

Planning Committee Report	
Planning Ref:	PL/2023/0000283/FUL
Site:	189 Baginton Road
Ward:	Earlsdon
Proposal:	Retrospective permission for demolition of detached garage to rear and erection of detached residential annexe
Case Officer:	Rhiannon Campbell

SUMMARY

The application is a householder application proposing the demolition of detached garage and erection of a one and two-storey annexe to the east of the site. The proposal is partially constructed, following required amendments from the previously proposed apex roof.

BACKGROUND

The site had previous permission for the extension and conversion of the garage to a one and two-storey annexe. The application site will remain C3 residential dwelling, with parking provision remaining on site.

KEY FACTS

Reason for report to committee:	Received 5 or more objections, recommended for approval
Current use of site:	C3 Residential
Proposed use of site:	C3 Residential with annexe

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.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: AC1, AC3, DE1, H3, and H5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

SITE DESCRIPTION

The application site relates to a two-storey, red brick and white rendered, extended, semi-detached property located on the eastern side of Baginton Road at the junction with Dawlish Drive. The property benefits from on-site parking to the front of the property which is accessed via a dropped kerb. There is also a dropped kerb and vehicular access to the rear.

To the rear of the site, there previously was a detached garage / outbuilding measuring 6.65 metres in depth, 3.4 metres in width, 2.8 metres to eaves and 4.95 metres in height when measured at the highest point. Due to the positioning of the garage at the rear of the garden, the outbuilding was sited lower due to the stepped down nature of the garden. Permission was granted for the extension and conversion of the outbuilding to a residential annexe, but this has since been demolished and rebuilt on the same footprint as the previous proposal.

APPLICATION PROPOSAL

The proposal seeks the demolition of the existing garage/outbuilding and erection of an outbuilding (retrospective).

The two-storey element will result in the pitched roof having a maximum height of 5.4 metres, 6.65 metres in depth, 3.4 metres in width and 2.8 metres to the eaves. The single storey element will result in the flat roof measuring 6.65 metres in depth, 3.0 metres in width and 3.25 metres in height. The building has the same dimensions and footprint as that approved under application FUL/2021/3558 but this is for a complete new build rather than the conversion of the original garage/outbuilding.

The building was originally built with a revised design featuring an A-symmetrical gable roof, with 1no. apex window, 1no. door and 3no. long windows in the front elevation, 2no. windows and 3no. rooflights in the side (west-facing) elevation, but this has since been amended to follow the design of the originally approved extensions.

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/1980/0364	Erection of garage	Refused
S/1983/0073	Erection of workshop	Approved
L/1990/1701	Erection of two storey extension at side	Approved 09/11/1990
HH/2017/2479	Proposed front, side and rear two-storey extension	Approved 30/11/2017
HH/2021/3094	Conversion of existing garage to habitable room, erection of single storey side extension to garage and increase of roof ridge height by 450mm.	Withdrawn 04/01/2022

FUL/2021/3558	Convert garage into a self-contained annexe with a first-floor bedroom. Raise roof by 450mm and erection of a side flat roofed 3.0m extension.	Approved 03/02/2022
PL/2022/0000234/NMA	Non-material amendment (Condition 2) amending the flat roof to integrate with the pitched roof; to planning permission reference FUL/2021/3558 granted on 03/02/2022 for 'Convert garage into a self-contained annexe with a first-floor bedroom. Raise roof by 450mm and erection of a side flat roofed 3.0m extension.'	Refused 01/02/2023

The application for the non-material amendment was refused because the changes which were proposed were not deemed to be within the scope of a non-material amendment as the changes included the increase in ridge height which would constitute a material change.

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 DE1: Ensuring High Quality Design
- Policy H3: Provision of New Housing
- Policy H5: Managing Existing Housing Stock
- Policy AC3: Demand Management

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Householder Design Guide

CONSULTATION

No Objections received from:

- Highways
- Planning Policy

No objections subject to conditions have been received from:

- Environmental Protection
- Ecology

Neighbour consultation

Immediate neighbours and local Councillors have been notified.

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

- a) Overlooking
- b) Concerns over the height of the annexe and mono-pitched roof.
- c) Use is not an annexe
- d) Not in keeping with the area
- e) Massing is too large
- f) Obtrusive
- g) Proposal is not a conversion
- h) Parking concerns

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 and highway considerations

Principle of development

Paragraph 11 of the NPPF (2023) sets out the presumption in favour of sustainable development. Policy DS3 of the adopted Local Plan is consistent with the NPPF and sets out that development proposals/applications that accord with the policies in the Coventry Local Plan (and, where relevant, with policies in supporting plans) will be approved without delay, unless material considerations indicate otherwise

Policy H3 states that new development must provide a high-quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues

The application proposes a residential annex within an existing residential curtilage and as such is considered to provide an appropriate location for residential occupation, compatible with neighbouring uses.

