

Planning Committee Report	
Planning Ref:	S73/2019/2774
Site:	23 Innis Road
Ward:	Earlsdon
Proposal:	Variation of condition no.2 (drawing numbers to increase ridge height) imposed on planning permission FUL/2018/3439 for Demolition of existing dwelling and erection of a replacement dwelling and associated works granted on 14/3/19.
Case Officer:	Emma Spandley

SUMMARY

The application seeks planning permission to amend the drawing number condition attached to planning permission FUL/2018/3439 which granted permission for the demolition of the existing house and the erection of a replacement dwelling.

The changes include an increase in the ridge height by 300mm.

BACKGROUND

Application FUL/2018/3439 granted permission for the demolition of the existing dwelling and to replace it with a contemporary designed detached dwelling with large expanses of glazing.

Several conditions were placed on the approved house, one of the conditions related to the approved drawing numbers. This application seeks to substitute the approved drawing numbers with some new drawings to enable some amendments to be made.

KEY FACTS

Reason for report to committee:	Over 5 objections received.
Current use of site:	Single house and large rear garden
Proposed use of site:	Single house and large rear garden

RECOMMENDATION

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

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon the character of the area.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: DS3, DE1, EM5 & AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

FUL/2018/3439 granted permission for a replacement dwelling with a ridge height similar to that of the neighbouring property No.31 Innis Road of 7.6 metres. This was amended from 8.6 metres.

Due to the requirements of the Drainage & Flood Risk Team the finished floor levels of the ground floor level are required to be 300mm above the existing ground level. Due to the design of the property, there is no room for any claw back of height within the house, with regards to ceiling heights and therefore the proposal is to increase the ridge height by 300mm.

SITE DESCRIPTION

The site is a large plot in the Canley Gardens area of the City. Canley Gardens was developed as plot development after World War I and is typified by a mixture of individually designed bungalows and houses set within substantial but irregular shaped landscaped plots. The houses are served by narrow 'country lane' style roads with no markings or footways and bounded by hedgerows.

No.23 was developed in the latter half of the 20th century and was a two-storey dwelling with pale facing brick and plain detailing and set close to Innis Road, with a long garden to the south. To the west are 31 and 33 Innis Road, with 33 being a bungalow built in the garden of 31. To the east is a two-storey dwelling set well back from Innis Road and a large detached garage close to the common boundary.

The previous permission, which granted permission for the new house, (FUL/2018/3439) has already been started. The existing house has been demolished and the ground works have started on the new house.

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
OUT/2018/0448	Demolition of existing dwelling and erection of a replacement dwelling (outline with access and layout submitted)	Refused 17 th May 2018
FUL/2018/3439	Demolition of the existing house and the erection of a replacement dwelling.	Approved by Planning Committee 14 th March 2019.
DC/2019/1659	Submission of details to discharge condition: No.3, (Bat Survey); No.4, (Construction Method Statement (CMS); No.5, (facing materials); No.6, (SuDs); No.7,(hard & soft landscaping); No.12, (additional	Approved 29 th October 2019.

	windows), imposed on planning permission FUL/2018/3439 for Demolition of existing dwelling and erection of a replacement dwelling and associated works, granted on 14th March 2019.	
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POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published in February 2019 (as amended) 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 new NPPF increases the focus on achieving high quality design and states that it is "fundamental to what the planning and development process should achieve".

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 DE1 Ensuring High Quality Design
 Policy AC3: Demand Management
 Policy EM5 Sustainable Drainage Systems (SuDS)

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
 SPD Delivering a More Sustainable City
 SPG Canley Gardens Control Plan

CONSULTATION

- None

DC/2019/1659 – Approved the drainage details and included consultation from the Drainage & Flood Risk Team and approved documents: -

- Condition No.6 - Report on a Flood Risk Assessment for the Residential Development at 23 Innis Road, Coventry, CV5 6AX - Report No.81527-02 Rev C;
- Condition No.6 - JP1218 Bridging detail for the foundation over an existing culvert, and
- Condition No.6 - Proposed Foundation Bridging Detail - Drawing No.JP1218, Sheet No.F, Rev B;
- Condition No.6 - Lintel Over Culvert - report JP1218 Sheet No.1, 2, 3 & 4;

Immediate neighbours and local councillors have been notified; a site notice was posted on 27th November 2019.

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

- a) Not in keeping & out of Character of the area;
- b) Overshadowing
- c) Loss of privacy

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

- d) Health & Safety of the workers.
- e) Want the applicants to keep original approval.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area and the impact upon neighbouring amenity.

Principle of development

The principle of the demolition of the existing house on the site and the replacement with a new house has previously been approved and is an extant permission. Furthermore, the previous permission which granted the replacement house, has already been implemented. Ground works are ongoing.

Therefore, the principle of development has already been deemed acceptable. This application deals only with the changes being sought, which is an increase in the ridge height of the approved house from 7.6 metres to 7.9 metres, which is an increase in ridge height by 300mm.

The increase in ridge height is required due to the request from the City Council's Drainage & Flood Risk Team.

"The City Councils records indicate that the site is at high risk of surface water flooding, associated with a culverted tributary of the Canley Brook, which passes through the site. The Environment Agency's Risk of Flooding from Surface Water map predicts flood depths of up to 300mm, flowing at a velocity of up to 2 metres per second for the 1% Annual Probability event, which represents a flood hazard classification of 'significant - danger for most', which includes the general public."

