

11Planning Committee Report	
Planning Ref:	FUL/2019/1849
Site:	15 Cloud Green
Ward:	Wainbody
Proposal:	Two-storey side and single storey rear extension and conversion to a house in multiple occupation for 7 people (HIMO, sui generis)
Case Officer:	Shamim Chowdhury

SUMMARY

The application seeks planning permission to change of use from a dwellinghouse (use class C3) to a 7 bedroomed large house in multiple occupation (HIMO) (sui generis). The proposal also includes a two-storey side extension and a single storey rear extension to enable the property to be used as HIMO for 7 occupants. The current proposal is considered to accord with the CLP Policies and therefore recommended for approval.

BACKGROUND

This is an amended scheme following the submission of an up-to-date location plan to show the public footpath which abuts the site to the east and houses on Lilacvale Way beyond the public footpath. The initial proposal sought permission for a wrap-around two-storey side and rear extension and a single storey rear extension to create two 4-bedroomed flats to be used as HIMO. In this current scheme, the design, mass and scale of the extensions have been amended and the current proposal seeks permission for a two-storey side and single storey rear extension and the conversion of the house into a 7 persons' HIMO. The amended scheme also discarded the initial single storey front extension.

KEY FACTS

Reason for report to committee:	Called in by elected member
Current use of site:	Residential dwellinghouse
Proposed use of site:	Residential for house in multiple occupation (sui generis)

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 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 application seeks planning permission to change of use from a dwellinghouse (use class C3) to a 7 bedroomed large house in multiple occupation (HIMO) (sui generis). The proposal also includes a two-storey side extension and a single storey rear extension to enable the property to be used as HIMO for 7 occupants. The proposed two-storey side extension is set 0.5m back from the original front elevation of the house with a width of approximately 2m and would run along the depth of the house. The ridge height of the dual pitched roof would also be lowered accordingly. The proposed single storey rear extension would be 3m deep and set approximately 1.5m away from the common boundary with the adjoining semi. The proposed extension and internal alterations would create 3 en-suite bedrooms with communal kitchen and lounge on ground floor and 4 en-suite bedrooms on first floor.

SITE DESCRIPTION

The application site is a semi-detached dwellinghouse, located at the northeast end of Cloud Green, a residential Cul-de-Sac off Bransford Avenue within the Cannon Park Estate. The semi-detached houses on Cloud Green have their rear garden/garages front the highway (Cloud Green) and front elevation facing landscaped pedestrian access, i.e. the vehicular access to the houses at the rear from Cloud Green and the front of the houses only accessible by foot. There is a dedicated parking space at the rear on Cloud Green for the house in addition to one inside the 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
PA/2019/1071	Application under Prior Approval for a 5m deep rear extension	Refused 04/06/2019

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The new NPPF was updated in June 2019 (as amended) 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 policies relating to this application are:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy
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
Policy AC4: Walking and Cycling
Policy EM7 Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPD Delivering a More Sustainable City
SPD Coventry Connected

CONSULTATION

No Objections received from:

- Rights of Way Officer

No objections subject to conditions have been received from:

- Highways and Environmental Protection

Immediate neighbours and local councillors have been notified; a site notice was posted on 16 October 2019

2 letters of objection have been received including one from local Ward Councillor, raising the following material planning considerations:

- a) The proposed extension is out of proportion to the rest of property
- b) The extension would result in loss of sunlight
- c) Inadequate parking
- d) Overdevelopment
- e) Noise disturbance to neighbouring occupiers

Five objections were received on the initial proposal which sought a wrap-around two-storey side and rear extension together with a single storey front and rear extension and conversion of the dwelling into 2 four bedroomed flat for HIMO purpose. However, on the amended scheme so far two objections have been received which have been summarised above.

Councillor Blundell objected to the proposal on the grounds of overdevelopment and inadequate parking and requested that this application be determined by the Planning Committee if the officers recommend for approval.

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 of the area, the impact upon neighbouring amenity and highway considerations.

Principle of development

The extension and alteration are related to a semi-detached house located within an existing residential area. Given the location within a residential area, the extension and alteration to a dwellinghouse are deemed acceptable in principle, subject to conformity with the SPG in design terms and in relation to other neighbouring dwellings and highway safety.

In relation to conversion of the dwellinghouse, the main policy is 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.

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.

In this case the property is a semi-detached property within an open plan estate compared to many of the City's period terraced streets. Due to the siting and design of the property, which has its main entrance (front elevation) via a pedestrian access within an open landscaped setting and the vehicular access (Cloud Green) at the rear beyond the rear garden, this arrangement is likely to be less exposed to vehicular movements and passers-by and subsequently comings and goings associated with the HIMO are likely to be minimised. The proposed extension to create additional bedrooms and kitchen/lounge would be away from the party wall of the adjoining semi. 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 to be any more than that which would have been expected from a 6 persons house 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 do not affect the neighbouring occupiers and their amenities. In this case 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/lounge are all reasonable and the amended proposals retain a reasonable 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 the property which is satisfactory in terms of amenity space. More than 60m² (excluding the garage) of rear garden would remain on site following the proposed side and rear extension. In addition, the front garden would remain unaltered and front to rear access would be retained along the side extension. It is considered that the proposed extension to enable the 7 persons' HIMO would be proportionate on this site and would not represent overdevelopment of the plot. The proposals are in accordance with the councils SPG.

