

Planning Committee Report	
Planning Ref:	FUL/2020/0893
Site:	8 Evesham Walk
Ward:	Wainbody
Proposal:	Erection of a rear extension, garage conversion with pitched roof above and conversion of existing house in multiple occupation (Use Class C4) into 2 flats to accommodate 6 people (Use Class C4)
Case Officer:	Shamim Chowdhury

SUMMARY

The application seeks planning permission for the conversion of the existing four-bedroom bungalow into two flats to be used to accommodate six residents. The proposal also includes a single storey rear extension and garage conversion to enable the conversion. The current proposal is considered to accord with Local Plan Policies and therefore, is recommended for approval.

KEY FACTS

Reason for report to committee:	5 objections have been received against the proposal.
Current use of site:	Small house in multiple occupation (Use Class C4)
Proposed use of site:	Small house in multiple occupation across two flats (Use Class C4)

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 makes provision for necessary developer contributions.
- The proposal accords with Policies: H3, H4, H11, DS3, AC2, AC3 and AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

APPLICATION PROPOSAL

The application seeks planning permission to convert the existing bungalow into two flats to be used within Use Class C4. One of the flats is proposed to have 4 bedrooms with the second having two bedrooms. During the application process, the proposal has been amended and reduced from 7 proposed occupiers to 6 within the 2 flats. The proposal also includes a single storey rear extension and conversion of garage to enable the proposed development. The single storey rear extension would create the 4th bedroom and kitchen to one of the proposed flats and garage conversion would provide one of the two bedrooms for the second flat. The 4m deep proposed rear extension with a flat roof above would be located centrally at the rear. The existing flat roof above the garage would be replaced with a pitched roof in association with the garage conversion. A refuse bin storage area and cycle storage area would be provided to the south east part of the rear garden, accessible to Evesham Walk through a new gate.

SITE DESCRIPTION

The application site is a detached bungalow located to the north east end of Evesham Walk, a small residential cul-de-sac within the Cannon Park Estate. Evesham Walk is located off De Montfort Way and is around 500m from Cannon Park District Centre. Properties on Evesham Walk are similar designed bungalows with flat roofed garages or car ports with some flat roofed areas within the road having been replaced by pitched roofs. The application bungalow is surrounded by residential properties on De Montfort Way and Brill Close.

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
HH/2017/1279	Garage conversion including raising roof and linking to existing dwelling	Withdrawn 19/07/2017
C/28222/B	Enclosure of existing car port to create store, elevational alterations and enclosure of porch	Approved 21/09/1993
G/C/28222/A	Extension to kitchen and dining room	Approved 26/06/1978
28222	Proposed new study, family room and playroom,	approved 12/07/1973

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 H3 Provision of New Housing
- Policy H4 Securing a Mix of Housing
- Policy H5 Managing Existing Housing Stock
- Policy H11 Homes in Multiple Occupation (HiMO's)
- Policy AC1 Accessible Transport Network
- Policy AC2 Road 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
- SPG Extending your Home – a design guide
- SPD Coventry Connected

CONSULTATION

No objections subject to conditions have been received from Highways or Environmental Protection.

Immediate neighbours and local councillors were notified on 21 April 2020.

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

- a) There are already far too many HiMOs in this area, causing a shortage of housing for local people and as well having a detrimental effect on the people who live here
- b) the site is unsuitable for such a large extension
- c) Noise and disturbance
- d) Student population increase litter
- e) Insufficient parking
- f) Impact on privacy
- g) extra residents are putting a strain on drains and other infrastructure
- h) Ruining the sense of community in the neighbourhood
- i) Pitched roof above the garage next to existing flat roof would affect the external appearance and affect the design characteristics of the property.
- j) Would set a precedent by converting into smaller flats and is not characteristic of the estate

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

- k) Impose condition that student houses/accommodation including their garden should be maintained properly
- l) students have no consideration for their neighbours
- m) It will be too costly to return it to a single-family dwelling.

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 amenities of neighbouring occupiers, the impact upon the character of the area, and highway considerations.

Principle of development

The extensions and alterations are related to a detached bungalow 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 with other plan policies.

Neighbouring amenities

Policy H3 of the Coventry Local Plan for 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 achieved 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 size of the en-suite bedrooms, kitchen and lounge area in each flat appears to be satisfactory. The bedroom size varies from 10m² to 16m² together with reasonably sized kitchen/dining area as well as separate entrance and hallway. The bedroom sizes are satisfactory compared to the minimum bedroom sizes (for one person, age over 10 years) given under HMO licensing rules which is 6.51m². More than 130m² of enclosed rear garden would remain on site where refuse bins and cycle storage would be provided. It is considered that the division of the existing bungalow into 2 flats can be accommodated on this plot. The amenity area is considered satisfactory to the future occupiers of both flats.

In relation to the conversion of the bungalow into two flats to be used as a HIMO within Use Class C4, the main Policy is H11. Policy H11 states that the conversion of properties to 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), 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 with an HIMO can be significantly greater than that of a typical family house and therefore increases the potential for noise and disturbance. The application bungalow is currently being used as

a HIMO property for 4 people and can be used as a single house in multiple occupation for 6 people without the need for planning permission under current regulations. The proposal is to create 2 flats to be used as 2 and 4 persons' accommodation respectively within Use Class C4 which would retain the maximum level of occupancy allowed under permitted development as a whole.

The converted bungalow together with its extension would remain detached within an open plan estate compared to many of the City's period terraced streets. The proposed extension to create an additional bedroom and kitchen would not share a party wall with any neighbouring house, and as such it is considered that the impact in terms of noise and disturbance would not be expected to be any more than that which would be expected from a single 6 persons house in multiple occupation or even a single large family household. Environmental Protection have no objection to the proposal in terms of noise and disturbance.

