

**Time and Date**

2.00 pm on Thursday, 13th June, 2019

Place

Committee Room 3 - Council House

1. **Apologies for Absence**

2. **Declarations of Interest**

3. **Members Declarations of Contact on Planning Applications**

Members are reminded that contacts about any planning applications on this agenda must, unless reported to this meeting by the Head of Planning, be declared before the application is considered.

4. **Minutes of the meeting held on 9 May 2019** (Pages 3 - 6)

5. **Late Representations**

To be circulated at the meeting.

6. **Outstanding Issues**

There are no outstanding issues.

7. **Application FUL/2019/0832 - 8 Stoneleigh Road** (Pages 7 - 26)

Report of the Head of Planning and Regulation

8. **Application FUL/2019/0442 - 89 Windmill Road** (Pages 27 - 44)

Report of the Head of Planning and Regulation

9. **Application FUL/2019/0784 - 41 St Pauls Road** (Pages 45 - 56)

Report of the Head of Planning and Regulation

10. **Application FUL/2019/0967 - 30 Old Mill Avenue** (Pages 57 - 70)

Report of the Head of Planning and Regulation

11. **Appeals Progress Report** (Pages 71 - 98)

Report of the Head of Planning and Regulation

12. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

Martin Yardley, Deputy Chief Executive, Place, Council House Coventry

Wednesday, 5 June 2019

Note: The person to contact about the agenda and documents for this meeting is Carolyn Sinclair carolyn.sinclair@coventry.gov.uk

Membership: Councillors N Akhtar, P Akhtar, R Auluck (Deputy Chair), R Bailey, G Crookes, L Harvard (Chair), L Kelly, J McNicholas, C Mijs, D Skinner and S Walsh

By invitation: Councillor T Khan

Please note: a hearing loop is available in the committee rooms

If you require a British Sign Language interpreter for this meeting
OR if you would like this information in another format or
language please contact us.

Carolyn Sinclair
carolyn.sinclair@coventry.gov.uk

Coventry City Council
Minutes of the Meeting of Planning Committee held at 2.00 pm on Thursday, 9
May 2019

Present:

Members: Councillor L Harvard (Chair)
Councillor P Akhtar
Councillor R Bailey
Councillor G Crookes
Councillor J McNicholas
Councillor H Sweet (Deputy Chair)

Other Members: Councillor G Williams (for item 152 below)

Employees (by Directorate):

Place: L Albrighton, M Andrews, S Chowdhury, S Evans, A Lynch,
U Patel, E Spandley, C Whitehouse,

Apologies: Councillor N Akhtar, R Auluck, S Bains and D Skinner

Public Business

147. Declarations of Interest

There were no declarations of interest.

148. Members Declarations of Contact on Planning Applications

The Members named declared a contact on the following applications as indicated:

Application No.	Councillor	From
DC/2018/3244 – South of Holloway Field, Land at Scots Lane	All Members of Committee	Ward Councillor

149. Minutes of Previous Meeting held on 11 April, 2019

The minutes of the meeting held on 11 April, 2019 were signed as a true record.

150. Late Representations

The Committee noted a tabled report which summarised late representations and responses on the following:

Application	Site	Minute
DC/2018/3424	South of Holloway Field Land at Scots Lane	152

151. **Outstanding Issues**

There were no outstanding issues.

152. **Application DC/2018/3424 - South of Holloway Field, Land at Scots Lane**

The Committee considered a report of the Head of Planning and Regulation detailing the above application to discharge condition in relation to Flood Risk Assessment and Drainage Details (condition No.15) imposed on planning permission S73/2018/0812 and OUT/2016/2918 for residential development of up to 70 dwellings and associated landscaping. The recommendation was to discharge the condition.

Councillor G Williams, a Bablake Ward Councillor and two registered speakers attended the meeting. Councillor Williams spoke in respect of his own objections to the application and read a statement on behalf of one of the registered speakers. The other registered speaker also spoke in respect of her objections to the application. The applicant's representative attended the meeting and spoke in support of the application to discharge the conditions.

The late representation report tabled at the meeting responded to further concerns raised by a resident.

Following consideration of the report, the late representations document and matters raised at the meeting, Members considered that their concerns about the protection of trees and hedgerows as well as the adjacent village green, surface water drainage and ditch maintenance had all been reasonably addressed.

RESOLVED that planning permission be granted in respect of application DC/2018/3424 to discharge the drainage condition (condition No.15) imposed on planning permission Ref. OUT/2018/2918 and subsequent variation of condition application Ref. S73/2018/0812.

153. **Application FUL/2018/3244 - 83 Baginton Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the formation of parking areas which was recommended for approval.

RESOLVED that planning permission be granted in respect of application FUL/2018/3244, subject to conditions.

154. **Application FUL/2018/3487 - 8 Blackthorn Close**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the change of use from a small House in Multiple Occupation (HMO) (Use Class C4) to a 8no bedroomed large House in Multiple Occupation (HMO) (Use Class Sui Generis) with 1no self-contained unit fir 1no person (Use Class C3) (Retrospective). The application was recommended for approval.

The Committee noted that correct conditions in respect of this application were circulated to Members of the Committee and a copy tabled at the meeting.

RESOLVED that planning permission be granted in respect of application FUL/2018/3487 subject to conditions.

155. **Application HH/2019/0743 - 82 Middlemarch Road**

The Committee considered a report of the Head of Planning and Regulation detailing the above application for the erection of a single storey rear extension which was recommended for approval.

RESOLVED that planning permission be granted in respect of application FUL/2019/0743 subject to conditions.

156. **Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of public business.

(Meeting closed at 3.20 pm)

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Planning Committee Report	
Planning Ref:	FUL/2019/0832
Site:	8 Stoneleigh Road
Ward:	Wainbody
Proposal:	Erection of two, first floor rear extensions and change of use to 6no, 2no bedroomed flats and associated works.
Case Officer:	Emma Spandley

SUMMARY

The application seeks planning permission for the erection of 2no minor first floor rear extensions and to convert the property into 6no. 2no. bedroomed flats. The application proposes 13no car parking spaces to the front garden area; 2no for each flat with 1no visitor space. The existing detached garage to the rear of the site will be utilised as a cycle and bin store area.

BACKGROUND

The application relates to an unlisted property located within the Kenilworth Road Conservation Area, though an offset from Kenilworth Road itself on Stoneleigh Road. The Conservation area is characterised by larger dwellings, set into an expansive mature and historically significant landscape and development within it is assessed against the aims and objectives set down within the Kenilworth Road Control Plan.

The external changes relate to two small modest rear extensions, which are acceptable with the majority of the works happening internally to subdivide the property into 6no, 2no bedroomed apartments.

There will be some loss of landscaped space to the front garden area to accommodate car parking, however this will be conditioned to ensure that suitable surface and boundary materials are used.

KEY FACTS

Reason for report to committee:	Over 5 objections have been received. Cllr Blundell submitted a Petition and called in.
Current use of site:	Dwellinghouse (Use Class C3)
Proposed use of site:	Apartments (Use Class C3)

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact on the character of the Conservation Area.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: Policies DS3, H3, H4, H5, H9, GE3, GE4, DE1, HE1, AC1, AC3 & AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks planning permission for the erection of 2no minor first floor rear extensions and to convert the property into 6no. 2no. bedroomed flats. The application proposes 13no car parking spaces to the front garden area; 2no for each flat with 1no visitor space. The existing detached garage to the rear of the site will be utilised as a cycle and bin store area.

SITE DESCRIPTION

The application relates to an unlisted property located within the Kenilworth Road Conservation Area, though an offset from Kenilworth Road itself on Stoneleigh Road. The Conservation area is characterised by larger dwellings, set into an expansive mature and historically significant landscape.

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
S/1960/1404	Alterations and extensions to dwellinghouse	Approved
S/1972/1884	Erection of garage extension	Approved
S/1981/1220	Bungalow	Refused
L/1994/0724	Single storey rear extension and balcony over	Approved 5 th July 1994
R/2002/2016	Two storey and single storey extensions to side, front and rear	Approved 5 th March 2003
S/2005/6302	Erection of additional bathroom	Approved
FUL/2013/2349	Erection of detached garage to rear, demolition of existing swimming pool enclosure and elevational alterations to main dwelling, including conversion of existing integral garage.	Approved 10 th February 2014
FUL/2014/1251	New garage	Approved 30 th June 2014

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF was published in February 2019 and 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”.

The National Planning Practice Guidance (NPPG) 2014, this 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 (CLP), which was adopted by Coventry City Council on 6th December 2017. Relevant policy relating to this application are:

Policy DS1: Overall Development Needs
Policy DS3: Sustainable Development Policy
Policy H3: Provision of New Housing
Policy H4: Securing a Mix of Housing
Policy H5: Managing Existing Housing Stock
Policy H9: Residential Density
Policy GE3: Green Infrastructure
Policy GE4: Tree Protection
Policy DE1 Ensuring High Quality Design
Policy HE1: Conservation Areas
Policy AC1: Accessible Transport Network
Policy AC3: Demand Management
Policy AC4: Walking and Cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Kenilworth Road Control Plan
SPG Design Guidelines for New Residential Development
SPG ‘Extending Your Home’
SPD Delivering a More Sustainable City
SPD Coventry Connected (Transport and Accessibility)

CONSULTATION

No Objections have been received from:
West Midlands Fire Service

No Objections, subject to conditions, have been received from:

- Conservation
- Highways
- Drainage
- Environmental Protection

Immediate neighbours and local councillors have been notified in accordance with the communication report.

Cllr Blundell presented a petition containing 57 signatures objecting to the proposed change of use.

8 letters of objection have also been received, and one joint objection from the residents of Beverley Drive.

All the objections raise the following material planning considerations:

- a) Highway Safety, Visibility & Parking issues
- b) No footpaths or cycle routes
- c) Bin storage
- d) Impact on Conservation Area & loss of a substantial detached house
- e) Over Intensification of use
- f) Drainage issues

Within the objections received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- a. Sewage problems
- b. Maximising profit
- c. Building of HS2
- d. Devaluing house prices
- e. Renting to students
- f. Parking on the verge

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 the character and appearance of the Conservation Area.
- the impact upon neighbouring amenity, and
- highway considerations.

Policy Background

Section 2, paragraph 10 & 11 of the NPPF 2019 states that applications must be approved that accord with an up-to-date development plan without delay. Coventry City Council have an up-to-date Local Plan which was adopted on 5th December 2017.

Policy DS3 of the CLP states the Council will take a positive approach that reflects the presumption in favour of sustainable development consistent with paragraphs 10 & 11 of the NPPF 2019.

Principle

Policy H3 of the CLP 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. Policy H5 of the CLP states the existing housing stock will be renovated and improved to meet local housing needs and Policy H4 states a residential development, where appropriate shall provide for a mix of housing.

The proposal would result in a high-quality residential environment and would contribute to a sustainable community as the application site is located within an existing residential area of Coventry, which is near to existing services and public transport modes in accordance with Policy H3 of the CLP.

The application proposes to convert an existing large detached house into 6no. 2no. bedroomed flats. Therefore, a mix of housing is not required in accordance with Policy H4.

The site is in a sustainable location, however, creating sustainable communities and therefore sustainable developments requires the proposals to also include safe and appropriate access have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

These areas are discussed in more detail below.

Impact on Heritage Assets and the Character & Appearance of the area

The National Planning Policy Framework, paragraph 192 states the council should take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 states any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

Policy HE1 & HE2 of the CLP are concerned with preserving historic characters and sense of places. Development proposals will be supported where they conserve and enhance those aspects of the historic environment which are recognised as being of special historic and landscape qualities.

The National Planning Policy Framework, paragraph 127 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) “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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

Policy DE1 of the CLP seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

This is echoed within the ‘Extending Your Home’ SPG which states development should harmonise and respect the local built form.

Policy GE4 states development proposals will be positively considered provided:

- a) there is no unacceptable loss of, or damage to, existing trees or woodlands during or as a result of development, any loss should be supported by a tree survey;
- b) trees not to be retained as a result of the development are replaced with new trees as part of a well-designed landscape scheme; and
- c) existing trees worthy of retention are sympathetically incorporated into the overall design of the scheme including all necessary measures taken to ensure their continued protection and survival during construction.

The application site is located within the Kenilworth Road Conservation Area, where the Kenilworth Road Control Plan adopted 2001 is in force.

Kenilworth Road is one of the most attractive entrances to any city in the country. It has a heavily landscaped and well-wooded character and also includes the ancient Styvechale Common and the more recent War Memorial Park. Development behind the landscaped screen on Kenilworth Road is of a wide variety of types of housing predominantly large plots. The Conservation Area was designated in 1967.

The Kenilworth Road Control Plan SPG states: -

1. New development or redevelopment entailing the intensification of land use along Kenilworth Road will not generally be permitted.
2. In those very exceptional cases where development or redevelopment is considered to be acceptable, the following criteria will be taken into account: -
 - 2.1 that such development or redevelopment shall not be so located as to necessitate the removal of or cause damage to trees or associated ground cover;
 - 2.2 that such development or redevelopment be set at such distance from the existing spinneys as to ensure that it is screened from Kenilworth Road;
 - 2.3 that the height if any development or redevelopment be restricted to two storey;
 - 2.4 that no new vehicular access be provided onto Kenilworth Road and that access from subsidiary roads to the rear of any development shall be provided where possible
 - 2.5 that existing drives be not utilised to provide access to more than one additional dwelling;

- 2.6 that a comprehensive landscaping scheme be submitted as part of any detailed application for planning permission;
- 2.7 that screen fences, etc, be finished in natural colours; and
- 2.8 that adequate foul and surface water drainage facilities must exist.

Turning to the points of the Control Plan.

1. The application property is not located on Kenilworth Road, and more importantly is not located behind the important ancient spinney and wooded area on which the character of the Conservation Area is primarily assessed.

2. The development is acceptable in principle
 - 2.1 As the application site is not located on Kenilworth Road and therefore behind the protected spinney, the proposal does not require the removal of or cause damage to trees or associated ground cover. Condition No. 3 will require the existing trees on site to be retained and Condition No. 4 will require details to be submitted to ensure that the existing trees on and adjacent to the site will be protected during the construction phase. The application will retain its existing access which already leads to a substantial driveway area. The application proposes the removal of a grass area to the front of the property, but it will not have an impact on the trees located within the grass verge along Stoneleigh Road. Furthermore, this area of land is protected via an Article 4 Direction which restricts certain forms of development.
 - 2.2 As the application site is not located on Kenilworth Road and therefore not behind the protected spinney, the proposal does not have to adhere to this requirement. Due to the existing houses location on Stoneleigh Road, it will not be visible from Kenilworth Road.
 - 2.3 The proposal is to reuse an existing dwelling;
 - 2.4 No new vehicular access is required via Kenilworth Road
 - 2.5 The existing drive will provide access to more than one dwelling, however, this element is relevant only to sites along the Kenilworth Road.
 - 2.6 A comprehensive landscaping scheme for the front garden area will be conditioned. Please see condition 6.
 - 2.7 The comprehensive landscaping scheme will include boundary treatment details.
 - 2.8 The existing property is already serviced by adequate foul and surface water. Severn Trent do not comment on applications of less than 10 units.

It is acknowledged that the property is located within the Kenilworth Road Conservation Area which is governed by the Kenilworth Road Control Plan. The Control Plan seeks to manage development along, predominately, the Kenilworth Road and seeks to retain the large houses behind the protected, wooded spinney.

This site relates to Stoneleigh Road, and whilst in the Conservation Area, redevelopment is not as restrictive.

The application proposed the intensification of the use of the property however, for the reasons outlined above the proposal will not cause harm to the setting of the Kenilworth Road Conservation Area.

The proposal would result in a high-quality environment. Therefore, the proposal complies with Policy HE1, GE3, GE4 & DE1 of the Coventry Local Plan 2016 and the relevant paragraphs of the NPPF.

Impact on residential amenity

To assess the impact of the building on the amenity of the neighbouring properties, the principles set down within the 'Extending Your Home' SPG will be used. The SPG states in order to achieve an acceptable residential amenity for existing and proposed occupiers, a 45 degree sightline is taken from the middle of the nearest habitable room window.

Due to the location of the proposed extensions to the rear, and the size of the plot. The extensions will not have a detrimental impact on the neighbouring property through increased visual intrusion or loss of light. Therefore, the proposal complies with Policy DE1 of the Coventry Local Plan 2016 and the relevant paragraphs of the SPG.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Objections have been received regarding the existing visibility problems accessing Stoneleigh Road and have referred to a previous application relating to the sub division of a plot located within Beverley Drive (FUL/2014/3949).

The Highway officers' comments on that application acknowledged that Beverley Drive is an unadopted private road that has reduced right hand visibility. The application site is located adjacent to Beverley Drive. However, the Highways Officer noted that the existing houses located on Beverley Drive have to exercise a degree of caution when exiting Beverley Drive. The Officer concluded that whilst it was a concern, the road already was in existence and already serviced properties. The application was not, therefore, for a new access road to serve the properties that would have been substandard. Moreover, utilising an existing road. The Highways Officer raised no objections to the application to subdivide a site from 1no house to 3no houses. The application, mentioned above was subsequently approved by Planning Committee

Objections have been received regarding parking issues, the parking requirement for 6no bedroomed flats is 12no car parking spaces, plus 1no visitor parking space.

The application proposes 13no car parking spaces, plus a dedicated cycle store located within the existing detached garage. This is shown the Amended Site Plan - Drawing

No.19310-002(B). Condition No.10 requires the parking areas to be laid out before occupation of the proposed flats and to be retained for the duration.

Taking all the above into account, the Highway Authority have raised no objections to the proposal, subject to a condition securing the parking and turning areas to be laid out in accordance with the submitted drawing. The comments are noted with regards to inconsiderate parking, however, if motorists are causing an obstruction to the highway, this is a non-material planning matter. The application is in accordance with Policy AC1 & AC3 of the Coventry Local Plan 2016.

Drainage

Comments have been received with regards to existing drainage and sewerage issues. The Drainage Team have raised no objections to the proposal subject to conditions to control the surface water drainage. Please refer to conditions No. 7 & 8.

Other Matters

Bin storage – Concerns have been raised with regards to the proliferation of wheelie bins that would be required for the number of flats proposed. A dedicated bin storage area is shown on amended site plan – Drawing No.19310-002(B) which will be located within the existing detached garage to the rear of the site. Condition No. 12 will also ensure that the bins are housed in this location at all times, except on bin collection days.

Equality implications

The proposal has been reviewed and it is considered there are no known equality implications as a result of this proposal, in accordance with the Equality Act 2010.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or highway safety. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS3, H3, H4, H5, GE3, GE4, DE1, H1, AC1, AC2, AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS:/REASON

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved documents:
Location Plan - Drawing No.19310/001;
Amended Site Plan - Drawing No.19310-002(B);
Proposed Elevations - Drawing No.19310/010;
Proposed Floor Plans - Drawing No.19310/005(A);

Reason: *For the avoidance of doubt and in the interests of proper planning.*

3. 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 DE1, HE2, DS3, GE3 & GE4 of the Coventry Local Plan 2016.*

4. No development or other operations (including demolition, site clearance or other preparatory works) shall be commenced until adequate steps, which shall have been previously approved in writing by the local planning authority, have been taken to safeguard against damage or injury during construction works (in accordance with Clause 7 of 2012 Trees in relation to design, demolition and construction - Recommendations on the site, or those tree(s) whose root structure may extend within the site and which are within the City of Coventry Kenilworth Road Conservation Area. In particular no excavations, site works, trenches or channels shall be cut or pipes or services laid, no fires shall be lit within 10 metres of the nearest point of the canopy of any protected tree(s); no equipment, machinery or structure shall be attached to or supported by a protected tree(s); no mixing of cement or use of other contaminating materials or substances shall take place within, or close enough to, a root protection area that seepage or displacement could cause them to enter a root protection area, or any other works be carried out in such a way as to cause damage or injury to the tree(s) by interference with their root structure and that no soil or waste shall be deposited on the land in such a position as to be likely to cause damage or injury to the tree(s).

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 DE1, DS3 GE1, GE3 & GE4 of the Coventry Local Plan 2016.*

5. The development shall be carried out only in full accordance with details of the external facing and roofing materials which shall be submitted to and approved in writing by the local planning authority

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policy HE1 & DE1 of the Coventry Local Plan 2016.*

6. The development hereby permitted shall only be undertaken in strict accordance with details of both hard and soft landscaping works which have 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 to direct run-off 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 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 similar size and species, unless the local planning authority gives written consent to any variation. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations 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 amenities of the locality in accordance with Policy HE2, GE3, GE4 & DE1 of the Coventry Local Plan 2016.*

7. The development hereby permitted shall be carried out only in strict accordance with details of a scheme for the provision of surface water drainage incorporating infiltration SuDS infiltration or attenuation techniques for the management of total surface water flows and water filtering, in accordance with Coventry City Council's adopted Supplementary Planning Document for 'Delivering a More Sustainable City'.

Reason: *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.*

8. The hard surface in relation to the off-street car parking within the curtilage of the property shall be made of permeable materials, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the house and such provision shall be retained thereafter.

Reason *To ensure that a satisfactory means of drainage is provided such as to minimise flooding and which promotes and maintains the good stewardship of the natural and built environment in accordance with Policies DS3 of the Coventry Local Plan 2016.*

9. The development (including any works of demolition) shall proceed only in strict accordance with a construction method statement which has been submitted to and approved in writing by the local planning authority. The approved statement shall be strictly adhered to throughout the construction period and shall provide for: the parking of vehicles of site operatives and visitors; the loading and unloading of plant and materials; the storage of plant and materials used in constructing the development; the erection and maintenance of a security hoarding including decorative displays and facilities for public viewing where appropriate; wheel washing facilities and other measures to ensure that any vehicle, plant or equipment leaving the application site does not carry mud or deposit other materials onto the public highway; measures to control the emission of dust and dirt during construction; and a scheme for recycling / disposing of waste resulting from demolition and construction works, unless otherwise agreed in writing by the local planning authority.

Reason: *In the interests of highway safety and the amenities of the occupiers of nearby properties, the free flow of traffic and the visual amenities of the locality in accordance with*

Policies AC1, AC3, EM1 and DE1 of the Coventry Local Plan 2016.

10. The flats, hereby permitted, shall not be occupied unless and until the car parking and manoeuvring areas indicated on the approved drawings have been provided and thereafter those areas shall be kept marked out and available for such use at all times unless otherwise agreed in writing by the local planning authority.

