

Planning Committee Report	
Planning Ref:	FUL/2018/2639
Site:	1 Westhill Road
Ward:	Sherbourne
Proposal:	Erection of extensions and external alterations to create a second floor above the existing nursery building (Use Class D1) and external landscaping works
Case Officer:	Ayesha Saleem

SUMMARY

The application proposes extensions and alterations to an existing Nursery. The works create a second floor above the existing nursery and include external landscaping works. The design is considered to have an acceptable impact upon the character of the street scene and will not result in any detrimental impact to neighbouring residential amenity or impact highway safety.

BACKGROUND

The application was previously refused under reference FUL/2017/0672 for the following reasons:

- The proposed extensions were considered to radically alter the scale of the host building detriment to visual amenity of the street scene.
- The proposed wall/ fence to the northeast elevation would create a highly prominent projection that would fail to harmonise with the street scene.
- The existing off-street parking was proposed to be removed from the site. The loss of this parking and drop off area, along with the increased demand for parking, would have resulted in indiscriminate parking on street, which would be to the detriment of the amenities of the occupiers of adjacent dwellings, the free flow of traffic and highway safety.

Subsequently another application had been submitted under the reference FUL/2017/3176 submitting a revised design. However there were concerns in relation to the impact upon the windows to a flat to the rear of the site, the proposed fencing to the north east elevation and Highway officers still remained in relation to parking.

The application has been submitted to overcome the above concerns. The application is recommended for an approval. The application has received more than five representations.

KEY FACTS

Reason for report to committee:	There has been more than 5 representations.
Current use of site:	The site is an existing Nursery with associating parking.

RECOMMENDATION

Planning committee are recommended to approve planning permission and no further representations have been received.

REASON FOR DECISION

- The design of the proposals are considered to have an acceptable impact upon the visual amenity of the street scene neighbouring amenities and highway safety.
- The proposal does accord with Policy AC1, AC2, AC4, DE1, DS3, EM7 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The proposal is for the erection of extensions and alterations to the building to increase capacity from 40 children to 60 children. Staff numbers will increase from 9- 12 employees. The Agent has submitted details of the openings hours 07.30 hours to 1800 hours Monday to Friday. The proposal also retains 5 parking spaces to the rear and proposes 6 cycle parking. The proposal will involve two storey extensions to the front (Westhill Road), side (Southbank Road) and rear elevation incorporating a third storey. The building is to incorporate dormer and balcony elements and the proposal is to alter the roof form from a hipped roof to a pitched roof. There is also associated landscaping works to the forecourt fronting Westhill Road.

The plans as originally submitted proposed a raised element of the roof on the south east elevation, high fencing to the forecourt area to the front. Officers raised concerns in relation to the over intensification of the site, design and parking. Amended plans have been submitted to address the concerns together with a parking survey. The changes include a decrease in child capacity from 70 to 60 children. The ridge height on the south east elevation has been dropped to be in line with the existing building. The boundary fence on the forecourt area has been removed and replaced with a low level (450mm) rendered wall with tiered planting bed (circa 300mm in height) and stone pavers.

SITE DESCRIPTION

The application site relates to a detached building located southeast of Westhill Road close to a traffic island, also serving Scots Lane, Southbank Road, Cedars Avenue and Barkers' Butts Lane. The 'principal' elevation fronts the northwest side of Southbank Road, as does a gated tarmac parking area, adjoining the southeast side of the building. The application site is at the edge of a small cluster of shops focussed around Westhill Road. The site is not within a defined centre, the closest being Barker's Butts Lane Local Centre some 650m away or Holyhead Road Local Centre 700m away. The surrounding area is largely residential in character.

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/2017/3176	Erection of side extension and addition of second floor above existing nursery	Withdrawn- 09/02/2018

FUL/2017/0672	Erection of two storey extension to existing children's nursery	Refused-18/05/2017
FUL/2011/1752	Change of use to a day nursery (D1)	Approved- 23/11/2011
FUL/2011/0361	Change of use to children's' day nursery (Use Class D1)	Refused- 11/05/2011
R/2000/0831	Erect means of enclosure to side of premises	Approved- 15/08/2001
L/1990/0653	Change of use – social services centre to private office	Approved- 04/06/1990

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF published on 24 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 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) 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 6th December 2017. Relevant policy relating to this application are:

Policy AC1 Accessible Transport Network
 Policy AC2 Road Network
 Policy AC4 Walking and Cycling
 Policy DE1 Ensuring High Quality Design
 Policy DS3 Sustainable Development
 Policy EM7 Air Quality

STATUTORY CONSULTATION RESPONSES

Environmental Protection (CCC) – No objections subject to condition in relation to Air Quality.

