

Planning Committee Report	
Planning Ref:	FUL/2020/3070
Site:	57 Woodway Lane, CV2 2EG
Ward:	Henley
Proposal:	Change of use from a Care Home (Use Class C2) to a House in Multiple Occupation (HMO) (Sui Generis).
Case Officer:	Emma Spandley

SUMMARY

The application seeks planning permission for the change of use of the property to a large House in Multiple Occupation (HMO) for 13no. persons (Use Class Sui Generis).

BACKGROUND

The application property is a detached, two-storey period property on the corner of Woodway Lane and Arkle Drive.

The current use of the property is a care home (Use Class C2) with 12 bedrooms. The site has forecourt parking spaces off Arkle Drive for two vehicles.

KEY FACTS

Reason for report to committee:	Over 5 objections against the officer recommendation.
Current use of site:	Care Home (12no bedrooms)
Proposed use of site:	House in Multiple Occupancy (HMO) for 13no. persons.

RECOMMENDATION

Planning committee are recommended to delegate the granting of planning permission to the Strategic Lead - Planning, subject to the conditions listed in 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 DS1, DS3, H11, AC3, AC4 of the Coventry Local Plan 2016, together with the aims of the NPPF.

BACKGROUND

SITE DESCRIPTION

The application property is a detached, two-storey period property on the corner of Woodway Lane and Arkle Drive.

The current use of the property is a care home (Use Class C2) with 12 bedrooms. The site has forecourt parking spaces off Arkle Drive for two vehicles.

The property has substantial hedge planting to the front (facing Woodway Lane) and part side boundary (facing Arkle Drive). The property has a low-level brick wall around the corner with Arkle Drive, then further into Arkle Drive the boundary treatment changes to a 2m high brick wall with shrub planting. This wall then leads into a detached outbuilding, with the access being provided from Arkle Drive.

There is public open space to the rear of the application property which separates the property from No.14 Arkle Drive to the east and to the north is an existing car garage.

APPLICATION PROPOSAL

The application seeks planning permission for the change of use of the property to a large House in Multiple Occupation (HMO) for 13no. persons (Use Class Sui Generis).

Each bedroom will have a window which provides not only sufficient light levels but also a decent outlook, and all communal rooms will not only have access to an internal glazed courtyard but also to a communal garden area to the rear.

The property currently benefits from a detach outbuilding located within Arkle Drive. This outbuilding will be amended to provide three additional parking space. Making the total number of parking spaces provided as five.

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
S/1985/0935	Erection of a garage	Approved 13 th June 1985
S/1987/1234	The change of use and extension of the existing dwelling house to form a rest home for the elderly	Approved 26 th March 1987
L/1989/2165	New conservatory and six new dormer windows	Approved 28 th December 1989
L/1992/0748	Continued use of dwelling house as rest home for the elderly without complying with Condition 3 imposed on Planning Permission S/1987/1234 restricting number of elderly persons in residence	Approved 30 th June 1992

	(increase in elderly persons from 9 to 12)	
L/1992/1692	Side extension to provide laundry and 1st floor store, pitched roof to garage with storeroom	Approved 1 st April 1993
L/1994/1409	Glazed covered way at the side/rear	Approved 24 th November 1994
L/1997/1499	Glazed covered area to side of exiting premises	Approved 19 th January 1998

POLICY

National Policy Guidance

National Planning Policy Framework (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 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 DS1 Overall Development Needs
- Policy DS3 Sustainable Development Policy
- Policy H11 Homes in Multiple Occupation (HMOs)
- Policy DE1 Ensuring High Quality of Design
- Policy AC3 Demand Management
- Policy AC4 Walking & Cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG	Design guidance for new residential development
SPG	Houses in Multiple Occupation, carried over from Policy H14 of the 1993 UDP
SPD	Coventry Connected

CONSULTATION

Consultee responses

No objections subject to conditions/contributions have been received from:
Environmental Protection
Highways

Public consultation responses

immediate neighbours and local councillors were notified on 26th January 2021.

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

a) Highway safety and lack of parking

Any further comments received will be reported within the late representations document.