Reason: *In the interests of highway and pedestrian safety in accordance with Policies AC1 and AC3 of the Coventry Local Plan 2016*

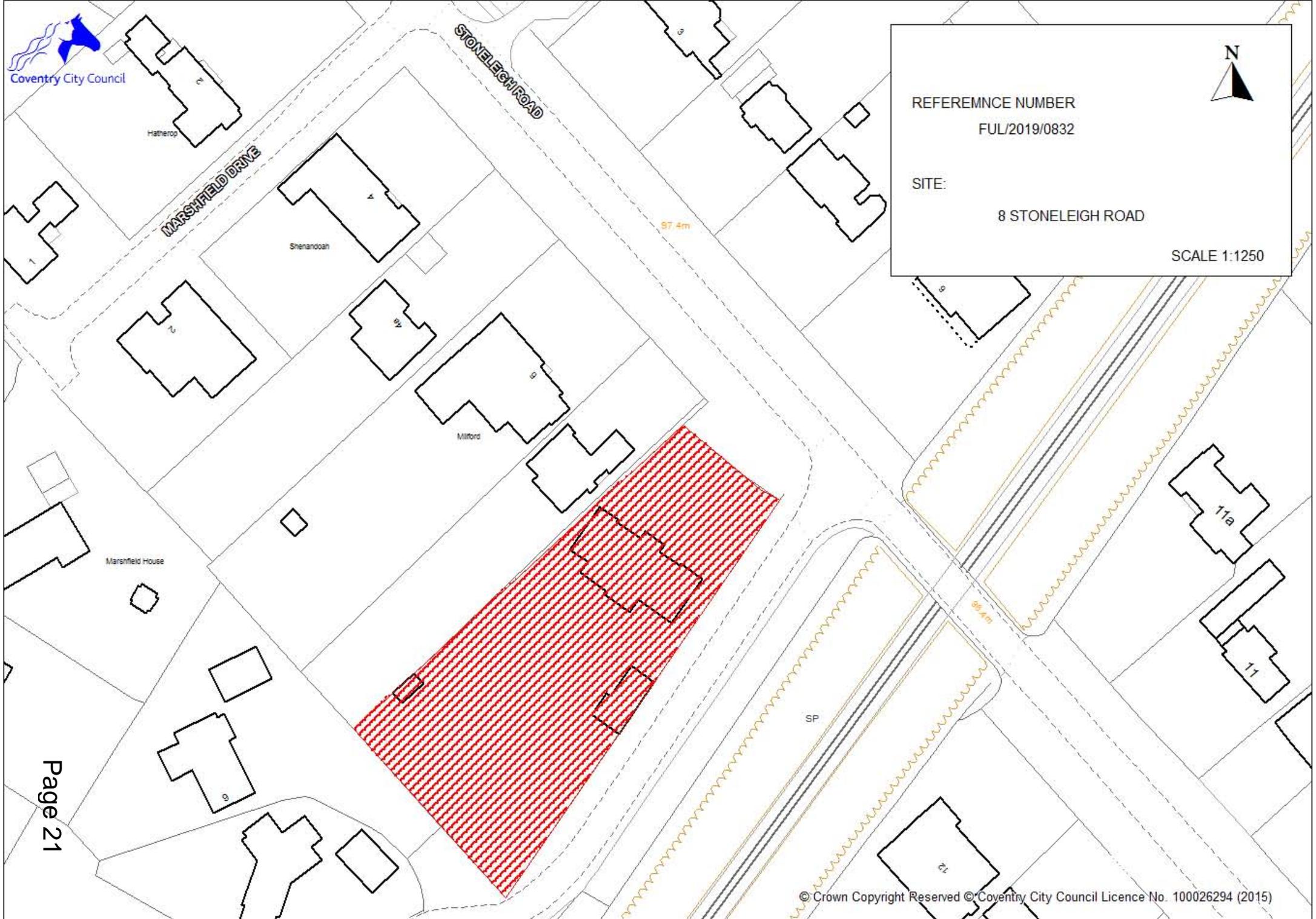
11. The development shall not be occupied unless and until the approved cycle parking facilities have been provided and made available for use in accordance with the details on drawing number (or in any subsequently approved amendments) and thereafter those facilities shall remain available for use at all times unless alternative measures have been approved by the local planning authority.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies DS3, AC1 & AC3 of the Coventry Local Plan 2016.*

12. The development hereby permitted shall not be occupied unless and until the bin storage area(s) have been laid out and provided in full accordance with the approved details and thereafter those facilities shall remain available for use at all times. All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days

Reason: *In the interests of visual amenity and the amenities of the future occupants of the development in accordance with Policy DE1 of the Coventry local Plan, 2016*

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REFEREMNCE NUMBER
FUL/2019/0832

SITE:
8 STONELEIGH ROAD

SCALE 1:1250



Scale Bar 1:1

NOTE:

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North-Eastern face



North-Western face



South-Western face



South-Eastern face

drawing status

FOR COMMENT

project name

8 Stoneleigh Road, Coventry

drawing title

Proposed Elevations

drawn	checked	appr'd	sheet	size	scale	date
SD			A2		1:100	27.02.2019

drawing number and revision
19310/010(-)

architecture
urban design
planning
interiors



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Scale Bar 1:1

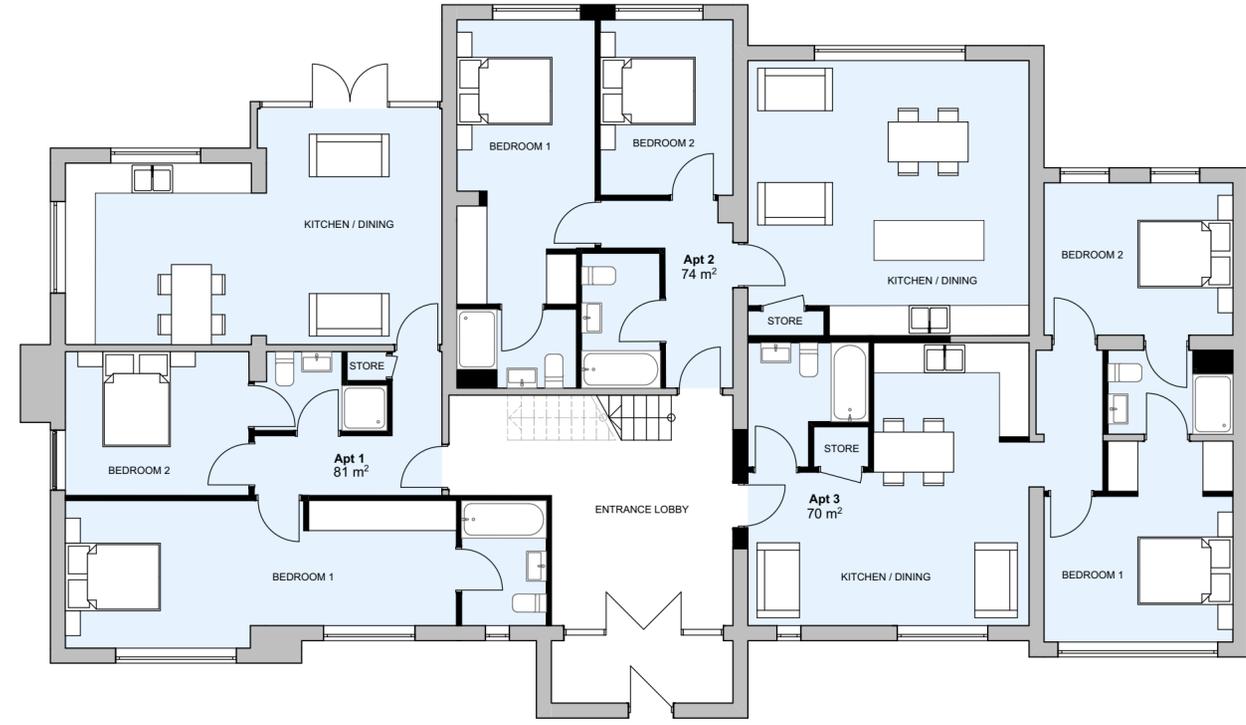
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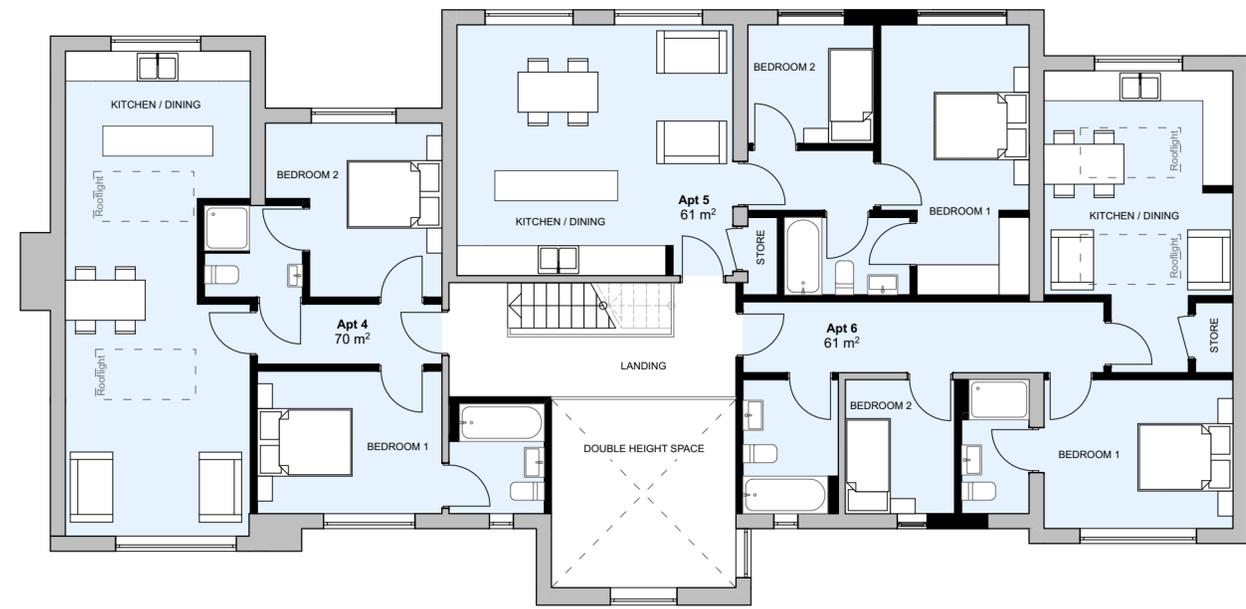
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0. 00-Ground Floor 1:100



1. 01-First Floor 1:100

REV A | 21.03.2019 | Layout Adjustment

drawing status
FOR COMMENT

project name
8 Stoneleigh Road, Coventry

drawing title
Floor Plans

drawn	checked	appr'd	sheet size	scale	date
SD			A2	1:100	27.02.2019

drawing number and revision
19310/005(A)

- architecture
- urban design
- planning
- interiors



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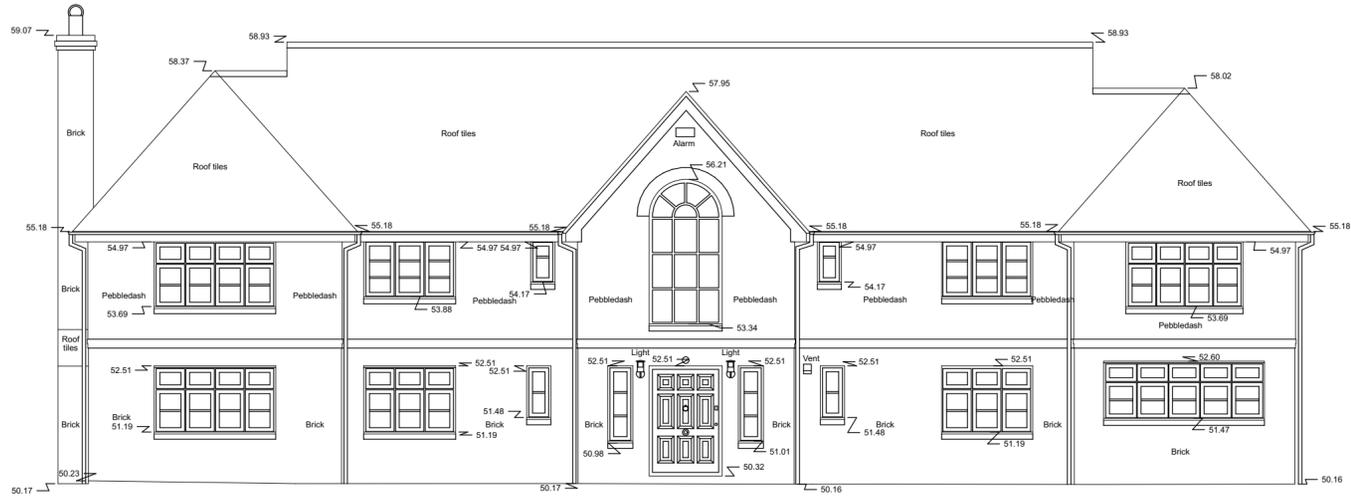


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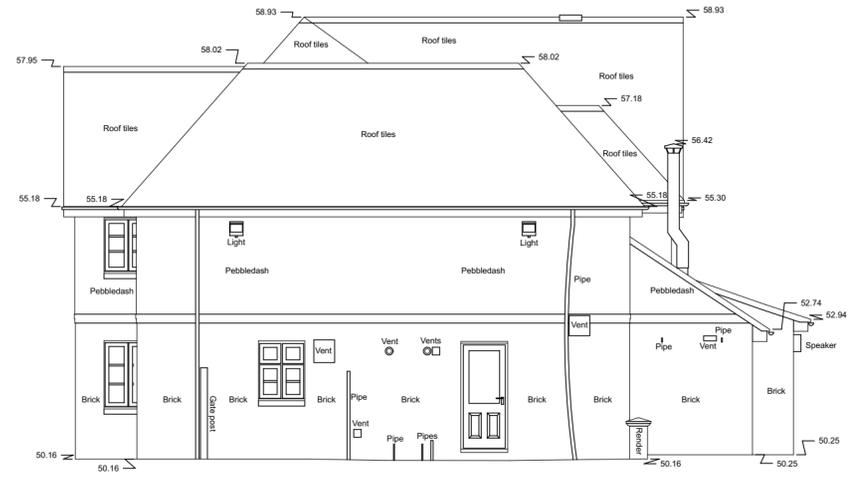
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Datum 48.00m

North-Eastern face



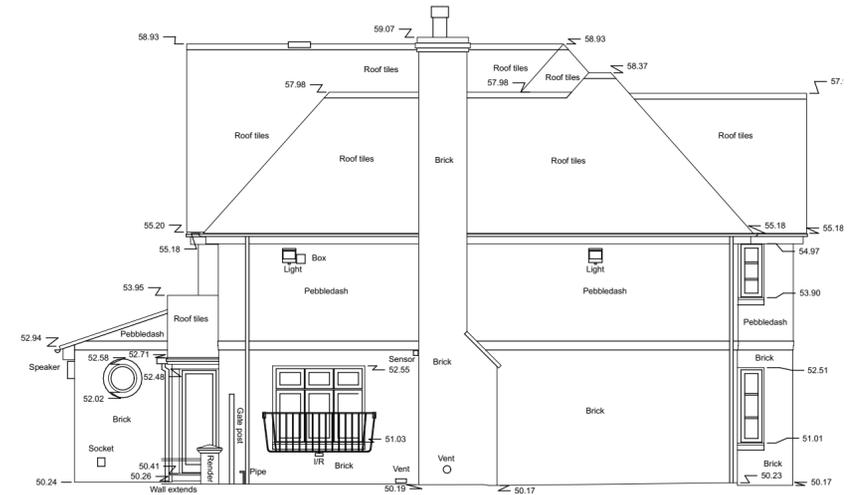
Datum 48.00m

North-Western face



Datum 48.00m

South-Western face



Datum 48.00m

South-Eastern face

drawing status

INFORMATION

project name

8 Stoneleigh Road, Coventry

drawing title

Existing Elevations

drawn	checked	appr'd	sheet size	scale	date
SD			A2	1:100	18.03.2019

drawing number and revision
19310/004(-)

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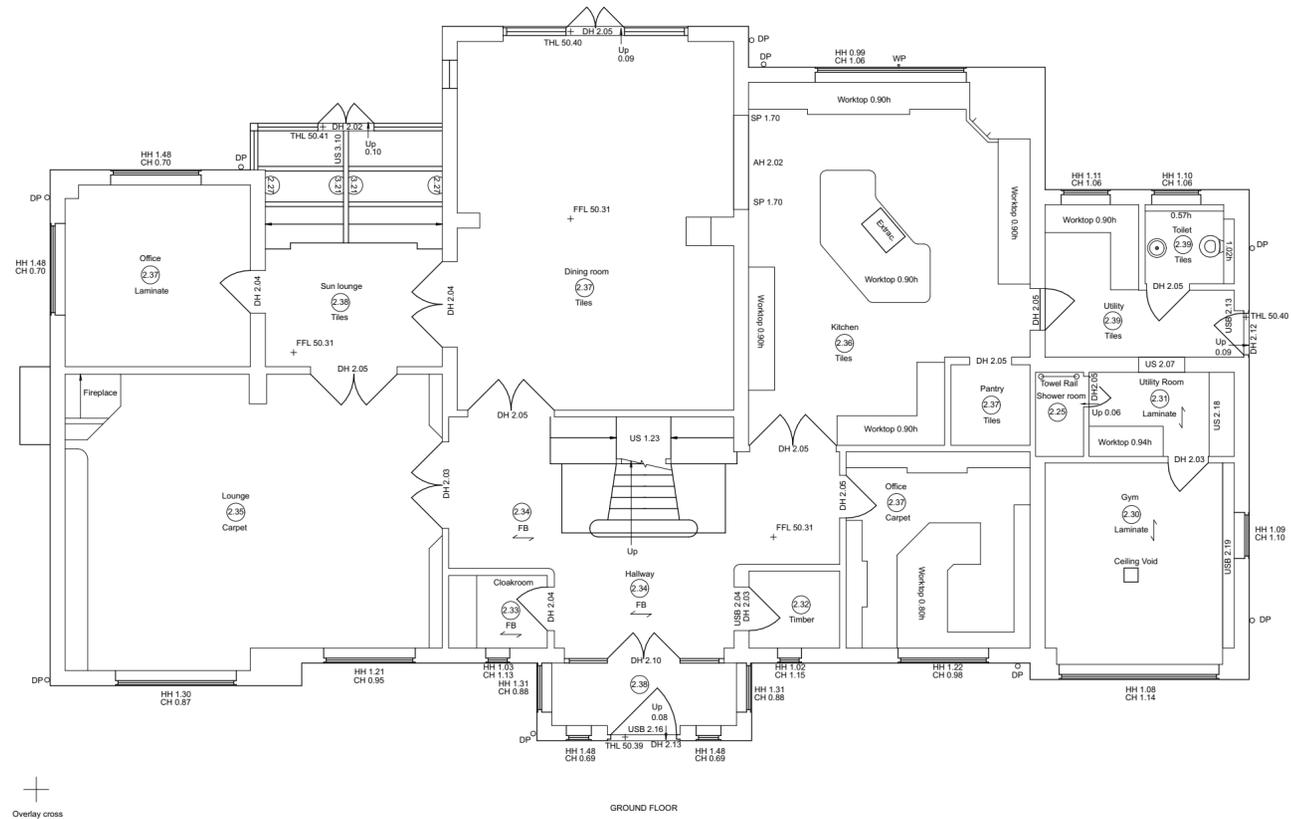
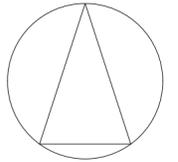
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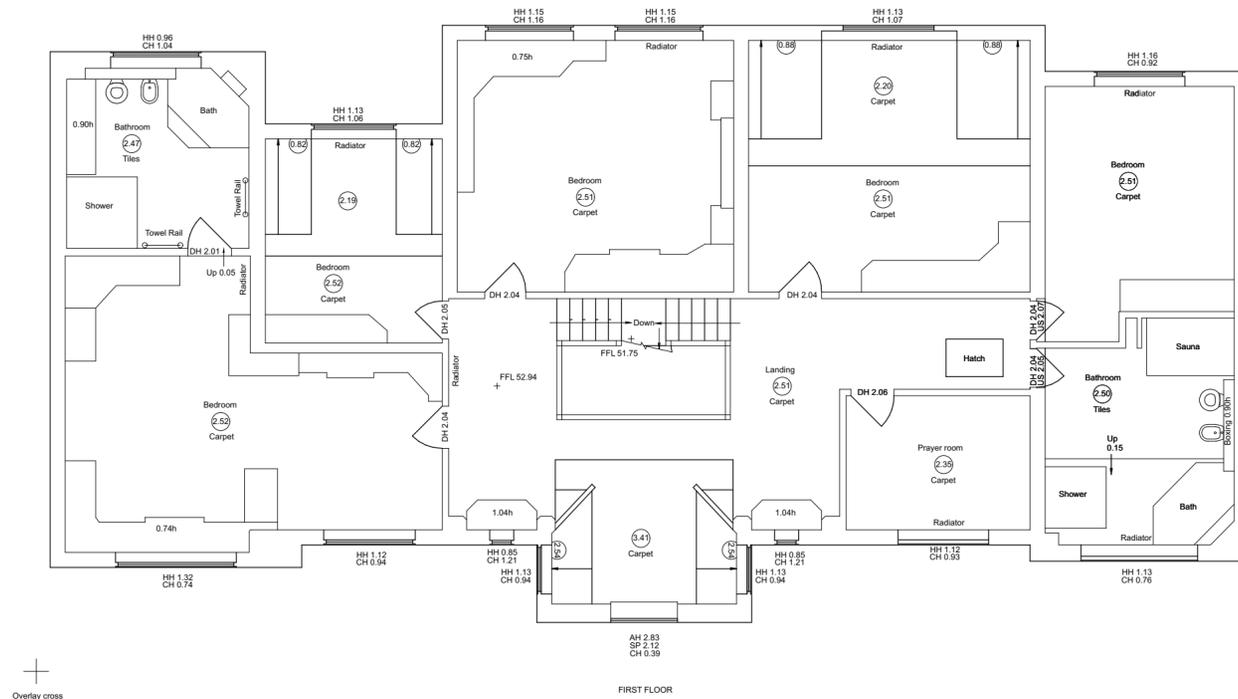
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Overlay cross

GROUND FLOOR



Overlay cross

FIRST FLOOR

drawing status

INFORMATION

project name

8 Stoneleigh Road, Coventry

drawing title

Existing Plans

drawn	checked	appr'd	sheet	size	scale	date
SD			A2	1:100		18.03.2019

drawing number and revision
19310/003(-)

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Scale Bar 1:1

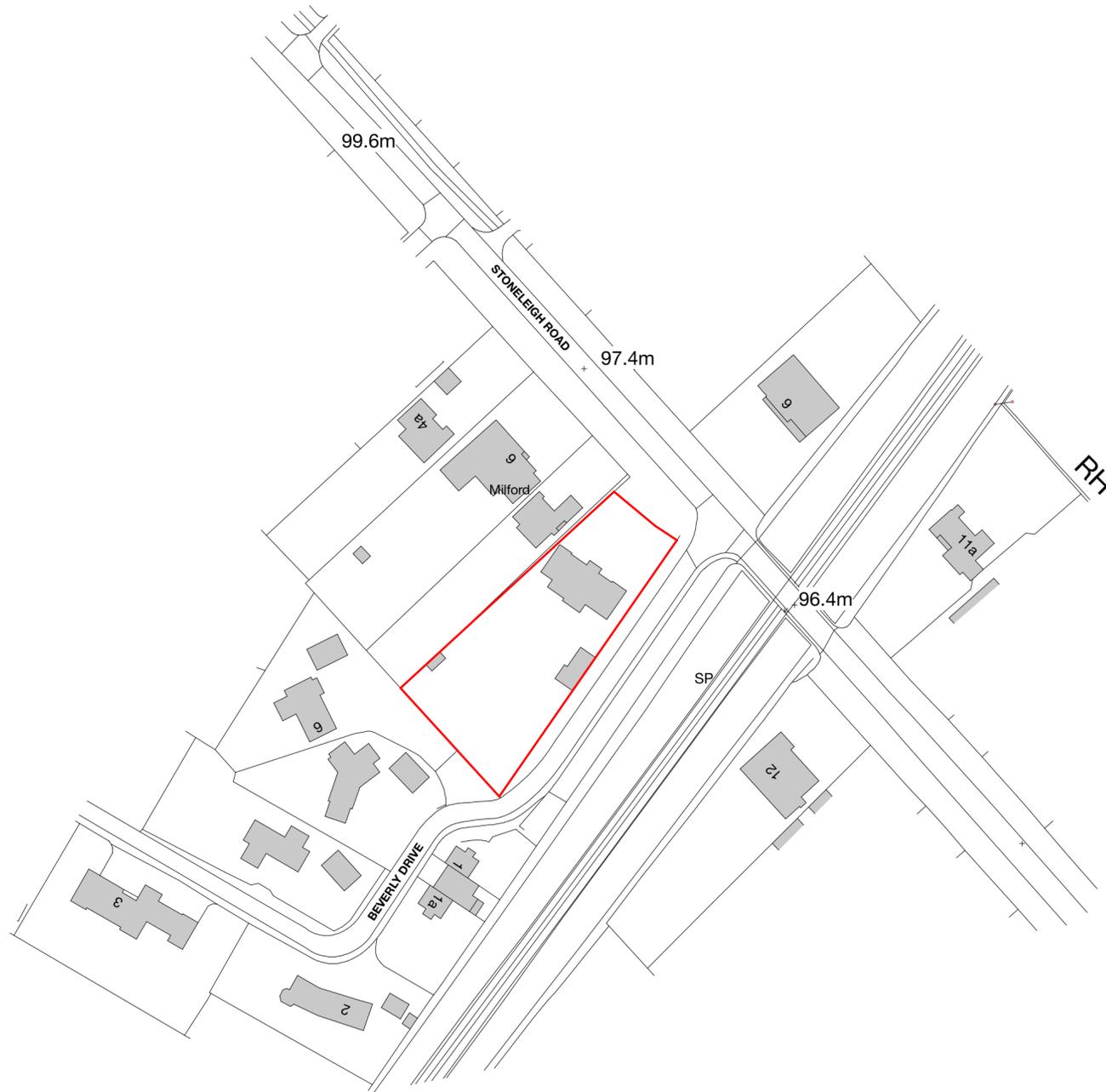
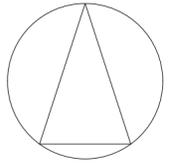
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drawing status

INFORMATION

project name

8 Stoneleigh Road, Coventry

drawing title

Location Plan

drawn	checked	appr'd	sheet	size	scale	date
SD			A2	1:1250		18.03.2019

drawing number and revision
19310/001(-)

- architecture
- urban design
- planning
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Planning Committee Report	
Planning Ref:	FUL/2019/0442
Site:	Old Crown Inn 89 Windmill Road, Coventry
Ward:	Longford
Proposal:	Change of Use of former public house to 12 Bedroom House in Multiple Occupation (sui generis) and associated extensions/alterations.
Case Officer:	Liam D’Onofrio

SUMMARY

Planning permission is sought for a change of use of the premises from a public house (Use Class A4) to a House in Multiple Occupation (HiMO) (sui generis), which will provide a total of 12 bedrooms and a communal kitchen area.

