

General Development Applications

(4b) Application No: PAP/2020/0324

113, Church Road, Hartshill, Nuneaton, CV10 0LU

Erection of first floor rear extension to provide additional residential accommodation at first floor and alterations to ground floor extensions to replace roof and incorporate a rooflight and a lantern roof light for

Mrs S Camm

Introduction

This case is reported to the Board at the request of local Members concerned about the potential impacts arising from the proposals.

The Site

The application site is an existing two storey, semi-detached property used as a hairdressing salon with a one-bedroom flat above. It fronts the western side of the road immediately next to Cemetery Lane within a residential setting.

Its location is shown at Appendix A

The Proposal

The proposal is to reconfigure the front elevation shopfront so that the staircase is moved from the centre of the hairdressing salon floor space to the side which together with the removal of internal ground floor walls will enlarge the ground floor salon area. The first-floor accommodation would also be reconfigured along with the demolition and replacement of single storey rear extensions.

These proposals are also illustrated at Appendix A.

Background

The lawful use of the premises is as a hairdressing salon at ground floor with residential use above. It has been used for office use in the past.

An application submitted in 2019 to use the first floor for beauty treatments along with removing ground floor internal walls so as to increase the hairdressing area together with a new two-storey rear extension was withdrawn following an objection from the Highway Authority.

Development Plan

The Core Strategy 2014 - NW10(Development Considerations)

Saved Policies of the North Warwickshire Local Plan 2006 – TPT6 (Vehicle Parking)

Other Relevant Material Considerations

National Planning Policy Framework

The North Warwickshire Local Plan Submission Version, March 2018 - LP31(Development Considerations); LP32 (Built Form) and LP36 (Parking)

Representations

Hartshill Parish Council – The Parish Council objects as there is no evidence submitted to show how car parking can be achieved given that existing car parking is on the street, hazardous and obstructs the access to the cemetery.

Observations

The site is within the built-up area of Hartshill and the retention of an enhanced local facility within the community is to be welcomed in principle.

The proposed internal works here would, on their own, be “permitted development” and thus not require the submission of a planning application only an approval under the Building Regulations. This is material planning consideration of substantial weight. The works to the rear are acceptable and reasonable in design terms with no adverse impacts on neighbouring residential amenity. There is neither any change of use involved with the ground floor remaining in use as a hair-dresser’s salon with the first floor in residential use. The proposal therefore carries a recommendation of approval.

A number of representations have been made.

The first is that the internal works at ground floor increases the floor area available for customers and thus there would be an intensification of that use leading to on-street parking pressures. This representation carries no weight for the following reasons:

As indicated above these internal works are “permitted development” not requiring the submission of a planning application. Should this application be refused, the applicant could continue with these works in any event without reference to the Council under planning legislation

- Secondly, there would be no change of use involved – the ground floor remains in use as a hairdressing salon within its lawful use. Increased patronage does not involve a change of use, even if that might lead to increased car parking.
- Thirdly, increased occupancy of the existing lawful residential first floor flat would also not involve a change of use and thus any greater car ownership could neither be restricted.
- Thirdly, the very recent changes to the Use Classes Order increase the flexibility afforded to owners to change between different uses without the need for the submission of planning applications.

The second matter is a reference to the withdrawn 2019 application and to the Highway Authority’s comments which drew attention to parking issues. That application did

involve a change of use – from the lawful residential use of the first floor to that of beauty treatments – unlike the present application. The two cases are thus materially different.

These representations therefore do not carry weight and the recommendation remains unaltered.

RECOMMENDATION

That the application be granted subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and to prevent an accumulation of unimplemented planning permissions.

2. The development hereby approved shall not be carried out otherwise than in accordance with the plan numbered 001, received by the Local Planning Authority on 26 June 2020.

REASON

To ensure that the development is carried out strictly in accordance with the approved plans.

3. The new works shall be carried out with smooth white, cream or pale grey render and high performance flat roof finishes. The new doors and windows shall have white frames. All new door and window glazing shall be safety glass.

REASON

In the interests of the amenities of the area and the building concerned.

