

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2020/1791
<b>Site:</b>	72A St Margaret Road
<b>Ward:</b>	St Michael's
<b>Proposal:</b>	Change of use from purpose-built student accommodation (sui generis) to a hostel (sui generis)
<b>Case Officer:</b>	Dean Leadon

## SUMMARY

The planning application is for a change of use of student accommodation to a hostel for homeless people. The proposal does not include any significant internal alterations to the layout of the building or any significant external alterations requiring planning permission.

## BACKGROUND

The building was previously used for student accommodation and is being purchased by Coventry City Council for supported accommodation purposes. In March 2020 the Council approved the acquisition of property for temporary accommodation for single homeless adults. A number of sites were considered but they were only available as leased properties and were deemed unsuitable. The primary reason for this was that Coventry City Council must own the property for it to be considered 'supported accommodation' for housing benefit purposes.

## KEY FACTS

<b>Reason for report to committee:</b>	Over five objections received against the officer recommendation and on request by an elected Member.
<b>Current use of site:</b>	Student accommodation
<b>Proposed use of site:</b>	A hostel for homeless people.

## 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 accords with Policies: DS3, H3, H4, H5, H8, DE1, AC1, AC3, AC4, EM2 and EM8 of the Coventry Local Plan 2016 (CLP), together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

The proposal is for a material change of use of the existing building from student accommodation to supported temporary accommodation (a hostel) for homeless people. The building was purpose built for 16 single occupancy rooms for students see planning permission (R/2002/0430). It is intended that primarily the proposed use would be for single adults although the proposal states that at times more than 16 people may occupy it as a parent and children may reside in the same room. Further clarification on an upper limited has been sought and any information provided will be reported as a late item.

The supporting information states that the building will be staffed by Coventry City Council officers during normal office hours although there will be no offices within the building. Daily visits will be undertaken by a housing officer or support worker to provide the necessary support for residents and ensure occupancy standards are complied with. Security/concierge will be provided out of hours and at weekends with CCTV coverage also being linked to a 24/7 staffing provision.

### **SITE DESCRIPTION**

The site relates to a detached 3 storey red brick building located on the west side of St Margaret Road at its junction with David Road. The building is dual aspect in design. The pedestrian access to the building is from its eastern elevation on St Margaret Road, the boundary treatment here comprises a wall/railing that is approximately 2m in height. The north elevation of the building onto David Road is partly obscured at ground floor by landscaping. This elevation has the primary fenestration to the building and a garage door. The surrounding area is predominantly residential in nature with terraced housing the dominant house type. Nearby facilities include a school, doctors and shops.

### **PLANNING HISTORY**

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

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
R/2002/0430	Demolition of existing church hall and erection of building for the accommodation of 16 students, new vehicular access, and associated landscaping. [70-72 David Road CV1 2BW]	Approved – 23/12/2002
S/1980/2112	Change of use of Church premises to workshop and retail premises with ancillary offices [72 David Road]	Refused -3/11/1980

## **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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development

Policy H3: Provision of New Housing

Policy H4: Securing a Mix of Housing

Policy H5: Managing Existing Housing Stock

Policy H8: Care Homes, Supported Housing, Nursing Homes and Older Persons Accommodation

Policy DE1: Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy EM2: Building Standards

Policy EM8: Waste Management

### **CONSULTATION**

Consultations were undertaken with West Midlands Police, Highways (development control), Environmental Protection, West Midlands Fire Service and CCG being consulted.

Consultees have responded as follows:

No Objections received from:

- Highways
- Environmental Protection

No objections subject to conditions have been received from:

- West Midlands Police

Comments are awaited from:

- West Midlands Fire Service
- CCG

Immediate neighbours and local councillors have been notified; a site notice was posted on 7<sup>th</sup> September 2020.