The scheme includes alterations and extension to the existing building. Ten off-street car parking spaces and a cycle store will also be provided.

Background

Deferment from April 2019 Committee

Members considered this application at the April 2019 Planning Committee. Councillor Bigham attended the meeting and spoke in respect of the petition. Councillor Bigham highlighted a number of inaccuracies within the supporting Community Use Report and questioned the whole validity of the report.

Following consideration the Committee expressed concerns that the Community Use Report submitted by the applicant contained a number of errors and, on that basis, requested that the scheme be deferred to a future meeting to enable the applicant to correct and re-submit this document.

The Community Use Report has been corrected accordingly to enable the scheme to be put back before Planning Committee for consideration.

Other matters

Members will recall from the April Committee meeting that a fake letter based on the Council’s original notification letter had been distributed within the local area. This letter included a false statement that the proposed HiMO could be used by paedophiles, as a half-way house or bail hostel etc. Officers issued a statement to all residents that had been previously notified confirming that the letter had not been sent by the Council and that the Council does not condone the wording of the letter. The Council’s statement has also been attached to the CCC website and made publically visible within the application’s associated supporting documents.

Whilst the lawful use of the building remains that of a public house, conversion works have commenced and the building has been stripped out. The Planning Department issued a (28 day) Temporary Stop Notice on 05/10/2018 and the works ceased accordingly. Although the Stop Notice expired on 02/11/18 no further works have been undertaken on site.

KEY FACTS

Reason for report to committee:	More than five objections/petition received.
Current use of site:	Former Public House

Proposed use of site:	Residential – 12 bedroom House in Multiple Occupation (HiMO)
Car parking provision:	10 off-street parking spaces

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon the visual amenity of the streetscene or the locally listed building.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal will not adversely impact upon highway safety.
- The proposal accords with Policies: DE1, CO2, H3, HE2, H11, AC1, AC4, and DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF 2018.

BACKGROUND

APPLICATION PROPOSAL

Planning permission is sought for a change of use of the premises from a public house (Use Class A4) to a House in Multiple Occupation (HiMO) (sui generis), which will provide a total of 12 bedrooms and a communal kitchen area within the basement.

Minor works associated with the proposal include the demolition of post-Edwardian ground floor additions to the original structure, a single storey ground floor extension at the rear of the property (4.9m deep by 4.1m wide) and changes to the internal layout to facilitate the change of use.

The public house car park will be used to provide 10 car parking spaces for the development. Cycle storage will be provided within an existing building located at the rear of the site. An amended block plan has been received deleting two parking spaces from the property frontage, which could not be safely accessed from Windmill Road.

The application is supported by a Planning Statement, a Community Use Report (as amended) and marketing evidence. The Planning Statement states that this resubmission is essentially for the same form and character of the development as that proposed previously under FUL/2018/3452, subject to two minor changes detailed below:

- An increase in the number of bedrooms provided within the scheme from 11 to 12 by removing the previously proposed management office and replacing it with a bedroom of the same size, scale and configuration.
- To increase the amount of car parking provided as part of the scheme by the introduction of a further car parking space in the rear car park.

SITE DESCRIPTION

The application site relates to the Old Crown Inn a locally listed, now vacant public house building, which is located on the northern side of Windmill Road and east of the junction with Recreation Road. The non-statutory local listing identifies the building as - a public house built in 1914 of red brick with stone dressings and bandings, a decorative balustrade, double bays and 'Dutch' gables. It has a very solid and imposing appearance and the date appears

on the frontage along with other decorative motifs. It is also understood that the building was used as a recruiting post during WW1.

Residential properties adjoin the northern and eastern site boundaries and a medical centre is located on the opposite side of Recreation Road to the west, with Longford Park Primary School beyond. The area is within a primarily residential area.

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
FUL/2018/1746	Change of use from Public House (Use Class A4) to House in Multiple Occupation (Use Class Sui Generis) and associated external alterations	Withdrawn 05/09/18.
FUL/2018/2677	Change of use from Public House (Use Class A4) to House in Multiple Occupation (Use Class Sui Generis) and associated external alterations	Withdrawn 05/11/18.
FUL/2018/3452	Change of Use of former public house to 11 Bedroom House in Multiple Occupation (sui generis)	Refused 15/02/19 APPEAL submitted March 2019 - pending

The most recent application FUL/2018/3452 was refused at Planning Committee on 15/02/19 for the following reasons:

- 1. The proposed development is contrary to Policies DS3 and CO2 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF 2018, in particular paragraph 92, in that insufficient information has been provided to demonstrate that the loss of The Old Crown Public House will not have a detrimental impact upon the sustainability of the community through the loss of an important and valued community facility.*

- 2. The proposal is contrary to Policies H3 and AC1 of the Coventry Local Plan 2016, the Car and Cycle Parking for New Development (Appendix 5) and the aims and objectives of the NPPF 2018 in that: the application site is accessed from a narrow, busy road and insufficient provision is made for the parking of vehicles within the application site. The proposal would therefore result in the intensification in demand for on road parking provision in the locality, which would be to the detriment of highway safety, the free flow of traffic and to the amenities of the occupiers of adjacent dwellings.*

The current application must therefore seek to overcome these refusal reasons.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF was published in February 2019 and 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”.

The National Planning Practice Guidance (NPPG) 2014, this 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 H3: Provision of New Housing

Policy H11: Houses in Multiple Occupation

Policy GE3: Biodiversity, Geological, Landscape and Archaeological Conservation

Policy CO2: Re-Use of or Redevelopment of Facilities

Policy DE1 Ensuring High Quality Design

Policy HE2: Conservation and Heritage Assets

Policy AC1: Accessible Transport Network

Policy AC4: Walking and Cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

Appendix 5 Car and Cycle parking

CONSULTATION

No Objections received from:

- Planning Policy (CCC)

No objections subject to conditions have been received from:

- Highways (CCC)
- Environmental Protection (CCC)
- Conservation (CCC)
- Waste (CCC)

Immediate neighbours and local councillors have been notified; a site notice was posted on 15/03/19.

Six letters of objection have been received, raising the following material planning considerations:

- a) Loss of community facility.
- b) Insufficient parking, increased traffic near to a school, traffic speed.
- c) Anti-social behaviour to the detriment of the area.
- d) Lack of information on the intended occupancy
- e) If an 11-bedroom HMO was refused what has changed to make a 12 bed HMO acceptable.
- f) The property will be overcrowded with 12 bed sits, it needs to be 6 or 7 apartments and all self-contained.
- g) The scheme has no benefit to local community.

Eighteen letters of objection have been received, however these all make specific reference to uses and occupancy concerns within the falsified letter. These are non-material planning

considerations as they do not form part of the proposal in anyway and cannot be given due consideration in the planning process.

One petition has been received with 261 signatures (206 written and 55 on-line) objecting to the scheme on the following grounds:

We object to a change of use of the former public house at 89 Windmill Road to a 12-bed house in multiple occupation, which is a British English term which refers to a residential property where “common areas” exist and are shared by more than one household. (FUL/2019/0442).

We object to this for many reasons but primarily due to the location of the proposal, which is situated in close proximity to a primary school, namely Longford Park Primary School, which consists of young, vulnerable and impressionable children.

In addition to the above, the proposed HMO is in an area where many elderly residents reside as well as families with young children. A HMO would make residents feel unsafe and would not be welcomed in the area.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are the principle of development, loss of community facility, the impact upon the character of the area and heritage asset, the impact upon neighbouring amenity, highway considerations, air quality, equality implications and contributions.

Principle of development

Loss of public house

The previous application was considered against Local Plan Policy CO2 ‘Re-Use of or Redevelopment of Facilities’ and the NPPF 2018 Paragraph 92, which states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community’s ability to meet its day-to-day needs.

The applicant has argued that Policy CO2 does not specifically mention public houses and deals only with social, community and leisure facilities that are not defined as main town centre uses by the NPPF. Although bars and pubs are identified as a main town centre use in the NPPF Annex 2 this explicitly mentions ‘more *intensive* recreational uses’. Public houses are clearly not just a town centre use as they can be found serving communities within residential suburbs, small villages and even remote locations. Officers consider that Policy CO2 should be given appropriate weight as it reflects the aims and objectives of NPPF 2019 Paragraph 92, which is clear that social, recreational and cultural facilities should be protected against unnecessary loss. For the avoidance of doubt Paragraph 92 remains unchanged in the February 2019 update of the NPPF.

Following the previous refusal the applicant has provided some additional supporting information that seeks to address concerns raised. The applicant indicates that the evidence submitted in respect of the fact that the public house had become a “end of life” premises; that the application of CAMRA’s public house viability test; and the

submitted Community Use Report; all unequivocally demonstrated that the public house had no viable future and that the local area was well served with alternative facilities.

Officers give weight to the supporting Marketing Report that indicates that Admiral Taverns plc had determined that the business was failing and that it had become an “end of life” premises and the applicant’s assertion that Admiral Taverns’ determination that the public house has reached an “end of life” position is expert evidence itself of the non-viability of the premises as a public house.

The submitted Community Use Report includes CAMRA’s Public House Viability Test, which is designed to provide an objective means of assessing whether a public house is unviable. The report summaries trading details of the public house and demonstrates declining sales over the 10 year period from 247 barrels per annum in 2009 to 132 barrels per annum in 2018, a decline of some 47%. Rental income received by Admiral Taverns for the property has also steadily declined, reflecting the pub’s decline in profitability and the Community Use Report confirms that the rent was a peppercorn for the last 12 month trading period.

The Community Use Report identifies key factors in rendering the pub unviable and also broader changes bearing on the public house market, coupled with the extensive competition within the local market place, the marked decline in beer sales and, more significantly, the marked shift from “on” to “off” sales (on sales comprise pubs, restaurants, hotels and other licenced premises, whilst off sales comprise specialist off-licences, grocers, supermarkets and other retailers).

The Community Use Report states that such effects have had a significant impact on the public house trade within the UK. Pubs that have survived and prospered are those that are able to diversify their offer, particularly those able to capture the food trade. Unfortunately, the Old Crown is unable to respond effectively to these changes and not positioned in the market place to establish a food-led offer; the number of competing food outlets and convenience stores in the locality, plus the large level of licensed trade competition in the area, means that the former pub is unable to attract the scale of financial investment needed to refurbish it as a wet trade outlet, let alone secure the substantial investment that would be required to repair, refurbish, and convert the outlet to a food-led proposition. The Community Use Report concludes that it is therefore demonstrably the case that the former public house has no viable future as a licenced premises.

In terms of the alternative facilities within the locality the Community Use Report identifies a number of comparable types of licensed premises within 1000m of the application site, which is considered to be a reasonable walking distance. These are listed as:

- The Wheatsheaf, Foleshill Road (850m).
- Parkstone Working Men’s Club (950m).
- The Coach and Horses, Longford Road (1000m).
- The New Horseshoe, Foleshill Road (1000m).
- The Bird in Hand, Aldermans Green Road (1000m).

There are several venues just outside the 1000m radius:

- Longford Engine, Longford Road (1200m).
- The Royal Hotel, New Church Road (1200m).
- The Rose and Crown, Hall Green Road (1300m).

At the April 2019 Committee the Community Use Report was identified as having a number of errors. One of these was the inclusion of Foleshill Social Club on Foleshill Road, which has been deleted from the amended report. Furthermore the report had 'cut and pasted' references to another public house within another local authority area. These errors have now been corrected accordingly.

Officers are satisfied that given the overwhelming evidence provided that there are viability issues with the existing public house use and that a positive re-use should therefore be considered. The supporting information demonstrates other nearby public houses/social clubs within a 1km radius or less providing similar facilities to meet community needs meeting the aims of NPPF Paragraph 92.

The initial application FUL/2018/1746 was submitted in July 2018 and, to date, no application for an asset of community value has been made in relation to the public house property.

The loss of the public house is considered to be acceptable in principle in accordance with Policy CO2 and the NPPF 2019.

Proposed residential use

Policy H11 of the Local Plan states that the development of purpose built HiMOs or the conversion of existing homes or non-residential properties to large HiMOs will not be permitted in areas where the proposals would materially harm:

- a) The amenities of occupiers of nearby properties (including the provision of suitable parking provisions;
- b) The appearance or character of an area; and
- c) Local services.

The site is within a predominantly residential area and the proposed residential use is compatible with surrounding residential uses. The site is within a sustainable location within walking distance of local shops, services and public transport, which additional residents would support. The residential use and associated refurbishment proposes a positive re-use of a former public house.

There remains clear concern from local residents regarding who will occupy the residential use. A falsified Council letter has clearly intensified concerns and anxiety around the proposed use.

To clarify, a house in multiple occupation (HiMO) is a residential use. HiMOs are prevalent within large areas of the City and are typically, but not exclusively, occupied by students and/or young professionals. Permitted development exists for dwellinghouses (Use Class C3) to change to a small house in multiple occupation (Use Class C4) for up to six residents and vice versa without needing planning permission. A HiMO for seven or more residents requires planning permission, although in this case a change of use of the existing public house to any type of residential use would need planning permission.

The planning system cannot control who moves into any open market residential property, in terms of their social, cultural or educational background etc. Officers can however confirm that the use of a property where residents' movements are controlled, such as a bail hostel/half-way house (Use Class C2a – Secure Residential Institutions) fall within a different use class to open market residential dwellings, apartments or HiMOs and could not therefore operate lawfully without further planning permission for a change of use.

No issues were previously raised at the February 2019 Planning Committee in terms of the proposed residential use. The proposed residential use is considered to remain acceptable in principle in accordance with Local Plan Policies H11 and DE1 and the aims and objectives of the NPPF 2019.

Impact upon the character of the area and heritage assets

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

NPPF Paragraph 197 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The Conservation Officer has raised no objection to the scheme. The application contains a schedule of refurbishment works to the exterior of the building, which the Conservation Officer considers to be appropriate. Conditions have been suggested to ensure that the conversion proceeds in accordance with the schedule of works.

This distinctive historic building makes a positive contribution to the character of the area and great weight is placed upon the desirability of finding a new viable use that will be consistent with the building's conservation and enable investment and refurbishment of the building to secure its future.

The scheme is therefore considered to accord with the aims and objectives of Policies DE1 and HE2 and the NPPF 2019.

Impact on residential amenity

The comings and goings associated with 12 residents are considered to be easily absorbed into the streetscene and will not result in any significant impact upon the amenities and quiet enjoyment that adjoining neighbours may reasonably be expected to enjoy that would warrant refusal of the scheme, particularly when compared with the historic use of the building as a public house.

In terms of built form the proposed single storey rear extension will replace an existing outbuilding in a similar position and will not breach the 45-degree sightline or separation distances from surrounding properties. The scheme is not therefore considered to create any significant loss of light, outlook or privacy to the occupiers of surrounding occupiers.

Highway considerations

The previous scheme provided 9 car parking spaces. In seeking to overcome the previous refusal reason relating to parking/highway safety the applicant notes that although they considered the previous scheme to be "*wholly policy compliant*" in terms of parking provision; "*the current application provides an additional bedroom increasing the number of bed spaces to 12; this gives a parking requirement of 9 [spaces], whereas the parking*

provision proposed amounts to a total of 10 spaces". Two new spaces were also proposed to the frontage; however these have been deleted as they could not be safely accessed from Windmill Road.

Officers confirm that the Council's Appendix 5 Car and Cycle Parking Standards for New Development requires 0.75 spaces per bedroom for HiMOs. The 12 bedrooms proposed therefore generate the requirement for nine off-street parking spaces. The proposed scheme will provide ten off-street parking spaces. The scheme is therefore considered to provide an appropriate level of car parking provision and is Policy compliant.

The refusal reason also related to Recreation Road being a relatively narrow, busy road. The applicant notes that; *"to maintain the free flow of traffic Recreation Road has double yellow lines on both sides of the road throughout its entire length. Recreation Road is not a busy road: it is a cul-de-sac serving approximately 30 dwellings and providing access to the car park of the adjacent Windmill Point Health Centre, it therefore has no through traffic"*.

The Highway Authority are satisfied that the current scheme is Policy compliant and have raised no objection to the proposal, subject to conditions to secure car parking and cycle storage prior to first occupation of the building.

The bin storage area will be located within 25m of the public highway for collection. Bin storage details can also be secured by condition.

The previous Community Use Report indicated that there were no cycle routes or local attractions of any note. At the April meeting Councillor Bigham pointed out that a cycle route runs adjacent to the site on Recreation Road and is a key route to the busy Longford Park, which has 'Green Flag' status. Furthermore there are a number of schools within the vicinity and Councillor Bigham considered that highway safety should not just include vehicles but also pedestrians and cyclists. As previously noted the Community Use Report has been updated to correct this oversight. Officers are mindful of the historic use of the property and the proposed residential scheme is not considered to raise any significant highway safety issues that would warrant refusal.

Air quality

Policy DS3 states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF and will seek to secure development that improves the economic, social and environmental conditions in the area, including, amongst other things: increased health, wellbeing and quality of life; and measures to adapt to the impacts of climate change.

The scheme is subject to an air quality condition consistent with all development within the City to secure one electric vehicle (EV) charging space and low emission boilers.

Equality implications

The proposed change of use is not considered to raise any equality implications.

Developer Contributions

The application is a minor and therefore no contributions or obligations are triggered.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon visual amenity, heritage assets, neighbour amenity or highway safety, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies CO2, DE1, HE2, H3, H11, AC1, AC4, and DS3 of the Coventry Local Plan 2016, together with the aims of the NPPF 2019.

CONDITIONS:/REASON

1. The development hereby permitted shall begin no later than three years from the date of this permission.

Reason: *To comply with Section 91 of the Town and Country Planning Act 1990.*

2. The development hereby permitted shall be carried out in accordance with the following approved documents Drg No.3653 101F, 102E, 104C, Proposed Schedule of Works REV 30/01/19.

Reason: *For the avoidance of doubt and in the interests of proper planning.*

3. The building shall not be occupied unless and until bin storage and secure, covered cycle parking has been provided in accordance with details that have been submitted to and approved in writing by the local planning authority. Thereafter those facilities shall remain available for use at all times.

Reason: *In the interests of the visual amenities of the development and in encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies DE1, DS3 and AC4 of the Coventry Local Plan 2016.*

4. The development shall be carried out only in full accordance with sample details of the elevational and roofing materials and also the brickwork, bonding and coping details for the replacement boundary wall to Recreation Road, and a schedule of remedial works to the building elevations, which shall first be submitted to and approved in writing by the local planning authority.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policies HE2 and DE1 of the Coventry Local Plan 2016.*

5. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point shall be provided prior to occupation of the property and shall be kept available for such use by residents at all times.

Reason: *To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

6. The development shall proceed in full accordance with the Proposed Schedule of Works REV 10/10/18. All existing timber windows may be adapted to accommodate 12mm slim-line double glazed units; however windows shall otherwise be retained

and refurbished or replaced for like-for-like units.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the amenities of the locality in accordance with Policies HE2 and DE1 of the Coventry Local Plan 2016.*

7. The development hereby permitted shall not be occupied unless and until the car parking areas indicated on the approved drawings have been provided in full and thereafter those areas shall be kept marked out and available for such use at all times.

Reason: *In accordance with the aims and objectives of Policy AC1 of the Coventry Development Plan 2016 and Appendix 5 - Car and Cycle Parking Standards for New Development.*



REFERENCE NUMBER
FUL/2019/0442

SITE:
89 WINDMILL ROAD

SCALE 1:1250



Old Crown Inn

Garage

Police's Yard

WINDMILL ROAD

WOLGROVE STREET

91.0m

90.4m

SITE LOCATION PLAN
AREA 2 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 435192 , 283084



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Copyright of this drawing is vested in the Architect and it must not be copied or reproduced without consent. Only figured dimensions are to be taken from this drawing. All contractors must visit the site and be responsible for taking and checking all dimensions relative to their work. Notify the Architect immediately of any variation between drawings and site conditions.

DO NOT SCALE OFF THIS DRAWING - IF IN DOUBT ASK.

All drawings to be read in conjunction with all relevant Structural and M&E Engineers drawings and specifications. It is assumed that all works on this drawing will be carried out by a competent contractor working, where appropriate, to an approved method statement.

