

APPLICATION NUMBER: FUL/2019/0869

ADDRESS: Land to the rear of 1-3 Cameron Close

PROPOSAL: Erection of a detached dwelling and a detached garage for No.3 Cameron Close

INTRODUCTION

- The purpose of this report is to consider the above application.

RECOMMENDATION

- That planning permission be **refused** for the reasons outlined in the attached schedule.

DESCRIPTION OF APPLICATION SITE

- The application site is a side garden of Nos.1 and 3 Cameron Close a pair of flats located on the northeast corner of Cameron Close and The Windmill Hill. The plot of land along the eastern edge of The Windmill Lane stretches north to south and backs onto the rear garden of No.2 Harvey Close. A boundary screen with a combination of brick wall and close boarded timber infill fencing is next to the grass verge along The Windmill Hill.
- The surrounding area is predominantly residential in character; properties are set back from highways with a predominance of greenery along the side and front. Allesley Primary School is some 160m to east at the end of Cameron Close.

PROPOSAL DESCRIPTION

- Erection of a detached dwellinghouse. The house will be two-storey 3-bedroom with vehicular access from The Windmill Hill. The rear gardens will be located to the east back on to the rear gardens of properties fronting Cameron Close.
- The dwelling would have at least two off-street parking spaces; in addition the proposal includes a detached garage for the occupiers of No.3 Cameron Close.

RELEVANT PLANNING HISTORY

Reference	Proposal description	Decision and date
FUL/2015/1552	Erection of a pair of semi-detached house and a detached garage for No. 3 Cameron Close	Refused 01/10/2015 and Dismissed at Appeal 05/07/2016 on grounds of.out of character of the area detracting from the open character forward of the building line resulting in an incongruous development

		contrary to the local plan
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DEVELOPMENT PLAN POLICIES

- 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 new NPPF increases the focus on achieving high quality design and states that it is “fundamental to what the planning and development process should achieve”.
- As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Statutory Development Plan for the area relevant to this application site comprises of the Coventry City Council Local Plan 2016. Relevant policies are outlined below.
DE1 – Ensuring High Quality Design;
DS3 – Sustainable Development;
H3 – Provision of new housing;
H5 – Managing Existing Housing Stock;
AC2 – Road network;
- SPG Design Guidance For New Residential Development
- SPG Extending Your Home adopted by Planning Committee on 10 April 2003 and reviewed on 15 December 2005, both following public consultation exercise in accordance with PPG12.
- SPD Delivering a More Sustainable City 2009
- SPD Coventry Connected (Transport and Accessibility) 2019

STATUTORY CONSULTATION RESPONSES

- Environmental Protection – No objections subject to conditions in relation to air quality and construction environmental management plan.
- Highways – No objection subject to conditions in relation to dropped crossing, surfacing and informatives are also to be attached.

PUBLIC RESPONSES

- Notification letters were sent out to adjoining neighbouring houses and a site notice was displayed on 20th May 2019.
- 38 letters of objections have been received raising the following concerns:
 - Inappropriate development, out of keeping and will affect the character and visual amenity of the area
 - Prominent due to level changes
 - Overdevelopment
 - Overlooking
 - Overshadowing
 - Loss of open/ green space.
 - Will increase the density
 - Highway safety and parking problem
 - Pedestrian safety

- Potential risk to school children given the close proximity of the driveways to the path and road
- Loss of a large tree
- Bats within the area
- Loss of light and affect outlook
- Create precedent for further similar development
- Loss of view
- No difference between previous 2015 refusal
- Disruption to be caused by building works
- Pressure and strain on existing services
- Incorrect ownership certificates
- Garden grabbing

ISSUES

Principle of development:

- Policy H3 states that new development must provide a high-quality residential environment which assists in delivering urban regeneration or creating sustainable communities and which overall enhances the built environment. A suitable residential environment includes safe and appropriate access; adequate amenity space and parking provision and be safe from pollution.
- Assessing this application against this set of criteria, the proposal would not be acceptable in principle. The dwelling's siting and layout would appear out of character with the area and would disrupt the rhythm of development. The dwelling's siting and design is considered to affect the open character evident on this side of the Road to the detriment of the visual amenities and general character of the locality. However, the proposal is compatible with existing nearby uses and has convenient access to local facilities, i.e. Birmingham Road Local Centre.
- Whilst the principal of the proposed development would be compatible with nearby uses, it is not considered that the scheme would create an attractive or high quality residential environment and therefore the proposed development would not be in accordance with Policy H3. It is considered that the principle of residential development on the site may be acceptable subject to the provision of an attractive and satisfactory residential environment for its future occupiers, its visual appearance and its impact upon the character of the street scene, and the development having an appropriate relationship to neighbouring properties that would not result in harm to their amenities and general character of the area. Also, for the principle to be acceptable it needs to meet other relevant plan policies.

