

Planning Committee Report	
Planning Ref:	FUL/2020/1533
Site:	St. Thomas House, Albany Road
Ward:	St. Michaels
Proposal:	Change of use from HiMO to seven flats
Case Officer:	Darren Henry

SUMMARY

The application seeks to bring back in to use a vacant building and the approval for the change of use to seven flats.

BACKGROUND

St Thomas House is located within the St. Michael's urban area of Coventry and is predominantly surrounded by housing, commercial properties, local facilities and services further afield.

Whilst its previous use may have provided social housing as a House in Multiple Occupation, it is no longer used as such. Bringing the building back in to use provides the opportunity to provide much needed housing, whilst not necessarily social housing, the flats will be low-cost by their nature of being one-bedroom flats.

KEY FACTS

Reason for report to committee:	Six letters of objection, a petition with 33 signatories and Councillor Call-in
Current use of site:	Building is vacant
Proposed use of site:	Residential (Seven flats)

RECOMMENDATION

Planning committee are recommended to grant planning permission subject to conditions listed within the report.

REASON FOR DECISION

- a) The proposal is acceptable in principle.
- b) The proposal will not adversely impact upon highway safety.
- c) The proposal will not adversely impact upon the amenity of neighbours.
- d) The proposal makes provision for necessary developer contributions.
- e) Together with the aims of the NPPF, the proposal accords with Coventry Local Plan Policies:

AC1: Accessible Transport Network

AC2: Road Network

AC3: Demand Management

CO1: New or improved social community and leisure premises

DE1: Ensuring High Quality Design

EM4: Flood Risk Management

EM6: Redevelopment of Previously Developed Land

GE3: Biodiversity, Geological, Landscape and Archaeological

Conservation
H3: Provision of New Housing
H4: Securing a Mix of Housing
H5: Managing Existing Housing Stock
HE2: Conservation and Heritage Assets
Im1: Developer Contributions for Infrastructure
SPG: Air Quality

APPLICATION PROPOSAL

The applicant is seeking planning permission to change the use of the building from a large HiMO to seven self-contained flats to be sold or rented at full market value. At ground floor level there will be three one-bedroom flats, including the conversion of the laundry room and manager's office. At the second-floor level there will be 2 one-bedroom flats and the same also at second floor level.

SITE DESCRIPTION

St Thomas House, also known as Warden's House, is a locally listed building within St. Thomas Court, a gated community off Albany Road. The building was the former vicarage to St Thomas' Church and dates from the Victorian period, around 1900. The area surrounding the site is primarily residential, except for the Premier Inn Hotel on the other side of Albany Road.

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
2020/1036	To undertake internal refurbishment of St. Thomas House to form 7 self-contained marketable flats - classification C3	Withdrawn. 12 th June 2020.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF). The NPPF 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 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) 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:

- AC1: Accessible Transport Network
- AC2: Road Network
- AC3: Demand Management
- CO1: New or improved social community and leisure premises
- DE1: Ensuring High Quality Design
- EM4: Flood Risk Management
- EM6: Redevelopment of Previously Developed Land
- GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
- H3: Provision of New Housing
- H4: Securing a Mix of Housing
- H5: Managing Existing Housing Stock
- HE2: Conservation and Heritage Assets
- Im1: Developer Contributions for Infrastructure

Supplementary Planning Guidance/ Documents (SPG/ SPD):

- SPG Design Guidelines for New Residential Development
- SPG Air Quality
- SPD Coventry Connected

CONSULTATION

No Objections received from:

- a) Coventry City Council Planning Policy

No objections subject to conditions received from:

- b) Coventry City Council Environmental Protection
- c) Coventry City Council Highways

At the time of writing the report comments have not been received from:

- d) Coventry City Council Conservation

Immediate neighbours and local councillors have been notified;

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

- e) Loss of communal laundry facility
- f) Not enough car parking spaces
- g) Not enough space for 8 car parking spaces
- h) Concern over communal bins

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

- i) Concerns over noise if the occupants are under 55 years of age

A petition was also received with 33 signatories objecting to the loss of the laundry room and manager's office. Councillor Akhtar has also called-in the.