No.	Description	Date

CODE	SUITABILITY DESCRIPTION
STATUS	PURPOSE OF ISSUE



PROJECT
PROPOSED EXTENSION

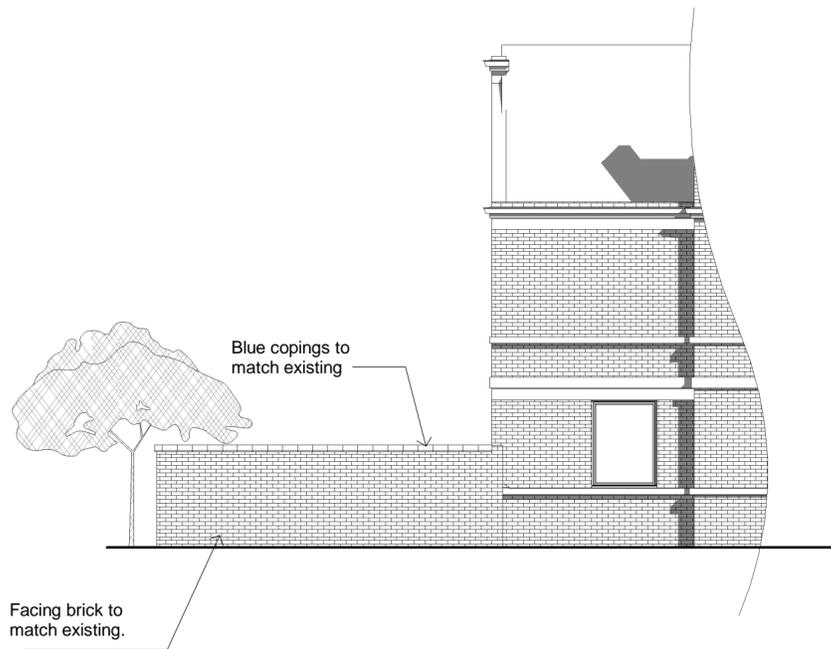
TITLE
89 WINDMILL ROAD, COVENTRY

CLIENT

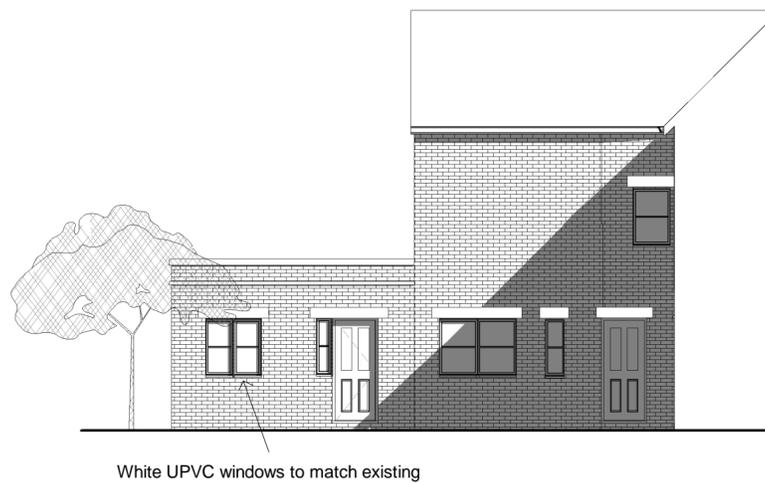
DRAWN BY JG	CHECKED BY SG	DATE 19/09/2018
SCALE (@A2) 1 : 100		
DRAWING NUMBER 3653-104C		REV



1 Rear Elevation
1 : 100



2 Side Elevation
1 : 100



3 Side Elevation 2
1 : 100

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Planning Committee Report	
Planning Ref:	FUL/2019/0784
Site:	41 St Pauls Road
Ward:	Foleshill
Proposal:	Change of use from dwelling to 2 (2 bedroom) self-contained flats and alterations to front elevation (Retrospective)
Case Officer:	Ayesha Saleem

SUMMARY

The application proposes alterations to the front elevation to an existing two storey semi-detached dwellinghouse and conversion from dwellinghouse to two (two bedroom) self-contained flats. The proposal is considered to have an acceptable impact upon the street scene and character of the main house.

BACKGROUND

The application has been recommended for approval. The application has received more than 5 public representations objecting to the proposal

KEY FACTS

Reason for report to committee:	More than 5 objections have been received.
Previous use of site:	Residential dwelling with garden amenity to the rear
Proposed use of site:	Residential dwelling used to accommodate two (2-bedroom) self-contained flats

RECOMMENDATION

Planning committee are recommended to approve planning permission subject to conditions.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies AC2, AC4, DE1 and H3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks to retain two (2 bedroom) self-contained flats which have been converted from a family home. Flat 1 is at ground floor level and Flat 2 at first floor level. Each flat is to accommodate a kitchen, 2 bedrooms, lounge area and a bathroom. The external alterations are to involve the removal of the garage door to the front elevation and to replace this with a window opening as the garage is to be converted into a bedroom to accommodate Flat 1 at ground floor level. The proposal is also to incorporate a separate door to accommodate the first floor flat.

The proposal will also include two parking spaces on site to the front forecourt, which can be accessed from St Pauls Road. The rear of the property would provide amenity space and storage for bins for both flats.

SITE DESCRIPTION

The application site comprises of a semi-detached two storey property located on St Pauls Road which is a predominantly residential area. The main amenity space is to the rear of the application property and the vehicular access is gained from St Pauls Road.

PLANNING HISTORY

There is no planning history for the site.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF was published in February 2019 and 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 promotes sustainable development and good design is recognised as a key aspect of this.

The National Planning Practice Guidance (NPPG) 2014, this 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 policies relating to this application are:

- Policy AC2: Road Network;
- Policy AC4: Walking and Cycling;
- Policy DE1 Ensuring High Quality Design;
- Policy H3: Provision of new housing;
- Policy H5: Managing Existing Housing Stock

Supplementary Planning Guidance/ Documents (SPG/ SPD):

- SPG Extending Your Home- A Design Guide
- SPG Design Guidelines for New Residential Development
- SPD Delivering a More Sustainable City 2009

STATUTORY CONSULTATION RESPONSES

Highways- No objections subject conditions

Environmental Protection- No objections subject to condition

Planning Policy- No objections

PUBLIC RESPONSES

Notification letters were sent out to adjoining neighbouring houses and a site notice was displayed on 15th April 2019.

Twelve letters of objection raising the following material planning considerations:

- a) Lack of notice- all residents should have been notified
- b) Insufficient parking and intensification of use (more coming and goings)
- c) Parking and Congestion is an existing issue given the school and surgery
- d) Concerns over safety
- e) These are large family homes- setting a precedent for more flats in the street
- f) The flats are out of character
- g) The alterations to the front are out of character
- h) The front drive cannot accommodate 4 cars
- i) The use and works have already been implemented (retrospective)

Within the letters received the following non-material planning considerations were raised, these cannot be given due consideration in the planning process:

- j) Loss of property value
- k) The people on this street pay high council tax
- l) Tenants block drives to neighbouring properties
- m) Fire regulations

Any further comments received will be reported within late representations.

ASSESSMENT

Principle of Development:

Policy H3: Provision of New Housing states that new residential development must provide a high-quality residential environment which assists in delivering urban regeneration or contributes to creating sustainable communities and which overall enhances the built environment. A suitable residential environment will be within a sustainable location and include safe and appropriate access, have adequate amenity space and parking provision and be safe from environmental pollutants such as land contamination, excessive noise and air quality issues.

The proposed development is within a sustainable location, close public transport routes, local shops and services. The conversion will create a high-quality residential environment. The scheme does provide direct access to outside amenity space for both Flat 1 (at ground floor level) and Flat 2 (at ground floor level). Parking provision have also been met. No issues are raised in terms of environmental pollution. The proposed residential uses will remain compatible with surrounding residential uses and the flats will provide an alternative to the existing family houses.

The scheme is considered to be acceptable in principle.

Impact on visual amenity:

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Chapter 12 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The alterations to the openings on the front elevation are considered to have an acceptable impact upon the visual amenity of the street scene, given many of the properties on St Pauls Road have varied frontages in relation to design. Therefore, the alterations are not considered to have a detrimental impact upon on the character of the area. The materials of the proposed window are in keeping with the main house.

The proposal provides sufficient living accommodation and amenity for each flat. Thus, the proposal is considered to be acceptable. Given the use is still residential the two individual flats would still be under the use class C3. The proposal would not result in any material changes that would differ from standard family home.

Impact on residential amenity:

The proposed window and door openings are not considered to cause any harmful overlooking to the amenity of the neighbouring occupants.

Highway considerations:

Coventry Local Plan 2016 Appendix 5 Car & Cycle Parking Standards requires the following parking provision:

- C3 Residential Dwellings (Per Unit) 2-bedroom house/flat - 2 per dwelling + 1 unallocated space per 10 dwellings for visitors

Therefore, the requirement for this development is five spaces. Currently the dwelling has two on-site parking spaces to the front forecourt and one on street parking space. The proposal is to increase on street parking by two spaces. Highway Officers therefore requested a parking survey which has been carried out in line with the Coventry Local Plan 2016 Appendix 5 paragraphs 1.19 to 1.21. The Applicant has submitted a Parking Assessment. Further to examination of the parking survey in respect of this application, the Highway Authority considers that the impacts of the development are not severe and has no objections to the current proposal subject to conditions in relation to cycle parking and car parking layout.

The applicant has agreed to remove part of the brick wall to facilitate independent access for the second off road parking space.

Other Matters:

Environmental Protection officers have no objections to the proposals subject to condition.

In regard to the neighbours comment on the lack of notice on this application, the statutory publicity period was carried out enabling neighbours to have 21 days to comment on this application. Both neighbour letters were sent out and a site notice was posted outside the property.

The neighbours comment in relation to fire regulation is not a material planning consideration and is a matter controlled under building regulations.

Equality implications:

There are no equality implications.

CONCLUSION

In view of the acceptable principle, design and no detrimental impact upon neighbouring properties, the scheme accords with development plan policies, supplementary planning guidelines and the NPPF 2019 therefore the application is recommended for approval. The development is in accordance with Policy DE1, H3, AC2 and AC4 of the Coventry Local Plan 2016.

CONDITIONS/REASONS

1. The development hereby permitted shall be carried out in accordance with the following approved documents:
Location and Site Plan DWG: ST/41/101 Rev D
Proposed Plans Dwg: ST/41/101/02
Existing Plans Dwg: ST/41/101/01 Rev A
Parking Block Plan DWG: ST/41/101/06
Parking Survey- May 2019

Reason: *For the avoidance of doubt and in the interests of proper planning.*

2. Any gas boilers or Combined Heat and Power systems serving the development must have a maximum dry NOx emissions rate of 40mg/kWh and prior to occupation a minimum of one electric vehicle recharging point shall be provided within the development hereby permitted and shall be retained thereafter.

Reason: *To promote use of low carbon, renewable and energy efficient technologies, to adapt to the impact of climate change and to reduce the impact of the development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.*

3. All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.

Reason: *In the interests of visual amenity and the amenities of the future occupants of the development in accordance with Policy DE1 of the Coventry local Plan, 2016.*

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 3, Class L (small HMOs to dwellinghouse and vice versa) (as amended), there shall be no permitted change of use of the residential accommodation hereby permitted (Use Class C3) to a use falling within Class C4 (houses in multiple occupation) of the Schedule to the Use Classes Order.

Reason: *To prevent further intensification of the use of the property to the detriment of the surrounding residential amenity in accordance with Policies DE1 and H3 of the Coventry Local Plan, 2016 together with the NPPF.*

5. Within 4 months of the date of this permission, secure covered cycle parking to serve the development shall have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Such details shall include the siting, design, appearance and type of stands/shelter and should accord with Cycle Parking Standards within Appendix 5 Coventry Development Plan 2016. Thereafter those facilities shall remain available for use at all times.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies AC4 of the Coventry Connected Supplementary Planning Document 2019.*

6. Within 4 months of the date of this permission, the provision of 2 No Off-Street parking spaces shown on the approved plan "DWG: ST/41/101/06" have been properly consolidated, delineated, surfaced, drained, free of loose stone and otherwise constructed to facilitate independent vehicular manoeuvring [works shall include removal of any obstructing brick boundary wall] in accordance with the approved "DWG: ST/41/101/06". These areas shall thereafter be retained and kept available for those uses at all times.

Reason: *In the interest of Highway Safety and ensure the free flow of traffic using the adjoining Highway and to accord with Policy AC2 of the Coventry Local Plan 2016.*

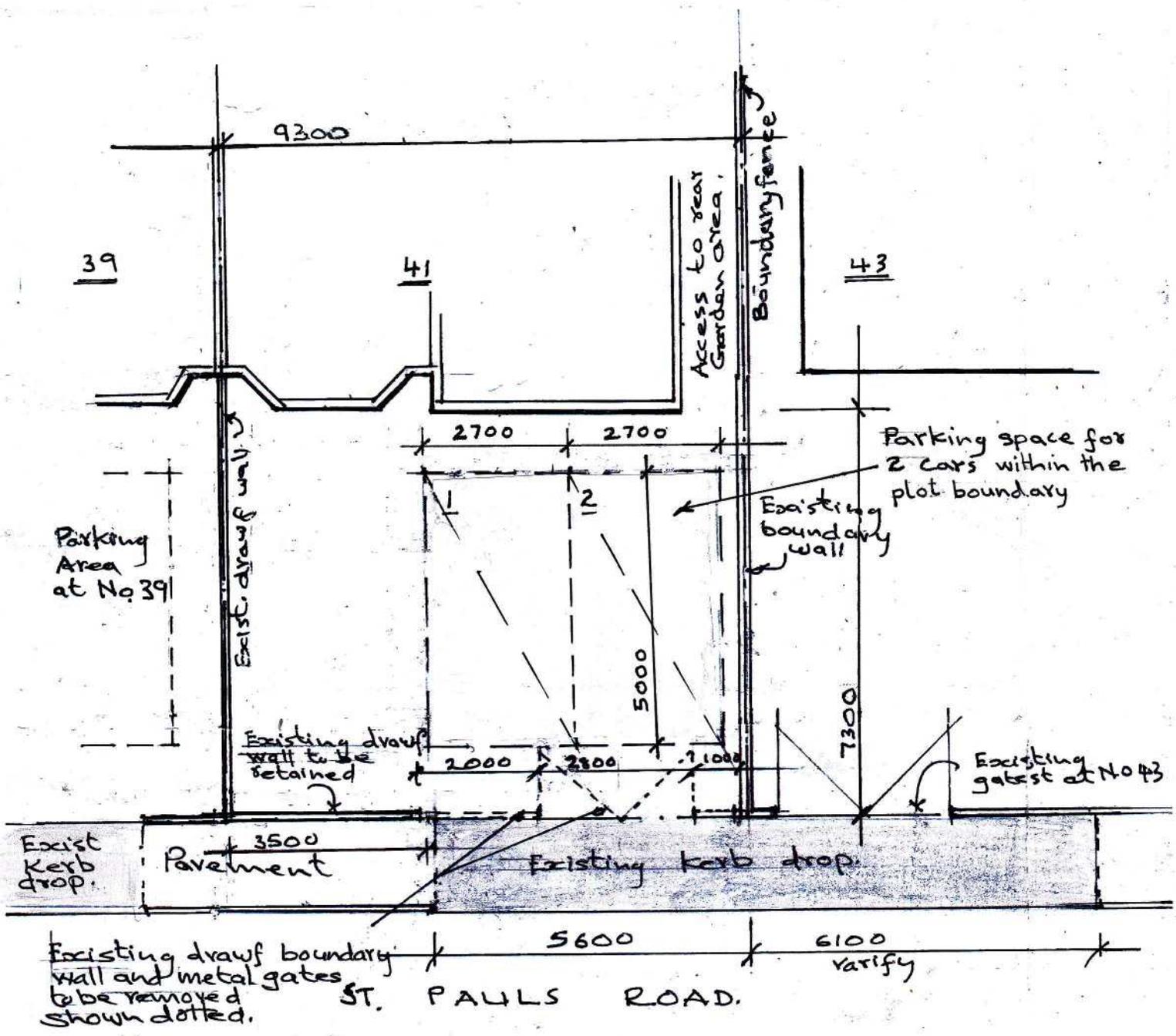


REFEREMNCE NUMBER
FUL/2019/0784

SITE:
41 ST PAULS ROAD

SCALE 1:1250





BLOCK PLAN
1:100

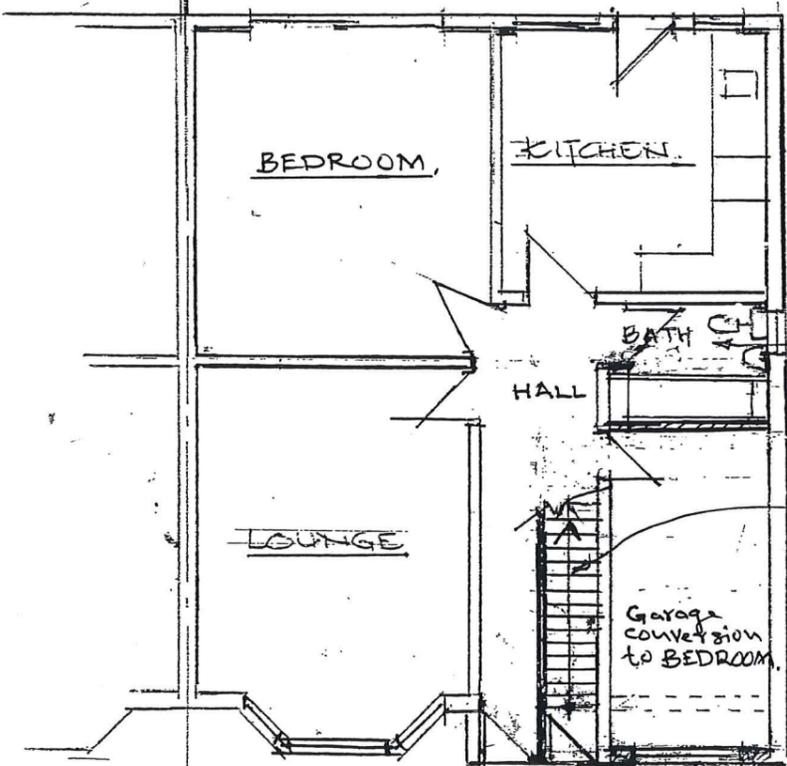
PROPOSED CONVERSION TO TWO FLATS
AT 41 ST. PAULS ROAD COVENTRY

DRG No.
ST 41/101/06.

Boundary fence

Boundary fence

REAR GARDEN.



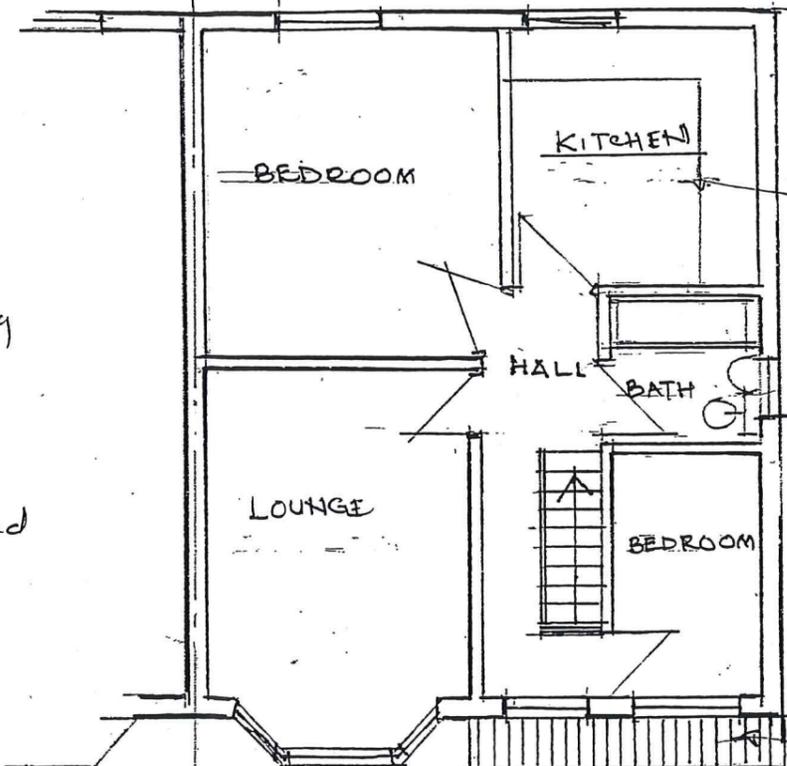
Alterations forming Bathroom.

Staircase relocated

Garage door removed opening modified to suit new pvc dg. window

Front fire court / Parking

(FLAT 1)
GROUND FLOOR PLAN 1:100



BEDROOM converted to kitchen

Existing pitched roof

(FLAT 2)
FIRST FLOOR PLAN 1:100

CITY DEVELOPMENT
DIRECTORATE
- 9 APR 2019
DEVELOPMENT
MANAGEMENT

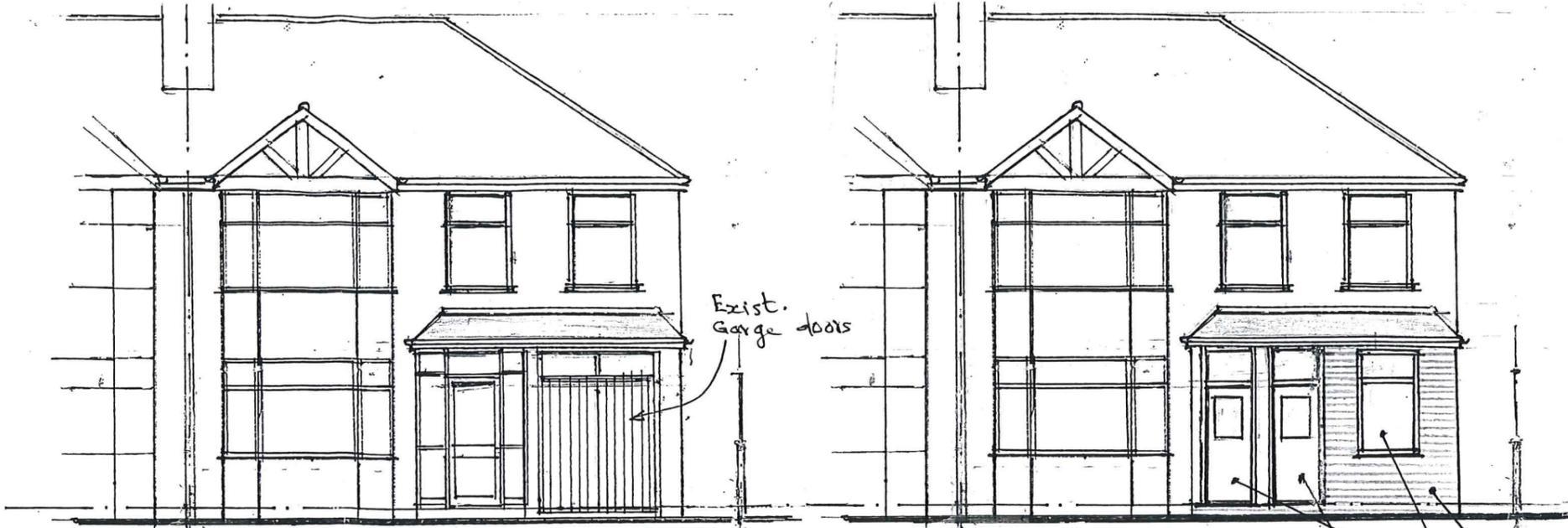
RETROSPECTIVE APPLICATION
CONVERSION TO TWO FLATS
AT 41 ST PAULS ROAD
COVENTRY.

SCALE 1:100	DRG No ST/41/101/02
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Boundary fence

Boundary fence

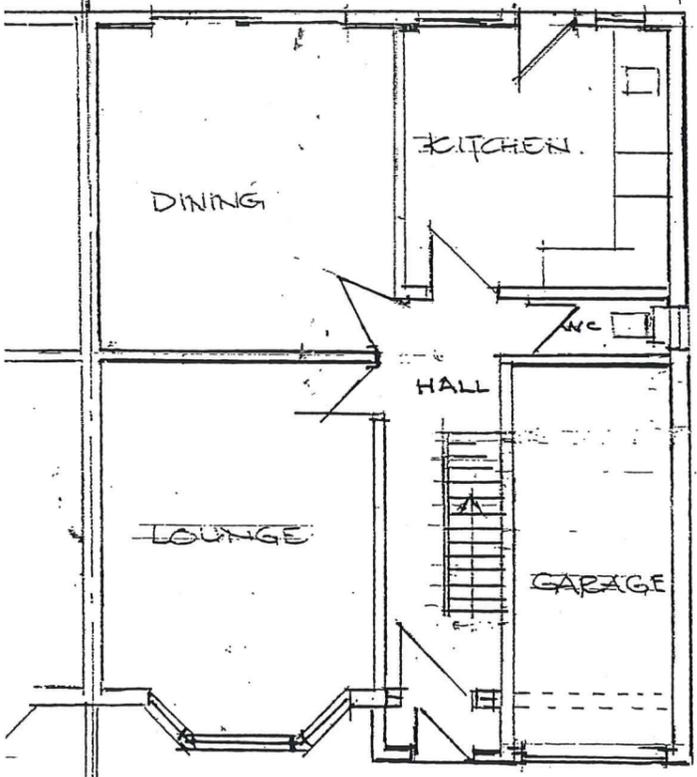
REAR GARDEN.