The bin storage area is likely to be provided in the rear garden which has direct access from Cloud Green without the need to transfer rubbish through the property. The exact details of the required bin store will be secured through condition (see proposed condition 6).

The provision of cycle parking is again expected to be provided to the rear of the property with direct access to Cloud Green, however it could also be provided to the front of the property (subject to appropriate design) with access to the main footpath. The exact details of the required cycle parking will be secured through condition (see proposed condition 3).

There is a dedicated parking space on Cloud Green for the occupiers in addition to one inside the garage. 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, in addition the area is well served by the dedicated cycling route. 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. This arrangement would assist in meeting the aims of Policies DS3 and AC4 which promote sustainability and encourage provision of cycling and walking.

It is also considered that the proposal would not significantly harm the amenity of occupiers of nearby houses. This is discussed in more detail below.

Therefore, it is considered that the proposal complies with Policy H11 of the CLP 2016.

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 will function well and add to the overall quality of the area, they are visually attractive as a result of good architecture and are sympathetic to local character and including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. Policy H5 recognises that the improvement and renovation is required to the existing housing stock where appropriate, but this should be in association with the enhancement of the surrounding residential environment.

The proposed two-storey side extension with a gable roof would be set back from the original front elevation of the house and the ridge height would be lower than the original ridge of the roof, but the eaves line would follow the existing eaves height. This design solution would make the proposed side extension subservient with the original house. The proposed extension would also set in from the public footpath and would not project beyond the two-storey rear elevation of the house. Due to its siting on the backdrop of the original gable end and sympathetic design, the proposed extension would not appear

overly dominant from the public footpath nor would it affect the visual amenity and character of the area. Following a receipt of amended plans to incorporate windows on the first-floor side elevation to retain natural surveillance on the public footpath, the Rights of Way Officer is satisfied and raised no objections.

Neighbouring amenity

The proposed two-storey side extension is away from the party boundary with the adjoining semi No. 14 Cloud Green and does not project beyond the original two-storey rear elevation. The proposed single storey extension is 3m in depth and approximately 1.5m away from the common boundary with No. 14 Cloud Green. The blank gable end of No. 7 Lilacvale Way is around 6m away from the proposed two-storey side and single storey rear extension. Therefore, the proposed single storey rear extension as well as two-storey side extension would not infringe 45-degree sightline in relation to rear facing habitable windows of both sides' neighbouring houses and this is in accordance with the SPG. It is considered that the proposed extension would not have a significant impact in terms of loss of light and outlook to adjoining neighbouring occupiers. In terms of noise and disturbance, it is not considered that the proposal would result in a significant increase to the level of noise and disturbance in the street. Environmental Protection Officers have raised no objections to the proposal.

Highway considerations

Policy AC2 of CLP 2016 recognises that the provision of car parking for a new development can influence the traffic generated congestion. It goes on to state that the occurrences of inappropriate on-street parking can block access routes 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 maximum parking requirement is 0.75 off road parking spaces per 1no. bedroom, making a requirement of 6 spaces for the 7no. bedroomed HIMO.

Although the parking provision for this development is insufficient to meet the council's parking policy requirement, the applicant has supplied a parking survey which demonstrates on-street parking availability to accommodate a potential additional 6 vehicles. Nevertheless, the property could be used as a 6 persons' HIMO through permitted development rights without requiring any additional parking.

It is recognised within the council's policy 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.

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 would utilise existing facilities and services 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 site is also situated within the area covered by the University of Warwick Residents Parking Scheme. This scheme is enforced by the university and is aimed at reducing inconsiderate parking at this location. As such should the HMO be utilised by students this scheme would add further comfort to other residents with regards local parking arrangements.

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.

Air quality

The application site is within Council’s Air Quality Management Area declared for NOx. Therefore, to minimise impact on the air quality of the area, the Environmental Protection team recommended a condition to use specific gas boilers if new or replacement gas boilers are required within the property.

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:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) 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 and highway safety. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, H5, H11, AC3, AC4 and DS3 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 (as amended).*

2. The development hereby permitted shall be carried out in accordance with the following approved documents: 8125-03-B - Existing and Proposed details; Revised PARKING SURVEY.

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

3. Details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. 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. Then prior to use of the property as a house in multiple 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.*

4. 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 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.*

5. Any gas boilers or Combined Heat and Power systems serving the development must meet a dry NOx emissions rate of 40mg/kWh

Reason: *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.*

6. Prior to the commencement of the property as a house in multiple occupation, details of bin storage areas shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be provided in full accordance with the approved details prior to use of the property as a house in multiple occupation and thereafter they shall remain available for use at all times and shall not be removed or altered in any way.

Reason: *In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policy DE1 of the Coventry Local Plan 2016.*

7. The proposed 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.*