Highways (CCC) – No objection subject condition in relation cycle parking and details of the car parking

Cadent Gas Network- No objection

Early Years (CCC) – No comments have been received.

PUBLIC RESPONSES

Notification letters were sent out to adjoining neighbours and a site notice was displayed on 2nd October 2018.

Five letters of support have been received and seven letters of objections raising the following material planning considerations:

- a) Highway safety (visibility splays & increase of traffic)
- b) Parking (parking areas are used on weekends)
- c) Proposed garden area not considered to be safe
- d) Design not in keeping with the area

- e) Obstructs/ overbears neighbouring flats

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

- a) Lights are left on overnight and late evenings

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

The principle for the use has already been established under the previous planning permission FUL/2011/1752. It is recognised that the provision of childcare services is important so that parents can continue or return to work while taking care of their children, which in turn provides economic benefits and improves social equity. It is also positive that this is a successful City business and whilst the City Council would wish to support their growth it must also be recognised that the current site limited in size and is at/close to capacity.

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.

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 proposed extensions and alterations are considered to be of contemporary design incorporating glazing. Given the corner plot location of the property, the extensions and alterations are to be visible from Southbank Road and Westhill Road. Within the vicinity there are a variety of design and materials on properties. The design of the

roof form will alter from a hipped roof form to gable roof form. There are both roof forms within the street scenes, thus this element is considered to have an acceptable impact upon the visual amenity of the street scene. The height of the building is lower than the current existing building, therefore the building will not have an increased prominence. The proposed zinc clad dormer elements on the south east elevation are considered to have an acceptable impact on the street scene given it is a commercial unit and not residential. The dormer elements are considered to be a design feature. The building does not go beyond the building line on Westhill Road. The materials; rendered and brick walls and slate roof tiles are considered to be acceptable. The proposed extension will alter the appearance of the original building, however the scale of the extensions are considered to have an acceptable impact visual amenity of the street scene and are not considered to be obtrusive. Therefore the design of the proposal is considered to overcome the reasons of the previous refusal.

The landscaping and low level wall to the forecourt area fronting Westhill Road is considered to enhance and harmonise with the street scene. The high level fencing previously submitted has been removed, thus this element overcomes the reasons for the previous refusal. This element is considered to comply with Policy DE1 of the Coventry Local Plan 2016.

Impact on residential amenity

No 3 Westhill Road is located North West to the application property set at an oblique angle. There is a separation distance of circa 0.8 metres and an access in between. No 3 Westhill Road is a retail unit at ground floor level and residential at first floor. The first floor is currently located at a minimum distance of circa 2.2 metres away. The proposed nursery is to retain this at ground floor level and first floor level. No 3 Westhill Road at first floor level to side elevation has a habitable opening. The second floor is to be set at a further distance of 4.9 metres. Thus is considered to have no more of detrimental impact in regards to loss of light and outlook. This property at first floor level to the rear elevation also has a habitable opening. The proposed nursery at first floor and second floor level is not considered to conflict with this opening in regards to 45 degree guideline and loss of light. The rear elevation proposes no openings, thus no harmful overlooking is to be cause to the amenity of this occupant.

No 2 Southbank Road is to be located west to the application property with a separation distance of circa 15.2 metres and the Nursery car park in between. There are no openings proposed to the side elevation of this neighbouring dwelling. Given the separation distance the proposed nursery is not considered to have a detrimental impact upon the amenity of this occupant.

The site relates to an existing and established nursery and the increased capacity is unlikely to have a significant impact upon neighbours in terms of noise and disturbance from within the site a condition is imposed to control the hours of use to 7.30am-6.00pm on the weekdays, which is similar as the currently controlled hours. Environmental Protection have no objections subject to conditions. The Agent had confirmed the story telling area will be supervised and only be used between the hours of 9am – 5pm but this would only be periodically. Environmental Protection officers have no objections in regards to this element.

Highway considerations

Policy AC2 of the Coventry Local Plan 2016 states new development proposals which are predicted to have a negative impact on the capacity and/or safety of the highway network should mitigate and manage the traffic growth which they are predicted to generate to ensure that they do not cause unacceptable levels of traffic congestion, highway safety problems and poor air quality. Highway mitigation and management measures should focus firstly on demand management measures (Policy AC3) including the promotion of sustainable modes of travel, and secondly on the delivery of appropriate highway capacity interventions. Highway capacity interventions should be appropriate to the scale of development and expected impact and will be determined through the associated Transport Assessment.