EXIST. FRONT ELEVATION. 1:100

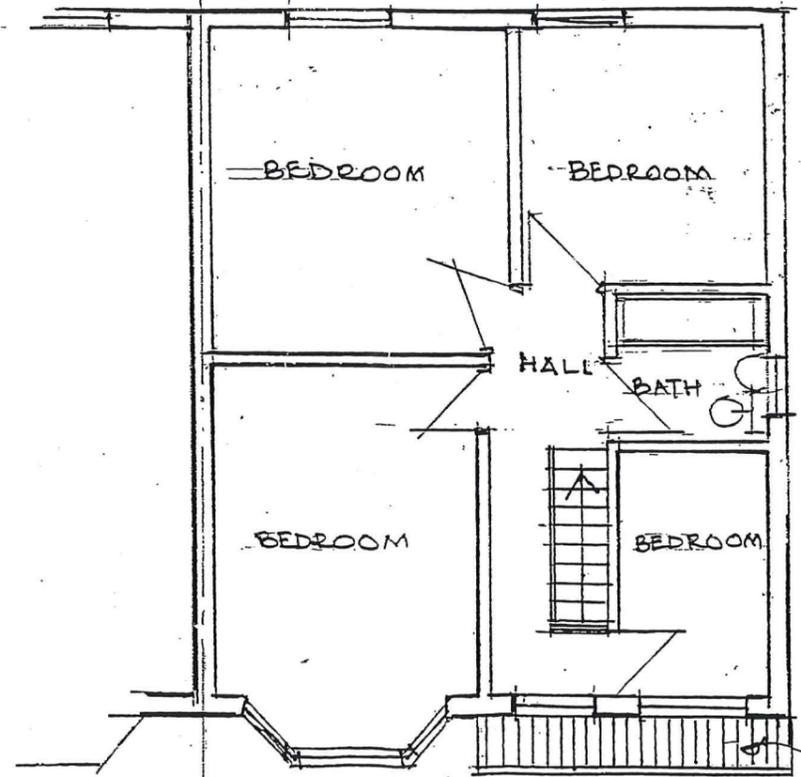
FRONT ELEVATION 1:100

- Double glazed PVC doors
- PVC double glazed window
- Facing brickwork matching exist



Front Fore Court / Parking

(PRIOR TO CONVERSION)
GROUND FLOOR PLAN 1:100



Existing pitched Roof

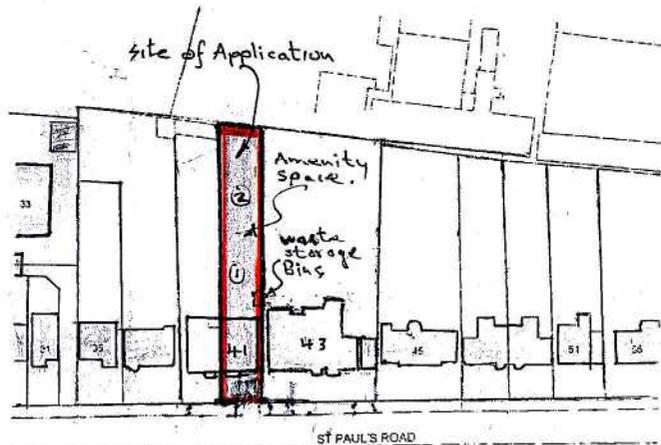
(PRIOR TO CONVERSION)
FIRST FLOOR PLAN 1:100

CITY DEVELOPMENT
DIRECTORATE
- 9 APR 2019
DEVELOPMENT
MANAGEMENT

REVISION:
A' Exist Front Elevation &
Front Elevation added.

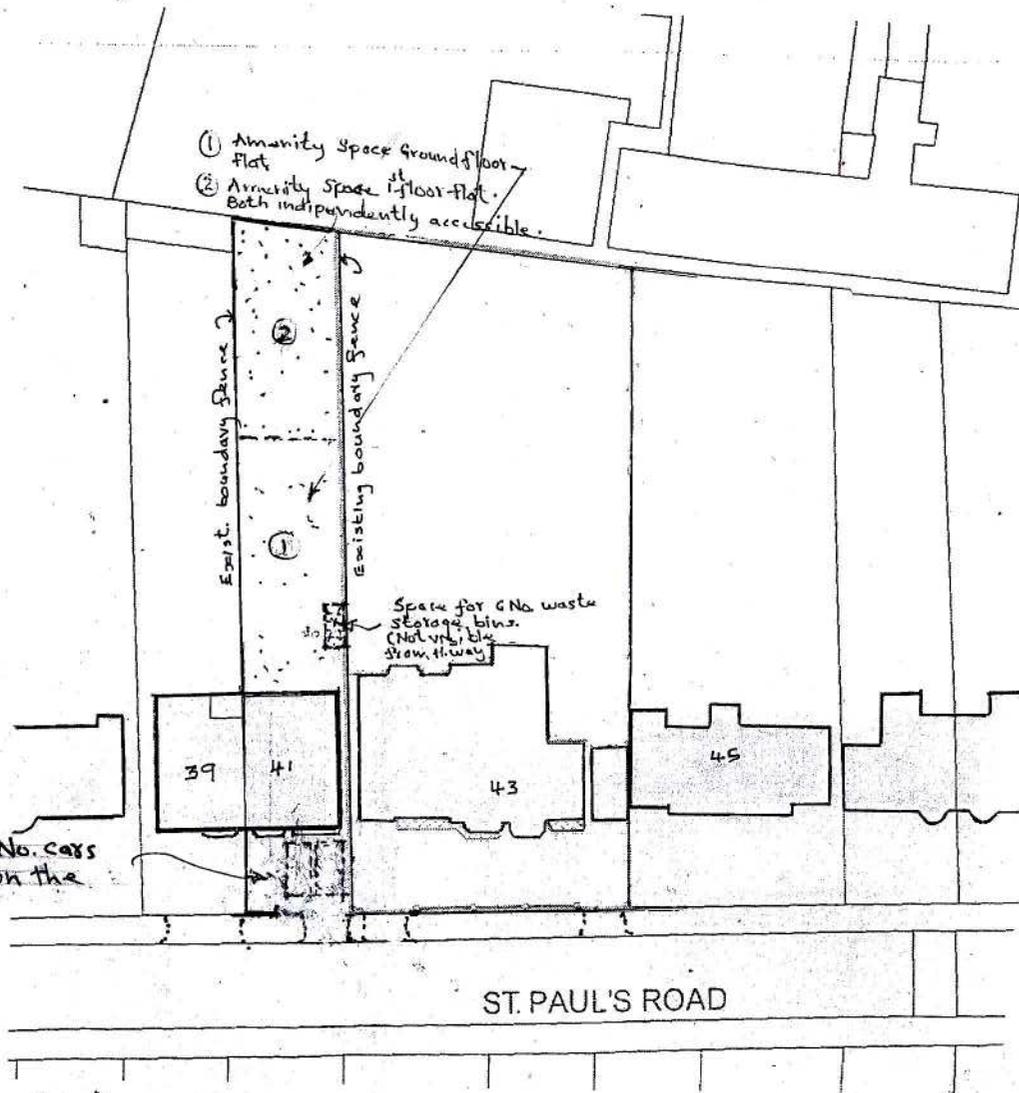
RETROSPECTIVE APPLICATION
CONVERSION TO TWO FLATS
AT 41 ST PAULS ROAD
COVENTRY.

SCALE 1:100
DRG NO ST/41/101/01 A

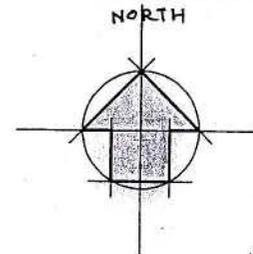


Location Plan 1:1250

* Parking space for 2 No. cars within the plot (on the front forecourt)



BLOCK (Site) Plan 1:500



Amendment

- A' Amenity space shown and waste storage area marked, on BLOCK PLAN
- B' 3 No. car parking spaces on Block plan
- * D' 2 No. car parking spaces shown

RETROSPECTIVE APPLICATION
CONVERSION TO TWO FLATS
AT 41 ST. PAULS ROAD
COVENTRY.

SCALE AS SHOWN	DRG No ST/41/101 D
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Planning Committee Report	
Planning Ref:	FUL/2019/0967
Site:	30 Old Mill Avenue
Ward:	Wainbody
Proposal:	Change of use to a 7-bedroom house in multiple occupation (sui generis) (retrospective application)
Case Officer:	Shamim Chowdhury

SUMMARY

The application seeks retrospective planning permission to change of use from a dwelling house (use class C3) /small house in multiple Occupation (HIMO, use class C4) to a 7 bedroomed large house in multiple occupation (HIMO) (sui generis). The current proposal is considered to accord with the CLP Policies and therefore recommended for approval.

BACKGROUND

This is a revised submission following refusal of the last application (FUL/2019/0291) which sought permission to use the property as a HIMO to accommodate 9 people. The last application was refused because of the occupancy level which was considered high and subsequent impact on the adjoining neighbouring occupiers from an intensified use of the property and associated noise and disturbance. In addition, insufficient information was submitted to demonstrate that sufficient parking spaces for the development are available and the impact on highways and existing parking provisions in the area is acceptable. To address the refusal reasons of the last application, in current submission the level of the occupancy has been reduced to 7.

KEY FACTS

Reason for report to committee:	Cllr Sawdon requested this application be heard by the Planning Committee as he considers this is a gross overdevelopment.
Current use of site:	Large HIMO for 7 persons' occupation (Use Class Sui Generis)
Proposed use of site:	Large HIMO for 7 persons' occupation (Use Class Sui Generis)

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions.

REASON FOR DECISION

- The proposal is acceptable in principle.
- The proposal will not adversely impact upon highway safety.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: DS3, DE1, H5, H11 & AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The planning application seeks retrospective permission to use of the existing small scale house in multiple occupation (HIMO)/dwelling house to a larger house in multiple occupation (HIMO) for 7 occupants. The floor plans show that there are 5 bedrooms on the first floor and 2 bedrooms on the ground floor in addition to communal kitchen and lounge on ground floor. Part of the integral garage would be used for cycle storage in addition to storage area in the rear garden. The refuse bins storage area also would be allocated in the enclosed rear garden.

SITE DESCRIPTION

The application site relates to an extended detached property on a larger plot. The property has been extended with side extension and with extending the front and rear dormer together with a single storey front extension. There is a tarmac drive in front of the property behind a landscaped area along the footpath and Old Mill Avenue. There is a front to rear access along the northwest side elevation of the property.

Old Mill Avenue is a residential street within Cannon Park. The properties vary in style, with both two storey dwellings and dormer bungalows. The on-street parking is restricted on Old Mill Avenue and on the surrounding residential streets.

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
FUL/2019/0291	Change of use to a 9 bedroom house in multiple occupation (sui generis),	refused 08/04/2019 due to over intensification and subsequent impact on neighbouring occupiers as well as insufficient information on parking provisions.
42499/A	Conservatory to the rear	approved 22/05/1996
C/42499	Two storey side & single storey rear extensions and front porch	approved 22/09/1989

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF was updated in February 2019 and 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".

The National Planning Practice Guidance (NPPG) 2014, this 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 DE1 Ensuring High Quality of Design
- Policy DS3 Sustainable Development Policy
- Policy H11 Homes in Multiple Occupation (HiMO's)
- Policy AC1 Accessible Transport Network
- Policy AC3 Demand Management
- Policy AC4 Walking and Cycling
- Appendix for Policies AC3 and AC4 Car and Cycle Parking Standards for New Development: Appendix 5.

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City

SPD Coventry Connected (Accessibility and transport)

CONSULTATION

No Objections received from:

- Environmental Protection

No objections subject to conditions have been received from:

- Highways

Immediate neighbours and local councillors have been notified; a site notice was posted on 16 May 2019. An objection has been received from Cllr Sawdon stating that the proposal is a gross overdevelopment of the site. He also considers that the submission of a retrospective application is a deliberate attempt to circumvent the planning process.

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 neighbouring amenities and the amenities of future occupiers, the impact upon the character of the area, the impact on local services and highway considerations.

Principle of development and Neighbouring amenities

The main policy in assessing this application is Policy H11. Policy H11 states that the conversion of properties to large houses in multiple occupation (HiMO's) will not be permitted in areas where the proposals would materially harm: the amenity of occupiers of nearby properties (including the provision of suitable parking provisions); the appearance or character of an area; local services; and the amenity value and living standards of future occupants.

The application property is already being used as a HIMO. There are 5 bedrooms on first floor and 2 on ground floor, in addition to a large lounge and dining room, a kitchen and a conservatory on ground floor. It is acknowledged that the use of a property as a HIMO is often clearly different from occupation as a family house. The general level of activity associated to a HIMO is significantly greater than a typical family house and therefore increases the potential for noise and disturbance. However, in this case the property is an extended large detached property on a wider plot of land. The extended property itself or any bedrooms do not share any party wall with the adjoining houses. Therefore, it is considered that the application property is capable of accommodating 1 more additional resident (up to 6 residents are permitted development) and impact in terms of noise and disturbance would not be expected any more than that what would have been expected from 6 persons housed in multiple occupation. Environmental Protection have no objection to the proposal in terms of noise and disturbance. It is not considered that the additional residents (up to 7 persons) are likely to have a detrimental impact on residential amenities. However, it is considered justifiable to condition the maximum number of residents to 7 to ensure the residential activities/uses within the property remain at a reasonable level and does not affect the neighbouring occupiers and their amenities. It is not considered such a small increase in occupancy level would have any significant impact on local services.

It is considered that the size of the bedrooms and the kitchen/dining are all reasonable and appears to have retained a satisfactory standard of living accommodation. Entrance to all 7 bedrooms is through the main entrance door of the property. The rear garden is available to all the occupiers of property which appears satisfactory in terms of amenity space. The bin storage area and cycle storage provisions (in addition to some inside the integral garage) would be provided in the rear garden which has direct access from the front without going through the property. On the front drive, at least four cars can be parked without affecting the landscaped front garden. On street parking is restricted in the area; however, the property is adjacent to bus stops on Bransford Avenue and De Montfort Way and benefits from easy access to the City Centre and the surrounding area. The Cannon Park District Centre and Warwick University are within walking distance. The site is therefore in a highly sustainable location with no direct conflict to the NPPF's presumption in favour of sustainable development. It is considered that the lack of off-street parking is not a constraint in this instance and a condition will be imposed to ensure the proposal includes cycle storage within the site as well as the existing off-street parking spaces are retained and maintained appropriately. This arrangement would assist in meeting the aims of Policies DS3 and AC4 which promote sustainability and encourage provision of cycling and walking.

Impact on visual amenity and character of the area

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The National Planning Policy Framework, paragraph 127 states that "Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 130) "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, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

Policy H4 of the Local Plan requires proposals for residential development to include a mix of market housing which contributes towards a balance of house types and sizes across the city.

The application is for a change of use within the residential use and requires no external changes to the property. The front drive and hardstanding area for parking in front of the property as well the landscaped area at the front would remain unaltered. Therefore, the visual amenity of the street scene would remain neutral. The bin storage will be located within the rear garden. This area is directly accessed via a pedestrian gate by the side of the house and enclosed within the rear garden area of the application property. An appropriate condition has been recommended to ensure bins are stored within the storage area approved at all times unless on bin collection day. This arrangement is considered satisfactory in terms retaining the visual amenity and character of the area and complies with the Policies DE1 and H11.

Highway considerations

Policy AC2 of CLP 2016 recognises that the provision of car parking for a new development can influence the traffic generation congestion. It goes on stating that the occurrences of inappropriate on-street parking can block access route for emergency, refuse and delivery vehicles, block footways preventing pedestrians' access, affect the street scene and could reduce visibility for motorists and pedestrians causing safety issues. The new development will therefore be expected to provide appropriate levels of car parking in order to address the above issues. Policy AC3 of the CLP 2016 states that proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5.

As per Appendix 5 the proposed parking requirement is 0.75 off road parking spaces per 1no. bedroom, making a requirement of 6 spaces for the 7no. bedroomed HMO. The existing use as a 6no. bedroomed HMO requires 5 spaces, therefore there is a net increase of 1 space required for the proposal.

The proposed plan shows there would be 6 parking spaces on the paved forecourt; however these spaces appear rather tight and could result in tandem or sub-standard parking. However at least 4 cars can be parked on the forecourt without affecting the landscaping area.

It is recognised that in exceptional circumstances there may be occasions when it could be appropriate to have a lower or higher level of parking depending on the specific details of the application. In all cases, any departures from the standards should be fully and appropriately justified with detailed supporting evidence.

- Surveys of parking capacity and occupancy levels on surrounding streets and parking areas.
- Consideration of likely trip generation and parking accumulations for the proposed development with supporting evidence.
- Details of how the parking will be managed and how that will mitigate any under or over provision.

The application proposes a large HMO in an established residential area which is in a highly sustainable location.

Despite the application site being unable to provide 6 standard parking spaces (without tandem or sub-standard arrangement), the Highways Authority does not object to the proposal. The Highways Authority considers that the planning material consideration in this matter has been given to Planning Inspectorate Appeal reference APP/U4610/W/17/3191248 - 89 Poppleton Close, Coventry CV1 3BN, a proposed House in Multiple Occupation (HMO) case which shares comparable characteristics within a location proximate to a university campus, which provides the following guidance:

“Coventry Local Plan Policy AC3 sets out that car parking provision associated with new development will be assessed based on the standards set out as Appendix 5. That identifies a standard of 0.75 spaces per bedroom for C4 HMO’s in ‘outer city’ locations such as this. However, it continues that accessibility will influence the need for car parking; and that standards should be considered as maxima, although any departure from them should be fully justified with detailed supporting evidence.”

The site is located within a highly sustainable location. The property is adjacent to bus stops on Bransford Avenue and De Montfort Way and benefits from easy access to the City Centre and the surrounding area. The Cannon Park District Centre and Warwick University are within walking distance. Therefore, it is reasonable to consider the occupiers, who are mainly students would travel to the local university on foot or bicycle. This specific site is not therefore a location where the occupants need to be reliant on a private car for their day-to-day requirements. The enforcement of the University of Warwick Residents Parking Scheme is also considered to result in reduced inconsiderate parking at this location.

On this basis, due to the sustainable location, with close links to Warwick University, Cannon Park District Centre and the availability of limited on-site parking, the proposed change of use, in this instance, would not cause additional parking stress in an area where parking is at a premium to the detriment of the more settled residents in the area.

The application accords with Policy AC3 of the Coventry Local Plan 2016 and accords with the policy H11.

Other Issues

The proposal does not involve any physical alteration or extension to the application property apart from the provision of cycle and refuse bins storage in the rear garden. Using a family dwelling house as a house multiple occupation for up to 6 residents are allowed under current planning legislation (permitted development) and therefore, occupation of another resident particularly within a detached of property on larger plot would not be considered an overdevelopment. It is acknowledged that the application is a retrospective submission, however planning regulations do not restrict submission of retrospective application and the planning authority cannot prevent a use or development taking place without planning permission if the applicant does not seek such permission prior to use or development commencing. However, the assessment criteria and compliance with the local plan policies remain the same whether it is a retrospective application or not.

Equality implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:- A public authority must, in the exercise of its functions, have due regard to the need to: eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; 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

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, highway safety, ecology or infrastructure, subject to relevant conditions and contributions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H11, DE1, AC2, AC3 and AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS:/REASON

1. The development hereby permitted shall be carried out in accordance with the following approved documents: Proposed Scheme; Existing Survey; Location and Block Plan 109-17-21A; Vehicle Parking Provisions 109-17-22A; Waste Refuse and Bicycle Provisions 109-17-23.

Reason: *For the avoidance of doubt and in the interests of proper planning.*

2. The House in Multiple Occupation hereby permitted shall not be occupied by more than 7 residents at any time.

Reason: *To ensure the premises are not used in an over intensive manner and to protect the amenities of occupants of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016*

3. Notwithstanding the cycle storage details shown on approved plan, within 4 months of the date of this permission secure, covered cycle parking to serve the development shall have been provided in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter those facilities shall remain available for use at all times. The cycle parking details shall include the siting, design, appearance and type of stands/shelter and should accord with Cycle Parking Standards within Appendix 5 Coventry Local Plan 2016.

Reason: *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies AC4 of the Coventry Local Plan 2016*

4. The bin storage facilities shall be provided as per approved drawings and must be stored within the bin storage area as shown in the approved drawings and not positioned on the public highway, unless on bin collection days.

Reason: *In the interests of residential and visual amenity in accordance with Policy DE1 of the Coventry Development Plan 2016 together with the NPPF*

5. The parking and manoeuvring areas indicated on the approved drawings shall be retained and available for parking motor vehicles at all times.

