

Planning Committee Report	
Planning Ref:	PL/2022/0000261/HHA & PL/2023/0000181/LBC
Site:	Ivy Farm House, Ivy Farm Lane, Coventry CV4 7BW
Ward:	Wainbody
Proposal:	PL/2022/0000261/HHA: New vehicular entrance dedicated to the Farmhouse PL/2023/0000181/LBC: New vehicular entrance
Case Officer:	Helen Sherratt

SUMMARY

The applications seek planning permission and listed building consent for the creation of a new vehicular access from Ivy Farm Lane to provide a singular, private vehicular access to Ivy Farm House, an existing dwelling which is a listed building. The proposal is considered to be unacceptable and contrary to the Coventry Local Plan in terms of its impact upon the character and appearance of the listed building, the wider Conservation Area, its impact upon highway safety and protected trees.

BACKGROUND

There are several planning applications relating to the application site. Most notably, are application references HH/2022/0472 and LB/2022/0476 of which initially proposed external alterations to include a new first floor window and new grating to the Well, and internal refurbishment and enabling works. The new driveway and parking provision was removed from the description of development, as the proposal was not considered to be acceptable, with the Conservation Officer setting out their objection to the new access on 26th April 2022:

'The only contentious element to this application is the proposals for a new driveway across the garden, which will cause a level of harm to the setting of the listed building, but also to the garden, which has been in its current form since at least 1766 (John Webster Tithe Plan Heritage Statement) (26th April 2022).'

The Tree Officer and Local Highway Authority also objected to the new vehicular access on 18th May 2022 and 27th April 2022, respectively. As part of the previous planning applications, the applicant was provided with informal feedback as to the Council's preferred option for a new vehicular access however the current scheme is near identical to the previous one with no identifiable differences.

KEY FACTS

Reason for report to committee:	The applications are to be heard at Planning Committee as there have been 6no letters of support.
Current use of site:	Residential dwelling
Proposed use of site:	Residential dwelling

RECOMMENDATION

Planning Committee are recommended to refuse planning permission for the reasons set out within this report.

REASON FOR DECISION

The proposal is considered to contrary to Policies DE1, H5, HE2 and GE4 of the Coventry Local Plan 2016 together with the aims of the NPPF paragraphs 134 by reason of impact upon the heritage assets, highway safety as well as the wider impact on the character and appearance of the street scene through the loss of a protected tree and hedgerow.

SITE DESCRIPTION

The application relates to a two-storey detached dwelling situated on the northern side of Ivy Farm Lane. The main amenity space is to the rear of the property with a parking forecourt to the front. The private garden space to the rear of the property runs alongside Ivy Farm Lane, enclosed by a brick wall that runs along the back of the pavement, which is curtilage listed. The property is a Grade II Listed Building within the Ivy Farm Lane (Canley Hamlet) Conservation Area. The property is designed in partly timber framed, built on stone plinth in places, with facing red brick infills, tiled roof and timber casement windows.

The farm is part of a larger complex of buildings, originally part of The Old Hay Barn, Coach House, and Stables, with the current Ivy Farmhouse overlooking a partially enclosed courtyard of buildings of the same period, all of which are also Grade II Listed and in residential use. All trees on site are protected, by virtue of the site being located within a Conservation Area.

APPLICATION PROPOSAL

The planning application seeks consent for the creation of a new vehicular access to serve the farmhouse, to be taken directly from Ivy Farm Lane to the south of the site. The proposed access will involve the creation of an opening in the existing boundary wall and include the creation of a new dropped kerb, with a new timber gate being set back from the highway at a distance of 6 metres. The gate will be of timber construction, using a rural farm style design and supported by 200 x 200 mm timber posts. The new driveway will be finished with Breedon Gravel.

A Horse Chestnut tree (T19) and a section of Yew hedgerow (H3) at the southern site boundary is proposed to be removed in order to facilitate the proposals. The scheme will provide off road parking provision for approximately 2no vehicles, as well as a turning head of which will allow vehicles to enter and exit the site in forward gear.

