

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2018/1596
<b>Site:</b>	37 Pershore Place, Coventry
<b>Ward:</b>	Whoberley
<b>Proposal:</b>	Change of use from single dwelling house (use Class C3) to 8 bedroom House in Multiple Occupation (Use Class Sui Generis)
<b>Case Officer:</b>	Mary-Ann Jones

## SUMMARY

The application is for the change of use of a dwellinghouse to an 8 bedrooed House in Multiple occupation including construction of parking area to front of dwelling.

Key issues include the principle of the change of use to a House in Multiple Occupation (HiMO) and the acceptability of the parking provision on-site and compliance with parking standards (Appendix 5 of Coventry Local Plan, 2016).

## BACKGROUND

The alterations and extensions to the property which are currently being undertaken (rear dormer window and single storey rear extension) are permitted development and are not the subject of this proposal. A Lawful Development Certificate has been granted in 2017 confirming the alterations are permitted development.

An application (FUL/2018/1011) was withdrawn earlier this year following an objection from the Local Highways Authority on basis of lack of supporting evidence to demonstrate the proposal would not cause harm to the existing on-street parking situation to the immediate locality.

This current proposal now includes additional on-site parking (three spaces off road) and is supported by a parking survey, which was requested by the Local Highways Authority. The Local Highway Authority has now removed their formal objection.

## KEY FACTS

<b>Reason for report to committee:</b>	Cllr Tim Sawdon has requested the application be determined at planning committee. He has raised objections on the grounds of overuse of the site, inadequate parking which will cause harm to the occupiers of nearby properties.
<b>Current use of site:</b>	Dwellinghouse (Use Class C3)
<b>Proposed use of site:</b>	Larger House in Multiple Occupation (Use Class Sui Generis)

## RECOMMENDATION

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

## REASON FOR DECISION

- The proposal will not adversely impact upon visual amenity or the amenity of neighbours.
- The proposal accords with Policies: H11, DE1, AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF

## BACKGROUND

### **APPLICATION PROPOSAL**

The application is for the change of use of a dwellinghouse to an 8 bedroomed House in Multiple Occupation. External alterations are limited to the parking area to the front of the property. A loft conversion with rear dormer window and a single storey rear extension is under construction at the property, however these are permitted development and are not the subject of the proposal.

External changes to the application site relate to the creation of an area of parking to the front of the property with three car parking spaces. There is also indicated to be retaining walls to the parking area. Cycle parking will be located to the rear of the property.

### **SITE DESCRIPTION**

The application site is a mid-terraced dwelling located on the western side of Pershore Place. The area is predominantly residential in character.

Parking in the locality is either on-street or on the forecourt of some dwellings.

### **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
FUL/2018/1011	Change of use from single dwelling house to 8 bedroom House in Multiple Occupation (Use Class Sui Generis)	Withdrawn
LDCP/2017/2131	Application for a Lawful Development Certificate for proposed loft conversion with dormer to rear, velux windows to front and single storey rear extension	Granted 16/01/2017

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF). The revised NPPF published in July 2018 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) 2018, 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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

- Policy H5: Managing Existing Housing Stock
- Policy H11: Houses in Multiple Occupation

Policy DE1 Ensuring High Quality Design  
Policy AC1: Accessible Transport Network  
Policy AC2 Road Network  
Policy AC3: Demand Management (Including Appendix 5 of the CLP, 2016)  
Policy AC4: Walking and Cycling

**Supplementary Planning Guidance/ Documents (SPG/ SPD):**

Appendix 5: Car and cycle parking standards

**CONSULTATION**

No objections subject to conditions have been received from:

- Highways – conditions relating to cycle parking and compliance with proposed plans.

No objections have been received from:

- Environmental protection.
- Waste services – note: the bins required for this development are domestic waste and recycling. Bin sizes should be 2 x 240 and 1 x 140 bins and the same for recycling (6 bins in total)

Immediate neighbours and local councillors have been notified; a site notice was posted on 13/07/2018

No letters of objection have been received from local residents.