Reason: *To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*



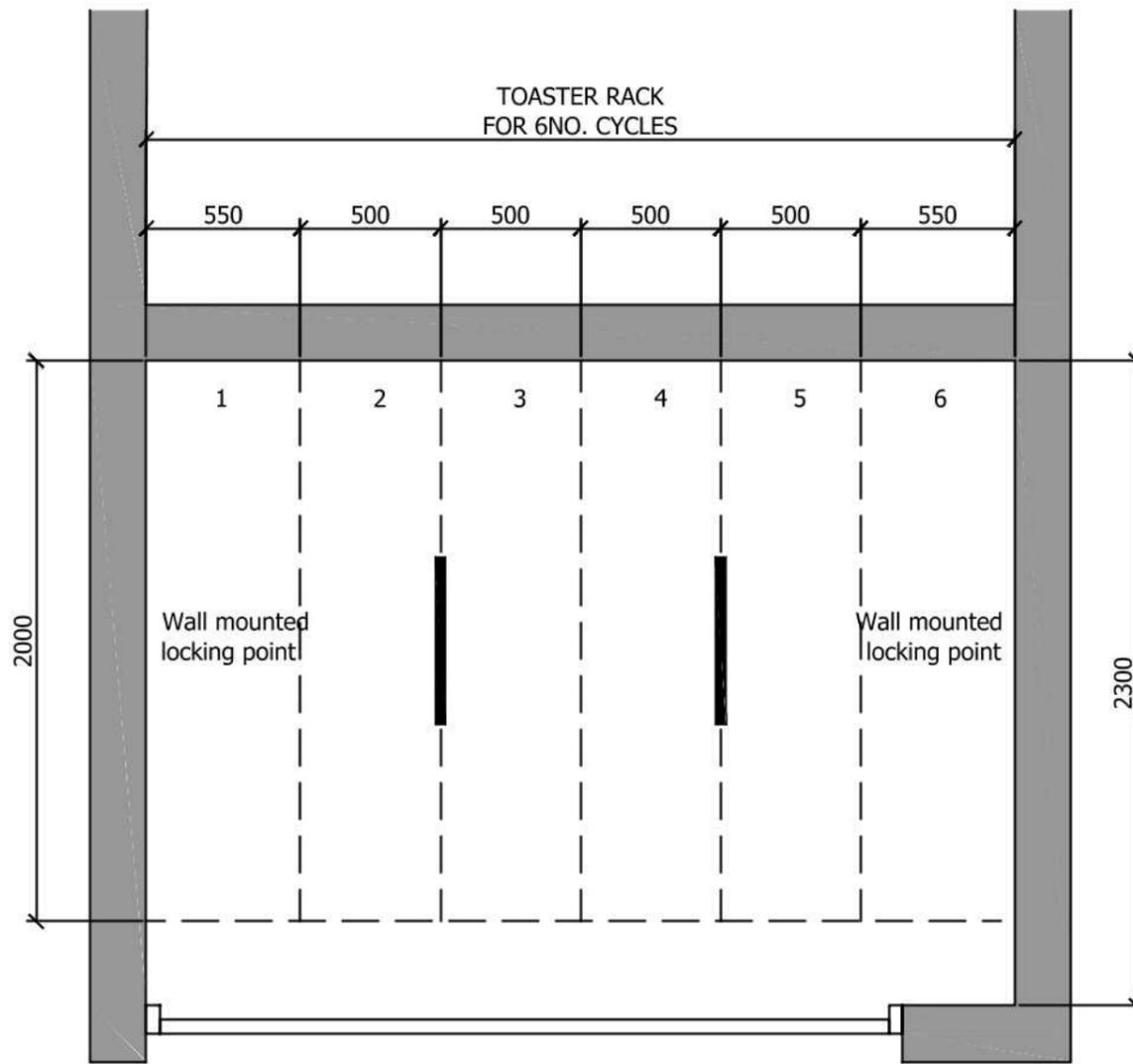
Cannon Park Primary School

REFERENCE NUMBER
FUL/2019/0967

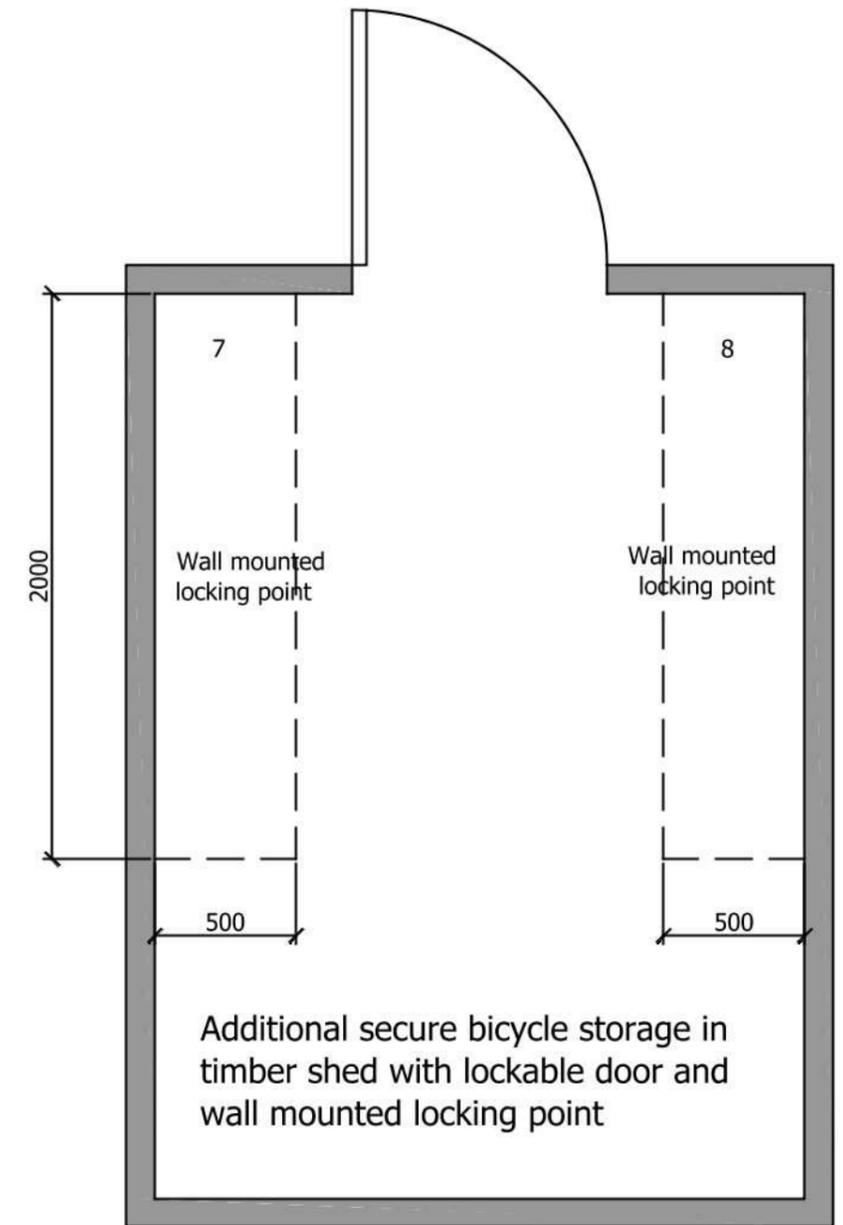
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SCALE 1:1250

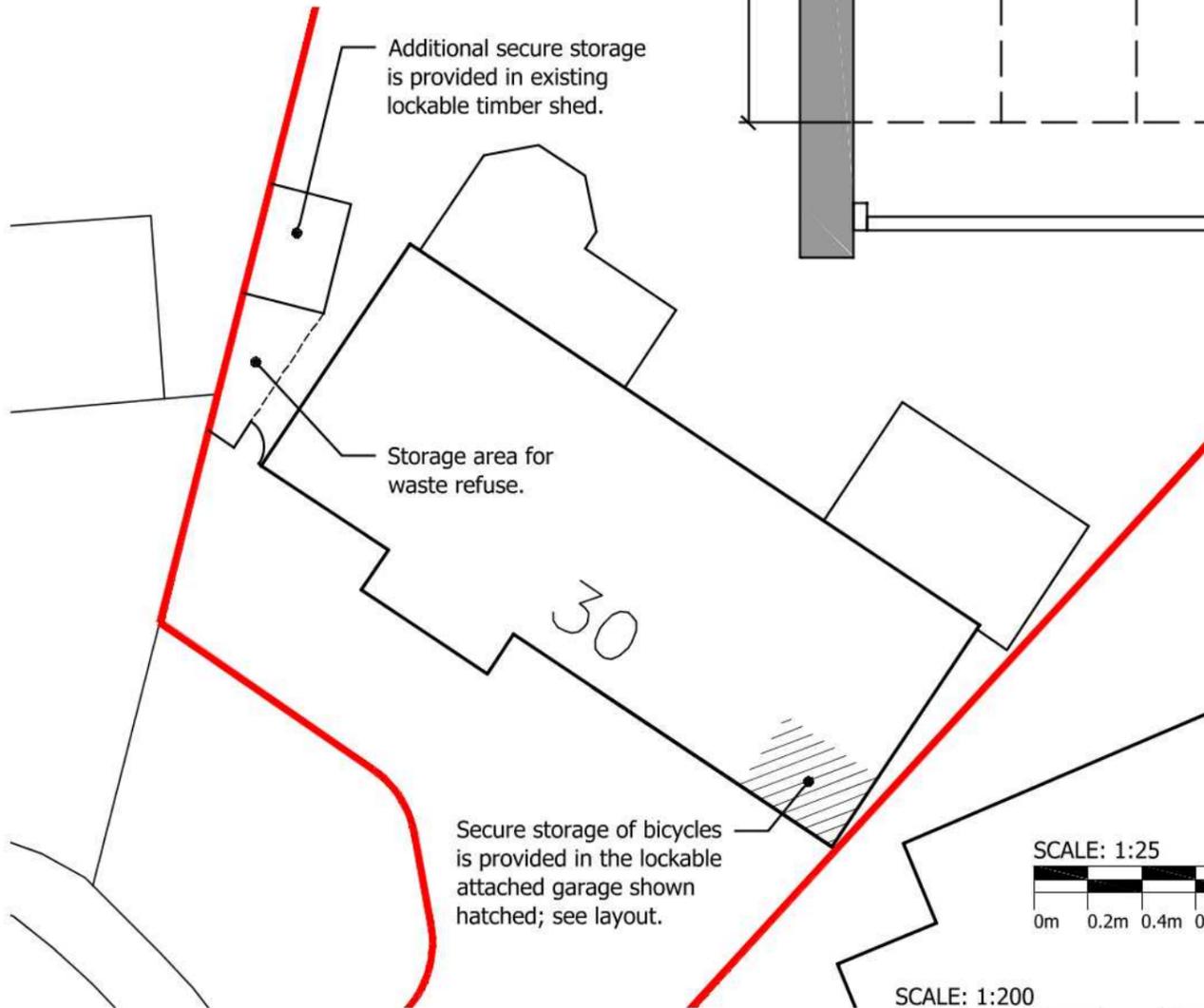




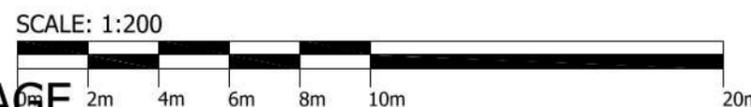
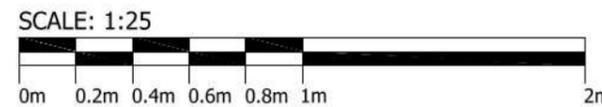
**BICYCLE STORAGE LAYOUT
IN GARAGE**
Scale 1:25



**BICYCLE STORAGE LAYOUT
IN TIMBER SHED**
Scale 1:25



WASTE REFUSE STORAGE & CYCLE STORAGE
Scale 1:200



Revision A: 28.05.19 - Minor amendments.

PROPOSED CHANGE OF USE
30 Old Mill Road, Coventry, CV4 7DY
Mr & Mrs Jones

**WASTE REFUSE & CYCLE
STORAGE PROVISIONS**

PLANNING ISSUE

**ADAM GREATREX
ARCHITECT**
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Date: 27.05.2019

Scale: As indicated at A3

Dwg No. 109:17:23A



EXISTING VEHICLE PARKING



AVAILABLE PROVISION FOR VEHICLE PARKING

Revision A: 27.05.2019 - Parking provision and red line amended.

PROPOSED CHANGE OF USE
 30 Old Mill Road, Coventry, CV4 7DY
 Mr & Mrs Jones

VEHICLE PARKING PROVISIONS

PLANNING ISSUE

ADAM GREATREX ARCHITECT
M. Arch. RIBA

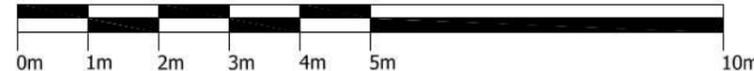
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 E. adamgreatrex@gmail.com

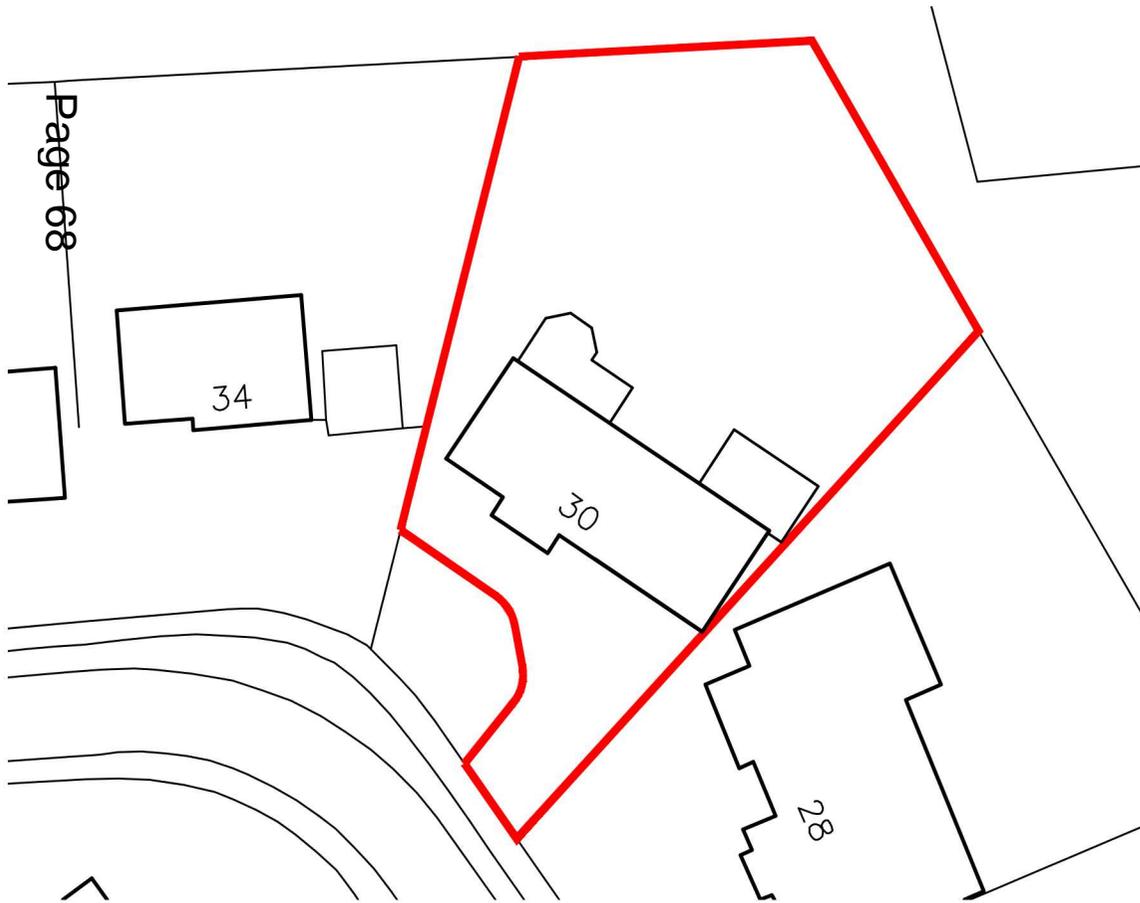
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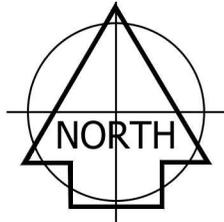
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SCALE: 1:100

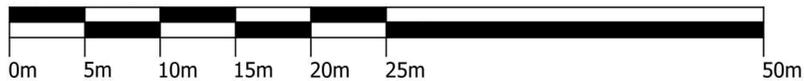




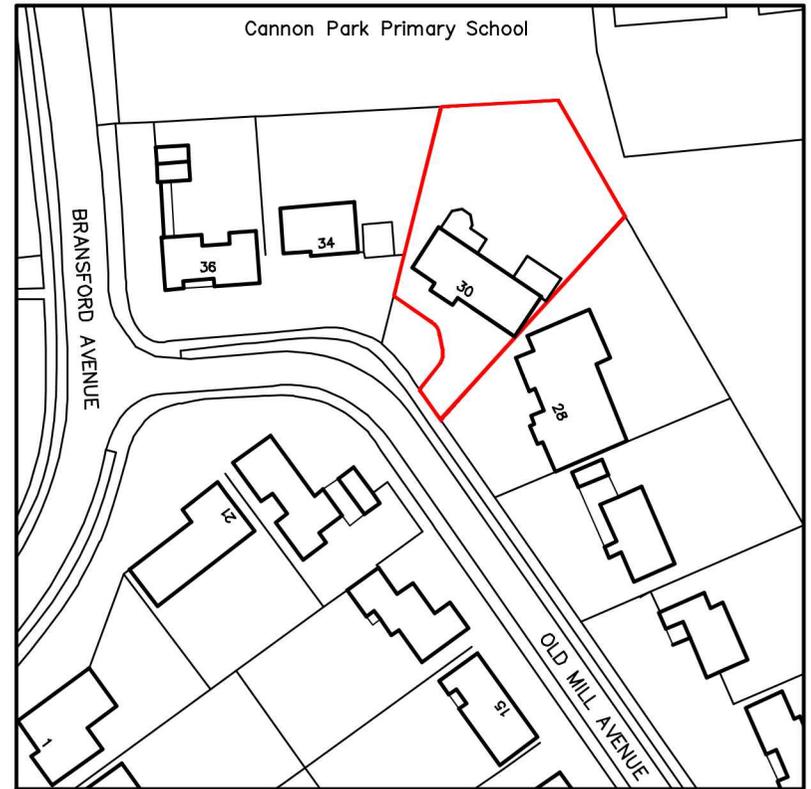
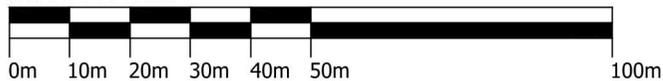
BLOCK PLAN
Scale 1:500



SCALE: 1:500



SCALE: 1:1250



LOCATION PLAN
Scale 1:1250

Revision A: 27.05.2019 - Red line amended.

PROPOSED CHANGE OF USE
30 Old Mill Road, Coventry, CV4 7DY
Mr & Mrs Jones

**LOCATION PLAN
& BLOCK PLAN**

PLANNING ISSUE

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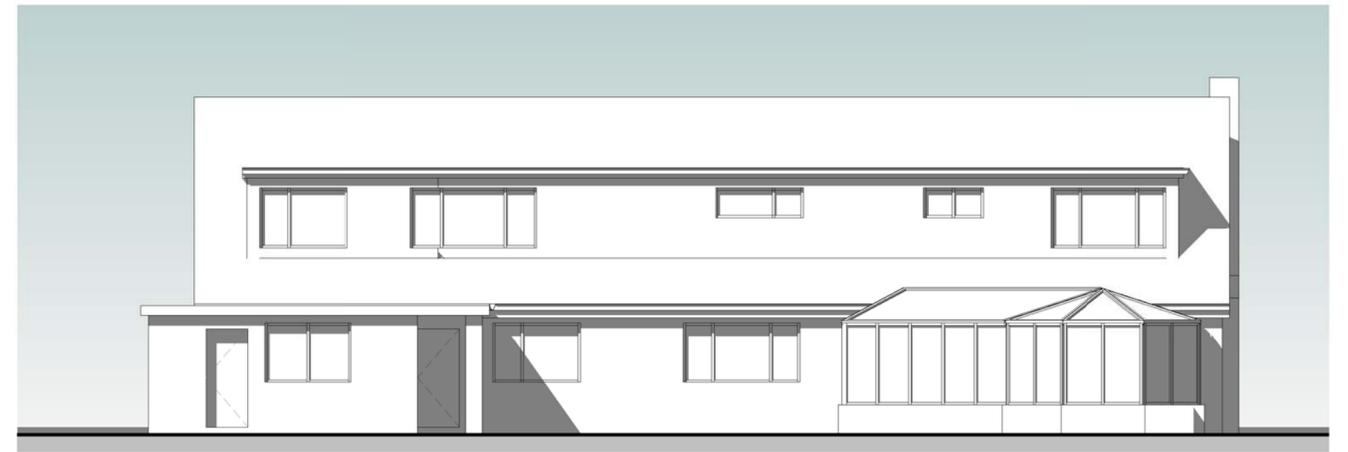
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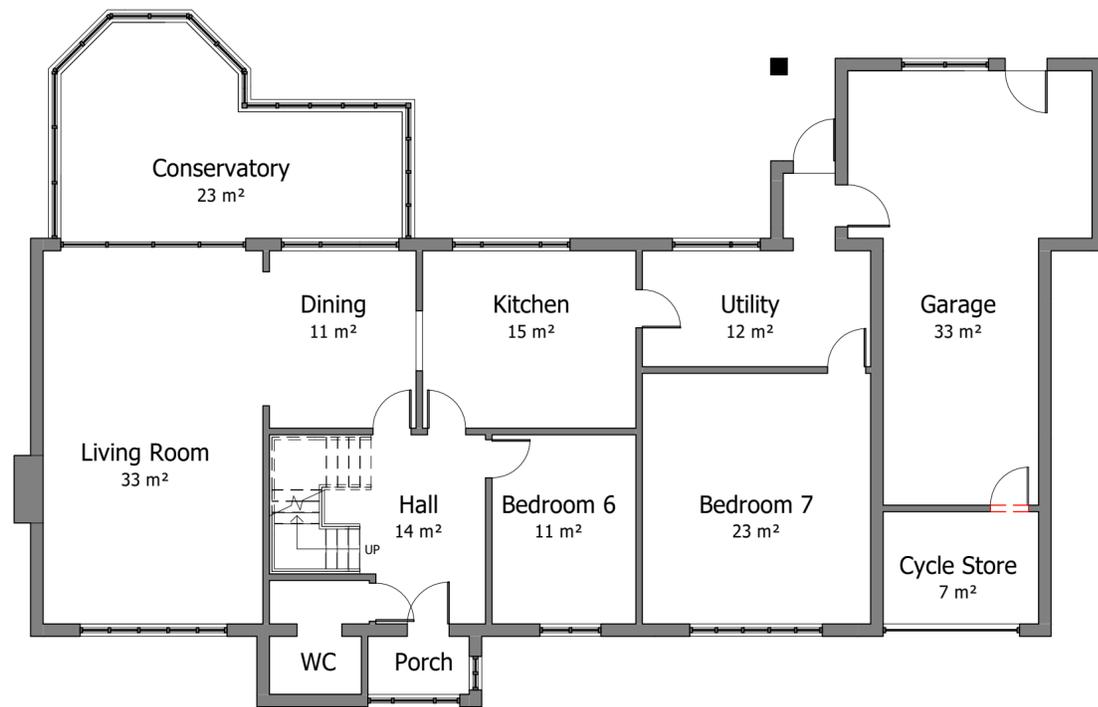
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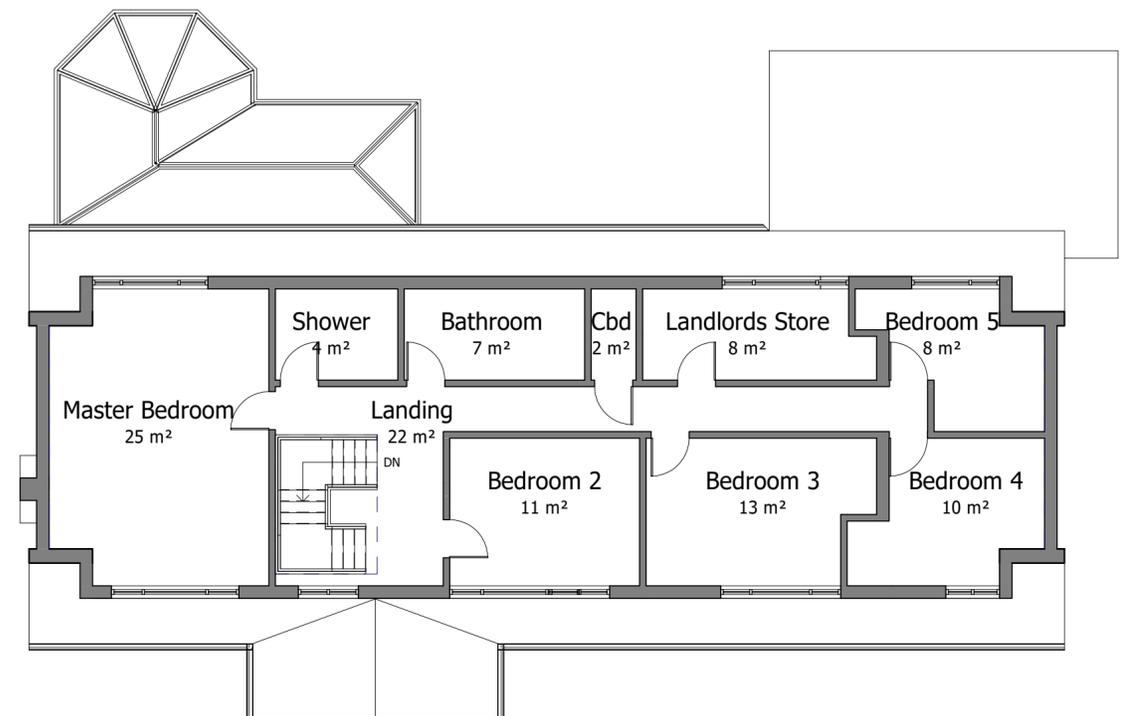
FRONT (SOUTH) ELEVATION - AS EXISTING



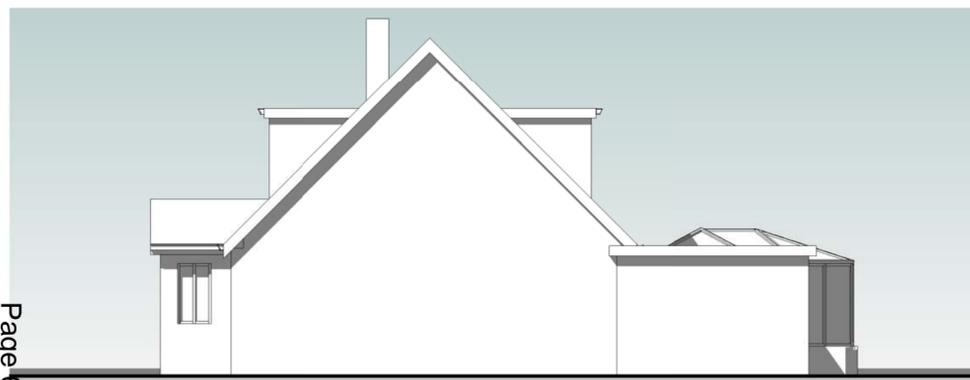
REAR (NORTH) ELEVATION - AS EXISTING



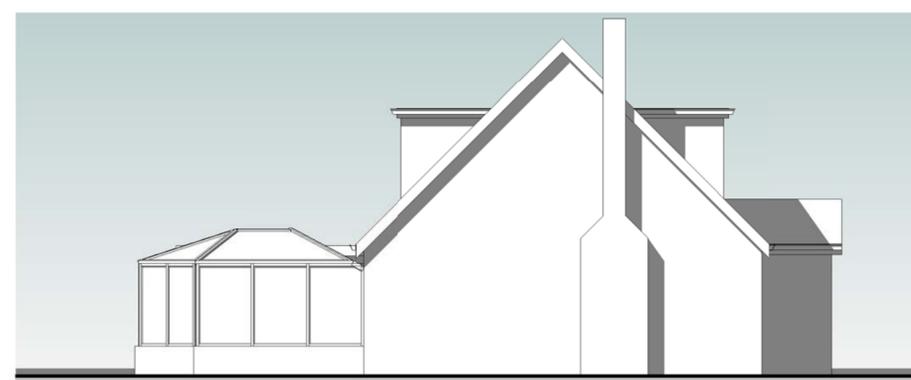
PROPOSED GROUND FLOOR



FIRST FLOOR



SIDE (EAST) ELEVATION - AS EXISTING



SIDE (WEST) ELEVATION - AS EXISTING

Revision:

PROPOSED CHANGE OF USE
30 Old Mill Avenue, Coventry, CV4 7DY
Mr. & Mrs. Jones

PROPOSED SCHEME

PLANNING ISSUE

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Date: 11.04.2019

Scale: 1 : 100

Dwg No. 109:17:20

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Public report Planning Committee Report

Report to
Planning Committee

Report of
Head of Planning and Regulation

Ward(s) affected:
All

Title:
Appeals progress report

Is this a key decision?
No

This report is for information

Executive Summary:

The appeals progress report provides a summary of appeal decisions in order to keep Members informed about planning and enforcement appeals made against planning decisions taken by the City Council.

