<table>
<thead>
<tr>
<th>Name of Committee</th>
<th>Regulatory Committee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Committee</td>
<td>22 March 2011</td>
</tr>
<tr>
<td>Report Title</td>
<td>Outline planning application for the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping, including retention of the ‘Lighthouse’ building with use for A2 or C3 use at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ</td>
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</tbody>
</table>

**Summary**

The application proposes the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping, including retention of the ‘Lighthouse’ building with use for A2 or C3 use at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ

**For further information please contact**

Sue Broomhead  
Senior Planner  
Tel. 01926 412934  
suebroomhead@warwickshire.gov.uk

**Would the recommended decision be contrary to the Budget and Policy Framework?**  
YES/NO
Background Papers

Planning Application registered 14/12/2011

Letter from Warwick District Council (Planning) dated 09/02/2011

Email from Network Rail received 06/01/2011

Email from Kenilworth Town Council received 07/01/2011

Letter from Centro dated 21/01/2011

Email from Network Rail received 06/01/2011

28 letters from local residents.

CONSULTATION ALREADY UNDERTAKEN:- Details to be specified

Other Committees

Local Member(s) (With brief comments, if appropriate)

X Councillor A Cockburn – No comments received as at 08/03/2011.

X Councillor J Whitehouse – No comments received as at 08/03/2011

Other Elected Members

Cabinet Member (Reports to The Cabinet, to be cleared with appropriate Cabinet Member)

Chief Executive

Legal

X Ian Marriott

Finance

X

Other Chief Officers

District Councils

X Warwick District Council – Supports the proposal

Health Authority

Police

X No objection.
Other Bodies/Individuals

- Kenilworth Town Council – Welcome the proposal
- Network Rail – No objection
- Environment Agency – No comments received.
- Police – No objection
- Centro – Support the proposal

FINAL DECISION

YES/NO (If ‘No’ complete Suggested Next Steps)

SUGGESTED NEXT STEPS:

Details to be specified

- Further consideration by this Committee
- To Council
- To Cabinet
- To an O & S Committee
- To an Area Committee
- Further Consultation
Agenda No

Regulatory Committee – 22 March 2011

Outline planning application for the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping, including retention of the ‘Lighthouse’ building with use for A2 or C3 use at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ

Report of the Strategic Director for Environment and Economy

Recommendation

That the Regulatory Committee authorise the grant of outline planning permission (with all matters reserved) for the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping, including retention of the ‘Lighthouse’ building with use for A2 or C3 use at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ subject to the conditions and for the reasons contained in Appendix B of the Report of the Strategic Director for Environment and Economy.

CONSULTATIONS

Application No : WDC/10CC067

Submitted by: The Strategic Director of Resources on behalf of Cabinet.

Received by: The Strategic Director for Environment and Economy on 14/12/2011

Advertised Date : 07/01/2011 and 14/01/2011

The Proposal : Outline planning application for the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping, including retention of the ‘Lighthouse’ building with use for A2 or C3 use [submitted under regulation 3 of the Town & Country Planning Regulations 1992.]

Site & Location : 0.79 Ha. Of Land at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ[Grid ref: 418.256]. See plan in Appendix
1.0 Application Details

1.1 The application seeks outline planning consent (with all matters reserved for future determination) to establish the principle of the development of a railway station to be located at Bailey Buildbase, 81-85 Priory Road, Kenilworth. The development is proposed to be constructed in two phases and would consist of:

1.2 Phase 1

- Construction of a new station building including ticket office, waiting rooms and toilets;
- Construction of a new single platform to accommodate up to 8 x 24.5m car trains (including DDA compliant stairs and access ramp);
- New lighting, CCTV, public address (PA) and customer information systems;
- Hard and soft landscaping;
- A cycleway and pedestrian routes;
- Covered bike racks;
- Motorcycle parking;
- A car park with 5 DDA compliant spaces and 83 spaces for general use;
- A bus stop and taxi waiting area;
- A vehicle turning facility adjacent to the station accessed via Priory Road; and
- Retention of existing Lighthouse Building, for either A2 Financial and Professional Services or C3 Residential.

1.3 Phase 2

- Extension of the then existing phase 1 platform if required and construction of a new additional platform of circa 200m to serve a new double track alignment;
- Construction of a DDA compliant station footbridge connecting the two platforms; and
- Additional lighting, CCTV, public address (PA) and customer information systems.