4. All new first floor windows and new windows to the rear extensions shall have lockable casements and permanently glazed with obscured glass which shall provide a minimum degree of obscurity equivalent to privacy level 3, or higher and shall be maintained in that condition at all times. For the avoidance of doubt privacy levels are those identified in the Pilkington Glass product range. The obscurity required shall be achieved only through the use of obscure glass within the window structure and not by the use of film applied to clear glass. New windows to the proposed rear extensions shall be installed with permanent trickle ventilation in the head sections.

REASON

To protect the privacy of the adjoining property and to prevent overlooking, and to improve security.

5. There shall be no access to the flat roof areas at any time except for maintenance, cleaning and means of escape.

REASON

In the interest of protecting the privacy and amenity of neighbours and occupants.

Notes:

1. The submitted plans indicate that the proposed works come very close to, or abut neighbouring property. This permission does not convey any legal or civil right to undertake works that affect land or premises outside of the applicant's control. Care should be taken upon commencement and during the course of building operations to ensure that no part of the development, including the foundations, eaves and roof overhang will encroach on, under or over adjoining land without the consent of the adjoining land owner. This planning permission does not authorise the carrying out of any works on neighbouring land, or access onto it, without the consent of the owners of that land. You would be advised to contact them prior to the commencement of work.
2. You are recommended to seek independent advice on the provisions of the Party Wall etc. Act 1996, which is separate from planning or building regulation controls, and concerns giving notice of your proposals to a neighbour in relation to party walls, boundary walls and excavations near neighbouring buildings. An explanatory booklet can be downloaded at <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance>
3. The developer is reminded that the Control of Pollution Act 1974 restricts the carrying out of construction activities that are likely to cause nuisance or disturbance to others to be limited to the hours of 08:00 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays, with no working of this type permitted on Sundays or Bank Holidays. The Control of Pollution Act 1974 is enforced by Environmental Health.
4. The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

5. Radon is estimated to affect 10-30% of the properties in this area. Radon is a natural radioactive gas which enters buildings from the ground and can cause lung cancer. If you are buying, building or extending a property you can obtain a Radon Risk Report online from www.ukradon.org if you have a postal address and postcode. This will tell you if the home is in a radon affected area, which you need to know if buying or living in it, and if you need to install radon protective measures, if you are planning to extend it. If you are building a new property then you are unlikely to have a full postal address for it. A report can be obtained from the British

Geological Survey at <http://shop.bgs.ac.uk/georeports/>, located using grid references or site plans, which will tell you whether you need to install radon protective measures when building the property.

For further information and advice on radon please contact the Health Protection Agency at www.hpa.org.uk. Also if a property is found to be affected you may wish to contact the Central Building Control Partnership on 0300 111 8035 for further advice on radon protective measures.

6. Advertisement Consent is required under a separate procedure of the Town and Country Planning Act 1990. Should any advertisements, signs, name boards, or other devices to attract attention, be intended in respect of this development, the Local Planning Authority will be pleased to advise you on all associated aspects prior to the erection of any such advertisements, and provide you with application forms.
7. Attention is drawn to the need to maintain unobstructed access to the cemetery at all times and thus customers should be asked not to park in this area..
8. In dealing with this application, the Local Planning Authority has worked with the applicant in order to reach a positive determination. As such it is considered that the Council has implemented the requirement set out in paragraph 38 of the National Planning Policy Framework.

BACKGROUND PAPERS

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Planning Application No: PAP/2020/0324

Background Paper No	Author	Nature of Background Paper	Date
1	The Applicant or Agent	Application Forms, Plans and Statement(s)	26/6/2020
2	Hartshill Parish Council	Objection	12/8/2020

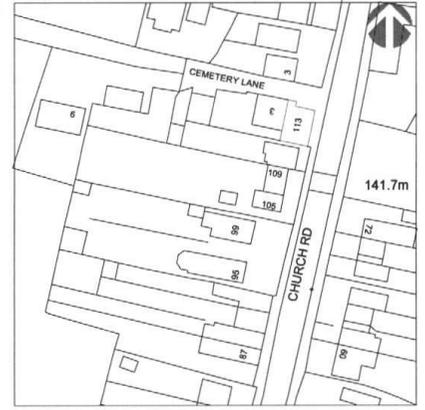
Note: This list of background papers excludes published documents which may be referred to in the report, such as The Development Plan and Planning Policy Guidance Notes.