Recommendations:

Planning committee are recommended to note the content of the report

List of Appendices included:

None

Background papers:

N/A

Other useful documents

None

Has it been or will it be considered by Scrutiny?

No

Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?

No

Will this report go to Council?

No

Report title: Appeals progress report

1. Context (or background)

The purpose of this report is to inform Members of appeals lodged and determined in the period 1 March 2019 to 30 April 2019.

When a planning application is refused, the applicant has the right to appeal within six months of the date of decision for non-householder appeals. For householder applications the time limit to appeal is 12 weeks. Appeals can also be lodged against conditions imposed on a planning approval and against the non-determination of an application that has passed the statutory time period for determination.

Where the Council has taken enforcement action, the applicant can lodge an appeal in relation to the served Enforcement Notice. An appeal cannot be lodged though in relation to a breach of condition notice. This is on the basis that if the individual did not agree with the condition then they could have appealed against the condition at the time it was originally imposed.

Appeals are determined by Inspectors appointed by the Secretary of State and administered independently by the Planning Inspectorate.

3. Recommendation

Members are requested to note the appeal decisions of either the Secretary of State or the relevant Inspector that has been appointed to determine appeals within the defined period.

In line with the parameters above the report sets out the main issues of the appeals and summarises the decisions. Where claims for costs are made and/or awarded, either for or against the Council, the decisions have been included within the report.

4. Monitoring

Monitoring of all appeal decisions is undertaken to ensure that the Council's decisions are thoroughly defended and that appropriate and defensible decisions are being made under delegated powers and by Planning Committee. The lack of any monitoring could encourage actions that are contrary to the Council's decision, possibly resulting in poor quality development and also costs being sought against the Council.

5. Financial & legal considerations

An appeal may be determined after a Public Inquiry, a Hearing or most commonly written representations. It is possible for cost applications to be made either by the appellants against the Council or vice versa if it is considered that either party has acted in an unreasonable way.

It is possible for decisions, made by Inspectors on appeal to be challenged through the courts. However, this is only if it is considered that an Inspector has erred in law, for instance by not considering a relevant issue or not following the correct procedure.

A decision cannot be challenged just because a party does not agree with it. A successful challenge would result in an Inspector having to make the decision again following the correct procedure. This may ultimately lead to the same decision being made.

It is possible for Inspectors to make a 'split' decision, where one part of an appeal is allowed but another part is dismissed.

SUMMARY OF APPEALS IN PERIOD OF 1 MARCH TO 30 APRIL 2019

No. APPEALS PENDING	49
No. APPEALS RECEIVED	8
No. APPEAL DECISIONS RECEIVED	15
No. ENFORCEMENT APPEALS LODGED	0
No. ENFORCEMENT APPEAL DECISIONS RECEIVED	0
No. OFFICER DECISIONS ALLOWED	1
No. MEMBER DECISIONS ALLOWED	0

Site Address:	Land Between 57 and 71 Berry Street
Reference Number:	OUT/2017/3159
Description:	Erection of 22 self-contained student apartments with en-suites and associated parking. Outline application discharging access with all other matters reserved.
Decision Level:	Delegated
Decision:	Refused on 14/03/2018
Appeal Decision:	<i>Dismissed on 08/03/2019</i>

Summary of Decision

The main issues are: the effect of the proposal on the character or appearance of the surrounding area; whether the proposal would provide satisfactory living conditions for its future occupiers and for the occupiers of neighbouring properties with regards to outlook and privacy; and the effect of the proposal on highway safety with regards to parking provision.

In looking at character and appearance, the Inspector notes that the appeal site is located between modest two-storey residential properties in an area characterised by residential properties of traditional pitched roof form. The Inspector considers the design of the proposed building with a flat roof would be out-of-keeping, its large bulky appearance appearing dominant between the neighbouring properties,

which would have a detrimental effect on the pattern of development in the area. On this matter he concludes the proposal would be an incongruous feature and would be harmful to the character and appearance of the surrounding area, contrary to Policies DE1 and H9 of the CLP.

In looking at living conditions, the Inspector notes that the neighbouring properties have windows which overlook the appeal site and these would be in close proximity to the proposed building. He considers there would be a loss in outlook to neighbouring occupiers as the proposed building is large and would create a dominant expanse of built development which would appear overbearing. Furthermore, he notes that the proposals would have windows to habitable rooms which would overlook windows in neighbouring properties which would compromise privacy for existing and future occupiers and on this matter the Inspector concludes the proposal would have harmful effects on the living conditions of the occupiers of neighbouring properties and future occupiers of the apartments in respect of outlook and privacy, contrary to policies DE1 and H9 of the CLP.

In looking at highway safety, the Inspector notes that 5 parking spaces are proposed within the site. He considers that these would be provided as a convoluted arrangement with angled spaces and insufficient turning space to allow vehicles to exit the site in a forward motion. On this matter the Inspector concludes that the parking area would not be of sufficient size to allow for adequate vehicle manoeuvring which would be likely to result in motorists reversing onto the highway to the detriment of the safety of highway users, thus having a harmful effect on highway safety contrary to Policies AC3 and H10 of the CLP.

The Inspector was not provided with details of a previous permission on the site and considered the proposal on their own merits. Whilst he notes the appellants comments with regard to the sustainable location of the site and viability of the scheme, these matters do not outweigh the harm already identified.

Site Address:	14 John McGuire Crescent
Reference Number:	FUL/2017/3029
Description:	Erection of one dwelling house, with associated landscaping and vehicular access
Decision Level:	Delegated
Decision:	Refused on 27/03/2018
Appeal Decision:	<i>Dismissed on 14/03/2019</i>

Summary of Decision

The main issue is the effect of the proposed dwelling on: the character and appearance of the area; and highway safety having particular regard to visibility and public safety.

No.14 is a two storey dwelling at the end of a terrace of 4 properties. The estate is largely open-plan with few front boundaries and punctuated by areas of open space. The Inspector considers these open spaces and general absence of front

boundaries create gaps in the built form, which contribute positively to the general green, spacious and open character of the estate. The Inspector notes that the appeal site is currently incidental open space that is laid to grass and occupies a prominent corner location between the side of No.14 and the public footpath that leads to Princethorpe Way. The proposal is for a two-storey dwelling on the area of incidental open space to the side of No.14 and would extend the existing terrace, being designed to complement the existing row of houses and estate in general. The Inspector notes that there would be approximately 8m separation distance between the side of the proposed dwelling and the side of the bungalow on the other side of the footpath (No.12) and considers that the siting of the proposed dwelling and associated timber fence would result in the loss of an area of incidental open space that positively contributes to the overall spacious character of the street scene and setting of the public footpath. He considers that the proposal would result in the loss of a valuable visual gap in the built form of the estate and would project beyond the prevailing building line of properties fronting the footpath, concluding that the proposal would result in the loss of an area of visually important incidental open space that would harm the character and appearance of the area, contrary to Policies GE1 and GE2 of the CLP.

In looking at public safety, the Inspector recognises that the proposed timber fence along the side of the appeal site would have the effect of visually narrowing the public footpath, making it look and feel more enclosed. However, he does not consider that pedestrian safety would be at risk or significantly worsened or that the footpath would be enclosed to an unacceptable degree to create a safety risk to pedestrians and in this respect he concludes that the proposal would not be contrary to Policy DE1 of the CLP.

Site Address:	2 Queensland Avenue
Reference Number:	FUL/2018/1805
Description:	Change of use to a 9 bed house in multiple occupation
Decision Level:	Delegated
Decision:	Refusal on 22/08/2018
Appeal Decision:	<i>Dismissed on 14/03/2019</i>

Summary of Decisions

The main issues are: whether the proposal would amount to over-intensification of use and its impact upon the occupiers of neighbouring properties in respect of noise and disturbance; the effect of the development upon on-street car parking demand; and whether sufficient provision would be made for secure and covered cycle storage. The Inspector gives little weight to the appellant's arguments regarding student accommodation as this is not specifically what was applied for.

In looking at living conditions the Inspector notes the fall-back position as a 6-bed HMO which would be permitted development although notes that even this would result in increased comings and goings over that of a similar property occupied by a single family. The Inspector notes that the proposed 9-bed HMO would be a 50% increase in residents compared to the fall-back position and considers that this level of occupancy of an end of terrace dwelling, in an area of high-density

development, on a busy road, would represent over-intensification, mainly due to its already busy location. On this matter the Inspector concludes that the intensified use and occupation of the property by 9 individuals would have a significant detrimental impact upon neighbouring properties from noise and disturbance which would be contrary to Policy H11 of the CLP.

The Inspector notes that on the basis of their site visit, there was evidence of high car parking demand in the immediate area. The appellants argue that in an already busy area, the coming and goings generated by the proposal would be insignificant but the Inspector considered that due to the busy, high density location it is even more important to control further changes which would contribute to further on-street parking pressures. Whilst reference was made to a car parking report, this was not submitted with the appeal so given that there was no justification provided for a departure from the Council's parking standards, on the matter of car parking the Inspector concluded that the proposals failed to accord with the car parking management aims of Policy AC3 and appendix 5 of the CLP.

The appellant argued that the site is close to a bus stop and that a cycle shelter could be provided but the Inspector considered that whilst some residents may use the bus this may not always be the case and it cannot be assumed that residents would be students. Details of cycle parking were not submitted with the application and the Inspector considered that such a matter could not be dealt with by condition in this instance as it could lead to significant loss of outside amenity space.

Site Address:	100 & 102 Hawkes Mill Lane
Reference Number:	HH/2018/1173
Description:	Loft conversion and extended roof at two dwellings (100 & 102 Hawkes Mill Lane)
Decision Level:	Delegated
Decision:	Refusal on 06/07/2018
Appeal Decision:	<i>Dismissed on 14/03/2019</i>

Summary of Decision

The main issues are the effect of the development upon: the character and appearance of the area; and the living conditions of the occupiers of No. 104, 106 and 108 Hawkes Mill Lane in respect of light and outlook.

The application site is a pair of semi-detached bungalows located near the junction with Browns Lane in an area characterised by different types of residential properties. The proposals would retain the existing eaves height to the front elevation with an overall ridge height increase of just over 2m. The Inspector noted that the increase to the roof height as well as the dormer windows would alter the street-scene but given the differing house designs in the area did not consider that this would be unsatisfactory. Furthermore, whilst the extensions would result in substantial alteration to the rear and would dominate the existing property, this would not be visible and therefore the Inspector concludes the proposal would accord with the design, character and appearance aims of Policy DE1 of the CLP.

In looking at the impact on living conditions, the Inspector notes that at the rear of the property the eaves height would increase dramatically, resulting in substantial development in close proximity (around 11m) to primary habitable windows in the adjacent property, 106 Hawkes Mill Lane. She notes that the windows at No.106 that face the appeal site are the only source of light and outlook and the proposal would cause a shading effect and severely limit outlook as well as having a significant enclosing effect. On this matter the Inspector concludes the height and proximity of the proposal to the neighbouring property would have an adverse impact on their living conditions in terms of loss of outlook and a sense of enclosure which would not accord with the amenity aims outlined in the SPG, which seeks to ensure an acceptable degree of outlook and visual amenity is maintained and to prevent extensions being overbearing to occupiers of neighbouring properties.

The appellant offered to amend the proposed ridge height of the development but that was not what was considered at the application stage and whilst it was noted that there were no objections to the scheme from neighbouring occupiers, this does not alter the Inspectors conclusion that the proposal would have a significant detrimental impact on current and future occupiers of the neighbouring property.

Site Address:	4 Thimbler Road
Reference Number:	FUL/2018/0488
Description:	Change of use of a dwellinghouse into 8 bedroom House in Multiple Occupation (HMO, sui generis) (retrospective application) revised submission
Decision Level:	Delegated
Decision:	Refusal on 17/04/2018
Appeal Decision:	<i>Allowed on 21/03/2019</i>

Summary of Decision

The main issue is whether the proposal represents over-intensification of the use of the property, which would in turn cause detriment to the living conditions of the occupiers of neighbouring properties. The house has been used as an HMO since August 2017 but there are some discrepancies over the descriptions and details and the appeal is considered on the basis of the plans which show an 8-bed HMO.

The appeal site is a two-storey, extended, semi-detached property in a residential area characterised by open landscaped frontage set back from the highway with limited direct vehicular access. The Inspector does not consider, that based on the occupancy of 8 people, this would increase noise and disturbance through separate 'comings and goings' although does acknowledge that the pattern of behaviour of occupants of HMO's is generally different from families. However, HMO's of up to 6 occupants are permitted development and the Inspector does not consider that an additional 2 people are likely to create a notable difference in activity and on this matter concludes that the use would not cause material harm to neighbours and therefore would not be contrary to Policy H11 of the CLP.

The Inspector considers the character of the area and is satisfied that a cycle store can be accommodated at the rear of the property and whilst not in a prominent or accessible location does not consider this matter carries sufficient weight to warrant refusal. She also gives little weight to the Council's comments that the lack of parking could result in parking on landscaped verges in the area as a parking survey demonstrates sufficient parking and there are no highway objections to the development.

The Inspector concludes that there is no conflict with Policy H11, AC3 and appendix 5 of the CLP and the appeal is allowed with conditions imposed in respect of: development being maintained in accordance with the plans; restriction in the number of occupants to 8; and a requirement to provide cycle parking.

Site Address:	4 Queensland Avenue
Reference Number:	FUL/2018/1638
Description:	Change of use to nine bedroom HMO
Decision Level:	Delegated
Decision:	Refused on 13/08/2018
Appeal Decision:	<i>Dismissed on 27/03/2019</i>

Summary of Decision

The appeal is considered on the basis that the proposal is for an open 9-bed HMO and not specifically student accommodation. The main issues are the effect of the proposed development on: the living conditions of existing neighbouring occupiers; on street car parking demand; and whether sufficient provision would be made for secure and covered cycle storage.

In looking at living conditions the Inspector notes the fall-back position as a 6-bed HMO which would be permitted development although notes that even this would result in increased comings and goings over that of a similar property occupied by a single family. The Inspector notes that the proposed 9-bed HMO would be a 50% increase in residents compared to the fall-back position and considers that this level of occupancy of an end of terrace dwelling, in an area of high-density development, on a busy road, would represent over-intensification, mainly due to its already busy location. On this matter the Inspector concludes that, despite that lack of objection, the intensified use and occupation of the property by 9 individuals would have a significant detrimental impact upon neighbouring properties from noise and disturbance which would be contrary to Policy H11 of the CLP.

The Inspector noted that on the basis of their site visit, there was evidence of high car parking demand in the immediate area. Due to the busy, high density location, she considers it is even more important to control further changes which would contribute to further on-street parking pressures. Whilst reference was made to car parking report, this was not submitted with the appeal so given that there was no justification provided for a departure from the Council's parking standards, on the matter of car parking the Inspector concluded that the proposals failed to accord with the car parking management aims of Policy AC3 and appendix 5 of the CLP.

The appellant argued that the site is close to a bus stop and that a cycle shelter could be provided but the Inspector considered that whilst some residents may use the bus this may not always be the case and it cannot be assumed that residents would be students. Details of cycle parking were not submitted with the application and the Inspector considered that such a matter could not be dealt with by condition in this instance as it could lead to significant loss of outside amenity space.

Site Address:	74a Nailcote Avenue
Reference Number:	OUT/2018/1290
Description:	Outline application for erection of a new dwelling (with access and layout submitted)
Decision Level:	Delegated
Decision:	Refused on 18/07/2018
Appeal Decision:	<i>Dismissed on 01/04/2019</i>

Summary of Decision

The main issues are: whether the proposal is inappropriate development in the Green Belt; the effect of the proposal on the character of the area; and if the proposal is inappropriate, whether any harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings should be regarded as inappropriate development unless falling within the exceptions list within para.145.

The appeal site is an area of land to the rear of properties on Nailcote Ave, currently occupied by a detached garage with access track onto Duggins Lane, with the rest of the appeal site being primarily open land and rural in character. The Inspector notes that whilst there is some dispute as to whether the proposed dwelling would be located within the Green Belt, it is clear that the access and most of the proposed residential curtilage would be in the Green Belt. He notes that the proposed access and residential curtilage would not fall within one of the exceptions in para.145 but the material change of use of the land requires assessment in terms of whether openness would be preserved.

The Inspector considers that visual impact forms part of the concept of openness in the Green Belt and the site is visible from Duggins Lane and that domestic paraphernalia along with more comings and goings and vehicles parked within the curtilage would have a more intense visual impact on the openness of the area and therefore on this matter concludes that the proposal would be inappropriate development in the Green Belt in conflict with Policy GB1 of the CLP.

In looking at character, the Inspector notes that the immediate area to the appeal site is characterised by residential properties which front onto roads and whilst individual properties vary in design and size, the pattern of development in the area

remains uniform in linear fashion. He considers that the proposed dwelling to the rear of 74A would be at odds with the existing pattern of development in the immediate area as although there are a number of single storey incidental buildings to the rear, the proposed two storey development would be a large incongruous feature not in keeping with other structures and would be harmful to the character of the area contrary to Policies DE1, DS3 and H3 of the CLP.

The Inspector concludes that the proposal would be inappropriate development in the Green Belt and the NPPF establishes that substantial weight should be given to any harm to Green Belt land. In addition, the scheme would also have a harmful effect on the character of the area. The proposal for a new dwelling would not adversely compromise living conditions or highway safety and would be the development of previously developed land in a sustainable location which are benefits. However, in balancing these considerations against the harm identified he considers that the benefits would not clearly outweigh the harm that the scheme would cause and the very special circumstances necessary to justify inappropriate development do not exist.

Site Address:	1A Brandon Lane
Reference Number:	FUL/2018/0943
Description:	Change of use of the land to create additional car parking space and erection of boundary fence (retrospective application)
Decision Level:	Delegated
Decision:	Refused on 24/07/2018
Appeal Decision:	<i>Dismissed on 08/04/2019</i>

Summary of Decision

The main issues are: whether the appeal scheme is inappropriate development in the Green Belt; and if the development is inappropriate, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

The NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. New buildings should be regarded as inappropriate development unless falling within the exceptions list within para.145. Para. 146 states that certain other forms of development, which include material changes in the use of land, re not inappropriate provided they preserve openness and do not conflict with the purpose of including land within the Green Belt.

The appeal site is a rectangular parcel of land that has been surfaced with loose stones to accommodate car parking and bounded by a timber fence. The hardstanding and fence are operational development that do not fall within one of the exceptions and therefore the assessment is whether the openness of the Green Belt is preserved.

The Inspector notes that although the car park is modest in size and not visible from wider public views, it is prominent when viewed in closer proximity and the fence is a solid man made structure where one did not previously exist, thus reducing openness to a limited degree. Furthermore, The Inspector considers that the hardstanding facilitates the parking of vehicles that, whilst not constituting an act of development in itself, adds to the loss of openness on an intermittent basis when the car park is in use. He concludes that the development is inappropriate development in the Green Belt and as such conflicts with Policy GB1 of the CLP and Para. 145 of the NPPF.

Whilst it is suggested that the additional car parking is required by the Penderel Trust who occupy the offices, the Inspector notes that there is no robust evidence to demonstrate how many spaces are genuinely required or the implications of having insufficient on-site parking and therefore there are no very special circumstances that would outweigh the Green Belt harm.

Site Address:	51 Bulls Head Lane
Reference Number:	FUL/2018/0613
Description:	Erection of a dwelling
Decision Level:	Delegated
Decision:	Refused on 25/06/2018
Appeal Decision:	<i>Dismissed on 09/04/2019</i>

Summary of Decision

The main issues are: the effect of the development on the character and appearance of the surrounding area, with particular regard to siting and design; and whether the proposal would provide an adequate standard of living accommodation for future occupiers.

The appeal site is a narrow triangular plot of land to the side of 51 Bulls Head Lane which is currently used as a hot food takeaway. The site forms a gap between no. 51 and no.49, which is a two storey detached house. The Inspector considers that given the shape of the appeal site the proposed two storey house would have a very uncomfortable relationship with no.49 as it would be built up to the common boundary and forward of the building line of no.49. Although he recognises that the proposed dwelling has been set back from 51 with a lower ridge height, he considers the design to be contrived filling all the available space, which is particularly evident at the rear where the elevation is little more than the width of a door opening. The Inspector notes that on this corner at the junction of Bulls Head Lane and Biggin Hall Crescent, properties are generally detached with reasonable gaps between them and although there are terraced properties in the surrounding area, in this corner location he considers it would be in incongruous form of development and have an adverse impact on the spacious character.

On the matter of design the Inspector concludes that the proposed development would be very prominent, particular when viewed from the Bulls Head Lane corner and whilst reasonably localised in its extent, the effect of the siting and design

would be to have an adverse impact on the street scene and therein the character and appearance of the area, contrary to Policies DE1 and H9 of the CLP.

In looking at living conditions, the Inspector notes that due to the triangular shape of the site, the internal layout would be compromised and considers room sizes would be small and cramped, providing an unsatisfactory standard of living accommodation. Furthermore, both front and rear gardens would be unusually close to the adjoining takeaway and the garden in particular would be directly overlooked.

The Inspector does not consider that restricting occupancy to a person engaged in the operation of the takeaway would overcome his concerns regarding the standard of residential accommodation and concludes that the proposal would be contrary to policy H3 and DE1 of the CLP as it would have an adverse impact on the character and appearance of the area and would not provide satisfactory living conditions for future occupiers.

