

OFFICER REPORT

Planning Committee Report	
Planning Ref:	FUL/2021/2386
Site:	8 Bransford Avenue, CV4 7AA
Ward:	Wainbody
Proposal:	Construction of single-storey front, side and rear extensions and change of use from a single dwelling bungalow to 2 x houses in multiple occupation (HMO) comprising 3 and 4 bedrooms (7 in total)
Case Officer:	Daniel Taylor

SUMMARY

The application seeks the extension of an existing 2 / 3-bedroom single dwelling bungalow to the front, rear and side in connection to changing its use to 2 x houses in multiple occupation (HMO), one comprising 3 en-suite bedrooms and a kitchen, accessed from the front of the property and one comprising 4 en-suite bedrooms and a kitchen, accessed from a new entrance to the side of the property. A rear garden would remain, and three car parking spaces would be provided to the front.

BACKGROUND

The application site relates to a detached single dwelling corner plot bungalow located on an estate where it is open planned and verdant in nature. The houses are detached but the gaps between them are small, however corner properties are set back from the junctions to provide green and open corner plots. The site faces Bransford Avenue, which is one of the main roads within the estate and has a side frontage onto Blackthorn Close, which is a close made up of 16 houses. There is restricted parking within the estate.

KEY FACTS

Reason for report to committee:	More than 5 Objections have been received
Current use of site:	Single dwelling bungalow (Use Class C3)
Proposed use of site:	Large HMO for 7 persons (Use Class Sui Generis)

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, DE1, H5, H11 & AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

APPLICATION PROPOSAL

The works proposed are in relation to changing the use of a single-dwelling bungalow into a 3-bedroom HMO and a 4-bedroom HMO (7-bedrooms in total). The property would be divided in half with the 3-bedroom HMO occupying the front and accessed from the front and the 4-

bedroom HMO occupying the rear and accessed from the side. Each HMO would have a kitchen with en-suite bedrooms measuring between 11.10sqm and 18.9sqm. All bedrooms would be accessed internally via the communal front/side doors and communal hallway and all would have access to the rear garden with the bedrooms in the 4-bedroom HMO having direct access from secondary rear patio doors serving their rooms. All rooms would be served by openable windows, even those with secondary patio doors.

The single-storey front extension would partially infill the existing set back element in front of the front door and garage, measuring 5.4m deep by 5m wide and would include a new front entrance and window to serve the new kitchen. It would have a pitched roof to the front measuring 3.8m high with a flat roof behind measuring 3.3m high extending back to the rear of the property.

The single-storey side and rear extension would extend out from the rear half of the side elevation of the existing property by 3m, similar in depth and location of where the current garden wall begins and would square off the rear of the property. The rear extension would measure 1.3m back from the existing rear extension, 5m back from the rear wall of the original bungalow and would be level with the existing rear wall of the garage. The proposal would extend the existing 4.3m high rear gable end feature all the way to the rear of the new extension and would add two new smaller gable end features to the side elevation measuring 3.8m up to the pitch of the roof. All new roof elements would measure 2.5m to the eaves, to match the existing bungalow.

Three car parking spaces would be provided to the front, two would accommodate the existing drive area and new one created immediately adjacent.

6 x 240L bins in a timber enclosure would be provide in the rear garden along with 6no. Sheffield cycle racks spaced 1m apart. A new side boundary wall would be constructed along with a new timber access gate.

AMENDMENTS MADE DURING THE ASSESSMENT OF THE APPLICATION

The depth of the extension to the rear was reduced by 2.6m to be in line with the rear most building line of the existing property which is the back of the garage and the side extension was reduced in length by 3m to take it back roughly where the current side garden wall begins (8.3m from the front of the original bungalow). This was to ensure the proposal would be more subservient to the host property and ensure more rear and side garden was retained and to retain more openness around the site. The internal layout was also changed to ensure all rooms including the bedrooms and kitchens were served by windows and an additional parking space was provided to the front of the property.

SITE DESCRIPTION

The site is a corner plot and located on the south side of Bransford Avenue and the west side of Blackthorn Road and accommodates a single dwelling bungalow. The bungalow is brick built and has a pitched roof with a flat roof over the side garage and rear extension and benefits from a front drive, open front and side garden and an enclosed rear garden. The property is attached to the neighbour to the west via the garage and making up the site's rear boundary wall is the single-storey garage and two storey side walls of the properties on

Blackthorn Close. The surrounding character of the area is a mix of bungalows and two-storey houses, mainly detached with narrow gaps between properties.

RELEVANT SITE HISTORY

S/1975/0230 - Proposed extension to living room. Approved 21/04/1975

RELEVANT HISTORY OF SURROUNDING SITES

The below table shows the most recent decided planning applications within the Cannon Park Estate where changes of use to HMOs have either been approved or refused, including appeals which have either been allowed or dismissed.

