

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2021/2347
<b>Site:</b>	12 Parrott's Grove
<b>Ward:</b>	Longford
<b>Proposal:</b>	Change of Use from dwelling house (Class C3) TO Children's Home (Class C2 – maximum 4 children)
<b>Case Officer:</b>	Dean Leadon

### **SUMMARY**

The proposal is for change of use from an existing large detached residential bungalow (which was in the past 2 dwellings) to a children's home for a maximum of 4 children. The children would live within the property and would be supervised by 2 full time adult employees.

### **KEY FACTS**

<b>Reason for report to committee:</b>	More than 5 objections and at the request of Councillor Duggins
<b>Current use of site:</b>	Residential (C3)
<b>Proposed use of site:</b>	Children's Home (C2)

### **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: AC1, AC3, AC4 and H8 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## APPLICATION PROPOSAL

The proposal is for change of use from an existing large detached residential bungalow (which was in the past 2 dwellings) to a children's home for a maximum of 4 children. The children would live within the property and would be supervised by 2 full time adult employees. The conversion includes an office and sensory room and separate sleeping accommodation for both children and staff. The children residing at the home would have learning difficulties with varying levels of disability including mobility, cognitive, emotional and levels of autism. The application states that the young people would be supported very closely and would not be capable of free movement outside of the home. In addition to the full time carers other visits would occur on an ad hoc basis for the purposes of maintenance, social services, Ofsted and quality inspection etc.

## SITE DESCRIPTION

The application relates to a detached bungalow located on the northern side of Parrott's Grove within a predominantly residential area. The property has a front driveway which can accommodate 6 cars. There is access to the rear garden via a gate at the left-hand side of the property. The rear garden is a large area currently grassed with a large established hedge between 2 and 3 m in height forming the boundaries on either side. The surrounding area is predominantly residential in nature.

## 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/1975/0844	Conversion of No's 10 & 12 into one dwelling	Approved 31/7/75
R/2009/0766	Erection of single storey side and rear extension	Approved 30/07/09
R/2009/1236	Erection of single storey side and rear extension	Approved 20/10/09
LDCP/2021/0989	Lawful development certificate for the proposed change of use of a single family dwellinghouse to the use of the property for the care of not more than four young people/children under Use Class C3(b)	Withdrawn 9/7/21

## 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 AC1: Accessible Transport Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

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

### **Supplementary Planning Guidance/ Documents (SPG/ SPD):**

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

SPD Coventry Connected

### **CONSULTATION**

No Objections received from:

- West Midlands Police
- Highways

A site notice was posted on 27<sup>th</sup> August 2021.

Letters were sent in accordance with the communications record on 20<sup>th</sup> August 2021

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

- a) The proposal would result in crime and fear of crime
- b) The proposal would result in anti-social behaviour
- c) The proposal would be to the detriment of neighbouring amenity due to noise and disturbance
- d) The proposal would be contrary to policy H8 as there are lack of amenities due to the semi-rural nature of the area and poor transport links
- e) The proposal would result in a loss of privacy
- f) The proposal would result in harm to the highway due to lack of car parking and speeding on the highway
- g) Appendix 2 (Matrix of Visitors and Car Movements) submitted with the application should be discounted as it is out of date referring to an example of visits to a similar property in 2016.

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

- h) Concerns over the integrity of the applicant due to previous application for lawful development certificate which it is alleged was an attempt to bypass the correct planning process
- i) Alleged crime and anti-social behaviour at another site on Woodway lane is evidence of the problems that will occur at the application property

Any further comments received will be reported within late representations.

Councillor Duggins is in support of the neighbour's objections as detailed above.

## **APPRAISAL**

The main issues in determining this application are the principle of development, the impact upon neighbouring amenity and highway considerations.

### **Principle of development**

The proposal is for living accommodation within a residential area albeit for children requiring specialist care. The proposed use as a children's home for 4 individuals with 2 full time staff is very similar to the number of people that you would expect to find in a property of that size. Policy H8 states that such proposals will be encouraged in areas that are accessible by a choice of means of transport and that are situated in close proximity to local services. Given the numbers involved the services and transport are considered sufficient with the nearest bus stop approximately 150m away and the nearest shop approximately 700m away. The principle of development is considered acceptable

### **Impact on residential amenity**

A key consideration with the proposed use is the impact that the proposal would have on the amenities of the existing residents within the area.

The opinions of the neighbours have been carefully considered and concerns particularly in respect of noise and disturbance and general nuisance have been relayed back to the applicant. The applicant has confirmed that the children proposed at the premises would not be free to roam by themselves outside of the home due to their specialist care requirements. It is important to note that although relevant the nature of the children's needs who will reside at the premises cannot in itself be controlled by condition as it would not meet the tests of the NPPF.

On visiting the property, it was clear that the property was very private particularly at the rear of the property where established hedges were present.

It is considered that any noise and disturbance created by 4 supervised children is unlikely to result in significant harm to the amenities of neighbouring property by way of noise and disturbance and as such no significant impact will occur to neighbouring amenity.

### **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.

Highways have no objections to the proposal and consider that the impacts of the development are not severe. This is on the basis that the site is not expected to increase traffic generation relative to the existing residential use, and there are no proposed changes to the means of access. The car parking provision is also considered to be compliant with the current Local Plan standards. Conditions have been recommended in respect of further details to be submitted on the cycle storage required. A total of 2 off road car parking spaces are required in accordance with the Local Plan and the proposal makes provision for 6 spaces.

### Other Matters

Residents have raised concerns regarding crime, fear of crime and anti-social behaviour. The views raised are largely based upon another property within the area which is managed by the applicant. The occurrence of crime at another property is not in itself a material consideration but is useful in providing some context. West Midlands Police have considered the criminal activity at the other property which amounts to 11 crimes on site for the 12 month period September 2020 to September 2021. It is not possible to report the specifics but these crimes include assault, criminal damage and theft from a motor vehicle. West Midlands Police do not consider that this warrants an objection to the application. There is currently a difference between the nature of the users at the existing property, which is currently occupied by children with Emotional Behaviour Disorders (EBD) such as extreme anxiety, bipolar, psychosis and obsessive compulsive disorders and those at the application property - learning difficulties. West Midlands Police have considered this difference in the occupants but this in itself is not the sole determining factor in them reaching this conclusion as their initial comments did not object to the proposal before this distinction was made. On this basis officers are satisfied that, on balance, the potential for criminal activity and anti-social behaviour is not so severe to warrant refusal of this application.

There are no privacy issues created as a result of the proposal.

### **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;  
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 use is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or highway safety. Furthermore, the risk of criminal activity is not considered so severe to warrant refusal of the application. The proposal is therefore considered suitable subject to a relevant condition in respect of cycle storage. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H8, AC1, 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 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  
Parking Plan LK/H/16/D-03 Rev A  
Proposed Floor Plans LK/H/16/D-01B

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

3. Details of the proposed cycle storage shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking details shall include the siting, design, appearance and type of stands/shelter and should accord with Cycle Parking Standards within Appendix 5 Coventry Local Plan 2016. Then prior to occupation the approved cycle storage shall be implemented, retained therein after and kept available for this use at all times.

**Reason:** *In the interests of encouraging the use of alternative modes of transport with the aim of creating a more sustainable city in accordance with Policies AC4 of the Coventry Local Plan 2016.*

4. There shall be no more than 4 children residing at the property at any one time.

**Reason:** *To ensure that the use is not over intensive in the interest of neighbouring amenity and highway safety.*