1.4 The planning application has been submitted in outline, reserving all matters for future consideration, and therefore at this point is seeking to establish the principle of the development of a railway station and associated development on the Bailey Buildbase site, Kenilworth. Although all matters of detail are reserved and will require future applications to determine the detail, the planning application does provide indicative plans of the site, building, location of railway crossing and access. It is proposed that access and egress to the site would be taken from Priory Road, with the existing access requiring widening to improve lines of vision to and from the public highway. The indicative access has been widened to accommodate two way traffic including cars, buses, delivery and emergency vehicles. Traffic is proposed to enter the site off Priory Road and would travel via an internal turning road giving access to the bus stops, taxi rank, kiss and ride, lay-bys and customer car parking.
1.5 The station would be located on the Leamington Spa to Coventry rail line and would provide direct journeys to Coventry, Leamington Spa and London and by changing trains to Warwick, Stratford upon Avon and Birmingham.

1.6 The proposed station would be open between 05:30 and 22:00 Sunday to Saturday, with the earliest train expected 05:50 (southbound); 06:14 (northbound) and 21:38 (southbound) and 21:14 (northbound).

1.6 At present the only timetabling and frequency of trains to the station would be those using the existing line and currently passing through Kenilworth. Additional services would however be looked at should planning permission be granted. At present there is 1 train northbound, 1 train southbound and a freight train passing through the station per hour between 05:50 and 21:38.

1.7 The proposal also seeks to retain the existing Lighthouse building (currently a retail outlet) with a flexible use for either A2 Financial and Professional Services or C3 Residential.

1.8 At present the site has a number of buildings and racking systems erected on it, all of this is proposed to be demolished and the site cleared to facilitate the proposed development.

1.9 The planning application advises that the proposed development is programmed to open early to mid 2013, with a 6 month construction period. It is intended that the new station would be delivered and operated by John Laing, under a Public Service Concession Contract to be entered into with Warwickshire County Council and transferred to Network Rail upon completion but leased to the Train Operating Company, London Midland (as the Station Facility Operator).

2.0 CONSULTATIONS

2.1 Warwick District Council (Planning) – Supports the proposal subject to the following points:

1. Reconsideration should be given to the positioning of the new footbridge and associated lift-shaft towers to avoid potential overlooking and an everbearing impact on neighbouring residential properties.

2. The County Council be encouraged to upgrade the existing footbridge to modern standards and improve lighting on the nearby footpaths leading to that footbridge (the existing footbridge is considered to be an incongruous feature in the proposed scheme and this opportunity should be taken to secure its enhancement).

3. Disabled access, in particular for the blind, should be given due and proper consideration in the design of the whole scheme.

4. Consideration should be given to the retention of the historic boundary walls as part of the development.

5. Even in the design of Phase 1 of the development, the implications for Phase 2 should be fully considered to ensure that the impact of phase 2 on Farmer Ward Road properties is minimised.
6. Traffic management and safety of the access to be given particular consideration.

2.2 **Warwick District Council** (Environmental Health) – No comments received as at 08/03/2011

2.3 **Councillor Mr A Cockburn** – No comments received as at 08/03/2011.

2.4 **Councillor Mr J Whitehouse** – No comments received as at 08/03/2011.

2.5 **Kenilworth Town Council** – Overall, Members warmly welcomed the proposal and, whilst acknowledging that detailed issues would be covered in the public consultation phase post the preparation of the full plans, offered the following comments in respect of the outline planning application:

- They considered that notwithstanding the Transport Assessment indicating that an anticipated 68% of passengers would either arrive by walking or bicycle with the remainder by public or private transport, the actual car/taxi figures were likely to be far higher than forecast. This was considered to be due to the location of the station, that bus services did not fully cover parts of the town (especially the north) along with such factors as the age of the population and the level of vehicle ownership. This would also influence the level of pick-up and set-down traffic accessing the site.

- The level of parking provision was welcomed as the area already suffered from problems of illegal and inconsiderate parking. Similarly, the proposal to charge competitive parking tariffs was endorsed.

- Entrance and egress from the station was on a road, which could already be extremely busy at peak times so traffic lights and/or changes to the pedestrian crossing arrangements should be considered to ease flows and possible congestion. A reduction in the speed limit might also be considered.

- It should be considered whether access to the new station footbridge, which formed part of Phase 2 of the proposals along with the second platform, should include access from the east of the station, as the current footbridge was unsuitable for disabled and the elderly.

