

| | |
|----------------------------------|---|
| Planning Committee Report | |
| Planning Ref: | FUL/2018/1559 |
| Site: | 19 Forknell Avenue |
| Ward: | Upper Stoke |
| Proposal: | Change of use of former shop to dwellinghouse, demolition of detached outbuilding (former Bakery) and erection of two new dwellinghouses with associated parking and private gardens. |
| Case Officer: | Liam D'Onofrio |

SUMMARY

Planning permission is sought for the change of use of a former corner shop (with first floor residential) to a single dwellinghouse and the erection of two new dwellinghouses within the rear garden area, fronting onto Forknell Avenue.

KEY FACTS

| | |
|--|---|
| Reason for report to committee: | More than five objections have been received. |
| Current use of site: | Corner shop with residential at first floor and a former detached Bakery building within the rear garden. |
| Proposed use of site: | Three dwellinghouses. |

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will provide an acceptable design solution.
- 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: DE1, H3, AC1 and AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

Planning permission is sought for the conversion of the existing ground floor shop unit (with first floor residential accommodation) to a single dwellinghouse with three bedrooms. The glazed shop front will be replaced with smaller domestic windows.

To the south of the existing shop unit within the rear garden is a single storey redundant bakery building, which is proposed to be demolished and replaced by two 3-bedroomed dwellinghouses within a semi-detached two-storey building.

All three dwellinghouses will have off-street car parking and outside amenity space.

SITE DESCRIPTION

The application site relates to a two-storey corner shop located on the southwest corner of Forknell Avenue and Honiton Road. The application site is a roughly triangular plot, with a long frontage to the southwestern side of Forknell Avenue. The surrounding area is primarily residential, characterised by two-storey terraced and semi-detached dwellinghouses.

PLANNING HISTORY

There have been several historic planning applications on this site from the 1960's – 1980's relating to the rear bakery building. There is no recent or relevant planning history.

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 DS3: Sustainable Development Policy

Policy H3: Provision of New Housing

Policy H5: Managing Existing Housing Stock

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

Policy DE1 Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC3: Demand Management

Policy EM6: Contaminated Land

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

CONSULTATION

No objections subject to conditions have been received from:

- Highways (CCC).
- Environmental Protection (CCC).

Immediate neighbours and local councillors have been notified; and a site notice was posted on 29/06/18.

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

- a) The design does not fit with the surrounding area.
- b) The proposed height is very tall/concerns of overlooking from third storey.
- c) Loss of privacy.
- d) Loss of off-street parking outside the site.
- e) One of the representations supports the conversion of the shop, describing it as in a dreadful state of disrepair/neglect; but objecting to the new dwellings due to the loss of garden/open aspect.
- f) One of the representations states 'not object' but raises privacy and scale concerns.

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

- g) Several large trees have been removed from the site.
- h) Land ownership relating to boundary location/historic rear access.
- i) Devaluation of property.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are the principle of development, the design and impact upon visual amenity, the impact upon neighbouring amenity, highway considerations, contaminated land, air quality and ecology/landscaping.

Principle of development

The existing bakery building has no architectural or historic merit and its demolition is therefore considered to be appropriate.

There are no Policy issues with regard to the loss of the existing (currently vacant) retail use.

Policy H3 'Provision of New Housing' states that new residential development must provide a high quality residential environment, which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will be within a sustainable location and 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 site is located within a sustainable location, close to local shops, services and public transport on Sewall Highway and Ansty Road. It is considered that the proposed residential use is compatible with surrounding residential uses to ensure that future occupiers' amenity is protected. The development will provide a high quality residential environment with outdoor amenity space and safe from any environmental pollution issues.

The scheme is therefore considered to be acceptable in principle and accords with the aims and objectives of Local Plan Policies H3 and DE1 and the aims and objectives of the NPPF.

Design/Impact on visual amenity

Policy DE1 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, whilst protecting the amenities of all existing and future occupants of land and buildings.

The proposed alterations to remove the shop front are considered appropriate and will be carried out in matching materials. The window to the Honiton Road elevation was off-set and has been re-positioned in amended plans so that it aligns with the first floor window above.

