

Planning Committee Report	
Planning Ref:	FUL/2017/0560
Site:	12 Brill Close
Ward:	Wainbody
Applicant:	Mr Wei Huang
Proposal:	Extensions and alterations to dwellinghouse and formation of two self-contained studio flats
Case Officer:	Liam D'Onofrio

SUMMARY

The application proposes to create two self-contained one-bedroomed flats within the existing dwellinghouse. The scheme includes a single storey rear extension and fenestration changes.

KEY FACTS

Reason for report to committee:	Councillor Sawdon has requested that the application be determined at Planning Committee.
Current use of site:	Dwellinghouse within a C4 Use Class (a house in multiple occupation for up to six persons).
Proposed use of site:	Dwellinghouse within a C4 Use Class (a house in multiple occupation for up to six persons) and two self-contained one-bedroom flats.

RECOMMENDATION

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

REASON FOR DECISION

1. The proposal will not harm the character of dwellinghouse or the visual amenity of the area.
2. The proposal will not adversely impact upon highway safety.
3. The proposal will not adversely impact upon the amenity of neighbours.
4. The proposal accords with Policies OS4, H4, H6, BE2, AM12 and AM22 of the Coventry Development Plan 2001, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

Planning permission is sought to create two self-contained flats by converting the side garage and adjoining room within the single-storey elements of the existing dwellinghouse. The proposals include a rear single-storey extension measuring 7.5 metres wide by 1.2 metres deep and matching the pitch of the cat-slide roof over the existing reception area and fenestration changes to the elevation fronting Brill Close. Each flat will have a main bedroom with separate kitchen area and en-suite.

SITE DESCRIPTION

The application site relates to a detached dwellinghouse occupying a corner plot located on the northwest side of Brill Close and west of De Montfort Way. The dwelling is surrounded by residential dwellings, with Cannon Park District Centre approximately 150 metres away to the north. At the end of Brill Close to the west lies Green Belt.

The building to which the application relates is a single and two storey brick built pitched roofed building with a distinctive design that includes a cat-slide roof and valley with a mono-pitch rising back up over the side garage.

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/2015/4339	Change of Use to 8 bedroom HMO	Refused 11/02/16 Appeal – Dismissed

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF published in March 2012 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 Development Plan 2001 (CDP) relevant policy relating to this application is:

- Policy OS4 - Creating a more sustainable city
- Policy EM5 - Pollution protection strategy
- Policy H1 - People and their housing needs
- Policy H6 – Conversion to Multiple Occupation
- Policy BE2 - The principles of urban design

Policy BE21 - Safety and security
Policy AM12 - Cycling in new developments
Policy AM22 - Road safety in new developments

Emerging Policy Guidance

The Draft Local Plan 2016 to 2031 has been submitted to the Inspectorate, examination hearings and consultation on modifications has concluded and the Inspectors report is currently awaited. Whilst the policies do not hold significant weight at this time, they will gain weight as the local plan continues through the process. Policies within the draft local plan that are relevant include:

Policy DE1 – Ensuring High Quality Design
Policy AC1 – Accessible Transport Network
Policy H3 – Provision of new housing
Policy H4 – Securing a mix of housing
Policy H11 – Homes in multiple occupation
Policy AC4 – Walking and cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development.
SPG Extending Your Home.
SPD Delivering a more sustainable city.

CONSULTATION

No Objections have been received from:
Ecology
Environmental Protection Officers (CCC)
Highways (CCC)

Immediate neighbours and local councillors have been notified; a site notice was posted on 07/04/17.

Councillor Sawdon has requested that the application be determined at Planning Committee if recommended for approval.

Objections have been received from three local residents and Cannon Park Resident's Association raising the following material planning considerations:

- a). Car parking concerns/cycle parking needed
- b). University of Warwick should provide its own student accommodation.
- c). Cumulative impact of HMOs in area/changing of area's demographics.
- d). Scheme amounts to a block of flats.
- e). Concerns regarding litter/bins/untidy land -examples of this at existing HMOs on the estate.
- f). A Student Management Plan is suggested.
- g). Noise
- h). The property currently has seven bedrooms.

Any further comments received will be reported within late representations.

APPRAISAL

The main issues in determining this application are principle of development, design, impact upon neighbouring amenity and highway considerations.

Principle of development

Policy H6 of the CDP states that proposals for conversions to, enlargement or alteration of houses in multiple occupation will be considered on the basis of:

- The size and character of the property;
- The facilities available for car parking;
- The impact on the amenities of adjoining properties; and
- The cumulative impact on the amenities and character of the surrounding area.