It is not considered that a total of 6 occupants is likely to have a detrimental impact on residential amenities, however, as this application has been considered on the basis of 6 occupants in total, it is considered justifiable to condition the maximum number of residents to 6 to ensure the residential activities/uses within the two flats remain at an acceptable level and do not affect neighbouring occupiers and their amenities. The total number of the residents within the proposed two flats would remain similar to the occupancy level of single large household, therefore, it is not considered this occupancy level would have any significant impact on local services.

The application property is a single storey bungalow, the new windows to the en-suite bathroom within the converted garage and two windows on the rear elevation of the proposed extension are all on ground floor level. The side and rear garden is enclosed by closed boarded timber fencing, therefore, the proposed extension would not result in any overlooking. In addition, the extension would not result in any loss of light to nor would it impair the outlook of the occupiers of neighbouring dwellings.

Impact on visual amenity/character of the area

The replacement windows on the front elevation of the garage together with a new pitched roof above would improve the overall design of the application property. The replacement of a flat roof with pitched roof generally enhances the visual amenity of a building and improves the design. Therefore, it is considered that the replacement of the flat roof above the garage with a pitched roof would not harm the visual amenity of the street and character of the area and the visual amenity of the street scene would not be affected adversely.

The bin storage will be located within the side garden. This area is directly accessed via a pedestrian gate by the side of the property. An appropriate condition has been recommended to ensure bins are stored within the storage area approved at all times unless it is 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 the Local Plan 2016 recognises that the provision of car parking for a new development can influence the traffic generation. 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 Local Plan states that proposals for the provision of car parking associated with new development will be assessed on the basis of maximum parking standards set out in Appendix 5.

In accordance with Appendix 5, the proposed parking requirement is 0.75 off road parking spaces per 1no. bedroom, making a maximum requirement of 4.5 spaces (rounded to 5) for the 6 bedroomed HMO. The existing bungalow has 2 no. spaces; therefore, an additional 3 spaces would be required for the proposal to meet the maximum parking standard as per Appendix 5.

However, at the same time, policy related to parking standards recognises 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 site is located in an established residential area which is in a highly sustainable location.

Despite the application site being unable to provide 6 parking spaces, the Highways Authority does not object to the proposal. The Highways Authority considers that the Planning Inspectorate has provided an appeal decision that warrants strong material consideration in this instance, which is appeal reference APP/U4610/W/17/3191248 - 89 Poppleton Close, Coventry CV1 3BN, a proposed House in Multiple Occupation (HMO) case which shares similar characteristics within a location near 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.”

Although the parking provision for this development is outside of that required to meet Policy AC3, the applicant has supplied a parking survey taken in February 2020 which demonstrates that Evesham Walk and the nearest section of De Montfort Way (within 200m of the site) are not heavily parked during the evenings, as neighbouring dwellings all have their own individual on-site parking. The Survey shows that between 95% and 100% of the 37 available on-street spaces are available within the vicinity of the site.

This site also benefits from access to the parking provision located at the nearby established Cannon Park major retail centre and in addition, the site is located within a highly sustainable location. The property is close to bus stops on De Montfort Way and benefits from easy access to the City Centre and the surrounding area. Cannon Park District Centre and the University of Warwick are within walking distance. This specific site is not therefore a location where the occupants, regardless of whether they are students, professionals or anybody else need to be reliant on a private car for their day-to-day requirements. Therefore, the application accords with Policies AC3 and H11 of the Coventry Local Plan 2016.

Air Quality

The application site is within the Council's Air Quality Management Area declared for Nitrogen Oxides (NOx). Therefore, to minimise the impact on the air quality of the area, the Environmental Protection team have recommended a condition that requires the use of specific gas boilers that meet emission limits if new or replacement gas boilers are required within the property.

Other Matters

Residents' comments are noted; in particular that there are too many houses converted into HIMO properties as well as a loss of family housing. Officers are aware of the recent increase in the number of HIMO properties in the area, however, this is mainly due to current planning legislation which allows conversion of a dwellinghouse into a house in multiple occupation for up to 6 occupants without the need for planning consent. Despite the conversion of the existing bungalow into two flats, the maximum occupancy level would remain at 6, which would not require planning permission had it been within a single property.

The change of use would not take the site out of residential use and amenities in association with residential use would remain available. It is acknowledged that the HIMO proposal could result in the loss of family housing, and whilst we have a larger need for family housing to be delivered through new development, we do not have an explicit policy that prevents the loss of family homes. The key to housing delivery is ensuring an appropriate mix of different types and tenures of homes within different communities. The current proposal to convert a single dwellinghouse into two smaller HIMO properties would support this.

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 and highway safety, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H3, H5, H11, DE1, DS3, 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 (as amended).*

2. The development hereby permitted shall be carried out in accordance with the following approved documents: Existing Plan 1/4/20-01; Parking Survey; Planning Report; Proposed Plans and Elevations 1/4/20-02 Rev D.

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

3. For the proposed extension, alteration and garage conversion, 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.*

4. 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 design, appearance and type of stands/shelter and should accord with Cycle Parking Standards within Appendix 5 Coventry Local Plan 2016. Then prior to the subdivision of the building, 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.*

5. The bin storage area shall be provided in accordance with the approved drawings and bins must be stored within the bin storage area as shown in the approved drawings and not on the public highway or at the front of the property, unless on bin collection days.

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

6. The combined occupancy of the proposed two flats hereby permitted shall not be more than 6 permanent 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.*

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

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 the objectives of the NPPF.*