flats to the western side of The Blundells (Block 'B'). The land to the rear of the empty shop unit is approximately 2.1 metres above the level of Albion Street and The Blundells which bound the site to the north and east. It is proposed to lower the ground level by approximately 1.8 metres thereby creating a floor level just above the road kerb level. This therefore reduces the overall height of the building, which would have a ridge level of 9.5 metres, to a height lower than the residential houses opposite which are set approximately 2 metres above the road level.

The land to the east is currently used as a car park and has a brick hall adjacent to its frontage with The Blundells. It is proposed to construct a two-storey building (Block 'A') containing 9 flats, with an archway through to a rear car park for 14 vehicles. The majority of the building would be approximately 9 metres in height, with the front section adjacent to Albion Street rising to approximately 10 metres, approximately 2 metres higher than the neighbouring detached dwelling.

**PLANNING HISTORY**

Outline Planning Permission was granted for a church on the land to the west of The Blundells, with associated car parking on the land to the east (W970782). The church was proposed to seat approximately 300 people and would have parking for 23 vehicles.

Earlier this year permission was refused for the erection of 6 three-storey houses on the land to the west with access directly off Albion Street due to the inadequate location of the access point and the car parking. Permission was also refused in August for the erection of a three-storey block of 9 flats on the land to the west of The Blundells. This proposal did not include for any off-street parking and was seen as potentially aggravating parking problems in the area and causing danger and inconvenience to other pedestrians/road users. The design, mass and scale of the building were also seen as not being in keeping with the area.

**RELEVANT POLICIES**

Policy (DW) ENV3 requires all development to achieve a high standard of design, having regard to the character of the local area and buildings and should thus harmonise with their

surroundings, both in terms of design and in terms of land use. Sufficient parking should be provided, together with satisfactory vehicular access.

## **CONSULTATIONS**

Town Council: The amendments from the earlier proposals are welcome in respect of the height of the development but refusal is recommended on the grounds of overdevelopment of the site and inadequate parking provision in an already congested area.

Concern is expressed in regard to access to the school, moving traffic safety and road junctions.

Kenilworth Society: Objects as the proposal would exacerbate traffic problems in the roads adjacent and create additional hazards to the safety of pedestrians and other road users

County (Highways): The proposed improvement would be a positive contribution towards the movement of both vehicular and pedestrian traffic along The Blundells. As on-street parking around the area is at a premium, parking along The Blundells may occur. However, no objection is raised, subject to a number of conditions, including the provision of keep clear markings to prevent parking along The Blundells.

County (Archaeology): No objection subject to the undertaking of archaeological work.

Severn Trent Water: No objection subject to a condition on foul and surface water drainage.

Neighbours: A total of 10 letters of objection and 1 with comments have been received relating to the proposal, including one from the Head of the adjacent school. The majority are objecting due to the increased use of a dangerous access and the potential risk to children using The Blundells to access the school. Objection is also raised regarding the exacerbation of the parking problems in the area and the increase in traffic.

Objection is also raised regarding the loss of light and invasion of privacy from the proposal on the surrounding properties. Two objections have also been made stating that the proposal would dwarf the surrounding buildings and distract attention from the existing older buildings, thereby being out of keeping with the area. Concern has been expressed about the capacity of waste and water systems in the area and their ability to cope with the additional units.

## **COMMENTS**

### **Impact upon the Locality**

The scheme proposed would consist entirely of two-storey buildings, as are the majority of the properties within the area.

The residential properties opposite Block 'B' are relatively tall and sit high above the road level, while part of the adjacent Sports/Social Club is a high and dominating building. The height of the proposed building would be similar in height to the houses opposite, due to their steeper roof pitch, and would be lower than the Club buildings and as such, in my opinion, would respect the street scene and character of the area. The building would also create a landmark feature on the corner thereby substantially improving the streetscape.

The height of this block together with the angled separation distance across the road of approximately 25 metres (which is only slightly below the standard for direct visibility of facing elevations), would mean that the loss of light or privacy to the properties opposite is unlikely to be to such a level to warrant refusal, while the right to a view of sky is not a planning consideration.

In the case of Block 'A', the building is aligned with the existing house on Spring Lane and has its principal frontage onto The Blundells, at the back of the highway in the same way as the existing hall. The end of the adjoining school range lies some 7 m off this boundary and it is considered that, although the windows in this end will be affected, this will not be to an unreasonable extent since the proposed building is only two-storeys in height and is to the north of the school.

The proposed building will also only affect the north end of the adjoining, large, nursing home to the east and the east end of this block will be about 22 metres from this nursing home, which sits on a much lower ground level so that only two, first floor, windows are visible from the site.

The greatest affect, however, will be on the existing house, 2 Spring Lane, where the side windows to the rear wing will only be some 14.5 m – 15.0 m from the back of this house. However, the principal garden of this dwelling is to the side, which is well screened by tall hedge planting, and there is only one first floor rear window.

### **Traffic and Parking**

Whilst it is recognised that the access is used by a large number of children going to and from the school, it is considered that vehicles would be moving at relatively low speeds and therefore conflicts which may arise would be limited. As part of the scheme, it is proposed to widen the access point of The Blundells where it intersects with Albion Street and provide an additional footway along the western length of The Blundells. This improvement is considered by County Highways to be a positive contribution towards the movement of both vehicular and pedestrian traffic along the right of way.

In addition, Block 'B' would be set further back into the site than the existing shop. This, together with the improved turning radius, would substantially improve visibility from The Blundells. Visibility elsewhere would be unaffected. As the site has right of vehicular access across The Blundells, which would allow for more vehicular movements than currently proposed, as enabled for example by the permission for the church, it is considered refusal on highway grounds, against the recommendation of the County Council could not be sustained.

The proposed scheme does provide for some off-street parking, providing 14 spaces for 15 units. As there is no right of access from The Blundells to the western parcel of land, all the spaces would be provided together, within a courtyard to the rear of the building proposed in the eastern section of the development. Although spaces are provided, it is likely that parking demand will be more than the supply. Whilst sympathising with the neighbouring properties that parking would take place on surrounding roads, it is considered that additional parking spaces cannot be requested as the site is sustainable (within the context of PPG13 and Warwickshire's Local Transport Plan 2000), while the general reduced provision of parking is consistent with national guidance and meets the Governments requirements for car parking as set out in PPG13.

### **RECOMMENDATION**

That planning permission be GRANTED subject to conditions on materials, parking and access, landscaping implementation/management, noise, drainage, fire fighting, archaeological work and notes on the protection of birds and bats.

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