Impact on Visual amenity:

- The National Planning Policy Framework (NPPF) published in February 2019 encourages securing high quality design and a good standard of amenity for all existing and future occupants of land and buildings. It suggests that the permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. This is echoed

by Policy DE1 of the Coventry Local Plan 2016 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.

- Cameron Close is a cul-de-sac which joins The Windmill Hill. The Windmill Hill is dominated by semi-detached properties, arranged in different ways depending on the side of The Windmill Hill that they are on.
- On the same side of The Windmill Hill to the application site, the semi-detached properties are positioned side-on to the road. The properties have good sized rear gardens which run parallel to The Windmill Hill and are screened from the road by a fence or boundary wall. This creates an inactive frontage to The Windmill Hill. On the opposite side of The Windmill Hill, the semi-detached houses front the road with front gardens and driveways that create an active frontage.
- The garden to No 1-3 Cameron Close extends behind and to the side of the property and parallel to The Windmill Hill. A detached dwelling is proposed within the garden, with access onto The Windmill Hill. The siting of the dwelling seems to be positioned similarly to what was proposed under the 2015 application. The garage has been slightly pushed further back into the gardens of 1-3 Cameron Close.
- The dwelling would front The Windmill Hill which is uncharacteristic of the layout of development on this side of the road. Furthermore, the proposed dwelling would be forward of any building line set by the existing houses that are side on to the road. Combined with the bulk and mass of the development, the dwelling would be overly prominent within the street scene.
- Within the dismissed appeal decision, the Inspector recognised that there are outbuildings which overstep the building line set by the properties which are side-on to The Windmill Hill, however these outbuildings are much smaller in scale and are therefore subservient in appearance to the street scene. By contrast, the new dwelling would be two storeys in height and together with their position in the street, would be visually prominent, detracting from the open character evident on this side of The Windmill Hill.
- The hipped roof form design of the dwelling would be in keeping the design of properties adjacent on The Windmill Hill.
- The development would result in the gardens for No's 1-3 Cameron Close and for the proposed dwelling being smaller than most of the existing gardens in the area. The development would therefore be uncharacteristic of the layout of existing development.
- Therefore, whilst the proposal would constitute a detached house which corresponds with the style of dwellings within the area, the position of the new dwelling within the street and their limited garden size would result in a development that would be harmful to the character and appearance of the area. As a result, the proposed development would be contrary to Policies DE1 and H3 of the Coventry Local Plan 2016. which require development to reflect locally distinct patterns of development and enhance the character of the local residential environment.

Impact on 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.
- In regard to back to side distances a minimum depth of 10m of rear garden is required and this has not been achieved. The proposed garden amenity would measure over 8.0 metres. Thus, the proposal does not accord with the SPG Design Guidance for New Residential Development.
- The development would adjoin the rear garden of No 5 Cameron Close and would overlook the rear garden of No 7 Cameron Close. In the appeal decision the Inspector was satisfied that the garden to No 7 would be a sufficient distance from the new dwellings for overlooking and therefore the loss of privacy within the garden to not be of concern. This would also apply to this application.
- The rear garden depth should be 10.0 metres at the minimum and the proposal has just over 8.0 metre garden depth. Overlooking would therefore occur, particularly between the first-floor windows of the proposed dwellings and the rear garden to No 5. However, the garden to No 5 is long and the new dwelling would overlook the lower end of the garden. Given the sizeable proportion of the garden nearest the existing dwelling, it is reasonable to surmise that the lower end of the garden would be used less frequently. Therefore, whilst the garden would be overlooked, the harm to the living conditions of its occupants through loss of privacy would be limited given that the dwellings would overlook the lower end of the garden.
- It is noted that the new dwelling would be on ground lower than the ground at Cameron Close but the Inspector again did not consider that this would materially alter the potential for overlooking between the first floor windows of the proposed dwellings and the nearby garden. Notwithstanding this, the Inspector found that the proposed development would not be harmful to the living conditions of the occupiers of the neighbouring properties, with particular regard to privacy, and therefore the Inspector found that the proposal would comply with the requirements of the Council's Design Guidance. This is a material consideration and is noted when assessing the proposal.
- The development is not considered to overshadow the amenity of the neighbouring occupant.
- The proposed garage for No.3 would not impact the amenity of neighbouring gardens.

Highway safety:

- Policy AC2 requires new developments to support and accommodate, where appropriate, measures which facilitate enhancements to the wider transport network.
- The proposed car parking provision of two spaces for the dwelling is considered acceptable. The site is also sustainable in that it is near to bus routes. Highways have raised no objection to the proposal, subject to conditions.
- The proposed garage for No.3 would not impact on highway safety.

Other Matters:

- The incorrect ownership certificates were signed. The application was made invalid. Neighbours were re-notified, and a new site notice was displayed.

CONCLUSION

I therefore recommend that permission be refusal.