In terms of siting of the new houses the plot width increases towards the south of the site allowing the two proposed houses to sit comfortably within the plot, providing an active frontage and acceptable set back from the highway that respects the general pattern of development within the locality.

There was concern that the new 2.5-storey gable-end dwellinghouses initially proposed would be too prominent, as the building sits forward of the corner retail building making the gable wall visible from the north. Amended plans have been received to reduce the height of the proposed dwellinghouse to two-storeys and to alter the roof design from a gable to a hip roof, which has taken significant mass out of the roof. This design also better reflects the predominantly hip roof character of the locality. A small first floor window has also been installed in the flank wall (facing the Honiton Rd junction) to add some relief/interest to this elevation.

In terms of finer architectural detailing the main windows on the front elevation (serving the kitchen/bedroom 1 of each house) have been increased in size from double to triple panes to provide better proportions and reflect the larger windows on other surrounding properties. The porch detail has been altered from a projecting canopy to a stone lintel to also reflect that of surrounding properties. A central chimney has also been added, as this is a strong characteristic of the area.

The scheme (as amended) is therefore considered to provide an acceptable design solution that will not harm the visual amenity of the streetscene. A condition is suggested to secure sample materials to ensure that the development appropriately assimilates into the streetscene.

Impact on residential amenity

Concerns raised by local residents regarding scale and loss of privacy are carefully noted. The proposed dwellings have been reduced in height from 2.5 storey to 2-storeys, however these changes related to creating an improved design solution. The proposed dwellinghouses will be located approximately 25 metres from the rear elevations of properties in Lutterworth Road, well in excess of the 12 metres set in the SPG.

The SPG normally seeks 10m deep rear gardens in the interests of achieving acceptable standards of daylighting, to minimise overshadowing and to maintain privacy. In this case the rear gardens will be 8 metres deep. The 2 metre shortfall is considered acceptable due to the positioning of the proposed new dwellings, which will be set forward of the rear elevation of the existing shop unit No.19 and some 12m from the closest properties to the northwest on Honiton Road.

The proposed development is not therefore considered to result in any significant loss of light, outlook or amenity to the occupiers of surrounding properties.

In terms of window-to-window separation distances the proposed dwellinghouse will set at 90-degrees to the surrounding properties on Lutterworth Road and Honiton Road. The separation between the proposed dwellinghouses and existing properties on the opposite side of Forknell Avenue will be some 20 metres. A condition is suggested to require the small first floor side-facing window to be obscure glazed to avoid overlooking/the perception of overlooking. The scheme is not therefore considered to create any significant overlooking or loss of privacy to the occupiers of surrounding properties.

Whilst it is considered that the proposed dwellinghouses can be accommodated comfortably officers are mindful that unrestricted extensions carried out under permitted development could create an adverse impact upon the amenities of surrounding occupiers on this higher density, sub-divided plot. It is therefore recommended that permitted development rights are removed in relation to extensions and outbuildings to control any future development.

Highway considerations

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 also include requirements for the provision of electric car charging and cycle parking infrastructure.

The site currently benefits from no off street parking and the proposed layout will provide two parking spaces for two dwellings and a single parking space for one dwelling. The Highway Authority have assessed the scheme and have raised no objections.

A condition is suggested to require the off-street parking to be available prior to the first occupation of the dwellinghouses and retained thereafter.

Contaminated land

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of waste water by whatever means.

Environmental Protection note that the historical maps indicate a small building was present on this site of unknown use and the possibility of contamination being present cannot be ruled out. It is therefore recommended that the small site investigation condition is imposed.

Air quality

Policy DS3 'Sustainable Development Policy' states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of

sustainable development contained in the National Planning Policy Framework. It will work proactively with applicants to find solutions to enable proposals to be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Measures include: use of low carbon, renewable and energy efficient technologies; increased health, wellbeing and quality of life; and measures to adapt to the impacts of climate change.

In order to mitigate the impact of this development on local air quality Environmental Protection have requested a condition to require the following: 1 x electric vehicle charging point to be provided per property; low emission gas boilers; and a construction management plan demonstrating how emissions of dust and noise will be minimised during demolition and construction.

