

<b>Planning Committee Report</b>	
<b>Planning Ref:</b>	FUL/2021/0974
<b>Site:</b>	34 Belvedere Road
<b>Ward:</b>	Earlsdon
<b>Proposal:</b>	Change of Use from Residential Care Home to 4 Self-contained Flats, associated internal and fenestration alterations and demolition of garage
<b>Case Officer:</b>	Ayesha Saleem

### **SUMMARY**

The application proposes to convert a residential care home to four self-contained flats. The proposal is considered to have an acceptable impact upon the street scene and character of the main house.

### **BACKGROUND**

The application has been recommended for approval. The application has received more than 5 public representations objecting to the proposal.

### **KEY FACTS**

<b>Reason for report to committee:</b>	More than 5 objections have been received
<b>Current use of site:</b>	Residential care home with garden amenity to the rear and parking.
<b>Proposed use of site:</b>	Residential dwelling used to accommodate four self-contained flats

### **RECOMMENDATION**

Planning committee are recommended to approve 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 AC2, AC4, DE1 and H3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

## BACKGROUND

### **APPLICATION PROPOSAL**

The residential care home is to be converted into 4 self-contained flats (2 flats are 2 bed and 2 flats are 3 bed). Each flat is to accommodate a kitchen, lounge, bathroom and bedrooms. The flats are to be spread across the ground floor, first floor and second floor. Each flat is to have their own access into the building.

The only external alterations relate to altering the fenestration details. The front and rear elevation are to remain the same. On one of the side elevations a window at first floor level is to be blocked up. The side elevation fronting Stanway Avenue is to be altered there is to be an additional window at first floor level and alterations to an existing window to be a single panel. At ground floor level on this side elevation a window opening is to be altered to a door opening and alterations are to be made to an existing door opening.

The proposal will include 8 parking spaces for the flats to the rear and one for visitors located to the front of the dwelling. The rear of the property would provide amenity space for all the flats and storage for bins and cycle parking.

The applicant has submitted amendments to parking layout to ensure sufficient parking is on site this will result in the existing garage to the rear being demolished. Full details of cycle parking and the bin storage have also been submitted.

### **SITE DESCRIPTION**

The application relates to a large detached property located on the corner of Belvedere Road and Stanway Road. The property was a residential care home. The property has a two-storey extension to the rear and a detached garage. The main amenity space is to the rear of the property and vehicular access is gained from Stanway Road, but there is also one parking space to the front of the property. The area is residential in character.

### **PLANNING HISTORY**

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
S/1969/0121	Erection of sun lounge and playroom	Approved- 02/05/1969
S/1973/0170	Proposed extension to house	Approved- 09/05/1973
S/1973/0171	Proposed extension to house	Approved- 04/07/1973
S/1978/0060	Erection of detached house and garage (outline)	Refused- 30/08/1978
S/1982/0047	Change of use of home to aged person rest home	Approved- 30/12/1981
S/1982/0048	Extension to form two additional bedroom, bathroom, kitchen and office	Refused- 29/12/1982
S/1986/0062	Extension to form new bedrooms, bathroom and w.c	Approved- 14/05/1986
S/1987/0058	Kitchen extension to elderly persons rest home	Approved- 14/01/1987
L/1988/0154	Erection of first floor extension to provide additional bedrooms, bathroom and w.c.	Refused- 13/05/1988

L/1989/2267	Erection of first floor extension to provide additional bedrooms, bathroom and w.c. (Amending Document - to car parking scheme (approved on appeal Ref T/APP/U4610/A/88/ 108554/P4 dated 22.03.89)	Approved- 17/01/1990
R/2000/2066	Two storey extension to provide an additional 14 bedrooms	Withdrawn- 12/04/2001
R/2001/4292	Two storey extension to provide an additional 14 bedrooms	Refused- 17/09/2001
R/2002/1212	Ground floor rear extensions to provide additional bedrooms and laundry; ground floor conservatory extension to side; demolition of existing garage and provision of car parking.	Refused- 15/08/2003
R/2003/1629	Ground floor rear extension to provide four additional bedrooms and a laundry. Demolition of existing garage and laundry and provision of new access arrangements	Withdrawn 24/06/2003

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF). The NPPF published in July 2021 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 promotes sustainable development and good design is recognised as a key aspect of this.