A background paper will include any item which the Planning Officer has relied upon in preparing the report and formulating his recommendation. This may include correspondence, reports and documents such as Environmental Impact Assessments or Traffic Impact Assessments.

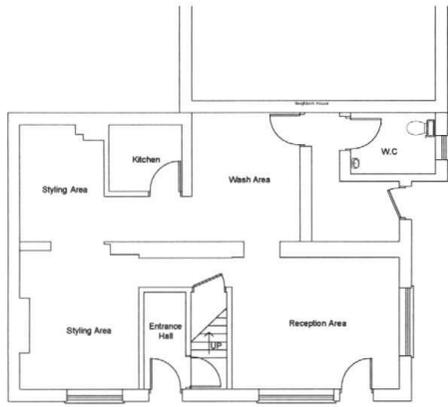
4b/12



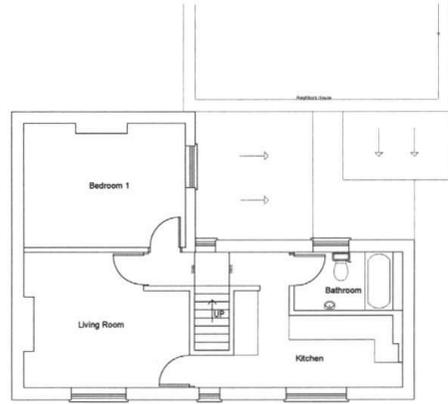
PAP/2020/0324



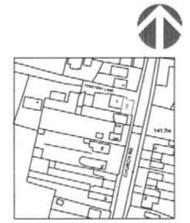
Site Plan Scale 1:500



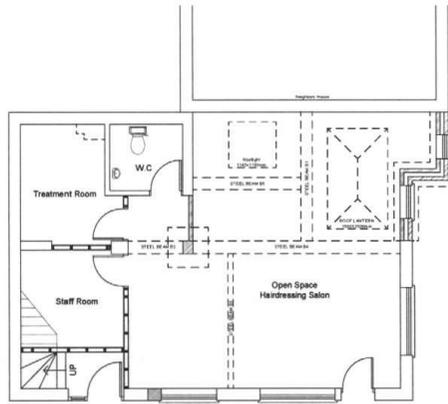
Existing Ground Floor Plan Scale 1:50



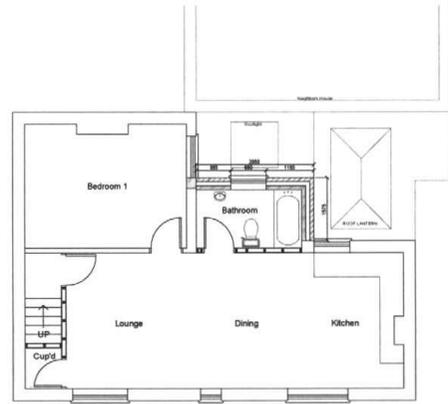
Existing First Floor Plan Scale 1:50



Site Map Scale 1:1250



Proposed Ground Floor Plan Scale 1:50



Proposed First Floor Plan Scale 1:50

RECEIVED
26/06/2020
PLANNING & DEVELOPMENT
DIVISION

PARTY WALL ACT 1996. Your attention is drawn to the client's responsibilities under the aforementioned act, namely that you should inform your neighbours in writing that you intend to carry out works to the Party Wall and that he may have certain requirements of his own. You may wish to contact a Surveyor or Solicitor for further advice on this matter.

PLANNING APPROVAL

LITEBOX
ARCHITECTURE

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Client: Ms Samantha Carron
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Norton
CV13 8LJ

Project: Proposed first floor extension and internal alterations at 113 Church Road, Norton, CV13 8LJ

Date: 26.06.2020
Scale: As Drawn @ A1
Proj No: 000
Revision: 00
Drawn By: EB

APPENDIX A