APPRAISAL

The main issues in determining this application are [principle of development, the impact upon neighbouring amenity, design and visual appearance, impact on heritage (locally listed building) the loss of a communal facility, highway considerations, flood risk, contaminated land, ecology and developer contributions.

Principle of development

St Thomas House is located within the urban area of Coventry and is predominantly surrounded by housing, commercial properties, local facilities and services further afield.

The National Planning Policy Framework (NPPF) establishes the need for the planning system to achieve sustainable development and it breaks down sustainable development in to three key constituents which are: economic, social and environmental dimensions (paragraphs 7 and 8). The NPPF also sets out a presumption in *favour* of sustainable development (paragraph 11). In broad terms, this means that the application should be approved providing that it is in accordance with the development plan, which includes the Coventry Local Plan 2016 to 2031 (CLP) and the NPPF, unless material considerations or adverse impacts indicate otherwise. The presumption in favour of sustainable development is also set out in Policy DS3: Sustainable Development Policy of the CLP and is considered as the golden thread running through both plan making and decision taking.

Furthermore, the principle of residential development is further supported by the fact that the development site is a brownfield site situated in a sustainable location within the urban area of Coventry easily accessible by foot, bike and public transport, close to the City Centre, as well as local services and facilities. Whilst its previous use may have provided social housing as a House in Multiple Occupation, it is no longer used as such. Bringing the building back in to use provides the opportunity to provide much needed housing, whilst not necessarily social housing, the flats will be low-cost by their nature of being one-bedroom flats

It is therefore considered that the principle of residential development in this location is suitable, sustainable and acceptable.

Impact on residential amenity

Submitted plans indicate that no external changes will be made to St Thomas House and it will remain as three- storeys. Consequently, the proposal will not impact on neighbouring residential amenity in relation to a loss of privacy and overshadowing. The conversion into self-contained flats, however, may result in additional noise, internally and externally, and may possibly result in poorer air quality for surrounding residents.

Noise Impact

The National Planning Policy Framework 2019 (NPPF) states that "Planning policies and decisions should also ensure that new development is appropriate for its location taking

into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum, potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life” (paragraph 180).

In relation to noise, Policy H3: Provision of New Housing states, furthermore that “A suitable residential environment will 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”.

In light of the above the applicant has submitted an Environmental Noise Survey in support of the application. The Survey states that the general noise climate at the time of the survey was dominated by road traffic noise from Albany Road. The purpose of the Survey was to assess ambient sound levels in order to calculate the required facade sound insulation to meet the guideline internal levels from BS8233:2014. The required facade sound reduction by any glazing and ventilator combination to be compliant with the guideline values are set out in Section 9, Table 8.

Air Quality

The NPPF encourages new development to be located in sustainable locations close to shops and services and public transportation, as this can help to reduce congestion and emissions, and improve air quality and public health. Paragraph 170 of the NPPF, furthermore, specifically states that “Planning policies and decisions should contribute to and enhance the natural and local environment by:

(e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality”.

Paragraph 181 continues by stating “Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified”

Whilst the proposed development is classified as minor and therefore does not require a transport assessment, it is, nonetheless located within the Coventry Air Quality Management Area, declared in 2009 due to high concentrations of nitrogen dioxide (NO₂). Consequently, in accordance with the Air Quality SPD, as the development is for residential purposes, an air quality assessment of the exposure of future residents to air pollution is required.

The application has submitted an Air Quality Statement. This purpose of the Statement is to show that the annual NO₂ concentration at the development is below the national objective and the EU limit value (which are both 40 µg/m³). The Statement has collected data from the closest Local Authority Monitoring locations 400m away at Ringway Queens Road West and 97 Spon End. The data shows that the NO₂ objective was

achieved at both these monitoring sites in 2019. At Spon End the objective was also achieved in 2018 and 2017.

The Statement concludes that whilst there is no air quality data for Albany Road, available data in the vicinity of Albany Road suggests that the NO₂ concentrations at St Thomas House are likely to be well below the national air quality objective and the EU limit value. The Statement also proclaims that with the introduction of the Coventry Local Air Quality Action Plan in 2021 NO₂ concentrations will further reduce, increasing the likelihood that NO₂ concentration at St Thomas House will be well below 40µg/m³ when it is anticipated that the refurbishment of the building will be completed and occupied.