At the time of writing this report 22 letters of objection have been received, raising the following material planning considerations that the proposal would:

- a) be to the detriment of the local community and neighbour cohesiveness;
- b) result in an increase in crime and fear of crime;
- c) lack adequate security measures;
- d) be to the detriment of local public services;
- e) result in an increase in litter and rubbish;
- f) result in anti-social behaviour;
- g) result in noise and disturbance;
- h) increase traffic and exacerbate existing car parking issues to the detriment of the safety; and convenience of the users of the highway;
- i) result in a saturation of similar uses in the area
- j) not be managed sufficiently as it would be managed remotely
- k) result in development inconsistent with the NPPG

The accuracy and clarity of the information submitted has also been questioned. In response to this point additional information/clarification was sought from the applicant.

One letter of support has been received, raising the following material planning consideration

- a) That the proposal would provide required service for homeless people.

Any further comments received will be reported within late representations.

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

- a) That permission could set an unwanted precedent for similar uses to be approved.
- b) Possible behaviour and specific needs of those needing to use the hostel.
- c) The building was not erected to secure by design standards
- d) That the portaloo in the rear garden may require planning permission.
- e) That there is an overhanging radio antenna at the property

Any further comments received will be reported within late representations.

## **APPRAISAL**

The main issues in determining this application are:

- Principle of development
- Highway Issues
- Impact upon character of the area
- Crime and Fear of Crime
- Anti-Social Behaviour
- Impact on Amenity
  - Noise and Disturbance
  - Littering

### **Principle of development**

The site is unallocated within the CLP and therefore the principal of development shall be determined on the individual merits of a proposal. The site lies within an existing residential area and has a previous residential use established upon it. The site has excellent transport links with bus stops on Northfield Road and is accessible to the City

Centre by foot or cycle. Furthermore, residential property that offers transient accommodation such as that proposed is not uncommon within the area. The reuse of the building to a further residential is also compliant with Policies H3 & H4 of the CLP in that it uses the current housing stock for the proposal freeing up more land and/or buildings for family housing.

For the reasons above the proposal is considered suitable in principle however the detail and material considerations which inform its suitability overall are discussed in detail below.

### **Highway Issues**

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.

There are no specific car parking standards for hostels within Appendix 5 of the CLP. However, the existing use (student accommodation) for 16 people would have set a requirement for 4 spaces. There was only one car parking space approved as part of the student accommodation and this was considered suitable. Cycle storage is considered suitable within the garage provided in compliance with appendix 5 and Policy AC4 of the CLP.

Residents have raised concerns regarding the impact that the proposal would have upon car parking in a parking permit area. The application states that residents would not be eligible for parking permits and that a restriction upon car parking would be managed by the management team.

Highways have no objection to the proposal given that it is in a sustainable location close to the city centre and there is excellent access to numerous public transport links. They also consider it to be a high probability that future tenants would not have access to their own vehicle. Furthermore, information from parking services indicates that to be eligible for a parking pass, individuals must pay council tax or receive Council tax benefit. This would preclude residents being entitled to have a car at the premises and on this basis I am of the opinion that car ownership would be minimal and therefore the car parking arrangements proposed are suitable and the impact upon the highway of the proposal generally would be negligible.

### **Impact on residential amenity**

The site was previously purpose-built student accommodation which is no longer required and therefore the use of the building for residential purposes is established. Whilst the proposal is for a hostel which differs from student accommodation, the uses are different, although not dissimilar. It is not considered that the continued use of the building as flatted accommodation with a communal kitchen would harm the character of the area which it is noted as having an existing transient population with similar uses evident locally.

The site will be managed from an office elsewhere but suitable security to be controlled by condition and daily contact by housing officers give no cause for significant cause for concern in this regard.

It is not considered that there would be any significant harm to local services as a result of the proposal and it is unlikely that the low number of car users would impact upon parking provisions within the street.

### **Impact Upon the 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:

- 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.

Residents have raised concerns that the proposal would result in harm to the character of the area and its functioning for family housing. Indeed, the impact upon the established character of the area is a key consideration when introducing a new use. In considering the suitability of the proposal and its ability to be ‘sympathetic to the local character’ of the area it is important to consider what the established local character is. As mentioned elsewhere in this report this area of Coventry does have a relatively high transient population. This is amongst residents who have also been living in the area with a greater degree of permanency.

The decisive factor here is whether the introduction of a new residential use which would result in a transient population with residents typically living there for up to 6 months would cause substantial harm to the character of the area in terms of established uses.