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 6<sup>th</sup> December 2017. Relevant policies relating to this application are:

Policy AC2: Road Network;  
 Policy AC4: Walking and Cycling;  
 Policy DE1 Ensuring High Quality Design;  
 Policy H3: Provision of new housing;  
 Policy H5: Managing Existing Housing Stock  
 Policy EM7: Air Quality

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

SPG Design Guidelines for New Residential Development  
 SPD Delivering a More Sustainable City 2009  
 SPD Coventry Connected (Transport and Accessibility) 2019  
 The Technical Housing Standards- National Described Space Standard 2015

## **STATUTORY CONSULTATION RESPONSES**

Highways (CCC)- No objections subject condition

Environmental Protection (CCC)- No objections subject to condition

Planning Policy (CCC)- No objections

## **PUBLIC RESPONSES**

Notification letters were sent out to adjoining neighbouring houses and a site notice was displayed on 10<sup>th</sup> August 2021

17 letters of objection raising the following material planning considerations:

- a) Overdevelopment
- b) Bedroom sizes are too small
- c) Parking is insufficient
- d) Parking is an existing issue
- e) No parking survey submitted
- f) Highway safety concerns
- g) May result in being an HMO
- h) Discrepancies in the plans- windows missing & side elevation missing
- i) Too many units this should be reduced
- j) Insufficient amenity space
- k) Loss of privacy
- l) Noise and disturbance – from coming and goings
- m) Out of character type of accommodation
- n) Increased traffic and pollution
- o) No adequate notice of this application
- p) Intensification of use

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

- q) Concerns regarding upkeep of boundary treatments
- r) Belvedere Road is residents only parking
- s) Licence would be required if used as an HMO
- t) Design does not meet current Housing Act
- u) Windows should meet COVID ventilation requirements

Any further comments received will be reported within late representations.

Given the amendments to the car parking and cycle parking layout, demolition of the garage and the full details of the bin storage. All neighbours and people who commented on the application were sent a further 10-day notification letter.

Two letters of objection raising the following material planning considerations were received from people who have already has commented on the application:

- v) Noise and disturbance – from coming and goings
  - w) Overdevelopment
  - x) Lack of visitor parking
  - z) Out of sync with the councils stated aims of returning housing stock to families rather than bedsit/student/HMO's etc
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- aa) Anti-Covid measures absent from the plans
  - bb) Side elevation still missing
  - cc) No traffic and noise surveys have been carried out

- dd) what measures have the planning office taken to make sure that main drains and sewers can cope with an increase over and above existing usage with the increase in no of toilets and bathrooms
- ee) What guarantee do neighbours have that these small apartments do not become bedsits or HMOs
- ff) Intensification of use
- gg) Existing congestion issues
- hh) Too many units this should be reduced

## **ASSESSMENT**

### Principle of Development:

Policy H3: Provision of 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 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.

Policy H5 which states where appropriate, the existing housing stock will be renovated and improved, in association with the enhancement of the surrounding residential environment and to meet local housing needs.

The proposed development is within a sustainable location, close to public transport routes, local shops and services. The conversion will create a high-quality residential environment. The scheme does provide access to outside amenity space for all the flats. Parking provision requirements are also met. No issues are raised in terms of environmental pollution. The proposed residential uses will remain compatible with surrounding residential uses and the flats will provide an alternative to the existing family houses in the locality.

The scheme is considered to be acceptable in principle and Planning Policy officers have raised no objections to the proposals.

### Impact on visual amenity:

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.

Chapter 12 of the NPPF requires that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The proposal is to result in changes to the fenestration details on the side elevations of the property, which are considered to be acceptable. The other external alterations will involve the demolition of the garage and the erection of the cycle and bin stores. These are both considered to be of an acceptable scale, design and materials.

SPG Design Guidelines for New Residential Development requires 30sqm of external amenity space for a 2-bed flat and 50sqm for a 3-bed flat. The total amenity space required

is 160sqm for all the flats. The proposal achieves 160.73sqm of useable amenity space on site.

The Technical Housing Standards- National Described Space Standard 2015 in paragraph 10-point C state “in order to provide one bedspace, a single bedroom has a floor area of at least 7.5m<sup>2</sup> and is at least 2.15m wide. The smallest bedroom measures 9.65sqm and is 2.2 metres wide. The bedrooms comply with this space standard. These are not standards that have been adopted as Planning Policy or Guidance by the Council but are set out here to give an indication of how the proposals relate to those standards.

The proposal provides sufficient living accommodation and amenity for each flat. Thus, the proposal is considered to be acceptable. The proposal would not result in any material changes that would differ from standard family home.

Given that the premises were previously used as a 15-bed care home, the proposal is not considered to result in overdevelopment of the site.

