Planning Committee: 05 January 2011 **Item Number:**

Application No: W 10 / 1364

Registration Date: 19/10/10

Town/Parish Council: Kenilworth **Expiry Date:** 14/12/10

Case Officer: Steven Wallsgrove
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Talisman Square, Kenilworth

Construction of carpark (temporary) FOR Cobalt Estates (Kenilworth)

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

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council: Members did not object in principle to the proposal, noting that a number of their earlier concerns had been addressed, notably regarding anti-ram bollard's and the service yards.

However, they COMMENTED that they reiterated the majority of their concerns in respect of Station Road, Warwick Road and the traffic management scheme. They therefore sought reassurance from the planning officers regarding the following points:

That the issue of the levels of additional traffic and potential conflicts, both vehicular and pedestrian, the proposal will generate along Station Road and Warwick Road will be fully addressed.

They request that Warwickshire County Council re-examine the proposal with a view to the introduction of a revised traffic management plan in Station Road; in particular, a traffic management scheme should be introduced to ensure that traffic turns left upon departure from the car park.

In addition, they COMMENTED that:

Further shielding is required to that proposed on the back of the shops on Station Road.

They were concerned at the lack of shelter for shoppers.

That, despite the temporary nature of the proposal, landscaping is essential to ensure that there is not an adverse overall visual effect on Talisman Square.

They sought the imposition of a condition that would require a review at 12 months and, if required, comparable periods thereafter to ensure that the future of the site and related issues was continuously monitored.

WCC (Ecology): Recommend a nesting bird note as there appears to be some vegetation within the site.

Warwickshire Association for the Blind: Object due to potential impact on the blind and visually impaired.

WCC (Highway): Comments awaited.

R.O.C.K.: Object due to lack of need, will create an eyesore, should only be for 12 months, access/egress problems and problems for the visually impaired.

Public Response: Objections have been received from 5 residents on grounds of lack of need, the approved redevelopment should be carried out, service vehicles will block the access, a 1.8 m close boarded fence is not appropriate, no mention of drainage, contrary to Local Plan policies DP6, DP2, DP15, and paragraph 6.1 of the Local Plan, odours from car engines, access onto Station Road, and impact on shops of another pay car park.

Letters of support have been received from two shopkeepers.

RELEVANT POLICIES

- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP15 - Accessibility and Inclusion (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)

PLANNING HISTORY

The site forms part of the 1960's Talisman Square shopping centre and consent was given, under W03/1260, for the redevelopment of this part of the square for shops and flats. This permission was commenced and, therefore, can be completed at any time.

An application for a temporary car park of 47 spaces was refused, contrary to recommendation, under W09/1472 due to conflict with Policy UAP6 (additional car parking should be discouraged in town centres), DP2 (detrimental to amenities of shopping environment), DP15 (risk to blind people), and DP6 (not safe for all users).

KEY ISSUES

The Site and its Location

The application site forms most of the north side of Talisman Square and generally forms the site of the demolished units, but includes a small strip of the paved area.

Details of the Development

The proposal is to construct a temporary, tarmac surfaced, car park of 34 spaces, including 2 disabled bays. The spaces would be marked out with

thermoplastic white lines, drainage would be engineers details, with two central lighting columns, 1.8 m close boarded fences would be erected to screen the two service yards on the north side, and ram-raid bollard's at 1.5 m centres to the pedestrian area of Talisman Square. (The fencing and the bollards do not need consent). The agent has confirmed that chains will be provided between the ram raid bollards, with tactile paving at the pedestrian entry/exits to assist blind people.

Assessment

The site of the former shop units is separated from the pedestrian area by a solid fence, and the service yard access lies on the two-way section of Station Road. This access would not need to be altered, and the County Council, as Highway Authority, raised no objection to the previous, larger, scheme. It is considered, therefore, that the Town Council's concerns are not justified.

The use of the site as a temporary car park would therefore give it a beneficial use and improve the appearance of the area. Such a use is also supported by at least two of the shop keepers. It is considered that the proposed 1.8m screen fencing is adequate, despite the comments of the Town Council, and that planting is not justified for such a small proposal.

There are no specific policies about the provision of public car parks, although parking policies for built development are set out in the Vehicle Parking Standards SPD. In general, these set out maximum standards and try to encourage more sustainable means of transport. However, many people do drive and it is considered that a small, surfaced, car park in a central position is better than a derelict site waiting for an up-turn in the economy. It is also considered that a review in 12 months is not justified since the redevelopment is simply a matter of economics, as the long term intention of the developer is to carry out the shopping development scheme.

Since this is a cleared, derelict, site it is considered that there is no reason to justify a nesting bird condition and note.

RECOMMENDATION

GRANT, subject to the conditions listed below.

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 number 0133-C-CP-PD-201-D, and specification contained therein, received on 19th October 2010, as amended by email of 19th December 2010 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.

INFORMATIVES

For the purposes of Article 22 of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003, the following reason(s) for the Council's decision are summarised below:

In the opinion of the District Planning Authority, the development achieves acceptable standards of layout and design and does not give rise to any harmful effects in terms of loss of amenity which would justify a refusal of permission. The proposal is therefore considered to comply with the policies listed.