- The proposal to improve the alleyway and access to the current footbridge were welcomed, as they would also assist in reducing anti-social behaviour.

- Whilst security and safety features were essential, measures would be required to ensure that lighting pollution did not blight residential properties. Motion sensors and other measures should also be considered along with infrared CCTV.
• If a public address system was fitted, measures should be taken to ensure that noise levels were restrained for early morning and late evening services.

2.6 **Environment Agency** – No comments received as 08/03/2011

2.7 **Network Rail** – Network rail are please to see that the Council are seeking planning permission, but will have to secure Network Rail’s agreement to all aspects of the proposals to enable it to proceed. The key issue is to ascertain whether the station fits from a timetable perspective and we are awaiting timetable modelling information from Laing to enable Network Rail to determine whether the scheme is feasible/what infrastructure requirements are to make it feasible.

2.8 **Centro** - Support the proposal, and importantly, a new station at Kenilworth would unlock the following key benefits:

• Reduced journey times for journeys between Kenilworth and Coventry, Leamington Spa, Birmingham, London and other destinations
• Greater accessibility to the rail network from Kenilworth and therefore reduction of car use to access the rail network at Tile Hill, Coventry or Warwickshire County Council Modal shift – resulting in the creation of over 275,000 rail journeys per year and 3.1 million fewer vehicle miles per year

2.9 **Police** – No objection.

3.0 **Representations**

3.1 The application was advertised by the posting of eight site notices, a press notice and the direct notification of 100 properties.

3.2 38 letters have been received from local residents in connection with the development, 16 of which raise objections and representations to the development, and 22 are in support of the proposed station.

3.3 The main grounds of objection from the letters are as follows:

I. Detrimental impact on the residential amenity of the nearby residents relating to lighting, noise, vibration and odour;
II. Concerns regarding potential for additional onstreet parking;
III. Impact on security and privacy of local residents;
IV. Impact of additional traffic;
V. Extended opening hours and impact on local residents;

3.4 The main areas of support for the station are:

I. Increased infrastructure to the benefit of Kenilworth and its community
II. Greater potential for increase to the Kenilworth Economy
III. Ability to support sustainable transport.

4.0 Observations

Site and Surrounding Area

4.1 The site for the proposed railway station is located to the east of Kenilworth Town Centre, within a predominantly residential area (with scattered commercial premises) and is within walking distance of the town centre.

4.2 The site is located on the corner of Priory Road, where it meets with Station Road, and is currently within the ownership of, and used by Bailey Buildbase as a builder's merchant yard with retail area with Network Rail owning the track and trackside land included within the proposal. The applicant is currently in the process of purchasing the site from Bailey Buildbase and relocating them to another site within the town.

4.3 The site is bounded to the east by the existing railway line (currently used by freight and passenger trains), beyond which are the gardens of two storey semi-detached residential properties. Many of these houses have 2m high wooden fences to the rear with garden trees including leylandii and some deciduous types which provide an element of screening and noise mitigation. The houses to the east of the railway are set approximately 2m above the level of the railway line.

4.4 To the south of the site is a residential area separated from the site by a 2m high brick wall and fencing, with existing metal gates providing Network Rail maintenance access to the rail line.

4.5 There is a modern, two storey residential development to the north separated from the site by a walled public right of way. The public right of way runs along the sites northern boundary and provides access to the existing footbridge over the rail line. The existing right of way and footbridge over the railway are excluded from the application site and will remain operational as existing.

4.6 To the west is a mixture of residential and commercial premises. The Kenilworth Conservation Area is located to the west of the application site, across Priory Road.

4.7 The site is located near to the Kenilworth Conservation area, however is not in it, and is located within Flood Zone 1 which is the least vulnerable to flooding.

Site History

4.8 The application site was originally used as a railway station dating back to the mid 1800s, however, the station was closed to both goods and passenger traffic in January 1965. The station building was demolished a number of years after the station closed and the site has been used as a builder’s merchants yard ever since.

The principle of the development
4.9 Public feeling regarding the proposed development is clearly split, with strong feelings both for and against the proposed station. Many feel that in the current economic climate a station should not be developed and that the area is adequately served by Leamington Spa and Coventry Stations, however others regard it as essential infrastructure to support Kenilworth and its businesses.

