

Planning Committee Report	
Planning Ref:	FUL/2018/0618
Site:	Land Adjacent to 66 To 72 Greendale Road, Coventry, CV5 8LN
Ward:	Whoberley
Applicant:	Mr H Gill
Proposal:	Erection of two flats with associated parking
Case Officer:	Mary-Ann Jones

SUMMARY

The application seeks planning permission for the erection of two flats, each with two bedrooms. Two parking spaces for each flat (four spaces in total) are proposed within the application site.

BACKGROUND

Planning permission was granted for in 2012, however this permission has not been implemented. The current permission seeks to erect two residential flats, which is the same to that which was approved, with the addition of two additional off road parking spaces within the site.

The relationship of the development with the adjacent dwellings is the same as it was under the previously approved scheme in 2012.

KEY FACTS

Reason for report to committee:	Representations from more than 5 properties
Current use of site:	Vacant site
Proposed use of site:	Residential flats x 4 and associated parking spaces

RECOMMENDATION

Planning committee are recommended to grant planning permission, subject to conditions

REASON FOR DECISION

- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies DS1, DS3, H3, H5, H9, GE3, GE4, DE1, EM6, EM7, AC1, AC2, AC3 and AC4 of the Coventry Local Plan 2016 – 2031, together with the aims of the NPPF

APPLICATION PROPOSAL

The application proposes the erection of a two storey building which will incorporate two flats. The flats will be two bedroomed and will be accessed from the highway of Greendale Road. The proposed building will be similar in size and height to those of the surrounding area. The new building will have an overall width of 6.5 metres, depth of 9.6 metres, two-storey height to eaves of 4.9 metres and height to hipped roof ridge of 8.6 metres.

Car parking spaces are located within the site, with two off road spaces provided for each flat either side of the building. The car parking will be accessed from the highway of Greendale Road.

Garden space will be provided to the rear of the property. The occupants of the flats will have access to an open plan garden of lawn and slabbed patio area enclosed by the existing 1.8 – 2 metre high close boarded fences.

The Design and Access Statement says that the proposal consists of the re-use of vacant land which had previously been used for parking. This use ceased over 10 years ago, has been secured and has remained un-used for at least this time.

Internally the flats will comprise of two bedrooms and a combined kitchen/ living area and a bathroom.

The proposed property will be constructed of facing red/orange brickwork with white UPVC windows and doors. The roof is to be of Concrete interlocking tiles with heights to match existing adjacent buildings.

SITE DESCRIPTION

The application site is currently vacant and is surrounded by residential dwellings. The site is currently covered by grass and hard standing and has previously been used as an area of car parking, although this use discontinued some years ago. There are trees to the east of the site.

Access to the site is from the highway of Greendale Road to the south of the site.

To the north, east and west of the site are residential properties.

PLANNING HISTORY

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

Application Number	Description of Development	Decision and Date
FUL/2012/1999	Erection of two flats	Granted by Planning committee, 12 February 2012 – not implemented
L/1999/1375	Erection of a two storey building for the provision of 4 No self-contained retirement flats	Withdrawn 22 nd May 2002

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF published in March 2012 sets out the Government's planning policies for England and how these are expected to be applied. It sets out the Government's requirements for the planning system only to the extent that is relevant, proportionate and necessary to do so. The NPPF promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application is:

- Policy DS1: Overall Development Needs
- Policy DS3: Sustainable Development Policy
- Policy H3: Provision of New Housing
- Policy H5: Managing Existing Housing Stock
- Policy H9: Residential Density
- Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- Policy GE4: Tree Protection
- Policy DE1: Ensuring High Quality Design
- Policy EM6: Redevelopment of Previously Developed Land.
- Policy EM7: Air Quality
- Policy AC1: Accessible Transport Network
- Policy AC2: Road Network
- Policy AC3: Demand Management
- Policy AC4: Walking and Cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Residential design Guide: Extending your home.

