

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	HH/2022/2592
<b>Site:</b>	6a Fosseway Road
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Erection of first floor extension to side and two storey extension to side
<b>Case Officer:</b>	Rhiannon Campbell

### **SUMMARY**

The application is a householder application proposing the erection of a two-storey extension to the east elevation, and the erection of a first-floor side extension to the west elevation. The application site will remain C3 residential dwelling, and parking will be retained

### **BACKGROUND**

An application for 'Two and first floor storey extensions and a Change of Use from Use Class C3 to Use Class C2 for people with autism and learning disabilities.' was refused in 2014 and subsequently dismissed at appeal. This application proposes the same extensions as previously but does not propose to change the use of the property. The application has received 5 letters of objection raising concerns about access, loss of privacy and use of the property.

### **KEY FACTS**

<b>Reason for report to committee:</b>	The application has received 5 objections but has been recommended for approval
<b>Current use of site:</b>	Existing residential dwelling with an attached garage for parking.
<b>Proposed use of site:</b>	Extended residential dwelling with an attached garage for parking.

### **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 DE1 and H5 of the Coventry Local Plan 2016, together with the aims of the NPPF

## **BACKGROUND**

### **APPLICATION PROPOSAL**

The application proposes extensions to either side of the dwelling. The proposed two-storey extension to the east elevation will have a width of 5.39m, depth of 3.94m, height to eaves of 4.665m, and height to pitched roof ridge of 6.233m. The first-floor extension to the west elevation will have a width of 4.44m, depth of 2.905m, and overall height from ground level of 4.665m to eaves and 6.011m to pitched roof ridge. The proposal is similar to a previously refused application FUL/2014/2239 which applied for the same extensions in addition to a change of use from C3 (dwelling) to C2 (residential institution); this was also dismissed at Appeal for refusal reasons relating solely to the proposed change of use.

### **SITE DESCRIPTION**

The site is located at the end of the cul-de-sac of Fosseway Road, although the dwelling is set back from the neighbouring dwellings, in what could be described as a backland plot. The site consists of a detached two-storey residential dwelling with two possible vehicular access points. The site was originally accessed from the rear (via the accessway behind Nos.1-6 Fosseway Road and Daleway Road), but more recently was successful in gaining access from the front, along the existing public footpath/cycle path that runs from between Nos.6 and 7 Fosseway Road (and then connects to Anchorway Road to the south). The dwelling is bounded by the footpath to the west, and residential gardens to the north, east and south. The general area is residential in character.

### **PLANNING HISTORY**

L/1963/0050	Proposed two bungalows and garages.	Approved.
S/1975/0439	Erection of two bungalows with garages (outline)	
S/1975/0440	Erection of two bungalows with garages	Approved 19/06/1975
S/1976/0452	Erection of detached dwelling house	Refused 04/11/1976
S/1977/0298	Erection of detached dwelling	Approved 21/02/1977
FUL/2012/1421	Application for a variation of condition 5 imposed on Planning Permission Ref: G/C/30297/C approved 18th January 1977 relating to vehicle access and erection of boundary wall/fence and gates (Retrospective)	Approved 24/09/2012.
FUL/2014/2239	Two and first floor storey extensions and a Change of Use from Use Class C3 to Use Class C2 for people with autism and learning disabilities.	Refused 03/09/2014.

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

Policy DE1: Ensuring High Quality Design

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

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

SPD Delivering a More Sustainable City 2009

SPD Coventry Connected (Transport and Accessibility) 2019

SPD Air Quality 2011

## **CONSULTATION**

### **Statutory**

None.

### **Non-Statutory**

Environmental Protection – No objection subject to conditions

Ecology – No objection subject to conditions

Local Leading Flood Authority (LLFA) – No objection

## **PUBLIC RESPONSES**

Notification letters were sent out to neighbouring houses on the 14<sup>th</sup> October 2022.

5 letters of objection were received raising the following material planning considerations:

- a) Overlooking
- b) Parking issues
- c) Loss of trees
- d) Loss of privacy
- e) Increase flooding

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

- a) Transportation of materials
- b) Possible future change of use

Any further comments received will be reported within late representations.

## **APPRAISAL**

### **Principle of Development**

In this instance the principle of development is considered to be acceptable under Policy H5 of the adopted Coventry City Council Local Plan (2016). The policy states that, where appropriate, the existing housing stock will be renovated and improved, in

association with the enhancement of the surrounding residential environment to meet local needs. This is consistent with Paragraph 127 of the NPPF (2019) which seeks to ensure development proposals exhibit a positive character and are well designed in terms of quality and appearance. Whilst the principle is therefore established, the relevant material planning considerations are discussed within the succeeding sections of this report.

### **Impact on the Character of the Area**

Paragraph 124 in Section 12 of the NPPF (2019) states that 'Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is reflected in Policy DE1 and H5 of the Coventry Local Plan 2016 which seeks to ensure development complements or enhances the character of the surrounding area.

Policy DE1 states that all development proposals must positively contribute towards the local identity and character of the area. All development proposals are expected to consider the local distinctiveness and identity of the site but also have regard to opportunities to enhance the local built and natural environment through new development. The SPG states that each site is unique, and proposals will be determined on their own individual merits.