#### Impact on residential amenity:

The proposed external changes to the fenestration details, cycle and bin stores are not considered to have a detrimental impact upon the amenity of the neighbouring dwellings. The proposal is to have no impact in regards of loss of privacy.

Environmental Protection officers have raised no concerns regarding noise and pollution. Officers have recommended conditions in relation to Air Quality- gas boilers and four electric vehicle charging points to be provided.

#### Highway considerations:

Coventry Local Plan 2016 Appendix 5 Car & Cycle Parking Standards requires the following parking provision for the following:

- C3 Residential Dwellings (Per Unit) 2-bedroom house/flat - 2 per dwelling + 1 unallocated space per 10 dwellings for visitors
- C3 Residential Dwellings (Per Unit) 3-bedroom or more house/flat - 2 per dwelling + 1 unallocated space per 5 dwellings for visitors

Therefore, the requirement for this development is 9 spaces. The proposal achieves this as 8 parking spaces are proposed to the rear of the property and 1 space is proposed to the front. No parking survey is required as the parking provision has been met. The proposals also include Sheffield cycle stands. Highway officers raise no objections to the proposals subject to the recommended conditions in relation to cycle parking and access, manoeuvring and parking layout.

Given the parking provision and that the accesses are already present the proposal is not considered to result in any highway safety concerns.

#### Other Matters:

In regard to the neighbour representation in relation to the discrepancies in the plans (including the missing side elevation). Officers notified the Agent and the application was made invalid until these were corrected, and the application was then re-validated on the 9<sup>th</sup> August 2021. Both a site notice was posted, and neighbour letters were sent out, thus adequate notice was given to residents regarding the planning application.

Just for clarification purposes this is not an HMO application but an application to change the use to 4 self-contained flats. HMO applications do require licenses.

The upkeep of boundary treatments between neighbours is not a material planning consideration

The design of the proposals is assessed in relation to the Policies and SPG outlined above in this report. The Housing Act is not a material planning consideration.

Windows meeting the COVID ventilation requirements is not a material planning consideration. The windows are normal window openings which is sufficient to allow natural ventilation of the property and residents will have access to external amenity space.

In relation to drainage and sewers, given the existing use as a 15-bed residential care home, the proposed four flats would have similar level of occupancy and therefore it is not considered that the change would have a detrimental impact on drainage and sewerage.

The use of the four flats will be conditioned so the property cannot be changed to a large HMO without planning permission.

#### 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**

In view of the acceptable principle, design and no detrimental impact upon neighbouring properties, the scheme accords with development plan policies, supplementary planning guidelines and the NPPF 2021 therefore the application is recommended for approval. The development is in accordance with Policy DE1, H3, H5, EM7, AC2 and AC4 of the Coventry Local Plan 2016.

#### **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  
Existing Floor Plans DWG: 9070-01  
Proposed Floor Plans DWG: 9070-02A  
Proposed Elevations DWG: 9070-03  
Proposed Block Plan DWG: 9070-04AB  
Existing Elevations DWG: 9070-05  
Existing Block Plan DWG: 9070-07  
Bin Store & Retained Shed Plan DWG: 9070-08

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

3. Other than where specified on the approved plans, no facing materials shall be used other than materials similar in appearance to those used predominantly in the construction of the exterior of the existing building.

**Reason:** *To ensure that the proposed development has a satisfactory external appearance in the interests of the visual amenities of the area in accordance with Policy DE1 of the Coventry Local Plan 2016.*

4. Any gas boilers installed on site shall have a dry NO<sub>x</sub> emission rate of no more than 40mg/kWh. Four electric vehicle recharging points 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.*

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), or any order revoking and re-enacting that Order with or without modification, the residential accommodation hereby permitted shall be occupied only as a dwellinghouse(s) falling within Use Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any order revoking and re-enacting that Order with or without modification, and for no other purpose; and for the avoidance of doubt there shall be no permitted change to Use Class C4 of the schedule to that Order.

**Reason:** *To prevent further intensification of use of the property, in the interests of the occupiers of nearby properties in accordance with Policies DE1, [H3/H5] and H11 of the Coventry Local Plan 2016*

6. The residential accommodation hereby permitted shall not be occupied unless and until the bin storage areas have been provided in full accordance with the details shown on the approved plans and thereafter they shall remain available for use at all times and shall not be removed or altered in any way.

**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.*

7. The development hereby permitted shall not be occupied unless and until the access to the site, manoeuvring space(s) and car parking area(s) 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*

8. The development hereby permitted shall not be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details. 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.*