CONSULTATION

No objections subject to conditions/contributions have been received from:

- CCC Highways - no objection, subject to condition relating to provision of car parking spaces in accordance with the approved drawings and an informative note relating to S278 agreement
- CCC Environmental Protection - No objections subject to conditions relating to contaminated land and air quality
- CCC Waste services - we do not believe 2 flats will make the any difference to the waste service as the application includes dedicated parking.

Immediate neighbours and local councillors have been notified; a site notice was posted on 05/04/2018

7 individual letters of objection have been received, raising the following material planning considerations:

- a) The application form is incorrect – it states 2 residential units, not flats at Section 17 of the application form.
- b) Residents have received a letter from Coventry Waste Collection Services stating they could not empty bins due to parked cars – Evidence parking is a problem.
- c) Are the plans realistic? Can the blocks and car parking be accommodated on site?
- d) The parking survey has been undertaken outside of normal high trafficked times when many residents are at work. Also the parking survey was undertaken during a period of snow when some residents could not get up the hill and were forced to park elsewhere.
- e) Detrimental impact upon residential amenity – out of character. The proposed dwelling is a two storey detached dwelling, yet its proportions are smaller than the neighbouring semi-detached properties resulting in the scale and design of the development being entirely out of keeping with the neighbouring properties.
- f) Loss of privacy and overlooking - The development would result in severe overlooking to the widows and private garden areas of the dwellings to the rear of the site.
- g) Overshadowing and overbearing impact. The development site is on land higher than properties to the rear of the site. The grading of the land and the close proximity combined with the height would mean that the proposed dwelling would substantially overshadow these properties.
- h) Trees and Open space – there will be a severe impact on the existing open space which is a haven for birds and wildlife. Severe impact on the existing Hawthorn and Silver Birch trees. Construction will damage the roots of the trees. Future occupiers of the flats will be overshadowed and the future growth of the trees has not been considered.
- i) Highways issues. Inadequate parking and access provision. Not enough space for visitor parking therefore this will have an impact on the on-street parking situation (already severe lack of parking spaces). The proposal removes three parking spaces from the locality which park along the front of the site. This will lead to problems with emergency vehicles accessing the area.
- j) Overdevelopment of the site – smaller garden area than adjoining plots. The site is too small for a building as it only used to have garages on it. Building appears 'crammed in' to the site.
- k) If approved can conditions be added to control hours of operation during construction phase?
- l) Did not receive a letter
- m) Noise during the construction period and disruption to existing utility supplies to surrounding dwellings.
- n) The rooms of the proposed flats are small and will be unpleasant to live in.
- o) The existing use of the site as stated in the submission is inaccurate. It is not vacant, but used as level access for the existing maisonettes.
- p) The trees adjacent to the site have tree preservation orders on them.
- q) Loss of outdoor space

In addition to the above, a multi signature letter of objection has also been received containing 22 signatures which states, '*this petition is in opposition to the development of land adjacent to 66-72 Greendale Road on the grounds of its effects on parking and road safety, loss of disabled access, overlooking and loss of privacy on all four sides of the development, overcrowding of the area*'.

Within the letters received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- r) The land cannot be built on because according to the leases of the surrounding maisonettes the land is allocated for parking.
- s) The proposal infringes residents rights set out under the terms of their leases, namely; 'rights of access to and use of the land' which is the location of the proposed building.
- t) Land maintenance.

Following the submission of a revised parking survey, neighbours were consulted for a period of 10 days starting on 24th May 2018. Any additional comments will be reported to the planning committee in the late representations document.

APPRAISAL

The main issues in determining this application are the principle of development, the impact upon the character of the area, the impact upon neighbouring amenity, highway considerations, ecology and trees, noise and air quality, and contaminated land.

Principle of development

The site is within a predominantly residential area and is in an area that is situated close to a frequent bus route, within walking distance of local facilities and therefore subject to compatibility with other plan policies the proposal is acceptable, in principle.

Impact on the character of the area

Policy DE1 (Ensuring High Quality Design) of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Paragraph 17 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraph 17 of the NPPF seeks to protect the amenities of all existing and future occupants of land and buildings.