The supporting text to Policy H6 notes that houses in multiple occupation (HMOs) can include self-contained flats, bed-sits and shared houses. Policy H6 notes that large numbers of residents in any one dwelling can adversely affect the amenities of adjoining occupiers, for example because of increased noise and on-street parking.

The application property is a large, detached dwellinghouse located on a large plot with a particularly wide frontage to Brill Close. It is considered that the host dwelling is of a sufficient size to accommodate the two additional one-bedroom flats without resulting in an intensification that would affect the amenities of neighbouring occupiers or the amenities and character of the surrounding area (subject to a resident's management plan).

There is sufficient existing car parking on site; however Brill Close is also considered to be within a sustainable location being in easy walking distance to Warwick University Campus and Cannon Hill Shopping Centre with its services and public transport links. The principle of development is, therefore, considered to be acceptable. Design, impact on residential amenity and highway safety are considered in greater detail below.

Design

The proposed extension will be located to the rear elevation and will sit between the existing two-storey dwellinghouse and single storey garage projection. The rear extension will therefore be unobtrusive within the streetscene and this element is therefore considered to be acceptable.

To the front elevation facing Brill Close the existing garage door will be replaced by a well-proportioned window as part of the garage conversion to habitable accommodation and a further window will be added to the adjoining room to provide additional daylight. The property will retain a single front door and common reception area.

The proposed alterations and extensions are not therefore considered to harm the character of the dwellinghouse or the visual amenity of the streetscene.

Impact on neighbouring amenity

In terms of built form the proposed extension will not breach the 45-degree sightline as measured from adjoining properties and will not conflict with separation distances. The previous scheme FUL/2015/4339 was refused and dismissed at Appeal in relation to

neighbouring amenity, however this related to the loss of outlook created by a two-storey extension upon the occupiers of No.84 De Montford Way. The proposed single storey extension and associated alterations are not considered to create any significant loss of light, outlook or amenity to the occupiers of surrounding properties.

The existing lawful use of the property is a HMO for six residents (C4 Use Class). The application site relates to a large detached dwelling located on a spacious corner plot. Surrounding properties also relate to large, predominantly detached family homes. The creation of two self-contained one-bedroom flats within the property is considered to remain compatible with surrounding residential uses with comings and goings likely to be easily absorbed into the streetscene.

Having regard for the local resident's concerns regarding litter, bins and noise it would be reasonable to secure a Residents' Management Plan to set out tenants obligations and refuse management to control any such impact. The scheme is considered to provide a good residential environment for future occupiers. Plans have been amended to include a door from the shared reception area into the rear garden, as the only other access from the property was via a ground floor bedroom.

Highway considerations

The current property can accommodate three off-street parking spaces. The Highway Authority has raised no objection to the scheme in terms of highway safety.

There is ample space within the site for a cycle store and bin store area. The cycle store has been relocated from the driveway where it encroached upon a parking space to a more secure located to the rear of the premises. A condition is suggested to ensure that a secure covered cycle store and marked out bin store area are provided.

Other considerations

Ecology has raised no objection to the scheme subject to protected species notes.

A local resident has raised concern that the existing property is being occupied by seven people. The maximum number of occupants allowed for a HMO within the C4 Use Class is six and planning permission would be required for a large-scale HMO (*sui generis*) where this is exceeded. The introduction of two self-contained flats would not affect the upper limit of six persons within the HMO element of the property, as the flats would be occupied independently to the HMO. The applicant has confirmed that there are six people living at the property. Any planning breaches will be investigated separately to the current application through the Planning Enforcement Team.

Conclusion

The application is considered acceptable in principle and is not considered to affect neighbouring amenity or highway safety. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies OS4, H4, H6, AM12, AM22 and BE2 of the Coventry Development Plan 2001, SPG, 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: Drg No.01B.

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

3. Prior to the first occupation of the use hereby permitted, a Resident's Management Plan shall have been submitted to and approved in writing by the local planning authority, which sets out clear arrangements for refuse management and tenant's obligations, such as anti-social behaviour, disciplinary procedures and Health & Safety. Thereafter the use shall only operate in accordance with the approved details.

Reason: *To ensure that the development is compatible with nearby uses and so that it does not adversely impact upon visual amenity in accordance with Policies H6 and BE2 of the Coventry Development Plan 2001.*

4. The development hereby permitted shall not be occupied unless and until a secure covered cycle shelter and a marked out bin storage area have been provided and made available for use in accordance with the 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.

Reason: *In the interests of visual amenity and encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies BE2, OS4 & AM12 of the Coventry Development Plan 2001.*

5. No facing and roofing materials shall be used other than materials similar in appearance to those used in the construction of the exterior of the existing building.

Reason: *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy BE2 of the Coventry Development Plan 2001.*

[Existing & Proposed with Location Plan](#)