

**Planning Committee:** 04 March 2020

**Item Number: 5**

**Application No:** [W 19 / 1887](#)

**Town/Parish Council:** Baginton  
**Case Officer:** Andrew Tew

**Registration Date:** 18/12/19  
**Expiry Date:** 12/02/20

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**12 Coventry Road, Baginton, Coventry, CV8 3AD**

Detached bungalow in garden of No. 12 Coventry Road FOR Mr Joe Holcroft  
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This application is being presented to Committee due to 9 letters of objection from 6 contributors and an objection from the Parish/Town Council having been received.

**RECOMMENDATION**

It is recommended Planning Permission should be GRANTED.

**DETAILS OF THE DEVELOPMENT**

Planning permission is sought for the construction of one detached dwelling on land to the rear of number 12 Coventry Road, Baginton. The proposed dwelling is a single storey bungalow with a pitched roof and dormer windows and vehicular access off Holly Walk with parking for two cars.

A previous application ref; W/15/0939 was granted for the site. This application has an increased height by 90cm to accommodate bedrooms in the roof space, the other dimensions remain the same.

**THE SITE AND ITS LOCATION**

This application site is land which is currently part of garden of the host property, number 12 Coventry Road. The property is a traditional semi-detached bungalow with gable roof line. The house has been altered in the past by a rear extension. The property sits on the corner of Coventry Road and Holly Walk. The land is currently part of the garden area of number 12.

The site boundary is demarcated by a hedge that steps out towards the pavement. Within the hedge facing Holly Walk is an existing gate to the existing garage with a dropped kerb. The existing hedge returns along the boundary with the neighbouring property (Sheriffs). The site is fairly level. The street scene in this location is mixed with bungalows and two storey houses. The house to the rear/side of the garden area is a two storey dwelling set back from Holly Walk behind a lawn and driveway. The site is within the village of Baginton (within the Growth Village Boundary). The site is no longer in the Green Belt since changes introduced by the adoption of WDC Local Plan in 2017.

## **PLANNING HISTORY**

W/15/0939 - Erection of a 2 bedroomed bungalow to the rear of the existing dwelling.

## **RELEVANT POLICIES**

- National Planning Policy Framework
- The Current Local Plan
- H1 - Directing New Housing
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice (Warwick District Local Plan - 2011-2029)
- TR3 - Parking (Warwick District Local Plan - 2011-2029)
- NE3 - Biodiversity
- HE4 - Archaeology
- Guidance Documents
- Residential Design Guide (Supplementary Planning Document- May 2018)
- Parking Standards (Supplementary Planning Document)
- Neighbourhood Plan
- Baginton & Bubbenhall Neighbourhood Plan 2018-2029

## **SUMMARY OF REPRESENTATIONS**

**Baginton Parish Council**– Object on the following grounds:

- the proposal is too large for the site;
- the orientation and 2 storey design creates visual intrusion for neighbours; and
- loss of on-street parking due to the dropped kerb removing on-street spaces, exacerbating existing parking issues in this area of Holly Walk

**Coventry Airport** – No objection.

**WCC Ecology** – No objection subject to conditions.

**WCC Landscape** – No objection subject to conditions.

**WCC Archaeology** – No objection subject to conditions.

**Public Response** – 9 letters of objection from 6 contributors making following comments;

- Spoils view from neighbouring properties
- Block light / rights to light
- 45/25 degree line breached
- Overbearing effect on other properties
- Building visible from other properties
- Existing properties planned and built for maximum privacy
- Parking on road causing highway safety issues
- Lack of parking provision
- Inappropriate development in Green Belt
- Rear dormers looking into neighbours
- Roof lights further ruin outlook from surrounding properties
- Over development of small plot
- Ruin open nature of street scene

- Garden space too small for proposed property
- Development not in dip, therefore taller
- Bins at front of house unacceptable
- Impact on hedging overlooked
- Erroneous drawings
- No dimensions on plans
- Application description of “detached bungalow” a misrepresentation
- Boundary line misrepresented
- Not in keeping with Baginton Neighbourhood Plan
- Not in keeping with WDC Residential Design Guide

## **ASSESSMENT**

The main considerations in assessing this application are as follows:

- The principle of development;
- Character of the local area;
- Neighbours amenity;
- Highway safety;
- Other matters of ecology and archaeology.