Ecology/landscaping

Policy GE3 seeks to protect and enhance biodiversity and their habitats. The Council's Ecologist notes that there is a bat record within the vicinity of the site and therefore considered that it would be appropriate to require a preliminary bat scoping survey to check for the presence of bats. A condition is suggested to require this assessment prior to any works taking place.

A condition is suggested to secure hard and soft landscaping details.

Other matters

Local residents note that several mature trees were removed along the site's southern boundary prior to the planning application being submitted. These trees were not protected by a Tree Preservation Order and their removal was therefore lawful.

Conclusion

The proposed development is considered to be acceptable in principle and design and will not result in any significant impact upon neighbour amenity, highway safety or ecology/landscaping, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H3, DE1, AC3, DS3, GE3 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: Drg No.FORKNELL 2B, 4B, 3A.

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

3. The development shall be carried out only in full accordance with sample details of the elevational and roofing materials, which have first been submitted to and approved in writing by the local planning authority.

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

4. The development hereby permitted shall only be undertaken in strict 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 which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the dwellinghouses 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(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective 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. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

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

5. The dwellinghouses shall not be occupied unless and until the car parking areas for that dwellinghouse indicated on the approved drawings have been provided and thereafter those parking areas shall be kept available for such use at all times.

Reason: *In the interests of highway and pedestrian safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016.*

6. 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/noise 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 for each dwellinghouse; (ii) Use of low NO_x boilers (to have a maximum dry NO_x emissions rate of 40mg/kWh), (iii) a construction method statement demonstrating how dust and noise emissions are to be mitigated during construction. All details shall be carried out as approved.

Reason: *To mitigate the impacts of development on air quality in accordance with Policies H3 and DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

7. 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. All details shall be carried out as approved.

Reason: *To safeguard health, safety and the environment in accordance with Policy EM6 of the Coventry Local Plan 2016*

8. No development (including demolition) shall commence unless and until a survey for the presence of bats has been carried out by a qualified surveyor on the detached bakery building, and has been submitted to and approved in writing by the local planning authority. Should the presence of bats be found then no demolition shall take place until full details of measures for bat migration and conservation have been submitted to and approved by the local planning authority. These measures should include: a) inspection of existing buildings on site within one month prior to their demolition to determine presence or absence of roosting or hibernating bats; b) no building containing bats shall be demolished until bats have been safely excluded using measures as have been previously submitted to and approved in writing by the local planning authority; c) provision of a new bat roost/hibernacula constructed to a design and in a location previously approved in writing by the local planning authority; d) provision of new bat roost/hibernacula within new construction; e) provision of an area of buffer/habitat around the new bat roost/hibernacula, details of the buffer to be submitted to and approved in writing by the local planning authority; f) retention of hedgerows identified as being important for foraging bats within the development site, details of the location of hedges to be submitted to and approved in writing by the local planning authority; g) provision for the management of the buffer habitat, hedgerows used for foraging and the new bat roost/hibernacula. The works shall be implemented in strict accordance with the approved details and timing of works, unless otherwise approved in writing by the local planning authority and once undertaken the works shall not be removed or altered in any way.

Reason: *To ensure that protected species are not harmed by the development in accordance with Policy GE3 of the Coventry Local Plan 2016 and the NPPF 2012.*

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) the first floor window(s) to be formed in the side facing elevation of the dwellinghouses hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed.

Reason: *To protect the amenities of the occupiers of adjoining properties in accordance with Policies H3 of the Coventry Local Plan 2016.*

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no building or enclosure shall be provided within the curtilage of, and no extension or addition erected or constructed to, any dwelling(s) hereby permitted.

Reason: *That having regard to the design, layout and general nature of the proposed development it is important to ensure that no further development is carried out which would detract from the appearance of the area and affect the amenity of adjacent properties. Therefore, no additional development is to be carried out without the permission of the local*

planning authority in accordance with Policies H3 & DE1 of the Coventry Local Plan 2016.