4.10 As can be seen from the history of the site, the station is proposed in its former location, on land to be acquired from the current owner. The site has been identified in the Warwick District Local Plan, Policy SSP4, which states ‘Land off Priory Road, Kenilworth, as defined on the proposals map is allocated for the development of a railway station for Kenilworth. Other development will not be permitted on the above land if it would be likely to prejudice the implementation of the scheme’.

4.11 The Warwickshire Local Transport Plan (2006-2011) also identifies Kenilworth as a new station which would be designed to meet local needs, improve accessibility and reduce reliance on the car.

4.12 The site is allocated in both Warwick District Councils Local Plan and Warwickshire County Councils Local Transport Plan for the development of a railway station, the proposal as presented is therefore considered to be in accordance with Policy SSP4 and the Area and Passenger Rail Strategies.

4.13 Although the site has been allocated within the above plans, the impact of the proposed development must be assessed, especially in regard to the impact on the amenity of neighbouring dwellings. These impacts and concerns raised will be discussed below.

**Traffic and Transport**

4.14 As explained earlier, this application has been submitted as an outline application to establish the principle of development of the site. Although indicative plans have been submitted, all matters of detail are reserved for future consideration.

4.15 Concern has been raised by local residents relating to increased traffic on Priory Road, especially in the proximity of educational facilities, and the potential for an increase in on street parking.

4.16 At present Priory Road is the primary route for all vehicles using the Bailey Buildbase site, and currently accommodates approximately 206 HGV’s, 181 cars and 2 pedal cycles using the site between 07:00 and 19:00. A transport assessment has been submitted with the planning application and approximates that the total number of vehicular movements to the station site would be 254 movements between 05:00 and 22:00. The anticipated break down of movements to the site would be 166 movements to the kiss & ride, 42 to the car park and 46 bus movements.

4.17 The development of the proposed new Kenilworth Station is likely to reduce motor vehicle traffic on the local road network (over the level currently present),
with a substantial predicated reduction in the number of HGVs using Priory Road and the development site, with an overall predicated reduction of 35% in vehicles movements (in the opening year). By 2017/2018 the proposed development is predicted to generate an additional 184 vehicular movements.

4.18 Concerns by residents that there would be a substantial increase in vehicular traffic on Priory Road, especially near to educational facilities is not supported by the traffic modelling which has been carried out, and is in fact the opposite in opening year, with a substantial decrease in HGV’s. In 2017/18 the proposed daily movement of vehicles is expected to rise by 184 over current vehicles. Taking into account the 17 hour period of operation for the station the overall impact of these additional vehicles is considered to be minimal.

4.19 The predicted level of vehicle movements both in the opening year and by 2017/2018 would be very unlikely to result in any delay on the local road network as a result of the development, and therefore on balance the proposed impact on the highway is considered acceptable.

4.20 In relation to car parking, the proposed development seeks to provide a car park of sufficient size and capacity to accommodate expected demand in both opening year and future years. A total of 88 car parking spaces are proposed, 5 of which would be of disability standard. The proposal also included motorcycle and cycle parking together with public transport routes.

4.21 Concern has been raised by local residents that the development of a station would result in additional demand for on street parking around the station site. The potential for on street parking is unknown, however, the applicant is providing sufficient car parking on site to accommodate users of the station, and therefore there is no required need for users to park on the street. The proposed car parking levels are considered appropriate in the location and acceptable for the development and accord with policy DP8 of the Warwick District Local Plan which seeks to ensure that the development does not encourage unnecessary car use; has regard to accessibility by means other than the private car; does not result in on-street car parking detrimental to highway safety; and takes account of parking for the disabled car user, motorcyclist and cyclists.

4.22 Although it is appreciated that local residents are concerned about additional on street parking, provision is being made for car parking within the site for all users. The proposed development and associated traffic and transport at the site is considered acceptable and in accordance with policy and would not have a detrimental impact on the highway network such to justify refusal of the application.

**Noise and vibration**

4.23 Concern has been raised by local residents that the proposed siting of a railway station would have a detrimental impact on the amenity of local residents due to increased noise and vibration. The concerns mainly centre around the stopping and starting of trains at the station, but also extend to general noise experience...
from the overall station site, especially as the station is proposed to be opened for extended hours and would include a public address system.