Given that the building itself has previously been used for student accommodation I can only conclude that the replacement of a similar use in terms of the lack of permanency of residents and the numbers involved would have a negligible impact on the character of the area.

Furthermore, there would be no harm aesthetically to the area as the application proposes no external alterations to the building.

### **Crime and fear of crime and anti-social behaviour**

Section F of paragraph 127 of the National Planning Policy Framework states that planning policies and decisions should:

*‘...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.*

There is a perception from residents that there may be increased crime in the area as a result of the proposal. West Midlands Police have been consulted and have provided comments on the proposal. They recognise that there is crime associated with such a use as proposed and they have suggested conditions in respect of security to mitigate against this. These conditions have been included where considered appropriate and meeting the required tests set out in Paragraph 55 of the National Planning Policy Framework.

I am led by West Midlands Police as to the significance of crime in respect of the proposal, although they have some concerns I am satisfied that the proposed condition will result in the building being suitably managed as not to *‘undermine the quality of life or community cohesion and resilience’* in accordance with the NPPF.

Local residents also have concerns regarding potential anti-social behaviour that could stem from the use. The risk of anti-social behaviour is always difficult to quantify. Housing officers will have a degree of control over future resident’s behaviours through the housing agreement. In consideration of that fact and in the absence of any demonstrable evidence that anti-social behaviour would occur, I am of the opinion, that this is not so significant an issue to warrant refusal of this application.

Littering has also been raised as an issue with the proposal. There is no evidence to suggest that littering would occur to the detriment of visual amenity and health just because the residents of the premises would be homeless. Environmental Protection have not objected.

### **Impact on neighbouring amenity**

#### Appearance

There are no changes proposed to the external fabric of the building or no extensions therefore no impact would occur upon the appearance of the area or the visual amenity of the residents.

### Noise and Disturbance

The impact of the proposal upon residential amenity by way of noise and disturbance has raised some concerns by residents and is a significant material consideration.

The property is double glazed and is screened by appropriate boundary treatment in the form of a 2m high fence at the rear. The question of whether the proposal would result in any undue noise and disturbance has been considered by Environmental Protection who have no objections to the proposal. Furthermore, there is no evidence to suggest that noise and disturbance would occur to unreasonable levels. On this basis the concerns are not considered so significant to warrant refusal of the application.

### Local Services

In considering the numbers proposed and the existing use, it is not considered that the proposal would be to the detriment to or put any unnecessary strain on the ability of existing residents to access local services. With regards to concerns raised regarding doctor provision, the CCG have been consulted and any comments received will be reported as a late item.

### Other Matters

The proposal is in accordance with all relevant national and local policy.

### **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:

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, highway safety, ecology or infrastructure, subject to relevant conditions. The reason for Coventry City Council

granting planning permission is because the development is in accordance with: Policies DS3, H3, H4, H5, H8, DE1, AC1, AC3, AC4, EM2 and EM8 of the Coventry Local Plan 2016, together with the aims of the NPPF.

### **CONDITIONS:/REASON**

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

**Reason:** *To conform 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 plans: Location Plan 5198842/003, Block Plan 5198842/004 Rev 1, Ground Floor Plan SM4689/001 Rev 1, First Floor Plan SM4689/002 Rev 1 and Second Floor Plan SM4689/003 Rev 1.

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

3. Prior to their incorporation into the development hereby permitted, full details of the proposed security measures at the property, which shall include: CCTV, details of security personnel and operation, and proposed access control systems, shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be installed/applied in full accordance with the approved details prior to the first occupation of the development and thereafter shall be retained and shall not be removed or altered in any way.

**Reason:** *In the interests of safety and security and the health and wellbeing of future occupiers of the development in accordance with Policies DS3, H3 and DE1 of the Coventry Local Plan 2016.*

4. Prior to the implementation of the change of use hereby permitted, full 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 first occupation of the development and thereafter the areas shall remain available for bin storage use at all times and shall not be removed or altered in any way. Bins shall be stored within the bin storage area at all times, and not on the highway, except on bin collection days.

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