APPRAISAL

The main issues in determining this application are;

- Principal of development
 - Neighbouring amenity
 - Parking provision
- Design and visual
- Impact on Local Services
- Amenity Value for Future Occupiers

- Equality implications

Principle of development

Policy H11: Homes in Multiple Occupation (HMO's) states that the development of purpose-built HMO's or the conversion of existing homes or non-residential properties to large HMO's will not be permitted in areas where the proposals would materially harm:

- a) the amenities of occupiers of nearby properties (including the provision of suitable parking provisions);
- b) the appearance or character of an area;
- c) local services; and
- d) The amenity value and living standards of future occupants of the property, having specific regard to internal space and garden/amenity space.

In respect of point a) The proposed change of use to an HMO does not require any external alterations or extensions, therefore there will be no impact on the adjoining properties through visual intrusion or loss of privacy.

In respect of suitable parking provision; The parking provision that is required for a 13no bedroomed HMO is 10no off road parking spaces. The existing use was a 12no bedroomed care home and required one space per four bed spaces and one per two staff members. Therefore, the existing use requires three car parking spaces for the bedrooms and an estimated two further spaces for staff (parking survey), making a requirement of five car parking spaces. The property as existing has spaces for two vehicles and therefore there is a shortfall of three spaces.

Turning to the proposed use, 10no spaces are required. There are only five being provided and therefore a shortfall of five spaces. A Parking Survey has shown that there are ample night-time parking spaces available for any increases in car ownership that the change of use may bring about. The Highway Authority raises no objections to the proposed development.

Officers are mindful that the site is located within an area where parking to Woodway Lane is restricted by double yellow lines, which prohibit parking and Arkle Drive is a Residents Parking Zone (RPZ). Therefore, the presence of an existing RPZ shows the

area already experiences a high demand for on street parking and note the comments made by the local residents.

However, a Parking Survey has been submitted which has demonstrated that not only is the site in a highly sustainable location; Woodway Lane is a bus route (services 1, 8, 8A, 20A, 78 and 78A), as is Hinckley Road, and there are bus stops within easy reach of the site. There are also safe and convenient walking and cycling routes to Bride Drive District Centre (which is 14 minutes and 5 minutes away, respectively). There are shops, a church and local amenity within easy walking distance. University Hospital is a 12-minute walk and 4-minute cycle ride away, but that there are also spaces available on street in Arkle Drive, where parking is controlled via permits.

As the parking survey has shown that there are spaces available to absorb the shortfall from the proposed development within the existing Residents Parking Zone, it is considered that the proposal will not cause further parking stress in an area where there have been historic problems with on street parking capacity.

In respect of point a) it has been determined that the use of the site as a 13no.bedroomed HMO would not have a detrimental impact on the amenities of the neighbouring and surrounding properties through the intensification of the use of the property together with the limited-on street parking. The scheme is therefore in accordance with Policy H11 point a) and is acceptable in principle.

In respect of points b), c) and d) the remainder of this report will discuss these in respect of the proposal

Impact on 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.

The NPPF further states (at paragraph 130) "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. Conversely, 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. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used)."

In respect of Policy DE1; No physical changes are proposed as part of the scheme except for the existing detached outbuilding which will have a side wall removed in order to allow three vehicles to be able to be parked safely. However, the change of use alone is not considered to create any significant impact upon the character of the (existing) building or the visual amenity of the street scene.

The proposed development thereby complies with Local Plan Policy DE1 and therefore accords with part b) of Policy H11 of the Coventry Local Plan.

Impact on Local Services

Policy H11: Homes in Multiple Occupation (HMO's) states that the development of purpose-built HMO's or the conversion of existing homes or non-residential properties to large HMO's will not be permitted in areas where the proposals would materially harm:

- a) the amenities of occupiers of nearby properties (including the provision of suitable parking provisions);
- b) the appearance or character of an area;
- c) local services; and
- d) The amenity value and living standards of future occupants of the property, having specific regard to internal space and garden/amenity space.

In respect of point c) the property is located within an existing residential area, close to local services.

Therefore, the application accords with part c) of Policy H11 of the Coventry Local Plan.

Amenity Value for Future Occupiers

Policy H11: Homes in Multiple Occupation (HMO's) states that the development of purpose-built HMO's or the conversion of existing homes or non-residential properties to large HMO's will not be permitted in areas where the proposals would materially harm:

- a) the amenities of occupiers of nearby properties (including the provision of suitable parking provisions);
- b) the appearance or character of an area;
- c) local services; and
- d) The amenity value and living standards of future occupants of the property, having specific regard to internal space and garden/amenity space.