**Existing Noise conditions**

4.24 An assessment of the existing noise conditions has been submitted with the planning application, along with predicted noise levels should the proposed station be developed. The predicted noise levels for the site have been supplied for both during construction and during operation. The following table identifies the existing situation:

<table>
<thead>
<tr>
<th>Day</th>
<th>Night-time 2300-0700 (dB (A) Laeq)</th>
<th>Day-time 0700-1900 (dB (A) Laeq)</th>
<th>Evening 1900-2300 (dB (A) Laeq)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weekday</td>
<td>40 - 44</td>
<td>52 - 57</td>
<td>46 - 49</td>
</tr>
<tr>
<td>Weekend</td>
<td>40 - 44</td>
<td>46 - 49</td>
<td>44 - 46</td>
</tr>
</tbody>
</table>

**Noise during construction**

4.25 It is predicted that construction noise levels at the site should not exceed 65 dB (A) Laeq during the day, 55 dB (A)Laeq in the evening and at weekends, and 45 dB (A) Laeq at night. Significant noise effects would not be expected from individual items of plant and equipment taking place at least 40m from noise-sensitive receivers, however, the cumulative impacts from a number of plant operating together could be significant.

4.26 Within 60m of a noise sensitive receiver, significant effects could be expected at dwellings with direct – line – of – sight of the construction activities and mitigation measures would need to be considered.

4.27 It must be noted that the construction period is for a limited amount of time and would not impact on the amenity of local residents in the long term. Mitigation measures and management of the site (including hours of construction) would need to be implemented to ensure that noise and vibration experienced from the site during construction is kept to a minimum.

**Noise from the public address system**

4.28 The main concern of local residents is the impact of the development in the longer term once operational, especially with regard to the proposed public address (PA) system, hours of operation of the site and the stopping and starting of trains.

4.29 A public address system is proposed to be installed at the site, however full details are currently not provided due to the application being submitted to establish the principle of the development, and not to establish detail.
4.30 Any PA system would be compliant with the requirements of NR/L2/TEL/30134 Design and Installation Requirements for Public Address, Voice Alarms and Long Line Public Address Systems.

4.31 An assessment of the site has been carried out to determine the maximum allowable noise levels which should not be exceeded by the PA system at the nearest noise sensitive receptors based in Alexandra Court flats – 10m to 15m away, Drew Crescent 10 – 15m away and Farmer Ward Road properties 25m to 30m away.

4.32 The noise assessment of the PA system has shown that the overall noise contribution from the system at the nearest noise sensitive receptors should be around 35dB LAeq both during the day and in the evening periods, and the station would not be operational at night. The assessment has recommended that for between 0500 and 0700 that levels should be 5 dB lower.

4.33 For reasonable sleeping conditions in bedrooms with the windows open, the World Health Organisation recommends an external noise level of 45 dB LAeq. The proposed noise levels at the site from the PA system are significantly lower than the recommended level and would therefore not cause sleep disturbance.

4.34 The proposed noise levels associated with the PA system are considered to be acceptable and in line with the recommendation of the World Health Organisation. It is however considered appropriate to condition the maximum noise level expected from the system to ensure the amenity of local residents is protected.

**Noise from car park and bus shelters**

4.35 General operations at the site, including the use of the car park is a concern to local residents and its potential impact on the amenity of local residents.

4.36 Predictions of the proposed noise levels at the site, both for buses and cars have been included within the application and identifies that the noise associated with the development from the car park and bus shelter would generally be commensurate with the existing day-time ambient noise levels in the area during weekdays, however the day-time noise levels during weekend and in the evenings (when the current site is closed) could be exceeded. With appropriate mitigation residential impacts would be minor (an increase in 1-3 dB A). A proposed increase in 1-3 dB A is considered acceptable and would not be of a sufficient increase to justify refusal of the application.

4.37 It is therefore recommended that a condition be placed on any planning permission requiring mitigation measures are put in place to minimise any impact on amenity

**Rail Traffic Noise**

4.38 The final area of concern relating to noise is that coming from the rail traffic. Currently the frequency of train services on the line between Leamington Spa and Coventry is 1 passenger train each way per hour and 1 freight train each
way per hour. As part of the initial phase 1 scheme there are no proposals to increase the frequency of services, however the passenger trains would stop.

4.39 The existing single track is proposed to be moved to the west by approximately 0.5 metres with a new rail loop being constructed to enable trains to stop at the new platform and to allow train movements when there is a stationary train in the station. The new rail loop would effectively move a source of rail traffic approximately 3 metres closer to properties in Farmer Ward Road.

4.40 The current line speed at this section of track is between 60 mph and 80 mph depending on rolling stock. With the scheme, the trains would start slowing down at the approaches to the station and from line speed approximately 650 m down the line to a complete halt.