	App Ref. and Address	Proposal	Decision	Decision date
1	2019/1945 5 Blackthorn Close	Conversion to 6 residential units comprising of one cluster flat, one 1-bedroom flat and 4 studios	<p>Refused on the following grounds:</p> <p>1. The proposal is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the overriding objectives of the National Planning Policy Framework 2019 as the conversion of this detached dwelling house into six independent residential units/households would result in an undesirable over-intensification of use with associated comings and goings and disturbance from six independent households having a detrimental impact upon the amenities and quiet enjoyment that adjacent neighbours may reasonably be expected to enjoy.</p> <p>2. The proposed conversion would be contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the overriding principles of the National Planning Policy Framework 2019 by reason of its internal layout as access to the one bedroomed flat and studio flat 1 is through the communal kitchen and lounge area of the cluster flat. This arrangement would appear sub-standard, failing to create a quality residential environment, a satisfactory level of privacy and therefore the proposal would be detrimental to living conditions of future occupiers</p>	09/10/19

2	2020/0093 5 Blackthorn Close	Conversion to 5 residential units comprising of 1 flat, 3 studios and 1 cluster flat (comprises 3 bedrooms)	<p>Refused on the following grounds:</p> <p>1. The conversion of this detached dwelling house into 5 independent flats/households is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the objectives of the NPPF as the proposal would be out of character with the pattern of development in the locality causing the over intensification of the use of the property and subsequently would increase the density of occupation within a quiet residential suburb.</p> <p>2. The conversion of this detached dwelling house into 5 independent residential units/households would result in an undesirable over-intensification of use with associated comings and goings and disturbance from 5 independent households creating a detrimental impact upon the amenities and quiet enjoyment that adjacent neighbours may reasonably be expected to enjoy. Therefore, the proposal is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the objectives of the NPPF 2019.</p>	20/04/20
3	APP/U4610/W/20/3257307 5 Blackthorn Close	Appeal to 2020/0093	Appeal Dismissed	07/12/20
4	2021/1723 5 Blackthorn Close	Change of use, 5 bed HMO and 2 studios	<p>Refused, on the following grounds:</p> <p>1. The proposed conversion of this detached dwelling house into a 5 bed HMO and 2 studio flats is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the objectives of the NPPF 2019 as it would be out of character with the locality due to the fact that the proposal would result in the over-intensification of the use of the property and subsequently would</p>	09/09/21

			<p>increase the density of occupation within a quiet residential suburb</p> <p>2. The conversion of this detached dwelling house into a 5 bed HMO and 2 studio apartments would result in an undesirable over-intensification of use with associated comings and goings and disturbance from the residential units creating a detrimental impact upon the amenities and quite enjoyment that adjacent neighbours may reasonably be expected to enjoy. Therefore, the proposal is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the objectives of the NPPF 2021</p>	
5	2018/3487 8 Blackthorn Close	Change of use from a small House in Multiple Occupation (HMO) (Use Class C4) to a 8no bedroomed, 8no persons large House in Multiple Occupation (HMO) (Use Class Sui Generis) with 1no self-contained unit for 1no person (Use Class C3) (Retrospective)	Approved	09/05/19
6	2018/2834 10 Blackthorn Close	Conversion of dwelling house into a larger house in multiple occupation (HMO, sui generis) to be occupied by 8 students (retrospective application)	Approved	06/12/18
7	2018/1796	Proposed change of use from a	Refused on the following grounds:	27/09/18

	76 Bransford Avenue	dwelling house to five self-contained flats (four x one bedroom and one x two-bedroom) for student accommodation (retrospective).	The proposal is contrary to Policy H3 of the Coventry Local Plan 2016, the Car and Cycle Parking for New Development (Appendix 5) and the aims and objectives of the NPPF 2018 in that: Insufficient provision is made for the parking of vehicles within the application site. On-street parking restrictions apply meaning that not all residents owning a car would be able to park at the property. The scheme therefore fails to provide a suitable residential environment, as it fails to provide adequate parking provision to serve the development.	
8	APP/U4610/W/18/3217166 76 Bransford Avenue	Appeal to 2018/1796	Appeal Allowed	02/07/19
9	2020/2500 84 Bransford Avenue	Change of use (retrospective) from a dwelling house to a House in Multiple Occupation for up to 8 occupants	Approved	08/12/20
10	2018/1494 84 Bransford Avenue	Change of use from a dwelling house (Use Class C3) to a 8 bedroomed House in Multiple Occupation (Use Class Sui Generis)	Withdrawn	05/10/18
11	2020/0973 119 De Montfort Way	Change of use from dwelling house to a 7-bedroom house in multiple occupation (sui generis)	Approved	25/06/20
12	2020/2902 1 Old Mill Avenue	Change of use from 6 bed HMO to 5-bed HMO and 2-bed flat	Approved	26/01/21

13	2018/3417 9 Old Mill Avenue	Change of use from dwelling (Use Class C3) to a 9no. bedroomed House in Multiple Occupation (HMO) (Use Class Sui Generis).	Withdrawn	07/02/19
14	2018/2371 28 Old Mill Avenue	Change of use to a house of multiple occupation (HMO) to provide 13 person's accommodation (retrospective application).	<p>Refused on the following grounds:</p> <p>1. The conversion of the dwelling house to a large-scale house in multiple occupation (sui generis) for the use of 13 unrelated people is contrary to Policy H11 of the Coventry Local Plan 2016 and the objectives of the NPPF 2018 as it results in the over-intensification of the use of the property which causes serious detriment to the amenities of neighbouring residents from increased noise and general disturbance. The neighbouring amenities are affected by a large number of unrelated people and their visitors from their comings and goings on foot and by motor vehicles and insufficient on-site car parking provisions.</p> <p>2. The proposal is contrary to Policies AC2 and AC3 of the Coventry Local Plan 2016, in particular 'the car and cycle parking for new development (Appendix 5)' and the aims and objectives of the NPPF 2018 as insufficient information has been submitted to demonstrate that sufficient parking spaces for the development are available and subsequently that the impact on highways and existing parking provisions in the area is acceptable. In such a situation, it is reasonable to consider that the proposal would result in the intensification in demand for on road parking provision in the locality,</p>	16/01/19

