

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2023/0000220/HHA
<b>Site:</b>	15 Merynton Avenue, Coventry, CV4 7BL
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Rear outbuilding
<b>Case Officer:</b>	Grace Goodman

## SUMMARY

The application proposes to erect an outbuilding at the rear of the garden. The proposal is considered to have an acceptable impact upon the neighbour's amenity and character of the area.

## BACKGROUND

The application has been recommended for approval. The application has received 7 public representations objecting to the proposal.

## KEY FACTS

<b>Reason for report to committee:</b>	Over 5 objections
<b>Current use of site:</b>	Residential dwelling
<b>Proposed use of site:</b>	Residential dwelling

## RECOMMENDATION

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

## REASON FOR DECISION

- a) The proposal is acceptable in principle.
- b) The proposal will not adversely impact upon the amenity of neighbours.
- c) The proposal will have an appropriate visual appearance and layout
- d) The proposal accords with Policies DE1, DS3, H5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## SITE DESCRIPTION

The property is a semi-detached two storey dwelling. There is a long rear garden of over 20m in length and off-street parking for at least two vehicles. The character of the street is quiet residential comprising of a mixture of mainly substantial semi-detached with some detached properties close-by particularly at the junction with Hilary Road just to the north. The property has recently been extended with a two-storey side and rear extension and a rear dormer.

## APPLICATION PROPOSAL

The proposal is for a rear outbuilding with a width of 9.7m wide and 6m in depth. The outbuilding will be set off the boundary by 0.5m. The front of the outbuilding will have bi-fold doors and one small extra window. On the rear elevation will be one obscure glazed window. The height of the outbuilding will be a maximum of 4m high to the ridge with a pitched roof.

## 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
HH/2022/2530	Two storey front, rear, side and single storey rear extension, dormer and garden outbuilding	Refused 16-11-2022
HH/2020/0565	Erection of 2 storey front, rear and side and single storey rear extensions.	Approved 01-05-2020

The application site gained planning permission for various extensions to the property in 2020. The extensions have been constructed but with some changes from the approved plans. In 2022, a further application was submitted applying to retain the as built extensions which are similar to the approved plans but with the addition of a large dormer. An outbuilding was included in this application as well but has not been built. The application was refused under delegated powers due to concerns over the size and design of the dormer. The applicants have appealed against this decision, and we are currently awaiting the outcome of the appeal.

## 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 DE1 Ensuring High Quality Design;  
Policy DS3: Sustainable Development;

Policy H5: Managing Existing Housing Stock;

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

SPG Extending your home – a design guide

**CONSULTATION**

**Statutory**

None

**Non-statutory**

None

**Neighbour consultation**

Notification letters were sent out to adjoining neighbouring houses.

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

- a) Loss of boundary shrubs and hedging.
- b) Overdevelopment
- c) Overshadowing
- d) Loss of light due to garden sloping down to Tutbury avenue
- e) Loss of privacy from window at the rear of the building

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

- f) Should not be determined until after appeal decision on main house has been determined.
- g) Drainage issues
- h) Future use of the property

Any further comments received will be reported within late representations.

**APPRAISAL**

**Principle of development**

Principle of Development:

The application site is located in a residential area where it is considered sustainable, acceptable and common to extend homes. However, it is important to ensure that extensions are in keeping with the design and character of the existing house and of the surrounding area and there will be no harmful impact on residential amenity. Materials, colours, textures and local distinctiveness should all be considered within the context of the local area in order to ensure a high-quality urban environment, in accordance with policies DE1 of the Coventry Local Plan and Supplementary Planning Guidance for Extending Your Home, unless relevant planning considerations indicate otherwise, including whether or not a proposal will cause:

- Loss of light;
- Overlooking and loss of privacy;

- Over-development of a site;
- Visual intrusion; and
- Impact on the street scene and character of the area

### **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;
- 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 outbuilding will not be visible from the street scene and consequently will have no adverse impact upon the street scene. Whilst the outbuilding is large, garden buildings of this size are not uncommon and other properties in the vicinity have outbuildings of various sizes. Given the size of the plot it can accommodate a building of this size without appearing cramped or incongruous. The outbuilding is considered to be in keeping with the character of the area and is appropriately designed for its location.

### **Impact on residential amenity**

The outbuilding will not have any adverse impact upon the neighbouring properties. It is located at the end of the garden and given the size of the plot and those adjoining the site will achieve separation distances of at least 13m from the rear elevation of both 13, and 17 Merynton Avenue and over 20m to the nearest properties on Tutbury Avenue. Despite the slight downward slope from Merynton Avenue to Tutbury Avenue, in view of the separation distance to the rear of properties on Tutbury Avenue it is not considered that the outbuilding will cause loss of light or considered to be overbearing to neighbouring occupiers. The proposed rear window will not impact neighbours' privacy as the window will be obscure glazed and will barely be visible above the fence. No loss of neighbouring amenity is expected as a result of the proposed development. A condition is recommended to ensure that the outbuilding is only used for purposes incidental to the enjoyment of the dwelling and not as primary living accommodation.

### **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**

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with development plan policies, supplementary planning guidelines and the NPPF 2021 therefore the application is recommended for approval. The development is in accordance with Policies DE1, DS3, and H5 of the Coventry Local Plan 2016.

## **CONDITIONS / REASONS**

1.

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

<b>Reason</b>	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>
---------------	--

<b>2.</b>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Site Plan DWG C361/021</p> <p>Location Plan</p> <p>Proposed Plans and Elevations DWG C361/022 Rev A</p>
-----------	--

<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
---------------	--

<b>3.</b>	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 building.
-----------	--

<b>Reason</b>	<i>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.</i>
---------------	---

<b>4.</b>	The outbuilding hereby permitted to be erected shall be used only for a purpose incidental to the residential use of the application property and the outbuilding shall not be used as primary living accommodation or for the purpose of any trade or business.
-----------	--

<b>Reason</b>	<i>To ensure that the outbuilding is not used in a manner prejudicial to or likely to cause nuisance to occupiers of nearby properties in accordance with Policies DE1 and EM1 of the Coventry Local Plan 2016</i>
---------------	--