

Planning Committee Report	
Planning Ref:	PL/2024/0000060/FUL
Site:	37 Daventry Road
Ward:	Cheylesmore
Proposal:	Change of use from C3 dwelling house to C2 residential institution with a single storey rear extension
Case Officer:	Grace Goodman

SUMMARY

The planning application is for a change of use of from a 3 bed dwellinghouse to a 4-bed residential institution (small children's care home) with a single storey rear extension.

BACKGROUND

The application has been recommended for approval. The application has received a petition objecting to the proposal.

KEY FACTS

Reason for report to committee:	More than five objections have been received.
Current use of site:	Residential Dwelling
Proposed use of site:	Residential Institution

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 the amenity of neighbours.

The proposal will have an appropriate visual appearance and layout

The proposal accords with Policies DE1, DS3, H5 and HE2 of the Coventry Local Plan 2016, together with the aims of the NPPF.

SITE DESCRIPTION

The application site relates to a 3-bedroom dwellinghouse located to the north side of Daventry Road, close to Leamington Road in the Cheylesmore Ward. This property and the houses along this road all generally have paved over front gardens for use a driveway and can generally fit between 2 to 3 cars side by side.

The area is residential in nature with the nearest designated Local Centre the Daventry Road District Centre, a 6-minute walk, with several other amenities and facilities in this area. There are good transport links with a number of bus routes nearby. On Leamington Road, which is a 5-minute walk away bus stop routes 9, 24, 25 and 25A are served along this road. The nearby Quinton Road, Queen Isabels Avenue and eastern section of Daventry Road are within a 10-minute walk away and serve bus stop routes including 21, 21A, 17 and 17A.

APPLICATION PROPOSAL

The application seeks planning permission for the change of use of a 3-bedroom dwellinghouse (Use Class C3) to a small Children's care home (Use Class C2) for a maximum of 4 children, between the ages of 10 and 17 who would live and socialise together, akin to living in a family environment. The children that would be housed may have complex needs including learning disabilities such as autism or ADHD.

Within the property it would involve 4 bedrooms being allocated for the children, and one bedroom for a permanent live in carer at all times (although this would have a changeover of staff on up to 12-hour shift patterns). The home would be staffed 24/7. There will be a total of 9 staff, with only 2 members of staff present at any given time this could mean 6 people in the property at one time generally. At night one member of staff will be in the property.

There would still be a lounge, dining room and kitchen areas, as well as outdoor amenity space for the occupiers to use. There would be two shared bathrooms, one upstairs, and one downstairs.

Supporting information was sent in by the applicant with a view to address concerns from the neighbours. The information stated that the applicant had a meeting with Children's Commissioning team before the application was submitted to find out the requirements of the Children's Commissioning team in order to select the most appropriate site.

The applicant's supporting information advises that the current site was chosen as the Children's Commissioning team require children to be placed in houses that feel like family houses and in semi-affluent areas. Furthermore, this location has local amenities, shops, schools and parks as well as being located on a semi-busy road where coming and goings would not be noticeable compared to a cul-de-sac location

The proposal also includes a single storey rear extension and a new roof over the garage. The rear extension will be 3m in depth with a mono pitched roof with a maximum height of 3.6m and a height of 2.38m to the eaves.

PLANNING HISTORY

None

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) December 2023. 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) 2014, this adds further context to the NPPF, and it is intended that the two documents are read together.

Local Policy Guidance

The current local policy is provided within the Coventry Local Plan 2016, which was adopted by Coventry City Council on 6th December 2017. Relevant policies relating to this application are:

Policy DE1 Ensuring High Quality Design;

Policy DS3: Sustainable Development;

Policy H5: Managing Existing Housing Stock;

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

Policy AC1: Accessible Transport Network;

Policy AC3: Demand Management;

Supplementary Planning Guidance/ Documents (SPG/ SPD):

Householder Design Guide SPD

CONSULTATION

Statutory

There are no statutory consultees

Non-statutory

Highways -no objection

environmental Protection – no objection

Neighbour consultation

Notification letters were sent out to adjoining neighbouring houses and a site notice posted.

A petition and 3 direct objections were received, raising the following points:-

- No Parking - the site has a driveway which can only fit 2 cars, the site is 6 bedrooms - due to the absence of sustainable travel methods employees, residents and visitors will be forced to access the property via vehicular means and there is nowhere for them to park. Additionally the property is situated on double yellow lines so there is no off road parking
- Daventry road is a busy and not safe for children
- Potential increase in anti-social behaviour - such as excessive noise levels and disturbances from a 24hr operation (such as staff, visitors and residents accessing the facility). Petty crime and drugs / alcohol use. This is a residential street and there are safety concerns for the young children living in the local area
- This is a semi-detached property with noise from the residents of number 37 clearly audible in adjoining properties.
- A Restrictive Covenant contained in the property deeds that states “no house should be used otherwise than a private dwelling house” the proposed change of use breaches this restrictive covenant due to this being a private, for-profit enterprise.

- Environmental - potential concerns around increased pollutants from a high level of additional vehicles. Due to a significant chance that there is medical and other hazardous waste storage and disposal it is untenable in an enclosed residential environment.
- Concerns over further use - Once a unit has been designated for C2 usage it can easily be transferred to another Use Class including residential care or nursing homes.

Any further comments received will be reported within late representations.