			which would be to the detriment of highway safety, the free flow of traffic and to the amenities of the occupiers of neighbouring properties.	
15	2019/0866 28 Old Mill Avenue	Change of use to 2 flats (use class C3)	Approved	28/05/19
16	2019/1722 28 Old Mill Avenue	Conversion of dwelling house into two 5 bedrooms flats to be used as small-scale house in multiple occupation (use class C4).	Refused on the following grounds: The conversion of the dwelling house into two 5 bedroomed flats to be used as houses in multiple occupation (HIMO) for the use of at least 10 unrelated people is contrary to Policy H11 of the Coventry Local Plan 2016 and the objectives of the NPPF 2019 as it would result in the over-intensification of the use of the property which would cause serious detriment to the amenities of neighbouring residents from increased noise and general disturbance. The neighbouring amenities would be affected by a large number of unrelated people and their visitors from their comings and goings on foot and by motor vehicles in particular when the flats would be used simultaneously with the use of the adjoining house 28A Old Mill Avenue, which is also a HIMO property.	03/09/19
17	APP/U4610/W/19/3238365	Appeal of 2019/1722	Appeal allowed	22/04/20
18	2019/0291 30 Old Mill Avenue	Change of use to a 9-bedroom house in multiple occupation (sui generis)	Refused on the following grounds: 1) The conversion of the dwelling house to a large-scale house in multiple occupation (sui generis) for the use of 9 unrelated people is contrary to Policy H11 of the Coventry Local Plan 2016 and the objectives of the NPPF 2018 as it results in the over-intensification of the use of the property which would cause serious detriment to the amenities of neighbouring residents from increased noise and general disturbance. The neighbouring	08/04/19

			<p>amenities would be affected by a large number of unrelated people and their visitors from their comings and goings on foot and by motor vehicles and insufficient on-site car parking provisions.</p> <p>2) The proposal is contrary to Policies AC2 and AC3 of the Coventry Local Plan 2016, in particular 'the Car and Cycle Parking for New Development (Appendix 5)' and the aims and objectives of the NPPF 2018 as insufficient information has been submitted to demonstrate that sufficient parking spaces for the development are available and subsequently that the impact on highways and existing parking provisions in the area is acceptable. In such a situation, it is reasonable to consider that the proposal would result in the intensification in demand for on road parking provision in the locality, which would be to the detriment of highway safety, the free flow of traffic and to the amenities of the occupiers of neighbouring properties.</p>	
19	2019/0967 30 Old Mill Avenue	Change of use to a 7-bedroom house in multiple occupation (sui generis) (retrospective application)	Approved	13/06/19
20	2019/2641 10 Brill Close	Conversion of the dwelling house into a 7 persons' house in multiple occupation (HIMO) including garage conversion.	Approved	23/01/20
21	2020/0893 8 Evesham Walk	Erection of a rear extension, garage conversion with pitched roof	Approved	30/07/20

		above and conversion of existing small house in multiple occupation (Use Class C4) into 2 flats to accommodate 6 people (Use Class C4)		
22	2019/1849 15 Cloud Green	Two-storey side and single storey rear extension and conversion to a house in multiple occupation for 7 people (HMO, sui generis)	Refused on the following grounds: The conversion of the dwelling house into a 7 person HMO would result in the over-intensification of the use of the property to the serious detriment of the amenities of neighbouring residents and the amenity value and living standards of future occupants of the property. It is therefore contrary to Policies DE1 and H11 of the Coventry Local Plan 2016 and the objectives of the National Planning Policy Framework 2019	20/11/19
23	APP/U4610/W/20/3249438	Appeal to 2019/1849	Appeal Allowed	07/08/20

POLICY GUIDANCE

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. The latest framework came into effect on 20th July 2021. The NPPF 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 plan

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:

Policy DS1: Overall Development Needs

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy H11: House in Multiple Occupation (HMO)

Policy DE1 Ensuring High Quality Design

Policy AC1: Accessible Transport Network

Policy AC2: Road Network

Policy AC3: Demand Management
Policy AC4: Walking and Cycling

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Extending Your Home

SPG Design Guidelines for New Residential Development

SPD Delivering a More Sustainable City

SPD Coventry Connected

PUBLIC CONSULTATION RESPONSES

Two rounds of public consultation were carried out following amendments made to the proposal. Notification letters were sent to adjoining neighbouring properties on 9th August 2021 and 10th February 2022 and a site notice was put up outside the site on 19th August 2021. Eleven representations were received during the first round of consultation objecting on the following grounds:

Impact on the area:

1. The work will completely change the character of what is a row of small bungalows along this side of Bransford Avenue.
2. The continued conversion over the years of houses and bungalows into HMO's has completely changed the nature of the estate, which was built as a residential estate with its own school and now few children live on the estate to go to the school and the area is now more like an offshoot of the University Campus and has affected many in the community.
3. The proportion of HMO's to privately owned properties has now become too great, and the estate has become unbalanced.
4. These HMO developments do not add to or enhance the area and only cause negative impacts on local residents including health and safety and hygiene issues with lack of care given to the property, gardens overgrown, students cycling on the pavement and leaving cars in the road for long periods of time and waste and bins now properly considered by the landlord or the students.
5. Loss of family housing / housing for elderly and disabled people, which isn't being built in the city and is in demand unlike student accommodation.
6. People who need bungalows increasingly priced out / out bid as the profits of individual landlords are put ahead of the needs and quality of life of local residents.
7. Less properties for those who need bungalows and the future need of an ageing population and a lack of community for those who remain.
8. The proposal does not enhance the existing area
9. The open nature of the estate will be impacted by building on the grassed area to the side which provides amenity value and would be out of keeping with the area.

Student accommodation:

10. PBSA has been provide at Shultern Lane and De Montfort Way within excess of 800 student rooms, why is more family housing being converted for student HMOs, these developments were supposed to relieve the pressure on the estate.
11. Continuous student development but no development for local residents like doctor's surgeries.

12. Is the city now not at saturation point with student accommodation, with many PBSA blocks left empty or seeking permission to change their use?

Nature of the development:

13. Overdevelopment of the site with the proposal close to twice the footprint of the original property.
14. Significant issues with the layout - size of rooms and kitchen, lack of recreation/lounge space, unsafe number of exists, a kitchen without natural light or ventilation and not all rooms having direct access to the rear garden.
15. The proposed development accommodates 7 occupants which would require a HMO license. This requirement is being avoided by dividing the property into two, although it is a single building. This cheats the regulations and deprives the council of income both from license and rates (students are exempt), while allowing the landlords greater profits. Any safeguard provided to tenants or local residents by HMO license would be eliminated, therefore this development should be recognised as a HMO for 7 residents and require a license.
16. It is likely the existing facing bricks and roof tiles are no longer manufactured and therefore a disagreeable patchwork effect will be created.
17. Garden halved in size
18. Long term residents must pay council tax whereas students are exempt and don't contribute to or care about the area and the profit of the landlord is at the expense of local residents.
19. Little consideration given to fire safety and cannot be treated like a normal family home anymore but as 7 separate bedrooms.
20. This over development falls unacceptably short of the quoted NPPF and policy DE1 requirements for good design, quality, compatibility, appropriateness, enhancement, amenity etc.

Parking:

21. Impact on traffic and parking, which has already increased from students and staff parking in the estate to avoid campus parking charges and issues with pavement parking obstructing pedestrians, mobility scooters, push chairs, etc.
22. The parking survey submitted is flawed, students do not drive on to campus and pay to park when they reside within walking or cycling distance therefore, they will leave their cars at their residence during the day. Residents do not park on pathways and ensure they do not block access for service lorries or emergency services. If residents parked as implied in the survey access for emergency services would be an issue.
23. Bransford Avenue is busy with delivery drivers, learner driver lessons and is the only access to the primary school.
24. Parking survey making inaccurate assumptions with the time of the survey questionable for accuracy and legitimacy.
25. The 'Supporting Planning Report' and 'Parking Survey' reflect conditions pertaining during the pandemic. Both lack objectivity, merely regurgitating NPPF, NPPC, LA etc. requirements - whilst assuming compliance. There is a vast divergence between the specious report and parking / congestion recorded on photographs in more normal times.
26. Two spaces for small cars on the driveway is insufficient, on-street parking shouldn't be the solution

27. The parking survey talks about people out during the day, however, with more home working and lectures online more people are at home during the day now.
28. The TRICS data submitted in terms of trip generation mixes up small flats, family homes and HMOs and is not accurate and will have a bigger impact on the area than stated.
29. The bus service in the area is unreliable and expensive and it is cheaper and more convenient to own a car.

Amenity Impacts:

30. Loss of privacy from new side windows close to the pavement
31. Increase noise
32. HMOs are less well looked after, overflowing bins with litter blown around the streets, not always put out for collection and deteriorating the appearance of the estate
33. Rubbish bins will be left in front of property as the HMO at the front of the property residents are unlikely to walk around to the rear garden via the public pavement
34. Loss of natural light to no. 6 Bransford Avenue because of the higher roof

Three representations were received following the second round of consultation objecting on the following grounds. Two had previously written in objecting to the proposal following the first round of consultation:

