

<b>Planning Ref:</b>	<b>FUL/2021/3218</b>
<b>Site:</b>	<b>Land to the Rear of 35-37 Cedars Avenue</b>
<b>Ward:</b>	<b>Sherbourne</b>
<b>Proposal:</b>	<b>Retention of timber storage building</b>
<b>Case Officer:</b>	<b>Holika Bungre</b>

### **SUMMARY**

The application site relates to the Scout Site situated to the land to the rear of dwellings in Cedars Avenue in the Sherbourne Ward. As amended, the application seeks planning permission to retain a single storey timber storage outbuilding which has been erected.

### **BACKGROUND**

A timber outbuilding has been erected at the site which requires planning permission, and there is an open enforcement case relating to the site.

### **KEY FACTS**

<b>Reason for report to committee:</b>	The application has received more than 5 representations
<b>Current use of site:</b>	Scout site
<b>Proposed use of site:</b>	Scout site

### **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 highway safety or the character of the area.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: DS3 and DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **APPLICATION PROPOSAL**

As amended, the application seeks planning permission to retain the single storey timber storage outbuilding, which has been erected to the front of the main Scout building, as a kayak store. It measures 4m wide by 5.15m/5.7m in length and has a flat roof with a very slight incline as is often usual with flat roofed buildings, measuring 3.4m high at the highest point and 3.1m from ground level at the lowest. The application originally proposed an A frame at the rear of the green area of site also, but this has now been removed from the scheme.

Despite concerns raised, it is considered that the structure is shown accurately and in the correct location on the plans.

## **SITE DESCRIPTION**

The application site relates to the Scout Site situated on the land to the rear of dwellings in Cedars Avenue in the Sherbourne Ward (with an intervening entryway between the site and Cedars Avenue). The site also lies to the rear of the dwellings in Lilac Avenue (which is to the south of the site, and also has an intervening entryway at the rear of the dwellings). There is a ground level change, downwards from Cedars Avenue through the site and further downwards towards Lilac Avenue. To the north east of the site are allotment gardens and to the south west are the dwellings in Evenlode Crescent.

## **PLANNING HISTORY**

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

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
S73/2014/1553	Removal of Condition 1 imposed upon planning permission FUL/2011/0757 to allow the continued use of a scout hut as a children's day nursery on a permanent basis from 9:00am to 3:00pm Monday to Friday.	Approved 01/08/2014
FUL/2011/0757	Change of use of Scout hut to include children's day nursery (resubmission of FUL/2011/0038).	Approved 22/07/2011
FUL/2011/0038	Change of use of Scout hut to children's day nursery (9.00am to 3.00pm Monday to Friday)	Refused 21/03/2011
R/2000/2015	Erection of single storey extension	Approved 28/11/2000
S/1967/0272	Erection of new scout headquarters	Approved 24/02/1967
S/1966/0270	Retention and continued use of temporary boy scout's headquarters	Approved 02/09/1966
S/1962/0294	Retention and continued use of temporary boy scout's headquarters	Approved 14/11/1962
S/1955/0342	Erection of temporary boy scout's headquarters	Approved 30/03/1955

## **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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy DE1 Ensuring High Quality Design

### **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

SPG Design Guidelines for New Residential Development

## **CONSULTATION**

Immediate neighbours and local councillors have been notified.

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

- a) Unhappy with siting of the storage building
- b) Timber building is an eyesore when viewed from the dwellings, especially those directly behind it
- c) Visually intrusive
- d) Building is too large
- e) Due to ground level change, building is quite dominant to houses in Lilac Avenue in comparison to Cedars Avenue, and appears almost 2 storeys high
- f) Timber building is not treated or painted and will weather to grey which will be an eyesore
- g) Blocks sunlight to neighbouring properties and gardens, particularly in afternoon and evening
- h) Overlooks neighbouring gardens
- i) Site is turning into an activity centre
- j) Speculation that new storage area will be an axe throwing area
- k) The business already has a scout hut on the property that doesn't have planning permission
- l) Building built without planning permission and higher than planning restrictions
- m) Concerns that an immediate neighbour was not consulted, but all immediate neighbours adjoining the site consulted by letter.
- n) Structure is not shown in correct location on plans
- o) Overhanging timbers over the public access not shown on the plans
- p) Soakaway drainage not suitable