ISSUES AND ASSESSMENT

The main issues in determining this application are principle of development, impact on residential amenity and highway considerations.

Principle of Development

The National Planning Policy Framework, paragraph 11, states that “Plans and decisions should apply a presumption in favour of sustainable development. For Decision Making, this means:- c) approving development proposals that accord with an up-to-date development plan without delay; or d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: (i.) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii.) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Policy H8 states that proposals for care homes, nursing homes and other specialist and supported forms of housing for the elderly and those requiring care will be encouraged in areas that are accessible by a choice of means of transport and that are situated in close proximity to key local services; and proposals should be of a high quality and design and be compatible with the character of the surrounding area. The proposal is considered to be acceptable in principle and strongly supported by all of the criteria provided in Policy H8 for care homes and supported housing, given their importance and the great shortage and need for such properties. Firstly, the property is situated in an established residential area and a sustainable location, well served by a choice of transport such as the range of bus routes which are accessible within a short walk. Also, the Daventry Road Designated Local Centre is accessible by a 6- minute walk from the property where there are a number of facilities and amenities. Within this distance there are also a range of other facilities.

Furthermore, the property is suitable and appropriate in its type and scale for what is proposed here – a small residential property for a proportionately small number of children, in a typical residential area; as close to a normal home as is possible for them

The application site is in a residential area where it is considered sustainable, acceptable and common to extend homes. However, it is important to ensure that extensions are in keeping with the design and character of the existing house and of the surrounding area and there will be no harmful impact on residential amenity.

Materials, colours, textures and local distinctiveness should all be considered within the context of the local area in order to ensure a high-quality urban environment, in accordance with policies DE1 of the Coventry Local Plan and the Householder Design Guide SPD, unless relevant planning considerations indicate otherwise, including whether or not a proposal will cause:

- Loss of light;
- Overlooking and loss of privacy;
- Over-development of a site;
- Visual intrusion; and
- Impact on the street scene and character of the area

Impact on residential amenity

Policies DE1 and H5 seek to ensure that developments are designed to minimise any detrimental impact to the amenity of neighbouring occupiers, or indeed future occupiers of the site. There is also deemed to be ample storage for refuse bins and cycle storage within the curtilage of the site.

Comments have been made about the potential disturbance and antisocial behaviour surrounding the property, the Council cannot confirm if this is the case. In any case if it were, it would be expected that a use of this nature with regulated and vetted staff living there who are looking after the children at all times, would likely be more controlled than checks that can usually be made on any other typical residential owner or occupier. Whilst there may be slightly more comings and goings from the property than of a typical 3 bed house, this is not considered to be significant and certainly not enough to warrant refusal of the application.

To reduce any potential impacts upon noise the proposals include installation of noise insulation internally on the wall adjoining the other semi-detached property.

The proposed rear extension is 3m in depth. However, the Householder Design Guidance states the depth of the extension should not exceed a projection of 4m along the boundary or impinge an imaginary 45-degree line taken from the centre of the neighbour's closest habitable rear facing window (whichever gives the greater depth). The proposed extension accords with this and therefore, the extension is not considered to adversely impact upon the neighbours.

Highways

Policy AC2 of the adopted Local Plan requires development proposals to not have a detrimental impact upon the road network, and where any impact is identified, suitable and proportionate mitigation should be sought within any planning approval. Policy AC3 requires development proposals to meet the council's adopted parking standards for cars and bicycles as set out in Appendix 5 of the Coventry Connected SPD.

The driveway will allow up to 3 spaces for cars. It can be confirmed that the parking requirements for this proposal is calculated by the following from Appendix 5 Car and Cycle Parking Standards: 1 per 4 bed spaces + 1 per 2 staff members (FTE).

Overall, the comings and goings will be no more than a typical family dwelling of this size, which could often house 2 or more adults (all of which could have cars), plus

children, and also any number of people visiting by car for any length of time. Therefore, in reality, it's quite possible that less comings and goings would be likely to occur than a normal dwelling. Highways have also not objected to the proposal.

Therefore, the proposal will not result in an unacceptable impact on the surrounding highway network from the perspective of the level of traffic being generated, the capacity of the highway, or road safety and is therefore considered to be acceptable in highway terms.

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

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity or highway safety subject to relevant conditions. The reason for Coventry City Council recommending the granting of planning permission is because the development is in accordance with: Policies DS3, H8, DE1, AC1 and AC3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS / REASON FOR REFUSAL

1.	The development hereby permitted shall begin not later than 3 years from the date of this decision.
Reason	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>

2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Floor Plans and Elevations DWG VD24675 A_01 Site Location Plans DWG VD24675 A_02 Rev01</p>
Reason	<i>For the avoidance of doubt and in the interests of proper planning.</i>
3.	<p>The development hereby permitted shall be occupied by no more than four permanent residents at any time.</p>
Reason	<i>To ensure that the development is not used in an over-intensive manner, prejudicial to or likely to cause nuisance to occupiers of nearby properties in accordance with Policies DE1, H3 and H5 of the Coventry Local Plan 2016.</i>
4.	<p>The change of use 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.</p>
Reason	<i>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.</i>
5.	<p>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.</p>
Reason	<i>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.</i>
6.	<p>Other than where specified on the approved plans, no facing and roofing materials shall be used other than materials similar in appearance to those used predominantly in the construction of the exterior of the existing building.</p>
Reason	<i>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.</i>