

Planning Committee Report	
Planning Ref:	HH/2021/1658
Site:	27 Malmesbury Road
Ward:	Holbrooks
Proposal:	Replacement of detached garage
Case Officer:	Rhiannon Campbell

SUMMARY

The application proposes the replacement of the detached garage in the rear garden. The proposal seeks to increase the depth from 2.7 metres to 5.85 metres and increase height from 2.6 metres to a pitched roof height of 3.83 metres. The proposal will retain the existing entrance to the south of the site and will increase the parking space from 1 car to 2 cars. The proposal is considered to be acceptable in principle and no detrimental impact upon the existing neighbouring properties.

BACKGROUND

The property is a terraced, brick-built and part pebble-dash rendered, two-storey house. The application site is located on the western side of Malmesbury Road. The application site benefits from on-site parking to the front of the property, in addition to 1 no. parking space in a rear outbuilding

KEY FACTS

Reason for report to committee:	The application has been requested to be presented at Committee by Councillor Clifford
Current use of site:	The site is an existing dwelling with a rear detached garage for parking.
Proposed use of site:	Existing dwelling with a rear detached garage for double parking.

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 not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal will be in accordance with Policy DE1 of the Coventry Local Plan 2016.

APPLICATION PROPOSAL

The application is for the replacement of a detached garage. The proposal would project 5.85 metres in depth, 5.1 metres in width (the full width of the application site), 2.6 metres in eaves height, and 3.83 metres in height when measured at the highest point. The outbuilding will benefit from a pitched roof, with 1no. garage door to the south, and 1no. sliding door to the east.

The proposal will retain a distance of 10.13 metres between the outbuilding and the application site dwelling. The proposal will retain a distance of 10.13 metres between the outbuilding and No. 25 Malmesbury Road, and a distance of 7.3 metres between the outbuilding and No. 29 Malmesbury Road.

SITE DESCRIPTION

The property is a terraced, brick-built and part pebble-dash rendered, two-storey house. The application site is located on the western side of Malmesbury Road. The application site benefits from on-site parking to the front of the property, in addition to 1no. parking space in the rear outbuilding. The application site is located in a residential area which benefits from Permitted Development Rights.

The current outbuilding measures 2.7 metres in depth, 5.1 metres in width and 2.6 metres in height. The outbuilding benefits from a flat roof, garage door to the south, and small window to the east.

PLANNING HISTORY

None.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF published in July 2021 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 policies relating to this application are:

Policy DE1: Ensuring High Quality Design

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City 2009

SPD Coventry Connected (Transport and Accessibility) 2019

SPD Air Quality 2019

STATUTORY CONSULTATION RESPONSES

None.

PUBLIC RESPONSES

Notification letters were sent out to neighbouring houses on the 11th June 2021.

2 letters of objection were received raising the following material planning considerations:

- a) Block sunlight
- b) Use out of keeping with residential area
- c) Access due to the potential use
- d) Size & height of proposal with being less than 20 metres difference between the building and garden fencing
- e) Close proximity to neighbouring property
- f) 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:

- a) Stress as a result of the build

Any further comments received will be reported within late representations.

Councillor Clifford: Neighbour concerns about the size of the structure, how it will impact them visually and it not being consistent with the other garages in the area. Additional concerns in regards to use of the outbuilding as car repairs despite the conditions proposed.

APPRAISAL

Impact on the Character of the Area

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 134 states that “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design⁵², taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”

The proposal would not be visually prominent from a public viewpoint and it is not uncommon for the properties in the street to have a rear extension/conservatory/outbuilding.

There are properties around the area which benefit from outbuildings of various heights and massing. The proposal does include a pitched roof which is not seen within the immediate garages within the entry way. But, it is not uncommon to find outbuildings of this massing and height within the area, which retains the required minimum 50 square metre rear amenity space. Furthermore, the outbuilding would clearly appear subservient to the host dwelling.

It is therefore considered that the proposal would have no adverse impact on the street scene or the character of the area.

Impact on Neighbours

Given the height of the outbuildings, it will be visible from neighbouring properties. The outbuilding alongside the rear of the boundary is enclosed with 3 fences and therefore will screen the majority of the outbuilding. Additionally, there is an entryway with garages to the rear of the property, so there would be no harm to the rear neighbours given the separation distance.

The front elevation of the outbuilding – which will face towards application/neighbouring dwellings include three bi-fold doors. Concerns have been raised by neighbours in regards to the resultant overlooking as a result.

Given the minimal slope increase measured from the nearest neighbouring property to the outbuilding of 0.7metres, in conjunction with the view that the possibility of overlooking is no more than if the applicant was to currently stand in the same position of the garden, along with the standard garden fencing boundary treatment, it is the view of the Officer that the proposal would be largely shielded and would not result in additional harmful overlooking.

The outbuilding will technically infringe the 45-degree splays from neighbouring habitable room windows, but due to the predominant screening and the single storey nature of the outbuilding situated at the end of the garden, the impact on the amenity of neighbouring dwellings will be limited and as such is felt to be acceptable. There are no direct relationships to adjacent properties will all views being afforded at angles.

Whilst the proposal does increase the massing along the neighbouring boundaries, it is considered that a distance of 7.3 metres and 10.13 metres provides sufficient uninterrupted boundary treatment. The proposal has been reduced in height prior to submission as confirmed with the neighbour to relieve the boundary massing. It is worth noting that the Plans do not show an existing shed which is situated along the boundary of No. 23 Malmesbury Road.

The outbuilding is not considered to have a detrimental impact upon the neighbouring occupants in regard to the overbearing, overlooking and overshadowing; and whilst the relationship to adjacent properties is tight, the overall impact is considered to be limited and of insufficient severity to justify refusal.

Vehicle Parking, Highways and Pedestrian Safety

The proposal will result in an additional parking space within the garage, and will retain its existing entrance. Parking Standards have been met.

A condition will be attached to ensure that the garage use is ancillary to the application site dwelling and will not be used for any form of business use.

Equality implications:

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:
a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

There are no known equality implications arising directly from this development.

CONCLUSION

In view of the acceptable principle, design and no detrimental impact upon neighbouring properties, the scheme accords with development plan policies, supplementary planning guidelines and the NPPF 2019 therefore the application is recommended for approval. The development is in accordance with Policy DE1 of the Coventry Local Plan 2016.

CONDITIONS:/REASON

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

Reason: *To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)*

2. The development hereby permitted shall be carried out in accordance with the following approved plan Existing and Proposed Plans and Elevations

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

3. Other than where specified on the approved plans, no facing and roofing materials shall be used other than materials similar in appearance to those used predominantly in the construction of the exterior of the existing dwelling property, known as 27 Malmesbury Road.

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 garage/outbuilding hereby permitted shall only be used for purposes incidental to the enjoyment of the dwelling known as 27 Malmesbury Road and shall not be used as primary living accommodation or for the purpose of any trade or business.

Reason: *To safeguard the amenities of nearby occupiers in accordance with Policy DE1 of the Coventry Local Plan 2016*