Cllr Tim Sawdon has raised objections on the following material planning grounds;

- a) The kitchen is far too small for 8 people
- b) There are no communal facilities; nowhere to eat a meal
- c) The parking facilities are inadequate. The 'traffic surveys' were conducted in June when the students had left and were carried out in the evening when most students/staff who use the area for parking would have gone home in any case. There is considerable unrest amongst local residents who are campaigning for parking restrictions which they would not be doing if the parking was adequate. This runs a coach and horses through the 'survey'. It is highly unlikely that the occupants of the property would be using their cars to travel to the University and so would leave them parked all day outside the property in any case. The suggested limit of 3 is unenforceable.
- d) There does not appear to be adequate bin storage for 8 people

One letter of support have been received, raising the following material planning considerations:

- e) High quality development;
- f) Support provision of car parking to the front of the site.

Any further comments received will be reported within late representations.

**APPRAISAL**

The main issues in determining this application are

- Principle of development;
- Impact on amenity – Including parking provision;
- Impact on the of the area;
- Local services.

## **Principle of development**

Policy H11: Homes in Multiple Occupation (HiMO's) states -

“The development of purpose built HiMO's or the conversion of existing homes or non-residential properties to large HiMO's 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.”

In respect of the above points, the following report will demonstrate how the proposal is considered to accord with the Policy H11 and is therefore the principle of change of use to an 8 bedrooled house in multiple occupation acceptable.

## **Impact on amenity – Including parking provision**

### *Residential amenity*

Regarding the residential amenity, Criteria a) of Policy H11 requires that HiMOs must ensure the amenities of occupiers of nearby properties are protected. No objections have been raised in terms of the intensification of the residential use of the property, however this must be a consideration in the assessment of an application of this type. The existing dwelling house could easily accommodate up to 6 persons under Use Class C4 without the need for planning permission. This change of use proposes an increase in 2 persons.

When considering noise and disturbance in a recent appeal for an 8 bedroom HMO nearby at 36 Cannon Hill Road (Ref: APP/U4610/W/16/3152119 and dated 19 September 2016), the Inspector was “not persuaded that the additional noise and general disturbance experienced by local residents from the occupation by 8 people is necessarily greater than from a group of unrelated individuals occupying No 36 as a 6-bedroom HMO.

It is therefore considered that this increase in two persons is unlikely to result in demonstrable or severe harm to nearby residential amenity. Furthermore, Environmental Protection Officers have raised no objection to the proposal and are satisfied that no issues regarding noise and disturbance will result from the propose change of use. It is therefore considered the proposal is acceptable in terms of the impact on residential amenity in this respect and the proposal accords with Development Plan Polices.

One objection has been received which raised concerns that the kitchen is far too small for 8 people and there are no communal facilities and nowhere to eat a meal. The council does not have adopted internal space standards therefore unfortunately this cannot be a material planning consideration in the determination of this proposal.

### *Bin storage*

One objection has been received which raises concerns regarding the under provision of bin storage at the site. Bin storage details will be secured by condition, however it is considered there is adequate space to accommodate bin storage to the front of the property in a manner which will not cause harm to the visual amenity of the streetscene. A total of 4 x 240 litre bins and 2 x 140 litre bins are required (6 bins in total) These could easily be accommodated in two Wheelie bin storage areas either side of the front door. It should also be noted other properties in the street keep wheelie bins at the front of properties, without the benefit of wheelie bin storage areas. Waste services have raised no concerns to the proposal.

### *Parking provision*

Policy AC1 (Accessible Transport Network) of the Coventry Local Plan requires development which is expected to generate additional trips to integrate with existing transport networks and Policy AC3 (Demand Management) requires the provision of car parking to be assessed on the basis of the Parking Standards set out in Appendix 5.

The standards in the City Council's Local Plan require a maximum of 0.75 car parking spaces per bedroom and 1 cycle space per 3 bedrooms. This equates to a maximum of 6 car parking spaces and 3 cycle spaces for the proposed 8 bedroomed HiMO.

The application proposes 3 car parking spaces on the forecourt to the dwelling, therefore there is an under provision of 3 car parking spaces. There will be 5 cycle parking spaces located to the rear, which is two additional spaces over the policy requirements.

Appendix 5 states, 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 proposal is supported by a parking survey which has demonstrated there is sufficient capacity within the immediate vicinity to accommodate the additional 3 spaces within the on street parking areas.