1. Original objections still apply.
2. The main issue still is with the scale of the extension in relation to the original building and the impact this will have on the character and appearance of what is a modest bungalow.
3. The side and rear extensions would reduce the openness of the plot and separation to no. 2 Blackthorn Close and would be built close to the pavement.
4. The rooms in studio 2 are narrow and may receive poor levels of daylight.
5. There are too many bedrooms for a property of this size
6. The layout for refuse to be taken through the property to the bins is not ideal and the bins will most likely migrate to Bransford Avenue, creating an untidy appearance.
7. The revised plans offer little merit to alter the original views of the Cannon Park Community Association.
8. Whilst the internal layout proposed is better than the original concern remains about the increased mass of the development compared to the original bungalow, the lack of alternative (emergency) exits for the rooms in the smaller studio, the inadequate parking provisions for a 7-room property, the lack of access to the bins from the smaller studio and the fact that the only direct access to the bins for the larger studio is via bedrooms 4 to 7. The new main access into the larger studio at the side of the property along the line of the current garden wall would appear that this access comes out onto the council owned/communal space outside the existing garden wall, and as such represents an unacceptable change to the property access provisions.
9. As previously stated, the need case for additional Homes in Multiple Occupancy in this area has all but vanished with the construction of new commercial student accommodation in the Cannon Park Centre area and as such the continued

destruction of our local community by these unwanted and unnecessary HMO developments remains unacceptable to private owner/occupiers.

10. Would still amount to an overdevelopment with the footprint being 195% of the bungalow as originally approved (175% including the approved rear extension) with rooms being of a size that could result in more than one person occupying them.
11. Inappropriate layout for access to the rear garden for studio 1 and with no provision for recreational area, laundry, or boiler location.
12. No provision for disabled people.
13. Bedroom 1 is too deep for effective natural ventilation and light.
14. Noise disturbance, especially for elderly residents living close by.
15. As the two HMOs are not connected presumably either could be sold independently.
16. Impact on no. 6 Bransford Avenue to insert service mains etc. or to maintain the fabric.
17. Extensions and raising of the flat roof will further deprive no. 6 of daylight in an already dark entrance hall and bathroom.
18. Height of the flat roofs likely to exceed that shown on the drawings. Building regs., ground, floor, ceiling, and roof levels appear not to have been considered.
19. Bins left out the front and the three proposed car parking spaces further reduce the grass and openness at the front and will embellish the street scene.
20. Deficient drainage.
21. Impact on Cannon Park being an open estate with grassed area very much a valued amenity.
22. The 3 No. cars shown would probably (i) encroach onto the footway (ii) obstruct the view from bedrooms (iii) eliminate a bin storage area (iv) impact on the street scene.
23. The existing bungalow is set forward of the line of houses in Blackthorn Ave. The proposed extension encroaches a further 3M onto the amenity area. It is too close to the footway, is out of keeping, incongruent and would impact severely on the street scene.
24. If CCC requires 4 car Parking spaces for 7 (+) students, then at least one bedroom and one CP should be omitted.
25. The parking survey was made in the early hours, in a holiday period, when many students were at home, covid-19 was rampant, and lockdown and isolation was in operation.
26. That TRICS data indicating traffic movements '*not greater than a family dwelling...*' is spurious. This is one of many estate HMOs not a single 1 or 2 car family house. As with all planning appraisals the aggregate is conveniently ignored.
27. The claim that "*.... pedestrian – friendly wide, well- lit footpaths link Cannon Park D.C. with W.U....*" is incorrect. The 'shared use' footways are narrow, and dangerous - particularly after dark. The current fad for heavy battery powered scooters on footways and roads is illegal.
28. There is no acknowledgement of the nearby 800 and 50 bedroom schemes in the immediate locality which, we were told, would 'relieve the pressure'.
29. This application is indicative of an absentee landlord attempting to achieve maximum returns at minimal cost with a shameful disregard to the incremental damage it will inflict on a once desirable family neighbourhood.

30. The scheme falls woefully short of the quoted NPPF and policy DE1 requirements for 'good design, quality, compatibility, appropriateness, enhancement, amenity' etc.

INTERNAL CONSULTATION RESPONSES

Ecology: The new extensions would require the loss of a small amount of garden together with small trees and planting. This loss of habitat and biodiversity would be contrary to local plan policy GE3 and national policy, however there are no objections, subject to the Bat Scoping certificate indicating that no bats are present and subject to a pre-commencement condition (EC24) requiring a biodiversity offsetting scheme to include a brief landscaping scheme showing wildlife friendly planting and replacement small trees.

Environmental Protection: No objection, subject to conditions requiring a minimum of 1 x electric vehicle charging point per dwelling to be installed prior to occupation and for any gas boilers to have a maximum dry NOx emissions rate of 40mg/kWh.

Highways: No objection, subject to conditions requiring:

1. Details of secure and sheltered cycle storage (HW6) in line with Appendix 5 of the Local Plan 2016 and
2. A Travel Plan (HW16) with sustainable travel measures and incentives

HMO Licensing: No objection, subject to the supply of at least the following for the 7 proposed number of occupants:

- 2 X 240L /1 X 360L green lid wheelie bins,
- 2 X 240L /1 X 360L blue lid recycling wheelie bins
- 1 x 240L brown lid compost bin.
- Adequate space for all these bins to be stored within the boundary of the property, so they are not placed on council or public land such as a footpath.
- An openable window for ventilation for all bedrooms alongside the patio doors.

Planning Policy: Planning Policy do not object to the principle of the development proposed and the scheme accords generally with the provisions of national and local policy. They note that no details in regard to waste management have been submitted which does not fully comply with the provisions of Policy H11 Part 1A but this could be achieved by way of a condition to ensure adequate waste management arrangements.

