

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2023/0001437/HHA
<b>Site:</b>	2 Gibbet Hill Road
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Extensions and alterations to existing dwelling including proposed new access. Proposed new garden outbuilding and landscaping works. Resubmission of application reference HH/2022/2894 to allow additional extensions to the main dwelling including second floor and enlarged outbuilding.
<b>Case Officer:</b>	Grace Goodman

## **SUMMARY**

The property received planning permission for two storey and single storey front, rear and side extensions, a second access point, and an outbuilding under application HH/2022/2894.

The current planning application is for some amendments to the extensions to the main building and an increase in size of the outbuilding. Work to the outbuilding and main house had started when the current application came in but subsequently stopped.

## **BACKGROUND**

The application has been recommended for approval. The application has received over 5 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 with extension and outbuilding

## **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 the amenity of neighbours.
- The proposal will have an appropriate visual appearance and layout
- The proposal accords with Policies DE1, DS3, H5 and HE2 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## **SITE DESCRIPTION**

The application is a two-storey large, detached dwelling on a spacious triangular shaped plot located on Gibbet Hill Road, close to the junction with Kenilworth Road. The site has some level changes with a downhill slope from the front boundary of the site to the end of the boundary at the rear garden. Adjacent to the rear garden boundary is 134 Kenilworth Road. The dwelling is on the eastern side of Gibbet Hill Road, which is also within the Kenilworth Road Conservation Area.

## **APPLICATION PROPOSAL**

The application proposes substantial extensions to the house. At the ground floor there will be a rear/side wrap around extension, it will project to the side by 6.7m and to the rear by 3.6m with a raised patio beyond the extension. This is only marginally deeper than the previously approved proposal. The ground floor extension roofs will be pitched to a height of approximately 3.7m. The garage will also have a rear projection of 2.3m rather than a 2m front projection as previously approved. The garage will be re-roofed at the same height and pitch as originally built.

At first floor, on the north-western side will be an extension 6.9m in length and 3.1m in width (approximately 1.5m deeper and 0.5m wider than previously approved). The south-eastern side extension will remain at 3.1m in width but will wrap around the rear of the property. The rear extension at first floor will be 3.5m in depth and 15.4m in width. The height of the roof is 0.75m higher than the original house and the loft space is also proposed to be utilised as habitable space with roof lights inserted.

At the front, the mock Tudor detail will be reinstated as the original house had this detail, also the chimney will be reinstated, this will allow the property to retain its characteristic properties whilst still being extended.

The proposal also involves re-landscaping the garden and building an outbuilding at the bottom of the garden. The outbuilding will be a triangular shape with a maximum width of 12.08m and a length of 15.05m with a flat roof. This is an increase in what was previously approved but has been reduced since this current application first came in.

A new vehicle access will also be created further along Gibbet Hill Road which was approved in the previous granted planning application.

## **PLANNING HISTORY**

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
HH/2022/2894	Extensions and alterations to existing dwelling including proposed new access. Proposed new garden outbuilding and landscaping works	Approved

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

Policy DE1 Ensuring High Quality Design;  
Policy DS3: Sustainable Development;  
Policy H5: Managing Existing Housing Stock;  
Policy HE2: Conservation and Heritage Assets

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

### **STATUTORY CONSULTATION RESPONSES**

None

### **PUBLIC RESPONSES**

Notification letters were sent out to adjoining neighbouring houses and a site and press notice posted.

Total number of objections received over the course of the application is 16 objections raising concerns about:

- Outbuilding is far too large and should be demolished
- Development has resulted in damage to spinney trees
- The creation of an additional access will cause further congestion on Gibbet Hill Road which is already heavily trafficked at peak times
- Unauthorised removal of hedgerow and replacement fence encroaching beyond site boundary
- Height of outbuilding exceeds 1 storey

In the final revision and neighbour notification period eight letters of objection in raising concerns primarily about the proposals are contrary to the Kenilworth Road Control Plan including intensification of use of land and overdevelopment of land

Any further comments received will be reported within late representations.

### **ASSESSMENT**

#### **Principle of Development:**

The site is located within the Kenilworth Road Conservation Area. Policy HE2 states Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

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 the Householder Design Guide SPD, 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 and HE2 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 135 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 139) “Development that is not well designed should be refused, especially where it fails to reflect 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.”

The original permission (HH/2022/2894) sought to retain the character of the property, in particular the mock-Tudor gable features, brickwork detailing and chimneys. Whilst these features have been removed, the current application proposes to reinstate the mock-Tudor gables, chimney and brickwork detail as well as carefully chosen materials that match the original property. This ensures the property will retain those

characteristic features that are appropriate for the Kenilworth Road Conservation Area.