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/2022/0472	External alterations to include a new first floor window and new grating to the Well, and internal refurbishment and enabling works.	Approved 29/06/2022
LB/2022/0476	Listed Building Consent for Alterations to include a new first floor window to the ensuite, replacement floor slab construction where cementitious concrete has been used, new grating to the Well, refurbishment works to the existing fireplaces and chimney	Approved 29/06/2022
LB/2019/3127	Replacement of top two course blue brickwork on 3no. chimneys, re-flaunching, new chimney pots, new metal flue liners.	Approved - 14/02/2020

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 DS3: Sustainable Development Policy
 Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
 Policy DE1: Ensuring High Quality Design
 Policy HE2: Conservation and Heritage Assets
 Policy H5: Managing Existing Housing Stock
 Policy AC2: Road Network
 Policy AC3: Demand Management
 Policy GE4: Tree Protection

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Coventry Connected
 SPG Extending your home – a design guide

CONSULTATION

Statutory

Local Highway Authority – Object, for the following reasons:

1. The gradient of the driveway shown on drawing 1865-DD-014 is proposed to be 1:10. This is steeper than the 1:15 stipulated in the original highways response and thus causes concerns about vehicles being unable to stop prior to entering the highway.
2. On the same drawing the surface of the driveway is shown as Breedon Golden Amber gravel. This is not a hard-bound surface material and could result in loose stones being dragged onto the highway causing a risk of skids and consequential collisions. It is also more likely to occur given the steepness of the drive.
3. The tracking for the estate car shows it overrunning full height kerbs or the dropper. If the tracking cannot show that the wheels of the vehicle pass over only the bullnosed kerbs, then the manoeuvre cannot successfully be made.
4. The 2.4m x 25m vehicular visibility splay appears to pass through the retained wall on the right-hand side. It is unclear as to the exact length of wall to be removed but if it is 8.2m as shown on one dimension then this may need to be increased.
5. The hedgerow planting enters the pedestrian visibility splays and is of a significant height - much higher than the wall. This will increase the risk of vehicle to pedestrian collisions and is unacceptable.
6. The parking and turning spaces are acceptable, as is the width of the drive. As can be seen the proposal cannot be accepted by the local highway authority which maintains its objection.

(Comments received 1st March 2023).

Non-statutory

Conservation Officer – Object, for the following reasons:

The proposal will cause a moderate level of harm to the appearance of the Conservation Area and a minor less than substantial harm to the setting of the listed building. Ivy Farm Lane has a unique character in Coventry and has high heritage value within the city.

(Comments received 1st March 2023).

Tree Officer –

The vehicular access is identical to that originally proposed as part of planning application reference HH/2022/0427. Although the new access was eventually omitted from the previous scheme, the Tree Officer provided comments on this part of the development proposal on 18th May 2022 and the officer has confirmed that the following comments are still relevant:

This historic listed building is located within a bosky verdant suburb setting, within the Ivy Farm Lane (Canley Hamlet) Conservation Area, where the site's TPO quality trees and native Yew hedgerow significantly contribute towards the local amenity of the area. The trees located to the boundary share a composite crown and therefore should really be identified as a tree Group category B in accordance with BS5837. T19 Horse Chestnut is a strong component within this overall group where its crown frames the lane with its distinctive overarching canopy.

Concerns are raised in relation to the removal of: Horse Chestnut tree T19; lopping back of G4 resulting to the visual exposure of asymmetric T18; plus the removal of part of the established native evergreen hedgerow. The proposed access will have an adverse effect upon the trees and hedge within the site and the proposal will result in detrimental harm to the significant amenity value to the Conservation area.

Neighbour consultation

10no neighbour representations have been received, 3no of which object and 6 of which support the scheme and 1 is neutral. The comments are summarised as following:

Objection:

- Concerns raised about impact upon amenity, as the parking area will give rise to issues relating to fumes, headlights, noise and anti-social behaviour.
- The Horse Chestnut tree is not diseased and should be retained.
- The scheme will have a detrimental impact on biodiversity in the surrounding area.
- The access will be dangerous, as Ivy Farm Lane narrows.
- There are no changes between the previous and current scheme, of which was also considered unacceptable.