### Principle of development

Policy H1 of the Local Plan refers to directing new residential development. Baginton is identified as a growth village where new residential development is considered acceptable in principle, subject to an assessment of site-specific criteria.

The site is located within the settlement boundary of Baginton and is therefore considered as an appropriate location for a new, single dwelling.

### Impact on character of surrounding area

Section 12 of the National Planning Policy Framework (NPPF) places significant weight on ensuring good design which is a key aspect of sustainable development and should positively contribute towards making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving character, the quality of an area and the way it functions.

Warwick District Council's Local Plan 2011 - 2029 policy BE1 reinforces the importance of good design stipulated by the NPPF as it requires all development to respect surrounding buildings in terms of scale, height, form and massing. The Local Plan calls for development to be constructed using appropriate materials and seeks to ensure that the appearance of the development and its relationship with the surrounding built and natural environment does not detrimentally impact the character of the local area. Finally, the Residential Design Guide sets out steps which must be followed in order to achieve good design in terms of the impact on the local area; the importance of respecting existing important features; respecting the surrounding buildings and using the right materials.

The proposed dwelling will sit partially on the footprint of an existing outbuilding. The proposed dwelling will be viewed as a bungalow with dormer windows within the Holly Walk street scene and will continue to provide satisfactory gaps between built form and the side boundaries to avoid appearing cramped within the context of the location. It is noted that the proposed dwelling is taller than the previously approved scheme (planning ref: W/15/0939) by 90cm, however, this is still significantly lower than the two storey properties in the locality. Sheriffs, set back from the proposed property is significantly taller as a two story property with a steeply pitched roof. It is noted "The Willows" to the immediate South is set down in a dip, however, this is an anomaly in the street scene with its immediate neighbour to the East set on level ground. This suggests that the street scene is very varied and the proposed development will fit into the street scene.

Although the plot width is clearly narrower than some other surrounding properties, the scheme is considered to be well-proportioned and will assimilate into the existing street scene. The design is appropriate as it relates well to the host property. The proposed development will be seen from neighbouring properties, yet accords with separation distance guidelines. It is noted that there is a significant mix of dwelling house types, styles and ages in the surrounding area, thus allowing some design flexibility for the proposed property, with the Baginton Neighbourhood Plan (placing the proposed site in character area map zone 4) reinforcing homes "*in these areas again comprise a wide variety of forms, including flats, bungalows, terraced homes, semi-detached homes and detached homes*".

Provision has been made within the proposed development for EV charging, bike parking and waste storage.

The scheme is therefore considered to provide an acceptable design solution and will not have a harmful impact upon the visual amenity of the street scene in this location, in accordance with policy BE1.

#### Impact on neighbours' amenity

Policy BE3 of the Warwick District Local Plan states that new development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents.

The proposed dwelling house has no habitable rooms facing the host property as the main windows face towards the road and garden area. As part of the proposal the applicant has indicated that an existing conservatory be removed from the host dwelling. As this site remains within the applicants control it may be suitably controlled by the imposition of a condition to ensure this work is carried out prior to the commencement of the development on site. Given the oblique angle there would be no material overlooking or loss of sunlight as the proposed property remains a single storey.

The proposed property is offset to the house to the rear of the plot (Sheriffs). The nearest first floor window in Sheriffs serves a bathroom and has obscure glazing. Given the offset of this house to the proposed plot there would be minimal overlooking. The applicant has reduced the size of a proposed dormer to the rear of the property to minimise the perception of overlooking to the property at the

rear. Two of the clear glazed windows from the dormer have been replaced with roof lights. The remaining bathroom window in the dormer will be obscure glazed and fixed.

A proposed door opening onto the garden from the kitchen has also been removed from the original design to ensure compliance with distance separation guidelines. A distance of 16m between the downstairs window of Sheriffs (used as an office) and the living room of the proposed development is deemed sufficient due to the angle between the two properties and the boundary treatments in place.

Due to the orientation of the proposed dwelling in relation to its immediate neighbours, the 45 degree rule is not appropriate. Objector's have also referred to a "25 degree rule", but no such rule is used by WDC.