The building is of a simple design that uses the basic characteristics of those within the street scene and creates a new addition which seeks to continue the architectural features of the neighbouring dwellings. It is acknowledged that the proposed dwelling is narrower than the properties which surround the site, as has been highlighted in a number of objections to the proposal. However, given the application site is detached and not adjoining other dwellings, in this instance the design, is considered to be acceptable in this location.

The building will be of a similar height to the adjacent building at 70 Greendale Road. With the height being in proportion with the nearest adjacent dwelling, the building is considered to not appear over dominant within the street scene.

It is considered the design of the new dwelling is in keeping with the character of the local area, respecting the building line to which it forms part of. Therefore, subject to suitable

materials it is felt that the development will have a positive impact on character of the area.

Impact on residential amenity

Policy H3 (The Provision of New Housing) of the Local Plan seeks to ensure new residential development must provide a suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

The SPG: New Residential development, states, that in the case of new development a window to window separation distance of 20 metres should be maintained between properties. In the case of level changes this distance should be increased. Side to rear separation distances should be a minimum of 12 metres.

The height of the building needs to be carefully considered to prevent it having an overbearing impact on neighbouring dwellings. Objections have been received, siting level changes will result in the proposed building having an overbearing impact on the properties to the rear of the application site. It is acknowledged the application site does sit on marginally higher ground to the properties to the rear of the site. The separation distance between the proposed rear facing windows on the new building on the existing windows at No's.46-48 (directly to the rear of the site) is 24 metres, which is in excess of the SPG guidelines. It is considered in this instance the increase of 4 metres separation distance to a total distance of 24 metres window to window, is adequate to compensate for the level change. The proposal is the same height as the scheme which was approved previously.

The side to rear separation distance between the side of the proposed building and the nearest existing dwelling to the south of the site, No's 70-72 Greendale Road is 14.6 metres. Nos 44 and 42 are separated by a distance of 16.3 metres. Both distances are in excess of the SPG guidance. Given the separation distance between the building and 42, 44 and 70-72 Greendale Road, there being no habitable room windows proposed in the side elevations of the new building together with the comparable height of the new building to the existing properties, on balance it is not felt that overbearing will be sufficient to warrant refusal of the application on those grounds.

The proposed new building will not cut into the 45 degree splay from any neighbouring habitable room windows. As such it is felt that the proposal will not have a significant detrimental impact on the living conditions of the neighbouring occupiers.

Objections have also been received regarding the size of the internal rooms, stating the flats are too small and would be unpleasant to live in. The council does not operate specific standards in planning terms for the internal dimensions or spaces within dwellings. Notwithstanding this, it is acknowledged the proposed flats are modest in size however it is considered the internal space dimensions are adequate. Prospective buyers will be aware of the size of the property prior to purchasing therefore it would be a personal decision if future occupiers chose to live in the flats.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5.

The car parking standards contained with Appendix 5 state a development of this nature should have 2 spaces per residential unit plus 1 visitor space. The proposal complies with the allocated spaces per residential unit, however fails to provide the additional 1 visitor space on site. A parking survey has been provided to demonstrate this visitor space can be accommodated on street within the immediate area.

Objections have been raised regarding deterioration in car parking provision in the area as a result of this proposal. The site is currently fenced off and the applicant has stated the area has not been available for the parking of cars for 10 years, a view which officers concur with. Officers have noted that parking provision is stretched, especially in the evenings, however, as this area of land does not provide any car parking and has not for a number of years, it is not felt that the proposal directly removes parking provision, and given that the location is close to a frequent bus route into the City Centre and within walking distance of local amenities the provision is felt to be acceptable, and therefore it is felt that highway safety will be maintained.

An additional parking survey has been submitted in response to residents' concerns over parking issues. The survey acknowledges there are pressures in the evenings, however there would still be space for a visitor to park, if it was required.

Further objections have been raised in regards to existing on road car parking being displaced as a result of the new access for the proposal. Highways officers consider two parking spaces would potentially be lost as a result of this proposal, however Highways officers are content that the parking survey demonstrates these spaces can be accommodated within the immediate vicinity of the site.