4.41 The maximum noise level currently from the railway line would be from pass-by of the trains at a constant speed. With the scheme, the operational characteristics of the trains would change to decelerating at the approaches to station, idling at the station and accelerating from rest. From measurements taken from similar schemes the maximum noise levels during different operational stages are:

<table>
<thead>
<tr>
<th>Operational Phase</th>
<th>dB LAmax</th>
<th>Distance (m)</th>
<th>Speed, kph</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pass-by</td>
<td>82</td>
<td>25</td>
<td>100</td>
</tr>
<tr>
<td>Acceleration</td>
<td>82</td>
<td>25</td>
<td>From rest to line speed</td>
</tr>
<tr>
<td>Stationary (idling)</td>
<td>72-74</td>
<td>25</td>
<td>0</td>
</tr>
</tbody>
</table>

4.42 The table above shows that the maximum noise levels associated with the stopping and starting of trains would not exceed the existing noise level experienced by pass-by trains, and therefore the noise experienced at the dwellings would not vary significantly to existing levels.

4.43 Overall, having assessed the information submitted with the application, it is not considered that the proposed development would have a significant detrimental impact on the amenity of local residents with minimal change to noise levels over the existing position. It is proposed that planning conditions be included within and planning permission to ensure that mitigation measures are put in place, specifically regarding the PA system and potential impact to Alexandra Court, Lockhart Close, Drew Crescent and Farmer Ward Road.

Design and Appearance

4.44 Policy DP1 of the Warwick District Local Plan relates to Layout and design and states that development will only be permitted where it positively contributes to the character and quality of the environment through good layout and design. The policy contains a series of design criteria against which proposals are to be assessed, including the need to respect surrounding buildings in terms of scale, height, form and massing together with providing a safe and attractive environment and adopting appropriate materials and details.
4.45 The design, although only an illustration at present is considered to accord with the principles of policy DP1 and would not have a detrimental impact on the environment or appearance of the area as a whole.

4.46 The proposed station building would be single storey to a maximum height of 6m and is currently illustrated as being of traditional design to be in keeping with the area. Although the design of the building will be confirmed with the submission of a further planning application, the design proposal as indicated is considered acceptable and appropriate.

4.46 The bridge over the railway is proposed to be a minimum of 8.5 metres above the highest running rail (a requirement of Network Rail) with lift shafts of a minimum of 11.7metres above platform level. The platforms are proposed to be 200m in length and 915mm high relative to the nearest running rail and 730mm clear laterally.

4.47 Although Warwick District Council have stated that reconsideration should be given to the location of the bridge and lift shaft, the current indicated location of the bridge adjacent to the existing footbridge (which will remain) is considered appropriate. This would however be fully assessed if planning permission were granted when a further application to determine details was submitted.

4.48 The proposed development will be required to be designed to ensure that the station and all its associated works are compliant with the Disability Discrimination Act (DDA).

**Air quality and lighting**

4.49 Air quality and lighting have been raised as concerns by local residents with the regard to the increase in odour and emissions from the trains and additional lighting at the site, especially in relation to the proposed use of the site and extended opening hours. At present there is no specific detail relating to lighting, however the site will require to be lit for security and safety reasons. A planning condition is proposed to ensure that a scheme is submitted for assessment.

4.50 Air quality associated with the development has been assessed within the submitted application and following construction of the station approximately 2 trains per hour will stop at the station, and no trains will terminate at the station.

4.51 Diesel powered locomotives and diesel multiple units (DMUs) are a source of SO² and NO² emissions. With the station in operation it is unlikely that locomotives would regularly (more than three or four times per day) stand with their engines running for 15 minutes or more within 15metres of any residential property or any area where the public could potentially have regular exposure when outdoors. DMU engines are configured to shut down if idling for more than 15 minutes. It is considered unlikely that diesel locomotives and DMU SO² emissions would cause any air quality problems with regard to 15 minute criterion.
4.52 Rail transport accounts for less than 1% of the UK total emissions, and the potential for any significant impact on emissions lies mainly with saving in emissions from road transport brought about by modal transfer, rather than those generated by rail operations. The proposed works at Kenilworth station would improve the attractiveness of rail services, and thus may encourage a modal shift from road to rail which would be of benefit to emission levels both in the local area and wider region.