Site Address:	5 Davenport Road
Reference Number:	FUL/2018/0776
Description:	Extension to detached garage and change of use to create single bedroom house
Decision Level:	Delegated
Decision:	Refused on 18/05/2018
Appeal Decision:	<i>Dismissed on 10/04/2019</i>

Summary of Decision

The appeal is determined on the basis of the plans considered by the Council and not the revised redline location submitted with the appeal. The main issue is whether the proposal would preserve or enhance the character or appearance of the Kenilworth Road Conservation Area.

The Inspector notes a previous appeal decision which recognised that the site lies within the Kenilworth Road Conservation Area where the majority of housing comprises substantial detached dwellings set in large gardens giving the area a spacious and varied appearance and concurs with these observations.

In looking at the appeal, the Inspector notes that the building to be converted is a modest detached gable roof garage, subservient to the adjacent host property which is large detached inter-war dwelling which has since been converted to 2 apartments although still appears as a large single dwelling sitting in a generous plot.

There is no issue with the design of the rear garage extension, but notwithstanding this, the Inspector notes the proposal would still result in the creation of a small dwelling in a subservient garage building that lacks the height, size and scale of the prevailing larger dwellings in the immediate vicinity.

There is some discrepancy over the front elevation treatment and the Inspector considers this matter of the front elevation design to be too fundamental to the proposals to be dealt with by way of condition. Moreover, he notes this does not address the issue of the subdivided plot, which results in an uncharacteristic narrow plot which would not be in keeping with the prevailing pattern of large houses on spacious plots. He agrees with the previous Inspector that the proposal would “erode the spacious character and the predominant plot pattern of the CA” and gives little weight to the conversion of a detached outbuilding at no.10 as considers this has less significance in the street scene and is not directly comparable.

The Inspector concludes that the proposal conflicts with Policy DE1 of the CLP which seeks to ensure development proposals respect and enhance their surrounding and physical context, positively contributing to the character of the area. It is also in conflict with Policy HE2 which expects development proposal to conserve and where appropriate enhance the distinctive elements of Coventry’s recognised historic environment, including its designated Conservation Areas.

Site Address:	651 Foleshill Road
Reference Number:	FUL/2018/0930
Description:	Erection of a new shop canopy and security shutters
Decision Level:	Delegated
Decision:	Refused on 26/06/2018
Appeal Decision:	<i>Dismissed on 17/04/2019</i>

Summary of Decision

The main issue is the design of the proposed development and its effect on the character and appearance of the area.

The application site is a traditional built semi-detached property with grocers shop at ground floor, which currently has a retractable canopy over the forecourt that is used for the display of fruit and vegetables. The other half of the semi (no.649) is also a shop unit at ground floor. Either side of these two retail units are residential houses (no.’s 653-655 and 645-647) with the Foleshill Road designated shopping centre located further to the south.

The Inspector notes that the character and appearance of the area is that of a densely built urban setting with most properties being of traditional design, typically set back from the street behind forecourts with the building frontages generally forming a uniform line running parallel to the street and considers that the character of this stretch of Foleshill Road between Queen Mary’s Road and Ransom Road differs from the character of the designated shopping centre to the south.

The proposed extension would be a flat roofed canopy supported by two pillars to the front and with roller shutters to form the front and side, extending out 3.1m and spanning the full shop width. The Inspector notes that there are no similar forward extension in this stretch of Foleshill Road and considers the crude, boxy design

would appear as an incongruous feature in the street scene. He accepts that during trading hours the shutters would be retracted to allow for produce displays but at other times when the shutters are closed considers the structure would appear unattractive and severe. Whilst there are similar forward extensions within the defined Foleshill Road centre, the Inspector does not consider these directly comparable to the appeal proposal, which would stand out as an isolated and prominent feature in this section of the street and concludes that the appeal would harm the character and appearance of the area in conflict with Policy DE1 of the CLP.

Site Address:	8 Station Avenue
Reference Number:	S73/2018/0583
Description:	Variation of condition 2 – to extend opening hours: imposed on planning permission FUL/2016/2113 for change of use from retail (A1) to café-take-away (A3 and A5), external extraction flue, alterations to shop front and raised planter granted on 30/09/2016
Decision Level:	Planning Committee
Officer recommendation:	To refuse to grant planning permission
Decision:	Refused on 14/06/2018
Appeal Decision:	Dismissed on 17/07/2019

Summary of Decision

The main issue is the effect that varying the opening hours would have on the living conditions of the occupiers of 10 Station Avenues with regard to noise and disturbance.

The premises are trading as a hot food takeaway with restricted hours up until 18:00 hrs Mon—Sat and up to 16:00 hrs on a Sunday. The appeal seeks to extend these hours until 22:00 Mon-Sat and 22:30 on Sundays and Bank Holidays. The premises are in the middle of a terrace of 3 properties. No.10 at the end of the terrace is a dwellinghouse and no.'s 6 and 8 are within a defined local centre.

The inspector notes that no.10 is a relatively small dwelling with comparatively large windows in its front elevation and considers that the close proximity with No.10 means that there would be potential for the occupiers to be disturbed by noise associated with comings and goings, particularly during the evening period when background noise levels would be expected to be lower and that the only practical way of ensuring the occupiers of no.10 would not be subjected to unacceptable levels of noise disturbance would be to preclude use of the premises after 18:00 hours.

Furthermore, the Inspector notes that the rear kitchen door of the appeal premises is close to ground floor patio doors and first floor windows at no.10 and considers there would be potential for the kitchen's use during the evening to be a source of noise disturbance, particularly if the kitchen door were left open and that a condition requiring the door to be kept closed could create unacceptable working conditions within a commercial kitchen. The potential for a home delivery service

does not address the Inspectors concerns as he considers that this would generate its own delivery driver disturbance and activity and noise arising from the use of the kitchen would be unaffected by a delivery service.

The Inspector concludes that although the appeal site is within a defined local centre where Policy R6 of the CLP allows hot food takeaways, this is only where they would not result in significant harm to the amenity of nearby residents. He considers that extending the opening hours would result in significant harm to the living conditions of the occupiers of no.10 and whilst there are other commercial uses within the local centre with later opening hours, none have such a close relationship with a dwellinghouse and therefore are not directly comparable. The Inspector considers the proposals to extend the opening hours would unacceptably affect the living conditions of the occupiers of no.10 because of the noise and disturbance they would experience which would be contrary to Policy R6 as the extended opening hours would result in significant harm to the living conditions of nearby residents.

Site Address:	6 Harvest Hill Cottages
Reference Number:	HH/2018/1181
Description:	Erection of wooden outbuilding for use as a home office (retrospective)
Decision Level:	Delegated
Decision:	Refused on 19/07/2018
Appeal Decision:	<i>Dismissed on 23/04/2019</i>

Summary of Decision

The main issues are: whether the development constitutes inappropriate development in the Green Belt having regard to the NPPF and any relevant development plan policies; the effect of the development on the openness of the Green Belt and the purpose of including land within it; the effect of the development on the character and appearance of the area; and if the development does constitute inappropriate development in the Green Belt, whether the harm by reason of inappropriateness is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify development.

No.6 is a semi-detached dwelling which is one of four pairs of similar properties that form a small ribbon of development within the Green Belt. The Inspector notes that there are other properties in the vicinity but considers the character of the area to be distinctly rural. The development is a timber outbuilding used as a home office and located just behind the front boundary. Para. 143 of the NPPF states that inappropriate development is by definition harmful. The construction of new buildings is inappropriate unless one of the specified exceptions. Exception e) allows for the 'extension or alteration of a building' provided that it does not result in disproportionate additions over and above the size of the original building and the Inspector notes that although new ancillary buildings are not specifically covered by this exception, case law has established that domestic outbuilding may be regarded as an extension to a dwelling provided it forms a normal and domestic adjunct. However, in this case the Inspector considers the siting and nature of the

building, along with its spatial and functional separation from the house, is such that it cannot be treated as being an extension to the dwelling and he concludes that the development is therefore inappropriate.

In looking at openness, the Inspector notes that the development is located in the front garden of the house which is otherwise open and free of development, with the front of neighbouring properties also being substantially free of development thus contributing to the openness of the Green Belt. Although the structure is relatively modest and screened from public views the Inspector concludes that due to its size and location unrelated to existing built development, it would materially reduce the openness of the Green Belt.

In looking at character and appearance the Inspector notes that the development currently has a limited effect on the streetscene as it is screened from most public viewpoints by boundary hedges. However, he sees no guarantee that existing boundaries would be retained and a condition could not be imposed to ensure this as the hedging is outside the application site. The Inspector considers that if the screening were to be reduced or removed, the building would appear prominent and a rather out of place intrusion. He concludes that its prominent forward siting and relatively utilitarian design would not conform with the principles of good design required by policy DE1 of the CLP and although the development presently causes limited harm to the character and appearance of the area, that harm could increase if existing boundary treatments were reduced or removed.

The Inspector concludes that the development constitutes inappropriate development in the Green Belt and would erode its openness, contrary to Policy GB1. He finds that there would be some limited harm to the character and appearance of the area contrary to Policy DE1 and that development would not deliver and significant social, economic or environmental benefits that would constitute the very special circumstances to outweigh the harm to the Green Belt identified.

Site Address:	9 Queen Isabels Avenue
Reference Number:	FUL/2018/1582
Description:	Proposed conversion of single property to two properties (Retrospective)
Decision Level:	Delegated
Decision:	Refused on 25/09/2018
Appeal Decision:	<i>Dismissed on 29/04/2019</i>

Summary of Decision

The main issues are: the effect of the development upon on-street car parking demand; whether sufficient provision could be made for secure and covered cycle storage; and whether sufficient private amenity space can be provided for both dwellings.

The appeal site is a semi-detached property at the corner of Queen Isabels Avenue and Lichfield Road that has a former garage which benefits from consent

for its use as an annex. The main property has been converted into two flats. The Inspector notes that there is a large volume of vehicular activity on Queen Isabels Avenue with relatively high demand for on road parking and restrictions on Lichfield Road to permit holders only. The appellant contends that for 9A there is sufficient space for 3 vehicles to park but the Inspector notes that the plans fail to demonstrate how vehicles could manoeuvre into the site and park and that vehicles would have to enter the site at angle between the corner of the annex and the brick boundary wall and considers that this, combined with a busy pedestrian area by a bus stop would pose a risk to pedestrian safety.

The Inspector notes that on a previous appeal it was accepted that vehicles could park safely in this location and that there were no highway objections, but considers this to be a materially different scheme as the subdivision of no.9 would increase, arguably double, the demand for parking in this location and concludes on this matter that the based on the evidence, the proposal fails to comply with parking standards within Appendix 5 and Policy AC3 of the CLP.

Details of cycle storage were not provide and the Inspector considered in this instance that the matter could not be dealt with by condition it would not allow for consideration as to whether cycle storage would lead to further loss of outdoor amenity space. The plans show no more than 20 sq.m of amenity space for no.9 and no private amenity space for no.9A and therefore on this the Inspector concludes that the proposal would offer future occupiers no private garden space due to the over-intensive use of the site, resulting in unacceptable subdivision contrary to Policy H3 of the CLP.

Site Address:	214 London Road
Reference Number:	HH/2018/0609
Description:	Proposed installation of footway crossing for vehicular access and driveway
Decision Level:	Delegated
Decision:	Refused on 29/05/2018
Appeal Decision:	<i>Dismissed on 30/04/2019</i>

Summary of Decision

The main issues are the effect of the development on: highway safety; and the character and appearance of the area.

The appeal site is a mid-terraced property fronting London road which is a dual carriageway. It has a foregarden with pedestrian access to the front and vehicular access via a shared private drive to the rear. London Road is subject to parking restrictions and there is a line of bollards to prevent vehicles crossing onto the footpath and grass verge. The Inspector notes that the foregarden is of sufficient size to accommodate a vehicle but not deep or wide enough to allow such a vehicle to turn and leave in a forward direction. Consequently, he considers drivers would have to reverse either into or out of the site which would be a hazardous manoeuvre due to the curve of this busy main road and interference with visibility from trees. The appellants comments about the existing rear access lane are noted

but the Inspector concludes that the provision of a new access onto a heavily trafficked main road would impact on the safety of road user, contrary to Policy AC2 of the CLP.

On the matter of character and appearance, the Inspector notes that although there have been individual changes in other parts of the road, these have not eroded the overall appearance of an area defined by the consistent line of housing with pedestrian accessed foregardens enclosed by dwarf brick walls. He considers that these frontages, combined with the wide footway and grassed verge with trees contribute to the essentially suburban character of the location and that this would be harmed by the loss of fabric (the wall) and the introduction of additional hard paved surfaces which would be contrary to Policy DE1 of the CDP.

The Inspector does not consider that the reference to health as a justification of need is sufficient to outweigh the harm identified.

PLANNING APPEAL PROGRESS REPORT – SUMMARY TABLE

CURRENT APPEALS LODGED

Application Reference & Site Address	Case Officer	Type	Proposal	Progress & Dates
TP/2017/1283 3 Staircase Lane	<i>Robert Penlington</i>	Written Representations	Oak tree – shorten x12 low branches by 4m from dwellings 1 & 3 Staircase Lane	Lodged date: 04/01/2018 Start date: 04/01/2018 Questionnaire: 31/01/2018
ADV/2018/2010 OS The Richard Crossman Building Jordan Well	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged Date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2011 OS Cosy Club Cathedral Lanes Shopping Centre	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2012 Lady Godiva News Broadgate	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2013 Primark Stores Broadgate	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
AVI/2018/2014 2-10 Trinity Street	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019

ADV/2018/2015 Coventry Transport Museum Hales Street	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2016 3 Trinity Street	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2017 2 Cross Cheaping	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2018 40-44 The Precinct	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
ADV/2018/2019 25 Upper Precinct	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
ADV/2018/2020 W H Smith Smithford Way	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2021 1 Bull Yard	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
ADV/2018/2022 14-16 Market Way	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
ADV/2018/2023 10-12 Market Way	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date

ADV/2018/2024 Carphone Warehouse Market Way	Mary-Ann Jones	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
ADV/2018/2025 30 Market Way	Mary-Ann Jones	Written Representations	Installation of a freestanding single –sided internally-illuminated digital display screen in association with telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
TELO 2018/1993 Outside The Richard Crossman Building Jordan Well	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/1994 Outside Cosy Club Cathedral Lanes Shopping Centre	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/1995 Os Lady Godiva News Broadgate	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/1996 Adj Primark Broadgate	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/1997 Adj The Flying Standard Trinity Street	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 09/04/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/1999 3 Trinity Street	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/2000 Os Blue Arrow Cross Cheaping	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/2001 Os JD Sports 40-44 The Precinct	Mary-Ann Jones	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date

TELO/2018/2002 Os Clintons Cards 25- 27 Upper Precinct	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
TELO/2018/2003 OS WH Smith Smithford Way	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/2004 Adj Pravha Bull Yard	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
TELO/2018/2005 Adj Halifax 14 Market Way	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
TELO/2018/2006 IFO Poundland Market Way	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
TELO/2018/2007 Adj Carphone Warehouse Market Way	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
TELO/2018/2008 OS Max Mobility 30 Market Way	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 31/10/2018 Awaiting start date
ADV/2018/2026 36-42 Corporation Street	<i>Mary-Ann Jones</i>	Written Representations	Installation of a freestanding single-sided internally illuminated digital display screen in association with telephone kiosk	Lodged date: 01/11/2018 Start date: 23/04/2019

TELO/2018/1998 Opp pool Meadow Bus Station Hales Street	<i>Mary-Ann Jones</i>	Written Representations	Prior approval for the installation of ground based electronic communications apparatus comprising a freestanding digital display screen and telephone kiosk	Lodged date: 01/11/2018 Start date: 27/03/2019 Questionnaire/statement date: 01/05/2019
FUL/2018/1549 62 Northumberland Road	<i>Shamin Chowdhury</i>	Written Representations	Change of use from a small scale house in multiple occupation (6 bed, use class C4) to a large scale house in multiple occupation (7 bed, sui generis) and retention of rear dormer in a modified form (retrospective application)	Lodged date: 05/11/2018 Start date: 08/02/2019 Questionnaire/Statement: 15/01/2019
FUL/2018/1796 76 Bransford Avenue	<i>Liam D'Onofrio</i>	Written Representations	Proposed change of use from a dwellinghouse to five self-contained flats (four x one bedroom and one x two-bedroom) for student accommodation (retrospective)	Lodged date: 27/11/2018 Start date: 24/12/2018 Questionnaire/statement: 03/01/2019
FUL/2018/1423 1 Grenville Avenue	<i>Ayesha Saleem</i>	Written Representations	Erection of a dwellinghouse	Lodged date 02/01/2019 Start date: 23/04/2019 Questionnaire/statement: 29/04/2019
OUT/2017/1071 28 and land to rear Tallants Road	<i>Nigel Smith</i>	Written Representations	Demolition of 28 Tallants Road, new access and erection of 11 dwellings on land to rear 9outline application with access and layout submitted)	Lodged date 03/01/2019 Start date:18/01/2019 Questionnaire/Statement: 24/01/2019
FUL/2018/2432 2 Pennington Way	<i>Ayesha Saleem</i>	Written Representations	Erection of two flats	Lodged date 17/01/2019 Start date: 06/02/2019 Questionnaire/statement: 18/02/2019
FUL/2018/3298 77 Humber Avenue	<i>Shamim Chowdhury</i>	Written Representations	Change of use from existing retail (use class A1) to hot food takeaway (use class A5), new shopfront and extraction flue	Lodged date 01/02/2019 Start date:25/02/2019 Questionnaire/Statement: 04/03/2019

FUL/2018/3452 89 Windmill Road	<i>Liam D'Onofrio</i>	Written Representations	Change of use of former public house to 11 Bed House in Multiple Occupation	Lodged date 28/02/2019 Start date: 18/03/2019 Questionnaire/statement: 25/03/2019
FUL/2018/3300 47A Mayfield Road	<i>Emma Spandley</i>	Written Representations	Change of use of existing ground floor shop (Use Class A1) and existing living accommodation (Use Class C3) into 2no. houses in multiple occupation (Use Class C4) (Retrospective).	Lodged date: 01/03/2019 Awaiting start date
FUL/2018/3282 89 Far Gosford Street	<i>Mary-Ann Jones</i>	Written Representations	Erection of second storey to existing building and the creation of 1No 3-bedroomed residential flat	Lodged date: 08/03/2019 Start date: 25/03/2019 Questionnaire/statement: 02/04/2019
HH/2018/1867 125A Beechwood Avenue	<i>Shamim Chowdhury</i>	Written Representations	Demolition of existing outbuilding and erection of ancillary accommodation to existing bungalow	Lodged date: 14/03/2019 Start date: 04/04/2019 Questionnaire/statement: 15/04/2019
FUL/2017/2140 71 and 71A Chandos Street	<i>Liam D'Onofrio</i>	Written Representations	Timber fence installation along the front and side. (Retrospective)	Lodged date: 25/03/2019 Start date: 03/04/2019 Questionnaire/statement: 05/04/2019
FUL/2018/1351 Coventry Saracens Fc Bredon Avenue	<i>Liam D'Onofrio</i>	Written Representations	Construction of hardsurface for use as car park	Lodged date: 04/04/2019 Start date: 23/04/2019 Questionnaire/statement: 01/05/2019
HH/2019/0215 70 Torbay Road	<i>Holika Bungre</i>	Written Representations	Erection of single storey rear extension	Lodged date: 04/04/2019 Awaiting start date

TP/2019/0153 The Stables Park Hill	<i>Robert Penlington</i>	Hearing	Trees T1-T14 – Fell.	Lodged date: 11/04/2019 Start date: 11/04/2019 Questionnaire date: 25/04/2019
HH/2019/03001 1 Fosseway Road	<i>Joshua Veeranna</i>	Written Representations	Extension of a dropped kerb for vehicular access	Lodged date: 11/04/2019 Awaiting start date

APPEAL DECISIONS RECEIVED

Application Reference Site Address	Case Officer	Type	Proposal	Appeal Decision & date
OUT/2017/3159 Land Between 57 and 71 Berry Street	<i>Anne Lynch</i>	Written Representations	Erection of 22 self-contained student apartments with en suites and associated parking. Outline application discharging access with all other matters reserved.	Decision : DISMISSED 08/03/2019 decision type: <i>Delegated</i>
FUL/2017/3029 14 John McGuire Crescent	<i>Mary-Ann Jones</i>	Written Representations	Erection of one dwelling house, with associated landscaping and vehicular access	Decision : DISMISSED 14/03/2019 decision type: <i>Planning Committee</i>
FUL/2018/1805 2 Queensland Avenue	<i>Nigel Smith</i>	Written Representations	Change of use to a 9 bed house in multiple occupation	Decision : DISMISSED 14/03/2019 decision type: <i>Delegated</i>
HH/2018/1173 100 & 102 Hawkes Mill Lane	<i>Shamim Chowdhury</i>	Written Representations	Loft conversion and extended roof at two dwellings (100 & 102 Hawkes Mill Lane)	Decision : DISMISSED 14/03/2019 decision type: <i>Delegated</i>
Ful/2018/0488 4 Thimble Road	<i>Shamim Chowdhury</i>	Written Representations	Change of use of a dwellinghouse into 8 bedroom House in Multiple Occupation (HIMO, sui generis) (retrospective application) revised submission	Decision : ALLOWED 21/03/2019 decision type: <i>Delegated</i>
FUL/2018/1638 4 Queensland Avenue	<i>Liam D'Onofrio</i>	Written Representations	Change of use to nine bedroom HMO	Decision : DISMISSED 27/03/2019 decision type: <i>Delegated</i>
OUT/2018/1290 74a Nailcote Avenue	<i>Ayesha Saleem</i>	Written Representations	Outline application for erection of a new dwelling (with access and layout submitted)	Decision : DISMISSED 01/04/2019 decision type: <i>Delegated</i>

FUL/2018/0943 1A Brandon Lane	<i>Shamim Chowdhury</i>	Written Representations	Change of use of the land to create additional car parking space and erection of boundary fence (retrospective application)	Decision : DISMISSED 08/04/2019 decision type: <i>Delegated</i>
Ful/2018/0613 51 Bulls Head Lane	<i>Shamim Chowdhury</i>	Written Representations	Erection of a dwelling	Decision : DISMISSED 09/04/2019 decision type: <i>Delegated</i>
FUL/2018/0776 5 Davenport Road	<i>Ayesha Saleem</i>	Written Representations	Extension to detached garage and change of use to create single bedroom house	Decision : DISMISSED 10/04/2019 decision type: <i>Delegated</i>
FUL/2018/0930 651 Foleshill Road	<i>Shamim Chowdhury</i>	Written Representations	Erection of a new shop canopy and security shutters	Decision : DISMISSED 17/04/2019 decision type: <i>Delegated</i>
S73/2018/0583 8 Station Avenue	<i>Anne Lynch</i>	Written Representations	Variation of condition 2 – to extend opening hours: imposed on planning permission FUL/2016/2113 for change of use from retail (A1) to café-take-away (A3 and A5), external extraction flue, alterations to shop front and raised planter granted on 30/09/2016	Decision : DISMISSED 17/04/2019 decision type: <i>Planning committee</i>
HH/2018/1181 6 Harvest Hill Cottages Oak Lane	<i>Shamim Chowdhury</i>	Written Representations	Erection of wooden outbuilding for use as a home office (retrospective)	Decision : DISMISSED 23/04/2019 decision type: <i>Delegated</i>
FUL/2018/1582 9 Queen Isabels Avenue	<i>Liam D'Onofrio</i>	Written Representations	Proposed conversion of single property to two properties (Retrospective)	Decision : DISMISSED 23/04/2019 decision type: <i>Delegated</i>
HH/2018/0609 214 London Road	<i>Shamim Chowdhury</i>	Written Representations	Proposed installation of footway crossing for vehicular access and driveway	Decision : DISMISSED 30/04/2019 decision type: <i>Delegated</i>