

Planning Committee Report	
Planning Ref:	HH/2021/0790 & LB/2021/0791
Site:	Southwinds, Cryfield Grange Road, CV4 7AQ
Ward:	Wainbody
Proposal:	HH/2021/0790- Erection of boundary treatments LB/2021/0791- Listed Building Consent for the erection of boundary treatments
Case Officer:	Ayesha Saleem

SUMMARY

The applications propose boundary treatments to the plot of a detached Grade II Listed dwellinghouse within Kenilworth Road Conservation Area. The proposed boundary treatments design and scale are considered to have an acceptable impact upon the Listed Building and character of the Conservation Area.

BACKGROUND

The application has been recommended for approval.

KEY FACTS

Reason for report to committee:	An Elected Member has an interest in the application site.
Current use of site:	Residential dwelling

RECOMMENDATION

Planning Committee are recommended to approve the planning application, referenced HH/2021/0790 and Listed Building Consent, referenced LB/2021/0791 subject to conditions.

REASON FOR DECISION

The design and scale of the proposals are considered to have an acceptable impact upon the visual amenity of the street scene and character of the Conservation Area and Listed Building.

The proposal does accord with Policies DS3, DE1, HE2, GE4 and AC2 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The proposal is sought to obtain planning permission and Listed Building Consent for the following boundary treatments:

1. Type A- 2.4m high close boarded fence with 700mm trellis over to the side boundaries
2. Type B- 2.5m high red brick wall located to the side elevation near the main dwelling
3. Type C- 1.05m high brick wall with close boarded timber fence in between brick piers, overall height to be 2.1m located to the side elevations to the driveway
4. Type D- 1.6m black railings in between brick piers with associated vehicle access and pedestrian gate located to the front.
5. Type E- 5m high mesh fence with double gates located to the rear between the tennis court and rear garden
6. Type F- 1.1m high railings with timber posts and infill glazing at the end of the patio

SITE DESCRIPTION

The property is a large, detached dwelling located on the south side of Cryfield Grange Road within the Kenilworth Road Conservation Area. The house was designed by post-war architect Robert Harvey and is of a flat roof design with majority of the accommodation at first floor level. The property has a parking forecourt to the front and a large rear garden. There are level changes within the site with a gentle slope up the driveway from the road and then sloping down towards the rear boundary. The property is a Grade II Listed Building. There are a number of TPO trees present along the frontage of the site, close to the boundaries.

PLANNING HISTORY

Application Number:	Description of development:	Decision and date:
L/1964/0113	Proposed house to replace existing.	Approved – 02/02/1965
R/2004/1892	Extensions and alterations to lower ground and ground floors	Approved – 21/10/2004
LDCE/2020/1284	Application for a Lawful Development Certificate for a commencement of planning permission R/2004/1892 - extensions and alterations to lower ground and ground floors, granted 26th October 2004.	Withdrawn– 03/08/2020

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF published in July 2021 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 6th December 2017. Relevant policies relating to this application are:

Policy DS3: Sustainable Development

Policy DE1: Ensuring High Quality Design

Policy HE2: Conservation and Heritage Assets

Policy GE4: Tree Protection

Policy AC2: Road Network

Supplementary Planning Guidance/ Documents (SPG/ SPD):

Supplementary Planning Guidance/Documents (SPG/SPD):

SPG Extending Your Home- A Design Guide

Delivering a More Sustainable City SPD

Kenilworth Road Control Plan SPG

CONSULTATION RESPONSES

Conservation (CCC)- No objection

Highways (CCC)- No objection

Trees (CCC)- No objection subject to conditions

PUBLIC RESPONSES

Notification letters were sent out to neighbouring houses, two site notices were displayed on the 08th of August 2022 and a press notice was advertised on 11th August 2022.

One objection has been received raising the following material concerns:

7. Concerns regarding design and scale of boundary treatments

ASSESSMENT

Principle of Development:

The boundary treatments are proposed to plot which has a detached dwelling and is located within a residential area. Given the location within a residential area, boundary treatments are deemed acceptable in principle, subject to conformity with the SPG in design terms and in relation to other neighbouring dwellings.

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.

Policy HE2 of the Local Plan states 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.

Chapter 12 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The application proposed boundary treatment around the whole of the site, to all boundaries. The proposed 1.6m black railings in between brick piers with associated vehicle access and pedestrian gate will be the only boundary treatment that will be prominent to the street scene.

This is boundary treatment that is in character with the street scene as many of the properties on the street have a similar front boundary treatment along the frontage.

The other boundary treatments are located on the side and rear of the properties which are not to be prominent to the streetscene. The proposed design, scale and materials are considered to have an acceptable impact upon the visual amenity and character of the Conservation Area and would not be harmful to the setting of the Listed building.

The Conservation officer has no objections to the proposals subject to a condition in relation to the submission of sample details of boundary materials.