Objections have been received from local residents stating the City Council's Waste Service team has written to all residents in the area explaining the bin men are having trouble emptying bins due to vehicles parking along Greendale Road too close and on the entrance therefore preventing vehicle access and the collection of bins. Waste Services has confirmed a letter was circulated to all residents in the surrounding area, not just specifically to the immediate area adjoining the application site. The letter was sent to alert all residents to the wider issue within the locality of poor and inconsiderate

parking. Waste Services have raised no objections to the proposal. Notwithstanding the consultation response from Waste Services, it was considered necessary to request an additional parking survey from the applicant to ensure the on street parking situation has been robustly assessed.

The applicant has submitted a revised survey and highways officers consider it is sufficient to demonstrate that no additional harm will be caused to the on-street parking situation. It is acknowledged there is some pressure on parking in the area at peak times, however the survey has demonstrated there are still spaces available to accommodate the one visitor parking space, which cannot be accommodated on site, and the two displaced parking spaces to the front of the site.

On the basis of the evidence submitted and through consultation with Highways Officers, it is considered the proposal accords with Policy AC1 and AC3 of the development plan and will not cause harm to highway safety or exacerbate the existing on street parking situation to a demonstrable degree.

Ecology and Trees

Policy GE3 (Biodiversity, Geological, Landscape and Archaeological Conservation) of the Local Plan states that 'Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced.

Policy GE4 (Tree Protection) of the Local Plan states that 'Development proposals will be positively considered provided there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, ... existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction.'

Within the objections, reference has been made to trees adjacent to the site which are the subject of a Tree Preservation Order (TPO). The council does not hold any record of trees which are subject to a Tree Preservation Order within the immediate vicinity of the site. Notwithstanding this it is acknowledged there are trees adjacent to the site which do add amenity value to the area. It is considered the new building will be sufficiently far enough away to prevent any harm being caused to the trees and their future growth, however it is considered necessary to place a condition on the decision notice to ensure the trees are protected from harm during the construction period (Condition 10).

Concern has also been raised regarding the potential loss of trees which are a haven for birds and wildlife. The site has not been identified as having any specific wildlife value and is not designated as a Local Wildlife Site (LWS). Notwithstanding this, officers consider the trees will be protected during the construction phase therefore there will be no loss of habitat as a result of the proposal.

Noise and air quality

Objections have been received regarding the impact of the noise during the construction phase of the development and the negative impact this will have on neighbouring amenity. With this in mind, a construction Management Plan condition is proposed to be attached to the permission, which requires the applicant to submit times of operation of

the site. This will ensure the construction work does not occur outside of acceptable hours. It is therefore considered the noise and disturbance during the construction period is adequately covered by this condition.

Environmental Protection Officers have requested that electric charging points are provided within the site for the charging of electric vehicles and the provision of low NOx boilers is required to ensure the development provides measure to mitigate the impacts of the development on Air Quality in accordance with Policy EM7 (Air Quality) of the Coventry Local Plan, 2016.

Contaminated Land

The site has been previously used for the parking of cars, therefore it is considered a condition should be attached to the planning permission requiring that if any unusual ground conditions are encountered during the development, it must be reported in writing. An investigation and risk assessment must be then be undertaken, and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing by the Local Planning Authority. It is considered this condition therefore ensures the proposal complies with Policy EM6 (Previously Developed Land) of the Coventry Local Plan, 2016.

Other considerations

Concern has been raised with regards to access over the land for existing occupiers. Land ownership is not a planning matter. Unfortunately the council cannot protect individual property rights for landowners; this is a civil matter between landowners.

To clarify point a) of the neighbour objections. The terms 'residential units', is a planning term used to denote a single residential dwelling. This can be in the form of a flat or a house, therefore the application form is correct.