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

- a) Query over proposed scale and height of A frame, overlooking and noise nuisance from it and the safety of its use. *The A Frame is now removed from scheme.*
- b) Mess is being made and fly tipping is taking place in the entryway
- c) Business, builders of structure and children who use the site are rude and lack respect
- d) Building is a fire hazard, especially for when firework displays take place as they did in November. Difficult site for ambulances or fire engines to access also.
- e) Building built higher than building regulations restrictions
- f) Concerns over quality and structural integrity of build
- g) Negative impact on neighbouring property values
- r) Security lights shine into bedroom windows. *There are no security lights on the building.*
- s) Issues of noise late into the night of users of site and use of power tools. *This does not relate to the use of this building.*

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**

For clarity, while speculations of the use of the site have been raised, what is being applied for here is a kayak store, and there are no reasonable planning reasons to speculate any further than this.

The principle of the erection of a storage building associated with the scout hut is acceptable subject to visual and neighbour amenity considerations. It will be conditioned that it shall only be used as storage in connection with the Scout Hut Building.

### **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 of the storage building is considered typical of what would be expected for something of this nature and on this type of site, and the materials of the timber cladding appear to be attractive and of a high quality. While it is slightly high, this is not considered to be visually harmful to the site and cannot be viewed from any public vantage points or street scenes and is not considered a harmful visual feature from the allotments.

While it is visible from some of the dwellings and their gardens and has a comparable height of almost 2 storey level with the houses in Lilac Avenue this is not a reason that warrants the refusal of a planning application in visual terms, and it is at a substantial distance away from all of the surrounding properties (a minimum of 21.6m away from the houses to the rear in Lilac Avenue, and their gardens are also separated by an intervening entryway). It is of a similar height and impact as the existing building on the site and is built in line with it along the southeast boundary. It is therefore considered suitable in design and visual amenity terms.

### **Impact on residential amenity**

The level difference between the site and the dwellings to the rear in Lilac Avenue is acknowledged, and the relative height of the building being at almost 2 storey window level with those houses, yet the timber building is not directly situated on the rear boundaries of the gardens and is separated by an intervening entryway and is a distance of 6.5m away from the rear boundaries of the gardens behind.

It is also sited substantially far away from the dwellings, being 21.6m away from No. 18 Lilac Avenue, and 24m away from the rear of No. 20 Lilac Avenue (which are the houses that lie directly to the rear of the building).

While the proposal is not for a dwelling, as a fair check of suitable separation distances and how visually intrusive the building is to the properties behind, a minimum of 12m is normally required between the front or back of a two-storey dwelling and the blank side of another – and this building is almost double that distance. Therefore, the building is not harmful in terms of being directly overbearing and does not unreasonably affect the outlook of these neighbouring properties. Furthermore, it is noted that a minimum of 10m is normally required for rear garden lengths to ensure minimum standards of daylight are achieved, and this is also far exceeded by the neighbouring gardens.

There are no windows in the south east elevation of the building across of the rear gardens of Lilac Avenue (nor any in the building at all) and therefore no overlooking or loss of privacy occurs from the building to those properties or gardens.

### **Other Matters**

Comments stating that the drainage is not suitable have been raised, however it is not reasonable to require drainage details for this scale of building.

### **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 visual or neighbour amenity subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3 and DE1 of the Coventry Local Plan 2016, together with the aims of the NPPF.

### **CONDITIONS:/REASON**

1. The permission hereby granted is in relation to the following approved plans: 21/09/21 Rev C

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

2. The outbuilding hereby permitted shall be used solely as storage in connection with, and ancillary to the existing business at Scout Hut, Group Headquarters, Rear of 35 to 37 Cedars Avenue, and shall not be sub-divided, sub-let or used as a separate business premises.

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