Support:

- The proposal will make the property liveable for future generations to come.
- The option put forward is the preferable of the three options presented.
- The proposal will protect the heritage asset and will not have a harmful impact on the Conservation Area.
- Ivy Farm Lane is a quiet road and does not have traffic management concerns.
- A property of this size deserves its own parking area.
- Tree T19 does not strongly contribute to the character of the area and its loss can be compensated for through additional planting.
- Traffic calming measures are already in place.

Neutral:

- Option 2 is preferable.

Representations have also been received from the applicant. Whilst these are noted, they cannot be taken into consideration at determination stage.

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, highway considerations and the impact to ecology and biodiversity.

Principle of development

The application site comprises a single dwelling and is in a residential area where it is considered sustainable, acceptable and common to alter homes, including developing within their curtilage. However, this assumption is subject to the review of material considerations, as discussed in the remainder of this report.

Impact on the Heritage Assets

The application is a re-submission of an element of the scheme proposed under planning applications HH/2022/0472 and LB/2022/0476, setting out a new driveway into the rear garden, removing a section of the garden wall and providing hard standing for parking spaces in the garden area.

The Conservation Officer has objected to the scheme on the basis of the proposal causing moderate harm to the appearance of the Conservation Area and a minor less than substantial harm to the setting of the listed building. The garden is of particular significance and is seen in historic mapping. Breaking the wall to allow for parking space for a private, single dwelling would cause a harm to the garden, causing the historic relationship between the house and garden to be lost.

In terms of the proposal's impact upon the Conservation Area, there would be a moderate level of harm. Ivy Farm Lane is a winding narrow and quiet Lane, bounded by mature trees and hedgerow. These, together with the stone wall to the south of Ivy Farmhouse, contributes to the appearance of the Conservation Area.

As part of their submission, the applicant has set out three options for the new driveway. The Conservation Officer has previously advised of a more suitable location for parking that could cause a lesser level of harm to the setting of the listed building and the character and appearance of the conservation area. This was provided as informal advice as part of the previous applications, in comments provided by the Conservation Officer on 9th June 2022. However, the applicant has not pursued this option and submitted the original scheme of which concerns had been previously raised.

It is noted that several letters of support have been received for the development proposal. Whilst these are noted the level of support within the community, on balance, does not outweigh the moderate level of harm to the appearance of the Conservation Area and the minor level of harm to the setting of the listed building. As such, the scheme is not compliant with Policy HE2 of the Local Plan and is not acceptable on Conservation grounds.

Arboriculture

To facilitate the development proposals, the scheme proposes the removal of a Horse Chestnut tree (T19), the minor removal of the eastern canopy of G4 and the removal

of part of the established native evergreen hedgerow (H3). Tree T19 is categorised as a Category B tree within the tree schedule submitted in support of the planning application, despite being labelled as 'diseased' on drawing reference 1865-SK-04, with G4 and H3 being category C trees.

The application site is within a suburban location, in which dense tree cover and evergreen hedgerow contribute to the character and appearance of the street scene as well as the wider Conservation Area. It is considered that the loss of natural assets in this location, that contribute so heavily to the character of the area, is not acceptable and the benefits of the proposal do not outweigh the loss of protected trees. The scheme is therefore not compliant with Policy GE4 of the Local Plan.

Highway considerations

The scheme proposes the creation of a new vehicular access point, taken from a two-way adopted road. Several neighbour objections relate to concerns about the impact of the proposal on highway safety. The Local Highway Authority (LHA) maintain their objection to the scheme, due to concerns in respect of highway safety for road users and pedestrians. The LHA have set out that the parking and turning spaces, as well as the width of the drive, are all acceptable.