The necessary separation distances to other surrounding properties and all window-to-window separation distances will be met so the scheme is not considered to result in any significant impact upon the amenities of the occupiers of other surrounding properties.

Following sub-division of the plot it is considered that Number 12 Coventry Road will retain an adequately adequate amenity space, as will the new proposed dwelling.

Overall, I am satisfied that the development adheres to Policy BE3.

#### Highway Safety

Policy TR1 of the Warwick District Local Plan requires all developments to provide safe, suitable and attractive access routes for all users that are not detrimental to highway safety. Policy TR3 requires all development proposals to make adequate provision for parking for all users of a site in accordance with the relevant parking standards.

The site contains adequate space for the parking of vehicles. The County Highways Officer has assessed the scheme and raised no objection subject to conditions. They note that the proposed dwelling is unlikely to worsen the parking situation, as it provides sufficient parking for its own needs.

Therefore, the proposed development accords with Policies TR1 and TR3.

#### Archaeology

The County Archaeologist has assessed the proposal and raised no objection subject to the imposition of a condition requiring investigative works and mitigation for archaeological deposits.

As such, the proposal accords with Policy HE4.

#### Ecology

WCC Ecology raise no objection, subject to notes as per the planning ref: W/15/0939 approval, in relation to protected species and nesting birds.

As such, the proposal accords with Policy NE3.

### Other Matters

In relation to comments received regarding erroneous drawings. Whilst there were no numerical dimensions on all submitted plans, with the implication the drawings did not give a true representation, all drawings were to scale and had the relevant scale bars supplied in line with WDC's Local Validation Check list. Similarly, the red line showing the proposed site was amended up to the highway boundary as a dropped curb is contained within the proposal.

Comments received in relation to over-development, loss of privacy, dominance over adjoining dwellings and securing a reasonable standard of amenity and outlook for local residents', is previously addressed in the report. Whilst it is acknowledged the development will have an impact in regards to these considerations, the plot is of a significant enough size to accommodate the development in line with the policies considered and addressed above.

### **SUMMARY/CONCLUSION**

In the opinion of the Local Planning Authority, the proposal is considered to comply with the policies listed and therefore the application should be GRANTED.

### **CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) P/02 REV C, P/03 REV C and P/04 REV C and specification contained therein, submitted on 29/01/2020 & 06/02/2020. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.
- 3 The development hereby permitted shall not commence unless and until a hard and soft landscaping scheme has been submitted to and approved in writing by the local planning authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the colour of the railings and gates; footpaths; and hard surfacing, which shall be made of porous materials or provision shall be made for direct run-off of water from the hard surface to a permeable or porous area. The hard landscaping works shall be completed in full accordance with the approved details within three months of the first occupation of the development hereby permitted; and all planting shall be carried out in accordance with the approved details in the first

planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes in the opinion of the local planning authority seriously damaged, defective or diseased shall be replaced in the next planting season with another of the same size and species as that originally planted. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 - Transplanting Root-balled Trees and BS4428 - Code of Practice for General Landscape Operations. **REASON:** To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1, BE3 and NE4 of the Warwick District Local Plan 2011-2029.

- 4 No development shall take place until:
- a) a Written Scheme of Investigation (WSI) for a programme of archaeological evaluative work shall be submitted to and approved in writing by the LPA in consultation with the Warwickshire County Council Archaeological Information and Advice team.
  - b) the programme of archaeological evaluative work and associated post-excavation analysis, report production and archive deposition detailed within the approved WSI is to be undertaken. A report detailing the results of this fieldwork is to be submitted to the planning authority.

**REASON :** To ensure a satisfactory programme of works is undertaken to secure and assess any archeological remains in connection to the site in accordance with Policy HE4 of the Warwick District Local Plan 2011-2029.

