

Planning Ref:	FUL/2021/0987
Site:	22 Rowleys Green Lane
Ward:	Longford
Proposal:	Demolition of existing bungalow and construction of a two storey dwellinghouse
Case Officer:	Holika Bungre

SUMMARY

The application seeks planning permission for a 3 bedroom bungalow to be demolished and a two storey dwelling to be rebuilt in its place, with 6 bedrooms, including accommodation in the second floor roof area. The proposal is considered to have an acceptable impact upon the street scene, and will cause no undue levels of harm to neighbours or highways safety.

BACKGROUND

The application is recommended for approval. The application has received a sponsored petition by Ward Councillor with 53 signatures objecting to the proposal, and more than 5 public representations objecting to the proposal.

KEY FACTS

Reason for report to committee:	Sponsored Petition and Called in by Ward Councillor and more than 5 objections.
Current use of site:	Residential
Proposed use of site:	Residential

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 the character of the area.
- 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: DS3, H3, H5, H9, GE3, DE1, AC1, AC2, AC3, AC4, EM2, EM5 and EM7 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks planning permission to demolish the 3 bedroom bungalow and replace it with a 2 storey dwelling with 6 bedrooms, including accommodation within its roof.

The dwelling will retain its current rear and side building line (adjacent to No. 24 Rowleys Green Lane) but will project forward by 1.3m (and 2m for the small section where the front porch is also proposed), and will extend further out to the north east side by 2m .

As amended, the design has been improved to simplify design features of the dwelling, to mitigate against overlooking, to ensure a suitable standard of living accommodation for each habitable room (and one bedroom has been removed from the scheme to achieve this), for hedging to be retained and for a tree to be added at the front.

SITE DESCRIPTION

The application site relates to a bungalow with 3 bedrooms and 2 kitchens located to the south east edge of Rowleys Green Lane in the Longford Ward. The bungalow originally had an integrated garage which still retains its front garage doors but appears to have been converted into a second kitchen, and the site has an area of hardstanding for parking and other landscaping such as grass and hedging to the front and rear.

The setting is that of a residential area with two storey dwellings fully surrounding it to all sides (in Cargill Close to the north east, in Raymond Close to the south, in Rowleys Green Lane to either sides and in Bramwell Gardens Opposite). There are also quite a mix of designs, materials and heights within those surrounding houses, although the nearest dwellings to the right hand side (when viewed from Rowleys Green Lane) echo varying gable features.

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
S/1963/1141	Erection of bungalow and garage	Approved 11/12/1963

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF 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 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) 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: Existing Housing Stock

Policy H9: Residential Density

Policy H11: Homes in Multiple Occupation

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy DE1 Ensuring High Quality Design
Policy AC1: Accessible Transport Network
Policy AC2: Road Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling
Policy EM2: Building Standards
Policy EM5 Sustainable Drainage Systems (SuDS)
Policy EM7 Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development
SPD Delivering a More Sustainable City
SPD Coventry Connected

CONSULTATION

No Objections received from:

- Cadent
- Ecology

No objections subject to conditions have been received from:

- Environmental Protection
- Highways
- Urban Design

Immediate neighbours and local councillors have been notified; a site notice was posted on 23/08/2021.

A petition against the development sponsored by the Ward Councillor with 53 signatures has been received. Of those signatures, at least 9 of them have also written in with their own individual objections.

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

- a) Overlooking into houses, bedrooms, lounges and gardens from 2 storey dwelling
- b) Loss of light to land and properties, partly due to increased height
- c) Is obtrusive and will cause a loss of outlook and open views
- d) Dimensions and scale too large for plot, and house will be higher than other structures in the area
- e) Design of the house does not fit in with the street scene
- f) Hedges to be removed and replaced with fencing and negative impact on wildlife and would be an eyesore
- g) While stated at a two storey dwelling is a three storey house
- h) Bungalow still in good condition for future use, of which there are shortages of
- i) Concerns the dwelling will be rented out and/or used for either a shared house, separate units, a social home, and not a family home
- j) Two car parking spaces is not enough for this size of house and current parking issues will be made worse in the street
- k) Inconvenience, noise, disruption, pollution and debris from construction
- l) Parking problems would be exacerbated by work vehicles during construction
- m) Side entryway used by older people with mobility issues will become unavailable/dangerous during construction

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, the impact upon neighbouring amenity, highway considerations, contaminated land, air quality, and ecology and trees and other matters.