The survey was carried out between 5<sup>th</sup> to 7<sup>th</sup> March and then again on 5<sup>th</sup> and 8<sup>th</sup> June 2018. The Surveys were carried out at various times on a total of 5 separate evenings to assess the availability of on-street car parking.

The parking survey results are as follows;

#### *Parking Survey Results for survey between 5<sup>th</sup> to 7<sup>th</sup> March 2018*

- Pershore Place (between Nos.27 and 54) has 15 spaces available.

Monday 5 March 2018 at 18.55 hours - 9 parked cars = 6 spaces available

Tuesday 6 March 2018 at 19.30 hours - 8 parked cars = 7 spaces available

Wednesday 7 March 2018 at 19.20 hours - 8 parked cars = 7 spaces available

#### *Parking Survey results for survey 5<sup>th</sup> and 8<sup>th</sup> June 2018*

- Pershore Place East (to the east of Merynton Avenue) has 21 spaces available

Tuesday 5 June between 17.15 - 17.30 hours - 11 cars parked = 10 spaces available

Tuesday 5 June between 18.00 - 18.15 hours - 11-14 cars parked = 7-10 spaces available

Tuesday 5 June between 18.40 - 18.55 hours - 12-13 cars parked = 8-9 spaces available

Tuesday 5 June between 19.35 - 19.50 hours - 13 cars parked = 8 spaces available

Friday 8 June between 17.25 - 17.40 hours - 9 cars parked = 12 spaces available

Friday 8 June between 18.10 - 18.25 hours - 12-13 cars parked = 8-9 spaces available

Friday 8 June between 18.45 - 19.00 hours - 12 cars parked = 9 spaces available  
Friday 8 June between 19.25 - 19.30 hours - 12 cars parked = 9 spaces available

- Pershore Place West (to the west of Merynton Avenue) has 27 spaces available

Tuesday 5 June between 17.15 - 17.30 hours - 12 cars parked = 15 spaces available  
Tuesday 5 June between 18.00 - 18.15 hours - 14 cars parked = 13 spaces available  
Tuesday 5 June between 18.40 - 18.55 hours - 17 cars parked = 10 spaces available  
Tuesday 5 June between 19.35 - 19.50 hours - 17 cars parked = 10 spaces available

Friday 8 June between 17.25 - 17.40 hours - 13 cars parked = 14 spaces available  
Friday 8 June between 18.10 - 18.25 hours - 18 cars parked = 9 spaces available  
Friday 8 June between 18.45 - 19.00 hours - 17-18 cars parked = 9-10 spaces available  
Friday 8 June between 19.25 - 19.30 hours - 17 cars parked = 10 spaces available

- Orlescote Road has 36 spaces available

Tuesday 5 June between 17.15 - 17.30 hours - 12 cars parked = 24 spaces available  
Tuesday 5 June between 18.00 - 18.15 hours - 15 cars parked = 21 spaces available  
Tuesday 5 June between 18.40 - 18.55 hours - 16 cars parked = 20 spaces available  
Tuesday 5 June between 19.35 - 19.50 hours - 17 cars parked = 19 spaces available

Friday 8 June between 17.25 - 17.40 hours - 18 cars parked = 18 spaces available  
Friday 8 June between 18.10 - 18.25 hours - 18 cars parked = 18 spaces available  
Friday 8 June between 18.45 - 19.00 hours - 17 cars parked = 19 spaces available  
Friday 8 June between 19.25 - 19.30 hours - 20 cars parked = 16 spaces available

- Merynton Avenue (up to its junctions with Sefton Road) has 8 spaces available

Tuesday 5 June between 17.15 - 17.30 hours - 6 cars parked = 2 spaces available  
Tuesday 5 June between 18.00 - 18.15 hours - 6 cars parked = 2 spaces available  
Tuesday 5 June between 18.40 - 18.55 hours - 6 cars parked = 2 spaces available  
Tuesday 5 June between 19.35 - 19.50 hours - 6 cars parked = 2 spaces available

Friday 8 June between 17.25 - 17.40 hours - 5 cars parked = 3 spaces available  
Friday 8 June between 18.10 - 18.25 hours - 5 cars parked = 3 spaces available  
Friday 8 June between 18.45 - 19.00 hours - 4 cars parked = 4 spaces available  
Friday 8 June between 19.25 - 19.30 hours - 5 cars parked = 3 spaces available

The parking surveys conclude that there is regularly capacity to park on street and that the impact of the proposed development on the highway network would not be severe. The Local Highways Authority support the findings of the survey and have therefore raised no objections to the proposed change of use. On the basis of the addition of 3 parking spaces included on-site and the results of the parking survey, it is considered the proposal accords with the Coventry Local Plan, 2016 and Appendix 5 car and cycle parking requirements, and the proposal is considered acceptable in response of Highway safety.