APPRAISAL

The main issues in determining this application are principle of development, design, and the impact upon the character of the area, the impact upon neighbouring amenity, the impact on the amenity of future occupiers, the impact on local services and highway considerations.

Principle of Development

In terms of the principle of the proposals the NPPF at Part 5 seeks to boost the provision of new housing in line with Government objectives, including a range of different types of housing to meet the needs of the entire community as established at Paragraph 62. Part 12 also emphasises the importance of sustainable design in achieving high quality and sympathetic built form, but also ensuring high standards of amenity of residents as described

at Paragraph 130f.

Policy H11 of the Coventry Local Plan 2016 (CLP) states 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.

The above will be assessed in turn in the sections below in terms of the individual merits of the site, however, in terms of the principle of the location for a change of use to a large-scale HMO, this has been accepted at properties in the vicinity of the site with the area being within walking distance of the University of Warwick campus.

Coventry Connected Supplementary Planning Document sets out the parking requirement for a large HMO.

Design and Character of the area

The NPPF and Policy DE1 of the CLP 2016 both encourage high quality urban design. The NPPF states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Policy DE1 states that all development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Following the amendments to the proposal the extensions would now be more in keeping with the scale of the host property. The side extension element would now follow a similar footprint to the existing rear garden boundary wall, meaning the openness to the front and side of the site would be mostly retained and the character of the area sustained. The extension would be higher than the existing garden wall and therefore would be more prominent in the street scene however, the design with two gable end features that would be lower than the main pitch of the roof and would match the existing eave height would have an acceptable appearance that would match the character of the host property.

The reduction in the size of the rear extension would now retain a more acceptable area of rear garden space and by extending the main gable end roof through to the new rear building line would ensure it has an acceptable and coherent appearance, in keeping with the character of the host property. The proposal would sustain the character of the area by incorporating new pitched roofs and gable end designs to match the host property, which would be no higher than the pitch of the existing roof and would match the existing eaves height.

The proposal would be similar to a scheme approved in 1991 for side and rear extensions at another corner plot location on the estate at 8 Aldrin Way (ref. L/1991/0676). The proposal would retain more of the original openness to the street than that approved at no. 8 Aldrin

Way by virtue of the side extension being set significantly further back from the front of the property.

In terms of the proposed front extension, this would be set back 1m from the original front building line helping to distinguish it from the original house. It would have a pitched roof to the front matching the roof design of the original building with a flat roof behind that would match the existing situation along this part of the property about the existing garage.

The proposal is therefore considered to provide an appropriate design that will enhance the character of the area and will provide a good standard of residential accommodation, in accordance with Local Plan Policies DE1 and H11.

Layout and impact on future occupiers of the HMO

The layout of the proposal has also been improved because of the amendments with all bedrooms and kitchens being provided with openable windows and some of the particularly narrow rooms have been removed. A front door would be retained to the front of the property to access the three-bedroom HMO and the new side door to access the four-bedroom HMO would be acceptable as it leads straight onto the public highway on Blackthorn Close. The new rear garden access gate would also lead straight off Blackthorn Close, as per the existing rear garden access. Both HMOs would have access to shared facilities in the form of two kitchens and all bedrooms would be en-suite. While the four-bedroom HMO can take advantage of the direct access to the rear garden, all bedrooms would have access to it via the side access gate.

The proposal would comply with the 'Extending Your Home' SPG which states development should harmonise and respect the local built form. Sufficient rear garden area would be provided, measuring circa 124sqm, which is in excess of 50sqm, which the design guidance for new residential developments set out for 3+ bedroom housing.

Impact on neighbouring amenity

The concerns raised by local residents in respect to the impact on existing houses that surround the site are carefully noted above.

Paragraph 130 of the NPPF seeks to protect the amenities of all existing and future occupants of land and buildings. Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties.

The site adjoins to no. 8 Bransford Avenue to the west and no.2 Blackthorn Close to the south. To the north is Bransford Avenue and to the east is Blackthorn Close with the properties on the opposite sides of these roads considered a sufficient enough distance away so as not to be impacted, especially as the proposed extensions are all single storey.

The proposed front extension would build up to the side boundary with no. 6 Bransford Avenue. Along this part of the boundary is the 2.8m wide drive of no.6 that leads to the neighbour's garage and beyond that is the main side wall of no. 6 that comprises the neighbour's front door and two high level windows. The proposed front extension would

project beyond the front building line of no. 6 by circa 1.2m. The properties are staggered along this part of Bransford Avenue with the existing garage at no. 8 projecting forward of the garage at no. 6 by circa 3m. It is acknowledged that the proposed front extension would create the feeling of a much narrower, enclosed drive and entrance way to the front door of no.6 by virtue of at present the drives of both properties, currently positioned side by side, providing a sense of openness. However, the proposed extension would be single storey and would not face, obstruct, or impinge on the 45-degree line of any habitable room windows of no. 6. The side wall of the front extension would face the front door of no. 6 and two high level windows only and therefore would not have a detrimental impact on the amenity of the neighbouring property.

The proposal includes a new flat roof that will also run along the boundary with no. 6 to replace that of the current flat roof of the garage and would be higher than the existing by circa 0.6m. However, the garage at no.6 runs along this part of the site boundary and the proposal would not extend beyond the rear most building line of no. 6. Therefore, while the proposal would be higher than the property at no. 6, the impact would be over the roof scape of no. 6.

