

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	PL/2024/0002336/HHA
<b>Site:</b>	21 Nutbrook Avenue
<b>Ward:</b>	Woodlands
<b>Proposal:</b>	Single storey rear extension
<b>Case Officer:</b>	Grace Goodman

## SUMMARY

The application proposes a single storey rear extension to an existing bungalow adjacent to an area of ancient woodland (Pig Wood) which is intended to provide specialist accommodation for the applicant's family member along with carer's accommodation.

## BACKGROUND

The application is currently recommended for approval. This follows on from a previous recommended for refusal and called in by a Councillor.

The application was previously considered by Planning Committee on 20<sup>th</sup> February 2025 where the resolution was to defer the application to consider the matters of design and layout. These matters are now being considered.

## KEY FACTS

<b>Reason for report to committee:</b>	Called in by a councillor
<b>Current use of site:</b>	Residential dwelling
<b>Proposed use of site:</b>	Residential dwelling

## RECOMMENDATION

Planning Committee are recommended to approve planning permission.

## REASON FOR DECISION

- The proposal would impact upon the adjacent ancient woodlands (Pig Wood) but following revisions to the proposals the impact has been reduced. Having consideration of the applicant's special circumstances it is considered, on balance to be acceptable.
- The proposal, on balance, would not be contrary to Policies: GE3 and GE4 of the Coventry Local Plan 2017 and emerging Policies in the Local Plan review.

## **SITE DESCRIPTION**

The application site relates to a detached bungalow located on the southern side of Nutbrook Avenue. The property benefits from onsite parking and a rear soft landscaped garden. The property has been extended to the rear alongside the eastern boundary, with the built development within the site being around 13.5m from the rear boundary. Directly to the rear boundary of the property is Ancient Woodland (Pig Wood).

## **APPLICATION PROPOSAL**

The application proposes a single storey rear extension along the eastern side boundary of the property. The proposed extension would adjoin a previous extension and garage conversion to the side and rear. The proposed extension would project a further 3.0m beyond the existing extension forming a slight L shape around the house. At the widest point, the extension would be 7.37m wide with a flat roof height of 2.66m.

## **PLANNING HISTORY**

HH/2022/0871 - Erection of single storey rear extension – REFUSED 28/07/2022 and subsequently dismissed at appeal.

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF) December 2024. 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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy DE1: Ensuring High Quality Design

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy GE4: Tree Protection

### **Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation**

The Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy DE1: Ensuring High Quality Design

Policy GE3: Biodiversity, Geological, and Landscape Conservation

Policy GE4: Tree Protection

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

SPD Householder Design Guide

### **CONSULTATION**

#### **Statutory**

None

#### **Non-statutory**

Objections have been received from:

- Trees

#### **Neighbour consultation**

Immediate neighbours have been notified in accordance with the communication record. No responses were received.

Any further comments received will be reported within late representations.

### **APPRAISAL**

The main issues in determining this application are principle of development, the impact upon visual amenity, impact upon neighbouring amenity, and impact upon ecology and biodiversity.

#### **Principle of development**

The National Planning Policy Framework, paragraph 11, states that “Plans and decisions should apply a presumption in favour of sustainable development. For Decision Making, this means:-

c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

#### **Design and Visual**

Section 12 of the NPPF, specifically paragraph 131 states in part 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 echoed by Policy DE1 and H5 of the Coventry Local Plan 2017 which seeks to ensure that development complement or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. The proposed extension is located to the rear of the property where it will not be visually prominent. The flat roofed design of the extension would be a continuation of existing extensions to the rear of the property and would not be an uncharacteristic feature in this residential setting with matching materials to the main dwelling. The extension would not adversely impact on the visual amenities of the locality

#### **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. Along the shared boundary No. 19 has an existing wooden shed and garage which the proposal would not extend beyond. There will be no impact on the neighbour at no. 19.

The extension has been widened so will now come closer to the boundary with no. 23. At its nearest point to no. 23 it will project 5.7m. However, it will be set approximately 7.5m from the boundary with the neighbour and will not infringe any 45 degree sightlines and the neighbour has a garage at the boundary. The proposals are not considered harmful to the amenities of the occupiers of no. 23.

### **Ecology and biodiversity**

The main issue is the location of the proposed extension and its close proximity to the boundary with the adjacent ancient woodland (Pig Wood). This application follows on from a similar previous application in 2022 where the proposal was for a rear extension projecting 8m, resulting in a separation distance of just 5.39m to the rear boundary and ancient woodland. The application was refused as it was considered that '*The proposed extension would be contrary to Policies GE3 and GE4 of the Coventry Local Plan 2016 by reason of its significant projection into the woodland buffer to the adjacent Ancient Woodland (Pig Wood), which would impact upon the root structures of these protected trees and would therefore have a detrimental impact upon the adjacent Ancient Woodland.*' This decision was upheld and dismissed at appeal by the Planning Inspectorate.

Policy GE3 states that sites such as Ancient Woodlands should be protected and enhanced and negative impacts on the existing infrastructure should be avoided. Pig Wood is a small ancient wood in the suburbs of Tile Hill where it attains very high social value. Designated on the basis of the high nature conservation value there are also a number of scarce plants and a good bird community add to this value. The current application now being considered is revised and has been reduced from 4.5m to 3.1m from the plans previously considered at Planning Committee on 20<sup>th</sup> February 2025 and significantly reduced from the original 8m projection. Although the extension still comes within the 15m buffer, it is recognised that with this significant reduction, a lot more space has been given between the ancient woodland boundary and due to the special circumstances and need for the proposal it is considered acceptable. To ensure minimal impact upon the woodlands it is recommended that prior to commencement of any works full tree protection details are submitted. This should include a tree protection plan and Arboricultural Method Statement.

### **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.

The application has set out that the proposal is for specialist accommodation for a person with a disability to enable further independence for them and provide accommodation for a carer. This has been taken into consideration as part of the planning process and given weight accordingly in the planning balance.

### Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or ecology, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, H5, GE3 and GE4 of the Coventry Local Plan 2017 and the emerging Policies DE1, H5, GE3 and GE4 in the Local Plan review and the principles of the NPPF 2024.

### CONDITIONS/REASONS

1.	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>Proposed Block Plan DWG 9388-03F</p> <p>Block Plan with Tree Protection DWG 9388-04D</p> <p>Proposed Floor Plans and Elevations DWG 9388-02E</p> <p>Existing Floor Plans and Elevations DWG 9388-01E</p>
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
3.	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.
<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</i>

	<i>accordance with Policy DE1 of the Coventry Local Plan 2017.</i>
4.	<p>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.</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 2017.</i>
5.	The residential annexe hereby permitted shall be occupied solely in connection with, and ancillary to the main dwellinghouse at 21 Nutbrook Avenue, and shall not be sub-divided, sub-let or occupied as an independent unit of residential accommodation.
<b>Reason</b>	<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 2017.</i>