Principle of development

The principle of the development is acceptable, given that the existing property is one C3 residential dwelling, and the resulting property is also one C3 residential dwelling. There is no change of use that is proposed to take place. Therefore this is acceptable subject to all other considerations.

Concerns have been raised in the representations that the dwelling could be rented out and/or used for either a shared house, separate units, a social home, but not a family home, as a response to the size and number of bedrooms and bathrooms etc. proposed within the property. To clarify this and its planning position, a single C3 family dwelling is what is being applied for here, and either secured or supported accommodation with a significant level of care, would fall into a different use class which would require a separate planning permission and would not be permitted under this application, and therefore cannot be speculated for here. Similarly, more than one unit would require a further planning application also.

Concerning a shared house, all C3 dwellings including houses where extensions are applied for have national rights to be used as C4 small HMOs (for 6 unrelated people or less) without requiring a separate planning permission, but to avoid this, the change to this use can be prevented by condition, which is recommended.

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.

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;
- a) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- b) 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);
- c) 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;
- d) 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
- e) 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 design, height and scale of the dwelling is in keeping with the surrounding houses in the street scene, and is also two storey as with all of the others, and being a similar height to the those nearest to it to all sides. As amended, it clearly now echoes similar gable features found within the street, but without them being too dominant.

The design has been simplified since the original submission as not to appear cluttered. The footprint of the new dwelling in relation to the current bungalow and the plot is not too dissimilar, and is only extended slightly to the front and side where there is more space within the plot to allow this, as well

leaving as a large gap to this side between the dwelling and the houses is Cargill Close. Therefore, given the all of the above, the works are not considered to be over development of the site.

The set down in the first floor roof is considered to decrease the bulk and mass of the appearance of the dwelling which helps it to appear of a similar scale to the nearest houses in Rowleys Green Lane overall, although the set down also helps the dwelling to relate well visually to the houses in Cargill Close. The retention of the hedging for ecological reasons has also been a welcome change to the plans concerning the visual appearance of the site and property.

The front building line will come slightly forward, but will not breach or encroach past the established building line in the street and therefore the siting of the new dwelling will be suitable. The side building line with Cargill close is also far from being breached or affected. The quality is therefore such that it is considered suitable within the street scene overall. Urban design agree with this assessment but have asked for material details to be provided by condition which is recommended to be applied.

Concerning the standard of living accommodation, all bedrooms and habitable rooms have been ensured that they provide a meaningful level of light and outlook without causing overlooking which will be further discussed below. Both bedrooms in the roofspace would have rooflights in the front roofslope at a level at which they would provide an outlook to occupants. The garden amenity space will not be materially different from that of the existing and is considered sufficient. The bin storage area is ample still as a result of this proposal.

Impact on residential amenity

The required separation distances from the rear of the new dwelling rear to the property to the rear will not change and remains at 20m, and this is exceeded to the front despite the new building line. The building will not be harmfully closer to any other properties than the current position in terms of increased overbearing, overshadowing or overlooking impact.

The side window added for the outlook of the side bedroom at first floor will have a 10m clearance to the boundary of the property to that side (21 Cargill Close), and therefore it is not considered that any undue overlooking would occur here. Rear windows at first and second floor have been amended to be non-habitable room windows only at first floor for bathrooms and have been removed at second floor, therefore there will be no undue overlooking to the gardens or properties behind, which was especially important given that there is only a small distance of 6m to the rear boundary with the neighbouring garden.

In order to prevent further overlooking in the future, a condition is also recommended to remove Class B Residential Permitted Development Rights for roof additions and alterations, to prevent a dormer being added in future without planning permission.

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

The off street parking requirement for the current 3 bedroom bungalow is 2 spaces, which is also the case for the proposed 6 bedroom dwelling. Highways are satisfied that 2 spaces will remain available and therefore the proposals are acceptable in this respect. The existing vehicular access will remain unaltered.

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 have not objected to the application subject to a condition requiring a risk assessment to be produced for unexploded ordnance, which will be applied.

Air quality

Policy EM7 states that major development schemes should promote a shift to the use of sustainable low emission transport to minimise the impact of vehicle emissions on air quality.