Turning to point d) Policy H14 of the 1993 Plan which has been carried forward as SPG to the Coventry Local Plan 2016, sets out the amount of private amenity space required

for HMOs. It states that for the first 4 units / bedrooms 30 square metres is required and then 5 square metres per unit / bedroom thereafter.

Turning to the application proposal for a 13no. bedroomed HMO, the private garden space required is 80 square metres. The garden area retained in its entirety is approximately 76 square metres. This area does not include the bins or cycle store which will be located to the rear of the existing garage within an existing fenced off area, therefore in accordance with the *Design Guidelines for new Residential Development* SPG which states, bin and cycle storage are required to be sited out of public vantage points. The details of the bin and cycle storage areas will be controlled by a suitably worded condition. Please see condition No.4.

In conclusion the required cycle storage is in accordance with Appendix 5 of the Coventry Local Plan and the required bin storage is in accordance with SPG carried over from Policy H14 of the 1993 Plan. Therefore, the application property can provide the required bin and cycle storage whilst also achieving a satisfactory level of outside amenity space in accordance with Policy H11, point d) of the Coventry Local Plan.

Equality implications

The proposal has been reviewed and it is considered there are no known equality implications as a result of this proposal, in accordance with the Equality Act 2010.

Conclusion

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or highway safety subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DS1, DS3, H11, AC3, AC4 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:
Amended Proposed Elevations and Floor Plans - Drawing No.21/003/P02

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

3. The development hereby permitted shall be occupied by no more than 13no. permanent residents at any time.

Reason: *To ensure that the development is not used in an over-intensive manner, prejudicial to or likely to cause nuisance to occupiers of nearby properties in accordance with Policies DE1, H3 and H5 of the Coventry Local Plan 2016.*

4. Prior to the first occupation of the development hereby permitted, 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 they shall remain available for use at all times and shall not be removed or altered in any way. All bins which serve the development within the red line site area must be stored within the approved bin storage area and not positioned on the public highway or in the open, unless on bin collection days.

Reason: *In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policies DE1 and H11 of the Coventry Local Plan 2016.*

5. Prior to occupation of the House in Multiple Occupation 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.

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.*

6. Prior to the first occupation of the development hereby permitted, details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Details of hard landscaping works shall include boundary treatment, including full details of the proposed boundary walls, railings and gates to be erected, specifying the type of bricks and colour of the railings and gates; footpaths; and hard surfacing (which shall be made of porous materials or provision shall be made to direct run-off water from the hard surface to a permeable or porous area). The hard landscaping works shall be completed in strict accordance with the approved details within three months of the first occupation of the House in Multiple Occupation (HMO) hereby permitted; and all planting shall be carried out in accordance with the approved details within the first planting and seeding seasons following the first occupation. Any tree(s) or shrub(s) which within a period of five years from the completion of the development dies, is removed or becomes; in the opinion of the Local Planning Authority; seriously damaged, defective or diseased shall be replaced in the next planting season with another of similar size and species. All hedging, tree(s) and shrub(s) shall be planted in accordance with British Standard BS 8545:2014 Trees: from nursery to independence in the landscape - Recommendations and BS4428 - Code of Practice for General Landscape Operations.

Reason: *To ensure a satisfactory standard of appearance of the development in the interests of the visual amenities of the area in accordance with Policies GE1 and DE1 of the Coventry Local Plan 2016.*

7. No works to the footway shall be carried out until full engineering details have been submitted to and approved in writing by the Local Planning Authority. Before the

development hereby permitted is first occupied all redundant existing vehicular access points onto Arkle Drive shall have been permanently closed and the footway reinstated and any associated footway works completed in full accordance with the details shown on the approved drawings and the approved engineering details.

Reason: *In the interests of highway safety in accordance with the aims and objectives of Policies AC1 and AC2 of the Coventry Local Plan 2016.*

8. The development hereby permitted shall not be occupied unless and until the access to the site, manoeuvring spaces and car parking areas indicated on the approved drawings have been provided in full accordance with those details and thereafter those areas shall be kept marked out and available for such use at all times.

Reason: *In the interests of highway safety in accordance with the aims and objectives of Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*

9. Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh. One electric vehicle recharging point per dwelling shall be provided prior to occupation and shall not be removed or altered in any way and shall be kept available for such use by residents at all times.

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.*