To clarify point l) of the neighbour objections, all residents which directly adjoin the site were notified as is the statutory requirement. There is no statutory requirement to notify properties which do not adjoin the site. Public consultation has been carried out in accordance with planning legislation.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS1, DS3, H3, H5, H9, GE3, GE4, DE1, EM6, EM7, AC1, AC2, AC3 and AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS/REASON

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved documents; location Plan; Proposed elevations and layout DWG 7480-011 FEB 2018; Block Plan 7480-10; design and access statement, prepared by Mr A Pearson; Planning statement, Prepared by Sykes Planning dated 05/03/2018.

Reason: *For the avoidance of doubt and in the interests of proper planning.*

3. The external facing materials to be used on the proposed development hereby permitted shall be similar to those used on adjacent dwellings unless alternative materials have been submitted to and approved, in writing, by the local planning authority

Reason: *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan, 2016*

4. The development shall only be undertaken in accordance with details of both hard and soft landscaping works which have been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing materials. The hard landscaping works shall be completed in full accordance with the approved details within 3 months of the first occupation of the residential accommodation hereby permitted; and all planting shall be carried out in accordance with the approved details in the first planting and seeding seasons following the first occupation. Any tree or shrub which within a period of 5 years from the completion of the development dies, is removed or becomes seriously damaged or diseased shall be replaced in the next planting season with another of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policy DE1 Coventry Local Plan, 2016*

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any order revoking and re-enacting that order with or without modification), no further development shall take place within the curtilage of the dwellinghouse hereby permitted, other than the painting of the exterior of any building, without the written approval of the local planning authority

Reason: *That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies DE1 and H5 of the Coventry local Plan, 2016*

6. Prior to occupation of the proposed dwellings/development hereby approved the car parking areas shall be provided in accordance with details to be submitted to

and approved in writing by the Local Planning Authority and the car parking areas shall not thereafter be used for any other purpose than the parking of vehicles

Reason: *To ensure that adequate parking space is available to serve the development in the interests of Highway safety and to ensure the free flow of traffic using the highway in accordance with Policy AM2 of the Coventry Local Plan, 2016.*

7. The flats shall not be occupied unless and until cycle parking and bin storage facilities which have been submitted to and approved by the local planning authority have been provided and made available for use and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policy AM2 of the Coventry Local Plan, 2016 and in the interests of visual amenity in accordance with Policy DE1 of the Coventry Local Plan, 2016*

8. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for:

- the parking of vehicles of site operatives and visitors;
- the loading and unloading of plant and materials;
- the storage of plant and materials used in constructing the development;
- the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate;
- wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway;
- Measures to control the emission of dust and dirt during construction;
- a scheme for recycling / disposing of waste resulting from demolition and construction works,
- Hours of work

The method statement shall be in line with the Best Practice Guidance entitled 'The control of dust and emissions from construction and demolition' produced by the Greater London Authority and London Councils.

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with Policies AM1, AM2, AM3 and DE1 of the Coventry Local Plan, 2016*

9. In the event that contamination or unusual ground conditions are encountered during the development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared which is subject to the approval in writing of the Local Planning Authority

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Development Plan 2001*

10. Before any development commences on site the following shall be submitted to and approved in writing by the local planning authority and any approved mitigation or protection measures shall be put into place prior to and remain in place during any construction work:
- a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres.
 - b) a schedule of the trees surveyed as specified in paragraph 4.4 of BS 5837: 2012 Trees in relation to design, demolition and construction - Recommendations;
 - c) Tree constraints plan (5.1), arboricultural method statement (5.4), and a dimensioned tree protection plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1 of British Standard BS5837: 2012 - Trees in relation to design, demolition and construction - Recommendations) which shall also include any proposal for pruning or other preventative works.

Reason: *In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policy GE4 of the Coventry Local plan, 2016.*

11. The development shall not commence unless and until details for a package of measures to minimise the impact of the development upon local air quality have been submitted to and approved in writing by the local planning authority. Those measures shall have consideration of the following:
- (i) Provision for electric vehicle recharging points;
 - (ii) Use of low NO_x boilers (to have a maximum dry NO_x emissions rate of 40mg/kWh).
- All details shall be carried out as approved.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy EM7 of the Coventry Local Plan 2016*

[Location Plan](#)

[Block Plan](#)

[Proposed Plans](#)