Environmental Protection have not objected to the application subject to a condition for a minimum of 1 x electric vehicle charging point and for any new gas boilers to have a maximum dry NOx emissions rate of 40mg/kWh. Both of these conditions are recommended to be applied.

Ecology and Trees

Policy GE3 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.

Ecology have raised no objection subject to the request that hedges are retained (which has been amended to show as such on the plans) instead of the previously proposed fencing, and biodiversity offsetting to be provided to ensure no biodiversity loss. A tree has been proposed to the front garden which is considered sufficient, and Ecology do not require any further conditions to be added. Also, no bat surveys are required by Ecology concerning the demolition of the bungalow.

Other matters

Some hardstanding is being added, but there are still remaining areas of grass and hedging all around the site for sustainable runoff.

Various concerns have been raised regarding disruption from the construction works. As per the request by Environmental Protection and Highways, a reasonable level of control can be applied to this, in the form of a Construction and Environmental management statement being required by condition, which will be applied. This will include aspects such as emissions of noise, dust and dirt will be minimised during demolition and construction, and proposed working hours.

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

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology or the character of the area, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H3, H5, H9, GE3, DE1, AC1, AC2, AC3, AC4, EM2, EM5 and EM7 of the Coventry Local Plan 2016, together with the aims of the NPPF.

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 plans: Site and Location Plans 01a, Block Plan 02d, Existing Site Plan 03a, Proposed Site Plan 04a, Existing Building Plan 05, Existing Elevations 06a, Proposed Ground Floor Plan 07a, Proposed First Floor Plan 08c, Proposed Second Floor Plan 09c, Proposed Elevations 10b, Existing and proposed Street Scene View from Rowleys Green Lane 12a, Existing and proposed Street Scene View from Cargill Close 13a

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

3. Prior to the commencement of development, a method statement detailing the control of emissions into the air during the demolition/construction phase should be submitted to and approved in writing by the Local Planning Authority. The method statement should accord with the Best Practice Guidance - 'The control of dust and emissions from construction and demolition' and include:-
 - a) proposed hours of work;
 - b) map with nearest receptors and distances for dust and noise;
 - c) noise impact on nearest neighbours and control measures as required;
 - d) monitoring methods and measurement locations for dust and noise recording details;
 - e) dust mitigation measures;
 - f) contact details for responsible persons and site personnel training; and
 - g) information provision and liaison with local residents. The development shall only proceed in full accordance with the approved details.

Reason: *To protect the amenity of the occupiers of the residential accommodation hereby approved in accordance with Policies DS3 and EM7 of the Coventry Local Plan 2016.*

4. The development hereby permitted shall not commence unless and until a Desk Study for Potential Unexploded Ordnance Contamination and a risk mitigation strategy has been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in strict accordance with the approved details.

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

5. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.

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

6. Prior to their incorporation into the development hereby permitted, sample details of all facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority. These details shall be installed only in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

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.*

7. The existing hedges indicated on the approved plan 'Block Plan 02d' to be retained shall not be cut down, grubbed out or otherwise removed or topped or lopped so that the height of the hedges falls below 1.8m at any point. Any hedges 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, shall be replaced within the next planting season with hedging, trees and/or shrubs of such size and species details of which must be submitted to and approved by the Local Planning Authority. All hedging, trees and shrubs 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 those landscape features which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policies GE3, GE4 and HE2 of the Coventry Local Plan 2016.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, the residential accommodation hereby permitted shall be occupied only as a dwellinghouse falling within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any order revoking and re-enacting that Order with or without modification, and for no other purpose; and for the avoidance of doubt there shall be no permitted change to Use Class C4 of the schedule to that Order.

Reason: *To prevent further intensification of use of the property, in the interests of the occupiers of nearby properties in accordance with Policies DE1, H3, H5 and H11 of the Coventry Local Plan 2016*

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, the 3 No. first floor windows to be formed in the south east rear facing elevation of the dwelling hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window

will be at least 1.7m above the floor of any room in which the window is installed.

Reason: *In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, no extension, enlargement or addition shall be erected or constructed to the roof of the dwellinghouse hereby permitted without the prior grant of planning permission by the Local Planning Authority.

Reason: *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 H3 and DE1 of the Coventry Local Plan 2016.*