In relation to both Noise and Air Quality, Environmental Health Officers have been consulted and have not raised any concerns to the proposal, subject to imposition of a condition relating to gas boilers having a maximum dry NO_x emissions rate of 40mg/kWh. It is therefore considered that the proposal will have not be subject to excessive ambient noise or result in increased NO₂ concentrations above national air quality objective. Nevertheless, an additional condition, if approved, will be imposed in relation to internal noise insulation between the flats.

Impact on visual amenity

Section 12 of the National Planning Policy Framework 2019 (NPPF) outlines the Government's commitment to good design and attaches great importance to the design of the built environment, highlighting it as a key aspect of sustainable development. Consequently, decisions should aim to ensure that developments are visually attractive as a result of good architecture and appropriate landscaping.

The NPPF states further states that "where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development". However, "Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents" (130).

Furthermore, Policy DE1: Ensuring High Quality Design, states: "All development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area".

In assessing the design, it should be noted that the application site is not within a conservation area nor is the premises a listed building. Furthermore, there are no proposed external changes to the property. The property is a late 19th early 20th Century Victorian building and has several attractive features. In recognition of this the property was designated as a Locally Listed Building in November 1990.

Heritage character of the area and Heritage Assets

Local Plan Policy HE2 reflects NPPF policy and states that development proposals involving heritage assets in general and listed buildings in particular, should acknowledge the significance of the existing building and the area by means of their siting, massing, form, scale, materials and detail.

St Thomas House was designated a locally listed building in November 1990 in recognition of its value to the local community. A locally listed building is not listed by the Government, but buy the Council, as it believes the building is an important part of the city's heritage. Heritage assets on the Local List need not be less significant than nationally designated assets. In fact, in comparison, they may have more significance locally. In assessing the impact of the change of use on St Thomas House and its refurbishment in to 7 self-contained flats, Coventry City Council's Conservation Officers were consulted.

In terms of archaeology the Conservation Officer has raised no objection to the scheme, subject to a condition to secure a programme of archaeological works.

Loss of Communal Facility

The NPPF states that sustainable development comprises social, economical and environmental components in equal measure, the achievement of which is a fundamental objective of the planning system. Paragraph 92 of the NPPF requires, among other things, that planning decisions should plan positively for the provision of community facilities, and guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs.

Furthermore, Policy CO2: Re-use of or Redevelopment of Facilities, states that:

1. Proposals for the re-use or redevelopment of community premises for a use outside the scope of this policy will not be supported if:
 - a) There is an outstanding local need which could reasonably be met at that location;
 - b) The site remains viable for existing uses or could be made viable through appropriate diversification of use;
 - c) the proposal is not compatible with nearby uses.
2. In all cases consideration should be given to the suitability of the location for such facilities having regard to other Policies in this plan and its supporting documents
3. Where replacement facilities are intended, they should:
 - a) continue to serve the community;
 - b) be of appropriate scale and character; and
 - c) be of high-quality design.

The original layout removed the communal laundry room. Consequently, there were concerns from the occupants of St Thomas Court who use the laundry facility as their only means of doing their laundry. Discussions were then held with the Agent and Applicant with regards of the most positive way forward to overcome objections and get a favourable recommendation. It was agreed the best solution would be to retain the laundry facility the sole use for the occupants of both St. Thomas House and St Thomas Court. If approved this shall be imposed as a condition.

Highway considerations

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling

routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. 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. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Neighbours have raised concerns with regards to the provision of car parking spaces, some stating there is not enough spaces, some saying there are too many and not enough space for manoeuvring. Coventry City Council Highways have been consulted and raised no concerns, stating that “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 relating to the submission of details of a cycle storage area.

The site is located close to the city centre and has good access to local bus routes, with good public transportation. The NPPF states that *“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health”* (paragraph 103). Moreover, it states *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”* (paragraph 109).

Coventry City Council Highways were consulted and stated that in respect of this application the Highway Authority considers that the impacts of the development are not severe and has no objections, subject to conditions. Given the views from Highways, it is considered that the proposal provides sufficient car parking and it will have no severe impacts on highway safety.