Highways initially had concerns in regards to the parking arrangement and the potential intensification of the use. Officers therefore requested a parking survey which has been carried out in line with the Coventry Development Plan 2016 Appendix 5 paragraphs 1.19 to 1.21. The Agent has submitted a Highways Report- November 2018 and Highway Parking Beat Survey (200M)- November 2018. 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 details of the car parking.

Other matters

Environmental Protection officers have no objections in relation to this application subject to condition in relation to Air Quality.

Cadent Gas Network have recommended an informative is attached to the decision notice advising the applicant of their responsibilities and obligations.

The plans indicate in the display of advertisements. The adverts require a separate consent and therefore have not been assessed as part of this application.

Equality implications:

The Equality Act 2010 replaced various anti-discrimination laws (for example the DDA and the Race Relations Amendment Act) with a single Act. It strengthened the law in important ways to help tackle discrimination and inequality. It came into force in October 2010. It is in accordance with the requirements of the Equalities Act 2010 the Day Nursery at 1 Westhill Road will now be assessable to all.

CONCLUSION

This application overcomes a previous refusal for extensions to this nursery premises and the development as proposed overcomes those reasons and provides a development that does not appear prominent within the street scene, cause harm to neighbouring residential amenity or impact highway safety and is therefore in accordance with Policies AC1, AC2, AC4, DE1, DS3, and EM7 of the Coventry Local Plan 2016.

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 Ground Floor Plan DWG: 1626.02

Existing First Floor and Roof Plan DWG: 1626.03

Existing Elevations DWG: 1626-04

Location and Site Plan DWG: 1626-09Rev A

Proposed Ground Floor Plan DWG: 1626-21Rev A

Proposed First Floor Plan DWG: 1626-22Rev A

Proposed Second Floor Plan DWG: 1626-23Rev A

Proposed Roof Plan DWG: 1626-24Rev A

Proposed Elevations DWG: 1626-26 Rev A

Proposed Elevations DWG: 1626-27

Highways Report- November 2018

Highway Parking Beat Survey (200M) - November 2018

Email received from Agent- 28/11/18

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

3. The facing materials used on the external walls and roof shall be as specified on Proposed Elevations DWG: 1626-26 Rev A received 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 DE1 of the Coventry Local Plan 2016.*

4. No children shall be on premises before 0700 hours or after 1815 hours on any weekday or at any time on a Saturday, Sunday or Bank Holidays.

Reason: *The nursery use is closely adjoined by residential properties and the local planning authority considers it necessary to strictly control the nature and intensity of use of the building in the interests of the amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.*

5. There shall be no more than 60 children being supervised at the property at any time.

Reason: *To ensure that the building is not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties and in the interests of highway safety in accordance with Policies AC2 and DE1 of the Coventry Development Plan 2001.*

6. A landscape management plan, including long term design objectives, long term management responsibilities and maintenance schedules for all landscape areas (other than domestic gardens within the curtilage of a single dwelling house), shall be submitted to and approved in writing by the local planning authority before the first occupation of the development hereby permitted. The landscape management plan shall be implemented as soon as the approved landscaping is carried out and shall not be withdrawn or altered in any way without the prior written approval of the local planning authority.

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

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification) no windows or openings (apart from any shown on the approved drawings) shall be formed in the side facing elevation of the Nursery hereby approved without the written approval of the local planning authority and if any additional windows are subsequently approved they shall only be glazed or re-glazed in accordance with such approved details and any opening part of any window shall be at least 1.7m above the floor of any room in which the window is installed.

Reason: *To ensure the amenities of adjoining properties are not detrimentally affected through overlooking or loss of privacy in accordance with Policy DE1 of the Coventry Local Plan 2016*

8. Details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. Then prior to occupation the approved cycle storage shall be implemented, retained therein after and kept available for this 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 Local Plan 2016.*

9. Prior to the extensions being brought into use the car parking area shall be laid out and provided in accordance with plan reference 1626-09 Rev A and the car parking area shall not thereafter be used for any other purpose than the parking of vehicles.

Reason: *In the interests of highway safety and to ensure the free flow of traffic using the adjoining highway and to accord with Policies AC1 and AC2 of the Coventry Local Plan 2016.*

10. Any gas boilers or Combined Heat and Power systems serving the development must have a maximum dry NO_x emissions rate of 40mg/kWh 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.*

11. A method statement detailing the control of emissions to air during the construction phase which shall be first submitted to and approved in writing by the Local Planning Authority prior to commencement of works and there after shall remain in place during construction works. Such a method statement should be in-line with the Best Practice Guidance entitled 'The control of dust and emissions from construction and demolition' produced by the Greater London Authority and London Councils. This statement should also include proposed hours of works.

Reason: *To ensure that the premises are not used in a manner prejudicial to or likely to cause nuisance or disturbance to the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2016.*