Impact on residential amenity:

The neighbouring property to the southeast is Priors Croft with which there is a separation distance of circa 4.5 metres between the properties. There is an existing boundary treatment in between of block and brick wall and timber fence above. The proposed boundary treatment to the front, sides and rear are not considered to have a detrimental impact upon the amenity of this occupant given the separation and existence of existing boundary screening.

The neighbouring property to the northwest is Manderley with which there is a separation distance of circa 2.4 metres between the properties. There is no boundary between the properties. Manderley has its garage adjacent to the boundary at the front and projects substantially beyond Southwinds to the rear and in view of this the proposed boundary treatment to the front, sides and rear are not considered to have a detrimental impact upon the amenity of this occupant.

Highway considerations:

Policy AC2 requires safe and appropriate access to the highway system together with satisfactory on-site arrangements for vehicle manoeuvring so as to ensure safety for all users.

Highway officers initially requested that the proposed gates be relocated to a position no less than 5m from the highway boundary. This is so that a vehicle can comfortably sit off the road whilst the gates operate upon arrival or departure.

The plans were amended to set back the proposed front boundary treatment in accordance with these recommendations and Highway officers raise no objections to the proposals.

Trees:

Policy GE4 states that development proposals will be positively considered provided there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development.

A TPO was made in 2004 'City of Coventry (Cryfield Grange Road No.2) Tree Preservation Order 2004' which included species of Frank Lloyd Wright influence which were introduced from N America, Europe and Japan etc which include the (TPO T4) Maple and (TPO T5) Indian Bean. The preservation also includes (TPO G2) 1 Oak tree and 1 Grand Fir tree and (TPO G3) 1 Lime tree and 1 Oak tree.

It is therefore important that the remaining on-site and off-site trees are not damaged by the proposals, or by their construction. The Tree officer has no objections to the proposals

subject to conditions in relation to full tree protection details and detailed foundation details being submitted prior to the commencement of development.

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 boundary treatments are considered to be acceptable and will not harm the character of the Listed Building and Conservation Area, cause harm to neighbouring residential amenity or impact highway safety. The development is in accordance with Policies DS3, DE1, HE2, GE4 and AC2 of the Coventry Local Plan 2016, together with the aims of the NPPF.

HH/2021/0790 - 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 DWG A233 PL11D
Elevations DWG A233 PL12C
Topographical Plan DWG: 21511-21-01
Boundary Elevations DWG: A233 PL13

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

3. Prior to their incorporation into the development hereby permitted, sample details of the boundary treatments 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.

4. Before any development commences on site (including any demolition, site clearance or other preparatory works) the following shall be submitted to and approved in writing by the Local Planning Authority:
 - a) Tree Survey - a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the position of every tree on the site, and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, crown overhang from the boundary, intrusion of the Root Protection Area etc) with a stem diameter over the bark measured at 1.5 metres above ground level of at least 75 millimetres;
 - b) a schedule of the trees surveyed as specified in chapter 4.1-4.5 of BS 5837 : 2012 Trees in Relation to Design, Demolition and Construction - Recommendations;
 - c) a Tree Constraints Plan (5.1-5.3);
 - d) Arboricultural Impact Assessment (5.4) to assess the direct and indirect implications of trees upon the proposal and visa-versa, including locations for under-ground/ over-ground services, level changes within RPA's etc.;
 - e) Arboricultural Method Statement (6.1); and
 - f) a Dimensioned Tree Protection Plan (to include protection measures during and after construction and any construction exclusion zones) (in accordance with 5.5/ Table B.1), site monitoring (6.3) of British Standard BS5837:2012 - Trees in relation to design demolition and construction - Recommendations, which shall also include any proposal for pruning or other preventative works.The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.

Reason: To protect those trees which are of significant amenity value to the Conservation Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE4 and HE2 of the Coventry Local Plan 2016.

5. No development or other operations (including any demolition, site clearance or other preparatory works) shall commence unless and until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. This shall include details of; the methodology for carrying out a hand dug exploratory trench/pit within the Root Protection Area without causing damage to those roots greater than 25mm diameter, contingency should roots be discovered within trench/pit, design of foundations to respect a 200-300mm air void located between the existing ground level and lower surface level of suspended foundation floor, and full tree protection details. The development shall only be carried out in strict accordance with the approved details.

Reason: To protect those trees which are of significant amenity value to the Conservation Area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE4 and HE2 of the Coventry Local Plan 2016.

LB/2021/0791 - CONDITIONS:/REASON

1. The works hereby approved shall begin not later than 3 years from the date of this consent.

Reason: *To conform with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)*

2. The development hereby permitted shall be carried out in accordance with the following approved plans:
Site and Location Plans DWG A233 PL11D
Elevations DWG A233 PL12C
Topographical Plan DWG: 21511-21-01
Boundary Elevations DWG: A233 PL13

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

3. Prior to their incorporation into the development hereby permitted, sample details of the boundary treatments 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.*