Flood Risk

Policy EM4 states that all major developments must be assessed in respect of the level of flood risk from all sources. If development in areas at risk of flooding is the only option following the application of the sequential test, it will only be permitted where the criteria set out in Policy EM4 are met.

The site is located in Flood Zone 1, the most least likely zone to be flooded.

Contaminated land

Policy EM6 seeks to ensure that redevelopment of previously developed land does not have a negative impact on water quality, either directly through pollution of surface or ground water or indirectly through the treatment of waste water by whatever means.

Environmental Protection were consulted and did not raise any concerns over contamination.

Ecology

Policy GE3 of the Local Plan states that Sites of Special Scientific Interest (SSSIs), Local Nature Reserves (LNRs), Ancient Woodlands, Local Wildlife and Geological Sites will be protected and enhanced.

The building has been in its current location since the late nineteenth early twentieth century in an urbanised area. The site has no ecological value and, consequently, no ecological designation. It is therefore considered that the proposal will have no impact on the natural environment

Developer Contributions

Policy IM1 'Developer Contributions for Infrastructure' states that development will be expected to provide or contribute towards provision of: a) Measures to directly mitigate its impact and make it acceptable in planning terms; and b) Physical, social and green infrastructure to support the needs associated with the development.

The development is a minor application and therefore does not trigger the requirement for planning contributions.

Equality Implications

Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) 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, character and visual appearance of the area, heritage, community facilities, highway safety, ecology or result in increased risk of flooding or contamination, subject to relevant conditions. Together with the aims of the NPPF, the reason for Coventry City Council granting planning permission is because the development is in accordance with the following Coventry Local Plan 2016 policies:

AC1: Accessible Transport Network
AC2: Road Network
AC3: Demand Management
CO1: New or improved social community and leisure premises
DE1: Ensuring High Quality Design
EM4: Flood Risk Management
EM6: Redevelopment of Previously Developed Land
GE3: Biodiversity, Geological, Landscape and Archaeological Conservation
H3: Provision of New Housing
H4: Securing a Mix of Housing
H5: Managing Existing Housing Stock
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Im1: Developer Contributions for Infrastructure
SPG Design Guidelines for New Residential Development
SPG Air Quality
SPD Coventry Connected

CONDITIONS:/REASONS

1. The development hereby permitted shall begin no later than 3 years from the date of this decision (TL1).

Reason: *To conform with Section 91 of the Town and Country Planning Act 1990 (as amended) (RTL1).*

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Ground Floor Plan 2020/011/03; Existing First Floor Plan 2020/011/04; Existing Second Floor Plan 2020/011/05; Proposed Ground Floor Plan 2020/011/6E; Proposed First Floor Plan 2020/011/07B; Proposed Second Floor Plan 2020/011/08A; Location Plan & Block Plan (with Blue Line and Car Parking) 2020/011/OSA; Air Quality Technical Note 2092; Environmental Noise Survey 209731-1 (AP1).

Reason: *For the avoidance of doubt and in the interests of proper planning (RAP1).*

3. One electric vehicle recharging point shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available at all times (AQ2).

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 (RAQ2).*

4. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 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 (RAQ2).*

5. No development shall commence unless and until a noise assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment shall include results for LAeq, LA10, and LA90 noise descriptors, together with a calculated arithmetical average for the LAeq. The assessment will demonstrate by calculation that internal noise levels for the proposed residential property meet the 'Good' criteria set out in British Standard 8233 'Sound Insulation and Noise Reduction for Buildings' together with any mitigation measures that are required to achieve this. The report shall also demonstrate that outdoor garden and leisure areas associated with this development meet the 55dB limit as required by the World Health Organisation (WHO) (NO5).

Reason: *To protect the amenities of future occupiers from road traffic noise and general disturbance in accordance with Policy H3 of the Coventry Local Plan 2016 (RNO2).*

6. Prior to occupation of St. Thomas House, hereby permitted, details of cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking facilities shall be provided in full accordance with the approved details prior to first occupation of the building and thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way (HW6).

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 DS3, AC3 and AC4 of the Coventry Local 2016 (RHW5).*