To minimise the extent of flood damage, The Drainage & Flood Risk Team required the applicant to implement the guidelines on Flood resilient construction.

The Guidelines state that there is a requirement to calculate a 'design flood depth'. This is done from knowledge of the predicted flood level together with the ground level and then a design floor level is set. If the floor level is below the predicted flood level, then mitigation is required to be installed and this is dependant on a number of factors.

Turning to the proposal, the predicted flood level is 300mm, therefore the ground floor level cannot be below this figure, it must be the same as or above the 300mm level.

The comments are noted with regards to the height and impact of the existing house on the surrounding area and why the ridge height is required to be raised.

The existing house (permitted under application FUL/2018/3439) had already been amended to reduce the ridge height so that it was similar to that of No.31, the neighbouring property to the east; the house had been amended to the minimum tolerances for ceiling heights etc. Therefore, there is no space inside the property to gain the 300mm finished floor level above the predicted flood depth. The only option left to the applicant is to increase the ridge height by 300mm.

Therefore, the principle of the development has already been agreed, however, whether the changes are acceptable with regards to visual and neighbour amenity is discussed in more detail below.

Impact on visual amenity & Flooding

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.

The National Planning Policy Framework, paragraph 127 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of

approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

The Canley Gardens area is characterised by individually designed dwellings in substantial plots. The style of dwellings is varied with some bungalows and some two storeys high.

The design of the approved dwelling is modern with large areas of glazing, the new house will sit on a similar building line to that of No.31 (immediate next-door neighbour), which was slightly further back in the plot than the property to be developed under application number FUL/2018/3439.

Canley Gardens is characterised by individually designed dwellings, therefore there is no one set design criteria to be adhered to, nor is there a consistency with regards to ridge heights, or even roof shapes. There is an eclectic mix of dwelling types, sizes and heights.

Nevertheless, the dwelling is well designed and has architectural interest with two fronting gables creating an ‘H’ shaped floor plan. It will be finished in white render, similar to some properties located within Canley Gardens, accentuated with stone sections to break up the façade with dark grey windows. The increase in ridge height will have no discernible effect on the wider character and appearance of the area due to the wide-ranging built form in and around Canley Gardens.

Impact on residential amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties. The Supplementary Planning Guidance ‘Extending your Home’ states new buildings should not breach a 45-degree sightline taken from the middle of the nearest habitable room windows taken from the neighbouring property.

The comments are noted with regards to loss of privacy, overshadowing & loss of light however, the principle of the new house has already been agreed and is extant and in progress.

The footprint of the built form, albeit the increase in ridge height, will be similar to that as the approved house under FUL/2018/3439

The proposed increase in ridge height will not have a detrimental impact on the occupiers of the neighbouring properties through increased visual intrusion, loss of light and increased loss of privacy and overlooking due to the highest part of the roof being set further into the plot and with the increase only being 30cm.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity and / or the character of the area. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, DE1 & EM5 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 the original permission FUL/2018/3439.

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 - Drawing No. 1082.012 - submitted under S73/2018/3439;
Amended existing and proposed site plans, drawing no. 1082.011A - submitted under S73/2018/3439;
Amended proposed ground floor plans, drawing no. 1082.06A - submitted under S73/2018/3439;
Amended proposed first floor plans, drawing no. 1082.08A - submitted under S73/2018/3439;
Proposed Elevations 1 - Drawing No. 1082.108C;
Preliminary Ecological Appraisal (PEA) by Martin Ecology, dated February 2019 - submitted under S73/2018/3439;
Design and Access Statement - Reference 1082 - submitted under S73/2018/3439.

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.*

3. The development hereby permitted shall be undertaken in accordance with the details submitted under DC/2019/1659 in respect of bat survey works.

Reason: *To safeguard the presence and population of a protected species in line with UK and European Law, The Conservation of Habitats and Species Regulations 2010 and Policy GE3 of the Coventry Local Plan 2016.*

4. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been approved under DC/2019/1659.

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 AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.*

5. The development shall be carried out only in full accordance with details of the external facing and roofing materials which have been submitted under

DC/2019/1659.

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.*

6. The development hereby permitted shall be carried out only in strict accordance with details submitted under DC/2019/1659 with regards to the provision of surface water drainage incorporating infiltration SuDS or attenuation techniques.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.*

7. The development hereby permitted shall only be undertaken in strict accordance with details of the hard and soft landscaping works which have been approved under DC/2019/1659.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 & DE1 of the Coventry Local Plan 2016.*

8. The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations (excluding hard surfaces).

Reason: *To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies DE1, DS3 GE1, GE3 & GE4 of the Coventry Local Plan 2016.*

9. The existing hedge(s) indicated on the approved plans to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedge(s) falls below 1m at any point without the written consent of the local planning authority. Any hedge(s) removed without consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial

completion of development shall be replaced within the next planting season with hedging, tree(s) and/or shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. 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 (excluding hard surfaces).

Reason: *To protect that hedging which is of significant amenity value to the area in accordance with Policies DS3, DE1, GE1 & GE3 of the Coventry Local Plan 2016.*

10. The hard surface in relation to the off-street car parking within the curtilage of the property shall be made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.*

11. The dwellinghouse shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority.

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

12. 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 windows or openings (apart from any shown on the approved drawings) shall be formed in the west (side) facing elevation of the dwellinghouse hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details 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 ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DS3 & DE1 of the Coventry Development Plan 2016.*