- 5 No development shall commence unless and until details of surface and foul water drainage works have been submitted to and approved in writing by the local planning authority. The development shall be carried out in strict accordance with the approved details. **REASON:** To ensure that adequate drainage facilities are available for the satisfactory and proper development of the site in accordance with Policies BE1 and FW2 of the Warwick District Local Plan 2011-2029.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no further development shall take place within the curtilage of the dwellinghouse hereby permitted. **REASON:** That due to the restricted nature of the application site and its relationship with adjoining properties it is considered important to ensure that no additional development is carried out without the permission of the local planning authority in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

- 7 No development shall be carried out above slab level unless and until samples of the external facing materials to be used have been submitted to and approved in writing by the local planning authority. The development shall only be carried out in accordance with the approved details. **REASON:** To ensure that the proposed development

has a satisfactory external appearance in the interests of the visual amenities of the locality in accordance with Policy BE1 of the Warwick District Local Plan 2011-2029.

- 8 Prior to the occupation of the development hereby permitted, the first floor window in the west elevation shall be permanently glazed with obscured glass to a degree sufficient to conceal or hide the features of all physical objects from view and shall be non-opening unless the parts of the window that can be opened are more than 1.7 metres above the floor of the room in which the window is installed. The obscured glazed window(s) shall be retained and maintained in that condition at all times. **REASON:** To protect the privacy of users and occupiers of nearby properties and to satisfy the requirements of Policy BE3 of the Warwick District Local Plan 2011-2029.
- 9 The accesses to the site for vehicles shall not be used until a public highway footway crossing has been laid out and constructed in accordance with the standard specification of the Highway Authority. **REASON :** In the interest of highways safety in accordance with Policy BE1 of the Warwick District Local Plan 2011 - 2029.
- 10 The development hereby permitted shall not be occupied unless and until a scheme showing how a water efficiency standard of 110 litres per person per day based on an assumed occupancy rate of 2.4 people per household (or higher where appropriate) will be achieved has been submitted to and approved in writing by the Local Planning Authority. No dwelling/ unit shall be first occupied until the works within the approved scheme have been completed for that particular dwelling / unit in strict accordance with the approved details and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications. **REASON:** To ensure the creation of well-designed and sustainable buildings and to satisfy the requirements of Policy FW3 of the Warwick District Local Plan 2011-2029
- 11 The development hereby permitted shall not be occupied until a scheme which satisfies the requirements set out in the Council's adopted Air Quality and Planning Supplementary Planning Document (January 2019) has been submitted to and approved in writing by the Local Planning Authority and implemented in full accordance with the approved details. The approved scheme shall be retained and maintained as such at all times thereafter. **REASON:** To ensure mitigation against air quality impacts associated with the proposed development in accordance with Policy NE5 of the Warwick District Local Plan.
- 12 The access to the site for vehicles shall not be used in connection with the development until it has been surfaced with a bound material for a distance of at least 7.5 metres as measured from the near edge of the public highway carriageway. **REASON :** In the interests of highway safety and in accordance with Policy TR1 of the Warwick District Local Plan 2011-2029.

- 13 The areas indicated on the approved drawings for vehicular manoeuvring space and parking shall at all times be kept free of obstruction and be available for those purposes unless otherwise agreed in writing by the local planning authority. **REASON:** To ensure that a satisfactory provision of off-street car parking and turning facilities are maintained at all times in the interests of the free flow of traffic and highway safety in accordance with Policies TR1 & TR3 of the Warwick District Local Plan 2011-2029.
- 14 The existing tree(s) and shrub(s) indicated on the approved plans to be retained shall not be cut down, grubbed out, topped, lopped or uprooted without the written consent of the local planning authority. Any tree(s) or shrub(s) removed without such consent or dying, or being severely damaged or diseased or becomes, in the opinion of the local planning authority, seriously damaged or defective, within five years from the substantial completion of development shall be replaced, as soon as practicable with tree(s) and shrub(s) of such size and species details of which must be submitted to and approved by the local planning authority. All tree(s) and shrub(s) shall be planted in accordance with British Standard BS4043 – Transplanting Root-balled Trees and BS4428 – Code of Practice for General Landscape Operations (excluding hard surfaces). **REASON:** To protect those trees and shrubs which are of significant amenity value and which ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies BE1 & BE3 of the Warwick District Local Plan 2011-2029.
- 15 The dwelling hereby permitted shall not be occupied unless and until the conservatory on the rear of the existing dwelling at No. 12 Coventry Road has been demolished in accordance with approved drawing no. P02C. **REASON :** To allow adequate separation between the existing and proposed property and to allow sufficient external private amenity space for both properties, in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.
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