**Impact on residential amenity:**

The proposed extensions to the house would have little impact upon neighbours due to the generous size of the plot and the proposed first floor windows will be at least 15m from the side boundary with No.4 Gibbet Hill Road, so the proposal would not result in any significant overlooking or loss of privacy. The ground floor extensions are set off the boundary and would be screened by the significant boundary hedge.

The outbuilding sits adjacent to the side elevation of No. 136 Kenilworth Road. The outbuilding previously approved was considered to have little impact due to the boundary hedging that surrounded the site and its location immediately to the side of the side elevation of No.136. This property has one window at first floor on the side elevation. The outbuilding during construction was increased in size beyond what had been previously approved, with the boundary hedging having been removed. However, it has now been agreed that the outbuilding will be reduced by bringing in the north facing wall and east facing wall, back in line with what was originally approved to ensure the outbuilding does not adversely impact upon No. 136 Kenilworth Road. The hedge that previously formed a boundary between the properties has been replaced in part with a fence. Any issues regarding encroachment of this fence are a private matter that cannot be considered as part of the planning application. A condition is recommended to ensure that the changes are made to the outbuilding in accordance with the amended plans.

The raised patio area will not result in overlooking either due to the hedging and fencing that surrounds the site.

Comments from neighbours have been made in reference to development contravening the Kenilworth Road Control Plan. However, this document was adopted in 2001 and the guidance within it relates specifically to 'New development or redevelopment entailing the intensification of land use along Kenilworth Road', with the intention being to restrict the development of additional infill dwellings and access points along Kenilworth Road. This document has little weight with regard to this application which proposes extension to a property on Gibbet Hill Road as although the application site has a boundary sitting against the Kenilworth Road, it is not accessed from the Kenilworth Road.

**Trees**

It appears some of the trees which are located within the adjacent Spinney and are protected by virtue of being within the conservation area, have been pruned to allow some of the building works to take place. However, there is no way to determine if damage has occurred, but in the circumstances, it would be appropriate to ensure that tree protection measures are put in place before any further work commences on site

## Highways

The creation of a new access and dropped kerb were considered to be acceptable as part of the previous application HH/2022/2894, with highways officers having raised no concerns. The property has a wide frontage, and an additional access will not increase traffic movements as it serves an existing dwelling and therefore it is not considered to impact on highway safety.

## 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 2023 therefore the application is recommended for approval. The development is in accordance with Policies DE1, DS3, H5 and HE2 of the Coventry Local Plan 2016.

## CONDITIONS/REASON

<b>1.</b>	The development hereby permitted shall be completed within 2 years from the date of this permission in full accordance with the approved plans and schedule of works.
<b>Reason</b>	<i>To ensure alterations are carried out in a timely manner and 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 and HE2 of the Coventry Local Plan 2016</i>

2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Original Topographical Survey  Current Topographical Survey  Proposed Second Floor Plan DWG 1292.15A  Proposed First Floor Plan DWG 1292.10A  Existing Site Plan DWG 1292.02  Existing Plans and Elevations DWG 1292.03  Site sections DWG 1292-17  Proposed Outbuilding DWG 1292.11A  Proposed Elevations DWG 1292.12B  Proposed Site Plan DWG 1292.13B  Proposed Landscaping DWG 1292.14B  Location and Site Plans DWG 1292.01  Current Outbuilding DWG 1292.16  Proposed Ground Floor Plan DWG 1292.09A</p>
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
3.	<p>Prior to their incorporation into the development hereby permitted, sample details of all facing 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.</p>
<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>
4.	<p>The roofing material on the development hereby permitted shall be carried out in accordance with the approved details referenced; 'Marley Modern Roof Tile' in the specified 'Smooth Grey Finish' and shall not be altered in anyway without prior written consent from the Local Planning Authority.</p>
<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>
5.	<p>No further development or other operations (including any demolition, site clearance or other preparatory works) shall commence unless and until the tree protection measures identified in the approved application documentation have been put into place in strict accordance with the approved details and thereafter, they shall remain in place during all construction work. These protection measures will be implemented in full within 14 days of this decision. In addition no excavations, site works,</p>

	<p>stock piling, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy or root protection area of any protected tree(s); no equipment, machinery or structure shall be located within this zone; no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area or any other works carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).</p>
<b>Reason</b>	<p><i>To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3 and GE4 of the Coventry Local Plan 2016.</i></p>
<b>6.</b>	<p>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.</p>
<b>Reason</b>	<p><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></p>