For two-storey extensions, the SPG Extending Your Home requires that, in order to protect the character of a given residential area and prevent the linking of non-terraced houses, first floor side extensions should incorporate a set back from the main front wall of the original house of at least 1 metre, and be set back at least 0.5 metres from the side boundary. Also, the ridge of the roof should be lowered in conjunction with the set back, and all side extensions should have a pitched roof with materials and slope matching the existing house, Where the character of the area consists of predominantly hipped roof designs, the use of a gable end will not be permitted.

The proposal does not include a 1.0 metre set back from the front elevation, but given the detached nature of the property, there are no concerns over terracing. Additionally, as there is a slight set back from the front elevations the extensions will appear as a subservient addition to the host dwelling.

Given the positioning of the property, the existing dwelling is not readily visible in its entirety from public vantage points. The extensions are deemed to read modestly against the existing building and will not lead to disproportionate extensions. Therefore, the proposed extensions are not considered to cause harm to the character of the dwelling or the visual amenity of any adjacent street scene.

Concerns have been raised into the recent removal of trees on site to the south boundary. A condition requiring their retention was imposed on the original permission for the house under S/1977/0298, but the timescale for their retention has subsequently lapsed and there is no requirement for their retention as they are not protected. The trees removed to the south boundary of the site (facing the 'front' elevation of the property) would not have been readily visible from public vantage points, and given the retained planting to the west, south and east of the plot, it is considered that the removal of trees is considered to cause minimal harm to the character of the area of property. The proposals will result in the loss of some garden

to built development and ecology have recommended a condition requiring the planting of a tree to off-set this loss.

### **Impact on Neighbours**

The proposal would not extend beyond the original front or rear building lines of the application site.

Given the positioning of the property, the separation distances to neighbouring dwellings in Daleway Road will be just under 30 metres, in excess of 40 metres to dwellings in Anchorway Road, 20.0 metres to No.7 Fosseway Road, and around 12.0 metres to No.6 Fosseway Road. The SPG requires minimum separation distances of 20.0 metres between the rear elevations of properties and 12.0 metres between the rear and side elevations of properties and the proposals fully accord with this.

Given these separation distances it is not felt that the proposed extensions will have a detrimental impact on the residential amenity of the occupiers of adjacent dwellings in regards to loss of privacy or overlooking.

There are no windows proposed in the first-floor side elevations of the extensions that would overlook neighbours and windows in the front and rear elevation are no closer to the boundaries than existing windows.

The proposed trees which have been removed from the site relate to those found on the southern boundary of the application site, alongside the side boundary with No. 6 Fosseway Road and therefore there is no mature green screening between the neighbouring and application site apart from the boundary fencing. The proposed positioning of the two-storey extension and set back nature of the first-floor extension do not project forward of the existing property building lines and it is therefore considered that the additional overlooking caused is not considered more harmful than the existing dwelling.

The extensions proposed are physically the same as those proposed under the previously refused application (Ref. FUL/2014/2239), but it is clear from the previous refusal that the concerns related only to the proposed use and not to the extensions themselves. This application is a householder application and does not propose any change of use of the property.

The proposals do not raise any concerns with regard to flooding.

### **Impact on Amenities**

The SPG Extending Your Home states that “Any extension into the private rear garden area should not unduly restrict the use of the rear garden for amenity purposes such as toddler’s play, clothes drying out and sitting out, particularly where properties have existing small rear amenity areas. Normally a minimum of 30 sq. metres of rear garden should be retained.” The Residential Design Guide further states a minimum of 50 sq.

metres is required for dwelling with 3+ bedrooms. The proposal meets this requirement.

### **Vehicle Parking, Highways and Pedestrian Safety**

Appendix 5 Parking Standards requires 2no. parking spaces for 3+ bedroom houses with 1 unallocated visitor parking per 5 dwellings. Parking standards are met on site and this provision would not be altered by the development and would remain available for occupiers of the dwelling.

The proposals do not raise any highway safety issues.

### **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 2019 therefore the application is recommended for approval. The development is in accordance with Policy DE1 of the Coventry Local Plan 2016.

### **CONDITIONS / REASONS**

<b>1.</b>	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>

2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Bat Scoping Self-Assessment</p> <p>Arboricultural Statement</p> <p>Roof Plan and Tree Protection Plan DWG PL006 Rev: A</p> <p>Existing Floor Plans DWG PL001</p> <p>Existing Elevations DWG PL002</p> <p>Proposed Elevations DWG PL004</p> <p>Site Plan and Location DWG PL005</p> <p>Proposed Floor Plans DWG PL003</p> <p>Tree Protection Plan Statement</p>
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
3.	<p>No 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. In addition no excavations, site works, 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>	<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>
4.	<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 the existing building.</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>

<b>5.</b>	Prior to the first occupation of the extensions hereby permitted, 1x Native Fruit Tree shall be planted within the site.
<b>Reason</b>	<i>In order to enhance habitat within the site in accordance with Policy GE3 of the Coventry Local Plan 2016 and the advice contained within the NPPF 2018.</i>
<b>6.</b>	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.
<b>Reason</b>	<i>To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.</i>