4.53 Mitigation measures relating to air quality are not considered a requirement at the station.

**Change of use of ‘lighthouse building’**

4.54 The application seeks consent for the change of use from its current position as a retail unit to either A2 (Financial and Professional Services) or C3 (Residential). The change of use from its current status to either of the aforementioned uses is considered appropriate in the location, and would not have a detrimental impact on the amenity of the area as a whole. The proposed uses would result in a reduction in vehicle movements over the established use and would not readily result in negative impacts. Again, the proposed use will be established at a future date, but the proposed uses as indicated are considered acceptable.

5.0 Conclusions

5.1 On balance, and having assessed the proposed development against policy and local views of opposition and support, especially with regard to noise, traffic and transport the principle of the development is considered acceptable and would not have such a detrimental impact on local properties or the amenity of the area as a whole to justify refusal of the application.

PAUL GALLAND
Strategic Director for Environment and Economy
Shire Hall
Warwick

21 February 2011

Appendix B of Agenda No

Regulatory Committee – 22 March 2011

Outline planning application for the construction of a railway station building, two railway platforms, station footbridge with associated car parking, access and landscaping,
including retention of the ‘Lighthouse’ building with use for A2 or C3 use at Bailey Buildbase, 81-85 Priory Road, Kenilworth, CV8 1LQ

Report of the Strategic Director for Environment and Economy

1. Prior to the commencement of development, full details of the following reserved matters shall be submitted to and approved in writing by the County Planning Authority:-

   a. Appearance
   b. Means of access
   c. Landscaping
   d. Layout
   e. Scale

   Once approved the schemes shall be implemented in full

   **Reason:** To ensure submission of detailed schemes.

2. Applications for approval of the reserved matters shall be made to the County Planning Authority before the expiration of three years from the date of this permission and the development shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

   **Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

3. The reserved matters to be submitted in accordance with Condition 1 shall include details of all earthworks and the finished floor levels of buildings together with details of existing and proposed site levels on the application site and the relationship with adjacent land and buildings.

   **Reason:** To ensure sufficient information is submitted to demonstrate a satisfactory relationship between the proposed development and adjacent buildings.

4. The development hereby approved shall be substantially in accordance with the proposed site layout as detailed on plan ARC-002 P06.

   **Reason:** To secure a satisfactory development.
5. The ticket office building to be located on site shall be no greater in height than 6m.

**Reason:** To secure a satisfactory development.

6. The lift shafts shall be no greater in height than 14m above platform level.

**Reason:** To protect the amenity of the area and secure a satisfactory development.

7. Detailed plans of the access arrangements are required to provide suitable widths for pedestrian and vehicular movement, visibility splays and operational requirements. The development shall be carried out in accordance with the approved details.

**Reason:** In the interest of Highway Safety

8. Vehicular access to the site shall only be gained from Priory Road, with pedestrian access from Priory Road and Farmer Ward Road.

**Reason:** In the interest of Highway Safety

9. Prior to the commencement of development, details of onsite wheel wash facilities shall be submitted to and agreed in writing by the County Planning Authority. These facilities shall be made available and used by all construction and delivery vehicles leaving the site during any on site works. These facilities shall be operational for the duration of construction work and shall not be removed from site until construction work has been completed.

**Reason:** In the interest of Highway Safety

10. The movement of construction plant and equipment, including construction deliveries to/from the site shall, during the term times of Thorns Community School, St Nicholas C of E Primary School and Kenilworth School and Sports College, be prohibited between the following hours:

   Monday to Friday 08:15 to 09:00 hours and 15:00 to 16:15

This arrangement should be subject to a delivery schedule produced for materials and plant, such that there will not be any conflict between construction traffic and vehicular and pedestrian traffic to the schools.

**Reason:** In the interest of Highway Safety

11. No public address system shall be installed until full details of the location, hours of operation and level of noise have been submitted to and approved in writing by the County Planning Authority. Once approved the scheme shall be implemented in full and thereafter maintained.

**Reason:** To protect the amenity of local residents
12. Noise levels from the public address system shall not exceed the following:

- 35 dB (A)Laeq between the hours of 0700 and 2200
- 30 dB (A)Laeq between the hours of 0500 and 0700

The public address system shall not be used outside of the above hours.

**Reason:** In order to protect the amenities of nearby residents.

13. The landscaping scheme approved pursuant to Condition 1 of this consent, shall be implemented in the first planting season following completion of the development hereby approved and unless otherwise agreed in writing by the County Planning Authority, should any trees or shrubs planted as part of the landscape scheme die, be removed or become damaged or seriously diseased within five years of the initial planting they shall be replace in the next planting season with others of a similar size and species.