The LHA have set out six reasons for their objection, of which are set out in full in the Consultation Responses section of this report. The comments relate to the following:

- The inconsistency of the gradient of the highway, which raises concerns that vehicles may not be able to stop prior to entering the highway;
- The surface material of Breedon Golden Amber Gravel resulting in loose stones being dragged onto the highway, with this being more likely to occur given the steepness of the drive;
- There are issues with the tracking plan provided, which raises concerns that access and egress to and from the site cannot be made successfully;
- The proposed visibility splay is unclear and includes a retained wall on the western side of the access, of which gives rise to further safety concerns; and
- The proposed hedgerow planting at the site access is of significant height, reducing visibility at the access and therefore increasing risk to pedestrians and other road users.

In respect of the above, it is evident that the scheme will have an overriding detrimental impact upon the surrounding highway network, as well as pedestrian safety of which are not outweighed by the benefits of the scheme. Further concerns are raised by the proposed new access being located opposite a traffic calming island within the highway, of which may potentially impede access and egress to the site.

One supporting comment has stated that the proposal would not have a detrimental impact on highway safety given the low utilisation of the road by vehicles and pedestrians. Whilst noted, this is not considered to be sufficient justification to find the scheme acceptable on these grounds. As such, the proposals are in conflict with Policies AC1 and AC2 of the Local Plan and are not acceptable on highway grounds.

Impact on residential amenity

A number of neighbour representations objecting to the proposal have raised concerns in respect of the impact on the amenity of neighbouring occupiers caused by the proposal, including car fumes, headlights shining into the windows of neighbouring properties and overlooking concerns.

Whilst these comments are noted, the proposal is not considered to have a detrimental impact upon the amenity of neighbouring occupiers. Notwithstanding the concerns as set out within other sections of this report, the proposal is unlikely to have a greater impact upon the amenity of neighbouring properties than the existing layout of the site, as a parking area and turning circle of a private residential dwelling will not generate a high level of activity, no more than the existing level of vehicular activity at the site and surrounding properties.

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

Any benefits of the proposal are outweighed by the harm identified to the heritage assets, the character of the area, protected trees and highway safety and the proposal is recommended for refusal as it is in conflict with Policies DE1, HE2, GE4, H5, AC1 and AC2 of the Coventry Local Plan and relevant section of the National Planning Policy Framework.

CONDITIONS / REASON FOR REFUSAL

PL/2022/0000261/HHA

1. The removal of a section of the prominent boundary wall and the provision of a large area of hard standing for parking within the existing garden, will cause harm to the setting of a Grade II Listed building, Ivy Farm House, and the appearance of the Ivy Farm Lane (Canley Hamlet) Conservation Area. As such, the scheme is in conflict with Policy HE2 and DE1 of the Coventry Local Plan 2016 and the objectives of the National Planning Policy Framework 2022.
2. The proposed access will result in the removal of T19, the partial removal of eastern canopy of G4 and the removal of part of the established native evergreen hedgerow H3 from within the application site which will result in detrimental harm to the significant amenity value the trees make to the Ivy Farm Lane (Canley Hamlet) Conservation Area. The proposal is therefore contrary to Policies HE2 and GE4 of the Coventry Local Plan 2016 and the objectives of the NPPF 2022.
3. It has not been adequately demonstrated that the proposed vehicular access would not have a detrimental impact upon highway and pedestrian safety. Therefore, the proposal is contrary to Policies AC3 and DE1 of the Coventry Local Plan 2016 and the objectives of the NPPF 2022.

PL/2023/0000181/LBC

1. The removal of a section of the prominent boundary wall and the provision of a large area of hard standing for parking within the existing garden, will cause harm to the setting of a Grade II Listed building, Ivy Farm House, and the appearance of the Ivy Farm Lane (Canley Hamlet) Conservation Area. As such, the scheme is in conflict with Policy HE2 and DE1 of the Coventry Local Plan 2016 and the objectives of the National Planning Policy Framework 2022.
2. The proposed access will result in the removal of T19, the partial removal of eastern canopy of G4 and the removal of part of the established native evergreen hedgerow H3 from within the application site which will result in detrimental harm to the significant amenity value the trees make to the Ivy Farm Lane (Canley Hamlet) Conservation Area. The proposal is therefore contrary to Policies HE2 and GE4 of the Coventry Local Plan 2016 and the objectives of the NPPF 2022.