One objection has been received on the grounds that the University term time was over at the time the parking survey was carried out in June. The closest university to the application site is Warwick University. The summer term finished on 30<sup>th</sup> June 2018, therefore Highways officers are content the survey was carried out at the appropriate time.

In terms of the Policy H11 – Houses in Multiple Occupation, it is considered the proposal complies with Criterion a) and the proposal is acceptable in terms of the impact on residential amenity, including parking.

### **Impact on the character of the area**

The proposal will not have any physical alterations to the dwelling house itself, however there will be a parking court constructed to the front of the dwellinghouse. At the time of writing this report this was part constructed.

At the time of writing the report the parking area had been part constructed, however not in accordance with the proposed drawings. Tall brick piers have been erected on top of the retaining walls to the driveway. These brick walls and piers are over 1 metre in height and require planning permission. It is considered the brick piers are not an appropriate feature within the streetscene and introduce an alien and incongruous feature to the locality. Furthermore the parking area and path has been constructed in the wrong location and the surfacing material for the driveway is gravel. Highways officers consider gravel is an inappropriate material for a driveway therefore have requested this element to be amended. The agent has therefore agreed to remove the pillars and change the driveway construction. A condition is recommended to be attached to the decision notice which requires the removal of the brick piers and resurfacing of the driveway within two months of any decision being issued.

Subject to the removal of brick piers and replacement of gravel with permeable hard surfacing the proposal is considered acceptable in terms of the impact on the character of the area and is considered acceptable in this respect.

### **Local services.**

The application site is considered to be located within a highly sustainable location with good access to local services. Cannon Hill Road and Charter Avenue are bus routes giving access to the City Centre and Warwick University (services 18 and 18A) and there are stops located on Tutbury Avenue near Orlescote Road within easy reach of the site. There are also safe and convenient walking and cycling routes to Warwick University campus (which is 20 minutes and 7 minutes away, respectively). There are shops at Cannon Park Centre and local amenities within easy walking distance.

It is therefore considered the proposal criterion c) of Policy H11 and the proposal is acceptable in this respect.

### **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, highway safety, ecology or infrastructure, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H5, H11, DE1, AC1, 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 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;  
Existing and proposed plans DWG 26/07/17-01 REV E;  
Parking survey carried out by Sykes Planning, Dated 09/06/2018;  
Planning Report, prepared by Sykes Planning, Dated 09/06/2018.

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

3. Within two months of the date of this decision notice alternative bin storage areas and access ramps shall be provided and made available for use in full accordance with details which have been submitted to and approved in writing by the local planning authority; and once provided such bin storage facilities and access shall not be removed and shall remain available for use at all times. All bins which serve properties within the red line site area must be stored within the approved bin storage area 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 and EM8 of the Coventry Development Plan, 2016 together with the NPPF*

4. Within two months of the date of this decision notice details of cycle parking shall be provided and made available for use in full accordance with details which have been submitted to and approved in writing by the local planning authority; and once provided such cycle parking facilities shall not be removed and 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 AC1, AC2, AC3 and AC4 and Supplementary Planning document, 'Delivering a More Sustainable City', of the Coventry Local Plan, 2016*

5. Within two months of the date of this decision notice details of the retaining walls to the northern and southern facing boundary of the parking area; and the surfacing material of the parking area hereby permitted shall be modified in full accordance with details that have been submitted to and approved in writing by the local planning authority; and once provided such facilities shall not be removed and shall remain available for use at all times

**Reason:** *In the interests of visual amenity in accordance with Policies DE1 of the Coventry Local Plan 2016, together with the NPPF.*