The site backs onto the side brick wall of the single storey garage of no. 2 Blackthorn Close, with the two-storey wall of the neighbour's main house set back circa 3.5m beyond comprising a first-floor level obscure glazed window. The proposed rear extension would be single storey and would be circa 9m from the boundary with no. 2 Blackthorn Road and as a result would not impact on the amenity of no. 2.

As a result of the above, the proposal will not have an adverse impact on the amenity levels of the existing adjacent properties through increased visual intrusion, loss of light or loss of privacy. It is considered that the proposal will accord with Residential Design Guide SPG in terms of distances and impact on directly facing windows, of which there are none, and will be in accordance with Policy H5 and H11 of the Coventry Local Plan, and the paragraphs contained within the NPPF.

Impact on Highway Safety and Parking

Policy AC3 states proposals for the provision of car parking associated with new development will be assessed based on the parking standards set out in Appendix 5 of the Local Plan. For HMOs, the proposed parking requirement is 0.75 off road parking spaces per 1no. bedroom, making a requirement of 6no. spaces for the 7no. bedroomed HMO.

It is recognised that in exceptional circumstances there may be occasions when it could be appropriate to have a lower or higher level of parking depending on the specific details of the application. In all cases, any departures from the standards should be fully and appropriately justified with detailed supporting evidence:

- Surveys of parking capacity and occupancy levels on surrounding streets and parking areas.
- Consideration of likely trip generation and parking accumulations for the proposed development with supporting evidence.
- Details of how the parking will be managed and how that will mitigate any under or over provision.

The application proposes a large HMO in an established residential area which is in a highly sustainable location.

Material consideration in this matter has been given to Planning Inspectorate Appeal reference APP/U4610/W/17/3191248 - 89 Poppleton Close, Coventry CV1 3BN, a proposed House in Multiple Occupation (HMO) case which shares comparable characteristics within a location proximate to a University campus, which provides the following guidance:

“Coventry Local Plan Policy AC3 sets out that car parking provision associated with new development will be assessed based on the standards set out as Appendix 5. That identifies a standard of 0.75 spaces per bedroom for C4 HMO’s in ‘outer city’ locations such as this. However, it continues that accessibility will influence the need for car parking; and that standards should be considered as maxima, although any departure from them should be fully justified with detailed supporting evidence.”

This specific site is also situated close to a university campus and the precedent above was deemed as demonstrating easy accessibility for students travelling to the local university on foot or bicycle. This specific site is not therefore a location where the occupants need to be reliant on a private car for their day-to-day requirements.

The driveway to the property will provide 3 parking spaces, but the proposals rely on the availability of on-street parking to accommodate the rest of the parking demand generated. It is acknowledged from the parking survey carried out that some overnight capacity is present, however Bransford Avenue is in a controlled parking zone which is limited to Resident Permits only during Monday-Friday 10:00-11:00 and 14:00-15:00 with limited marked on-street bays. If the occupants of the property were unable to obtain permits to park during the restricted periods, there would be clear limitations on parking availability for a potential additional demand of up to 3 on-street spaces, if all occupants own cars.

Notwithstanding the above, the Highway Authority is actively encouraging sustainable travel measures for HMOs and student properties that will likely increase the number of vehicles and trips associated with the property. This sustainable travel intervention is in line with advice provided by the highway authority to other applications in the city in 2021. The pressing need to reduce car travel is behind this strategy.

Highways has no objection to the proposal subject to the applicant producing a Travel Plan for occupants to encourage sustainable travel patterns. The highway authority wants to see measures to promote sustainable travel so it may not be necessary to rely on car parking availability in the area to make the development acceptable.

Proposals to provide cycle storage are welcomed by the Highway Authority. The cycle stands shown on the plans appear too close to the southern boundary wall to accommodate bikes, as the wheels will sit beyond each end of the stands. Locating the cycle storage near the bins may also discourage use due to potential smells and spills. It is preferable to provide sheltered cycle storage to protect bikes during poor weather conditions. The standards in Appendix 5 of the Local Plan 2016 state that the use of a suitably sized garage or shed is also acceptable as cycle storage for residential sites. The dimensions of which should be

appropriate to allow access and storage of bikes without a risk of damage. A condition will be attached requiring details of the cycle storage.

On this basis, due to the sustainable location, with close links to the UoW, Cannon Park District Centre, the availability of on street parking, demonstrated by the parking survey and the requirement for sustainable travel measures and incentives within a Travel plan to be approved by the Council; the proposed change of use, in this instance, will not cause additional parking stress in an area where parking is at a premium to the detriment of the more settled residents in the area. Furthermore, due to the availability of on street parking together with the enforcement of the Residents Parking Scheme, the change of use will not cause harm to highway safety or the free flow of traffic.

The proposal therefore accords with Policy AC2 and AC3 of CLP 2016 and part (a) of Policy H11 in providing a sustainable community and high-quality residential environment.

The NPPF provides a presumption in favour of sustainable development, with paragraph 111 stating that “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.” Accordingly, the proposal has not been found to have a severe impact on the function and safety of the local road network.