**Reason:** In order to ensure the satisfactory appearance of the completed development.

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing by the County Planning Authority) shall be carried out until a scheme has been submitted and approved in writing for a remediation strategy detailing how the contamination be dealt with. The approved remediation strategy shall then be implemented in full.

**Reason:** To ensure any contamination at the site is treated.

15. Prior to the commencement of development a scheme for the provision and implementation of a surface water regulation system including the use of Sustainable Urban Drainage Systems shall be submitted to and approved in writing by the County Planning Authority. The scheme shall then be implemented in full accordance with the approved details.

**Reason:** To reduce the risk of flooding resulting from the development of the site.

16. For the duration of the construction period no loaded lorries shall enter or leave the site unless they are sheeted or the load is otherwise adequately secured.

**Reason:** In the interests of highway safety.

17. For the duration of the construction period all vehicles, plant and machinery on the site shall be fitted with effective silencers and engine baffles and shall be properly maintained.

**Reason:** To avoid undue disturbance to nearby properties.
18. Prior to the installation of external lighting at the site a scheme detailing the type, height, location, light spillage and sky glow and hours of operation of the lights shall be submitted to and approved by the County Planning Authority. The approved scheme shall be installed and thereafter maintained.

**Reason:** In the interest of the amenity of the area.

19. Unless otherwise agreed in writing by the County Planning Authority, no operations or uses shall be carried out except between the following times:

   Sunday to Saturday 0530 to 2200

**Reason:** To protect the amenity of local residents

20. The development hereby permitted (including demolition) shall not commence until a further bat survey of the site and all its buildings, to include day time inspections and night time activity survey, has been carried out immediately prior to demolition. If bats are confirmed then a detailed mitigation plan including a schedule of works and timing shall be submitted to an approved in writing by the County Planning Authority. Once approved the plan shall be implemented in full.

**Reason:** To ensure protected species are not harmed by the development.

21. Prior to the commencement of development a scheme of construction management including mitigation measure against noise, dust and vibration, taking into account nearby sensitive properties shall be submitted and approved in writing by the County Planning authority. Once approved the scheme shall be implemented in full and remain in operation throughout the construction period.

**Reason:** In order to secure the satisfactory development of the site

22. Samples of all hard surface materials shall be submitted to and approved in writing by the County Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** In order to secure the satisfactory appearance of the development

23. The use of the lighthouse building shall be for use class A2 or C3 of the Use classes Order only and shall not be used for any other permitted changes as allowed for by the General Permitted Development Order 1995 (or any order revoking or re-enacting that Order).

**Reason:** to ensure satisfactory use of the building

24. Notwithstanding the provisions of Class A of Part 17 of Schedule 2 of the Town and Country Planning General Permitted Development Order 1995 (or any order revoking or re-enacting that Order), no development shall place outside of the rail track and platforms without prior express planning
permission being granted by the Local Planning Authority for that development.

Reason: – In order to protect the amenities of the locality.

Development Plan Policies Relevant to this Decision

Warwick District Local Plan 2006:

(i) DP1 – relates to Layout and Design and states that development will only be permitted where it positively contributes to the character and quality of the environment.

(ii) DP2 – states that development will not be permitted where it would have an unacceptable impact on the amenity of nearby uses and residents.

(iii) DP6 – requires new developments to provide safe, convenient and attractive access routes for pedestrians, cyclists and other users.

(iv) DP15 - relates to inclusive accessibility and requires development layouts to meet the accessibility needs of all potential users.

(v) SSP4 - states ‘Land off Priory Road, Kenilworth, as defined on the proposals map is allocated for the development of a railway station for Kenilworth. Other development will not be permitted on the above land if it would be likely to prejudice the implementation of the scheme’.

Reasons for the Decision to Grant Permission

On balance, and having assessed the proposed development against policy and local views of opposition and support, especially with regard to noise, traffic and transport, the principle of the development is considered to be in accordance with the provision of the development plan and be acceptable and would not have such a detrimental impact on local properties or the amenity of the area as a whole to justify refusal of the application.

Note: The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the application report and minutes of the Regulatory Committee.
Kenilworth Railway Station

Scale: 1:1250     Ref. No: WDC10CC067

Drawn By: Jan Stevens

Regulatory Committee: 22nd March 2011

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