The Householder Design Guide SPD states that “Extensions should not erode garden spaces and spaces between buildings which contribute to the visual amenity and character of a locality. Development should not unduly restrict use of the private rear garden and should be proportionate to the size of the dwellinghouse and its plot.”

The proposal seeks for the use of the outbuilding to be a residential annexe, which would share amenity space with the main house. As such, given the size of the application site plot, it is considered that the plot would not be unduly restricted and would meet the above requirement. A condition is recommended to ensure that the annex remains ancillary to the main dwelling and that there is not a subdivision to create a new dwelling, as it relies on shared amenity and parking provision.

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 SPD confirms that garden buildings / sheds should be proportionate to the scale of the associated dwellinghouse and plot.

Policy H5 of the Local Plan requires proposals will enhance the surrounding residential environment and to meet local housing needs.

The height of the outbuilding is taller than other similar structures in the immediate vicinity but is only marginally taller than the building it replaces and retains the same massing and footprint to that previously approved under a separate application (FUL/2021/3558), and as such, it is considered that the proposal would not cause additional harm to the character of the area given the mix of house designs. The wider footprint of the annexe is deemed to be more in keeping with existing outbuildings within the area.

Neighbouring 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 SPD requires that garden buildings / sheds should be sited so they do not result in visual intrusion, overshadowing, overlooking or loss of privacy to neighbouring properties.

The proposed ground floor windows are within the side elevation of the annexe, which faces onto the application site dwelling. As a result of this, and the position of the annexe being lower than the property, it is considered that no overlooking would occur. Furthermore, given that the annexe faces the main dwelling and is to be occupied by family members, there is not considered to be a privacy issue.

The proposal will retain a 10.0 metre separation distance between the side elevation of the outbuilding and rear elevation of the neighbouring property at No. 191 Baginton Road. Given its single storey nature, of the element of the building closest to the rear of No.191, and ground level set down further than the neighbouring property, it is considered that the proposal would have minimal harm on the neighbouring amenities.

Additionally, in relation to the adjoining neighbour to the rear at No. 86 Arnold Avenue; due to the existing neighbouring outbuilding screening the proposed outbuilding, the separation distance of 21.5 metres to the neighbouring rear elevation and minimal total height increase of 0.45 metres, it is considered that the proposal will not have a detrimental impact on neighbouring amenities.

Concerns were raised with regards to overlooking as a result of the 'windows in the bedroom'. This is referring to the 2no. rooflights in the side elevation. Due to their positioning on the roof slope of the ceiling in the bedroom and that they directly face the main dwelling and not neighbouring properties, it is considered that the proposal does not result in unacceptable overlooking and is therefore considered to be acceptable.

Highway considerations

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 principle of the annexe was previously considered acceptable with the current parking provision. This application amends the details of the annexe and does not result in any additional intensification in use of the annexe or the existing access. As such the existing parking provision is considered to be acceptable.

Environmental Protection require 1x electric vehicle charging point. It is considered that this will not be required given the proposal is ancillary to the main property and therefore the proposal is the same in principle to FUL/2021/3558 which did not require an electric vehicle charging point. Therefore, due to the above reason and for consistency, this will not be required of the current application.

Landscaping

Ecology have recommended that 1x bat box and 1x bird box / sparrow terrace be provided. The proposal is the same in principle to FUL/2021/3558 which did not require such provision and therefore it would be inconsistent to require such provision with this application

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, highway safety, ecology or infrastructure, subject to relevant conditions. The development is considered to be in accordance with: Policies AC1, AC3, DE1, H3, and H5 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS/REASONS

<p>1.</p>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Existing Plans and Elevations DWG SO02 Rev 02</p> <p>Design and Access Statement</p> <p>Proposed Plans and Elevations DWG 8872-01</p>
<p>Reason</p>	<p><i>For the avoidance of doubt and in the interests of proper planning.</i></p>
<p>2.</p>	<p>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 189 Baginton Road.</p>
<p>Reason</p>	<p><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></p>
<p>3.</p>	<p>The residential annexe hereby permitted shall be occupied solely in connection with and ancillary to the main dwellinghouse at 189 Baginton Road and shall not be sub-divided, sub-let or occupied as an independent unit of residential accommodation.</p>
<p>Reason</p>	<p><i>The creation of an independent unit of residential accommodation in this location would not provide a satisfactory residential environment for future occupiers in accordance with Policies DE1, H3 and H5 of the Coventry Local Plan 2016.</i></p>