Refuse Collection

The consideration given to the provision of secure and convenient bin storage in the rear garden is supported by the Waste Storage Technical Advice Note and the Residential Design Guide. This area is directly accessed by the four-bedroom HMO and via a pedestrian gate off Blackthorn Close. The 6 no. 240L bins would be provide sufficient capacity for the proposed 7-bedrooms as confirmed by the Council’s HMO licensing team and enclosing them in a timber bin enclosure would ensure a secure and tidy appearance in the rear garden.

A condition will be attached requiring details of the bin storage to be submitted to the council for approval. Furthermore, the condition will require the bins to be stored within the storage area approved at all times unless on bin collection day. The proposal is currently providing sufficient waste capacity as advised by the Council’s HMO Licensing team.

On this basis the application provides suitable waste storage in accordance with part (b) of Policy H11 of the CLP 2016.

Impact on Services

The application proposes a 7no. bedroomed HMO, which will increase the demand on services in the area. The extra occupants will use the existing services available including public transport, which has capacity and is to be promoted and subsidised through the applicant’s Travel Plan, and shops which help the local economy.

As the application is for a minor proposal of less than 10no. units, the NHS does not comment and therefore it is considered that developments of this size will be absorbed into the existing

services provided. The application is in accordance with part (c) of Policy H11 of the CLP 2016.

Ecology

A Bat Scoping certificate was submitted indicating that no bats are present on the site and a condition will be attached requiring a landscaping scheme to be submitted for approval.

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.
 - a) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - b) 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 design and appearance of the proposed works, the development would be in keeping with the character and appearance of the host property and surrounding area and would not cause any notable harm to the amenities of neighbouring residents. By virtue of the location of the property, and the provision of adequate refuse and cycle storage out of public vantage points, the change of use is considered not to cause demonstrable harm to the occupiers of surrounding residential properties through increased noise and disturbance or have a negative impact on the character of the area or create parking stress in an area where on street parking is at a premium. The resultant accommodation provided will achieve an acceptable living environment for future occupiers with regards to adequate amenity space.

It is therefore considered that the proposed development accords with development plan policies DE1, DS3, H5, H11 and AC3 of the Coventry Local Plan and the NPPF. Subsequently the application is recommended for approval, subject to conditions.

CONDITIONS:

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:
17/05/21-02 Rev. D
7/05/21-01 Rev. F
Parking Survey, dated 16th July 2021, prepared by Sykes Planning Ltd.

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

3. Other than where specified on the approved plans, no facing and roofing materials shall be used other than materials that match 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 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.*

5. None of the dwellings / bedrooms hereby permitted shall be occupied unless and until the communal car parking spaces to be provided and hereby approved, have been completed and marked out in full accordance with the approved drawings and made available for use by the occupants and / or visitors to the site and thereafter those spaces shall be retained for parking purposes at all times and shall not be removed or altered in any way.

Reason: *To ensure the satisfactory provision of off-street vehicle parking facilities in accordance with the Council's standards and in the interests of highway safety and the satisfactory development of the site in accordance with Policies AC1, AC2 and AC3 of the Coventry Local Plan 2016.*

6. Prior to occupation of the development 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. The cycle parking should be provided as follows:
 - sheltered and secure to protect bikes from poor weather conditions and to prevent against theft and damage
 - not be located too close to the southern boundary wall in order that the wheels can sit beyond each end of the stands

- not to be located near the bins as this may discourage use due to potential smells and spills.

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.*

7. Prior to the first occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out appropriate sustainable travel measures and incentives depending on the final occupants of the development (including a timetable and methods of monitoring the performance of the Plan), to promote travel by sustainable modes, and shall be implemented in accordance with the details specified therein and shall not be amended 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.*

8. Prior to occupation of the development hereby permitted, details of the onsite waste and recycling facilities / storage shall be submitted to and approved in writing by the Local Planning Authority. Adequate space for all bins to be stored within the boundary of the property shall be detailed, so that bins are not placed on council or public land such as a footpath. The waste and recycling facilities / storage 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. The bins are to be stored within the storage area approved at all times except on bin collection day. The waste and recycling storage should supply and accommodate the following for the 7 proposed number of occupants:
 - 2 X 240L / 1 X 360L green lid wheelie bins (general waste),
 - 2 X 240L / 1 X 360L blue lid recycling wheelie bins (recycling)
 - 1 x 240L brown lid compost bin (garden recycling).

Reason: *In the interests of the amenities of future occupants of the residential accommodation and neighbouring occupiers in accordance with Policies DE1 and [H10/H11] of the Coventry Local Plan 2016.*

9. 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 development 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.*

10. The houses in multiple occupation (HMO) hereby permitted shall be occupied by no more than 7 permanent residents at any time, to comprise no more than 3 residents in the 3-bedroom HMO at any one time and no more than 4 residents in the 4-bedroom HMO at any one time.

Reason: The application has been assessed on this basis and any additional number of residents would require further assessment in accordance with Policy H11 of the Coventry Local Plan 2016.

11. No part of the residential accommodation hereby permitted shall be occupied unless and until the two kitchens and the external amenity space (rear garden) has been laid out and provided in full accordance with the details shown on the approved plans and thereafter shall remain available for use at all times.

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.*