

Planning Committee Report	
Planning Ref:	PL/2023/0002522/FUL
Site:	12 St Elizabeths Road CV6 5BY
Ward:	Foleshill
Proposal:	Change of use of single dwellinghouse to 2 no. (one bedroom) flats and the erection of a rear dormer with associated alterations
Case Officer:	Yeuk Lam

SUMMARY

The application site is a two-storey mid terrace property located in a residential area. The application seeks consent to change of use from a single dwellinghouse to 2 no. (one bedroom) flats and the erection of a rear dormer with associated alterations. The proposal is considered to have an acceptable impact upon the neighbour's amenity and character of the main house.

The application is before Planning Committee as the applicant is an Elected Member.

KEY FACTS

Reason for report to committee:	An Elected Member has an interest in the application site
Current use of site:	1 no. residential dwelling C3
Proposed use of site:	2 no. residential dwelling (flats) C3

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: DE1, H3, H5, H9, AC1, AC3 and GE3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

SITE DESCRIPTION

The application site is a two-storey mid terrace property located in a residential area in Foleshill. The main amenity space is to the rear of the property with a boundary fence surrounding the site.

The application site has a shared access with adjoining neighbour no. 14 St Elizabeths Road.

APPLICATION PROPOSAL

The application seeks consent for change of use of single dwellinghouse to 2 no. (one bedroom) flats and the erection of a rear dormer with associated alterations.

The proposed ground floor flat measures 39sqm and the proposed first floor flat (including loft) measures 53sqm. Both flats will have a lounge, 1no. bedroom, a kitchen and a bathroom.

There will be an enlarged window on the side elevation of the rear wing.

The proposed rear dormer will be set in 700mm from both side boundaries, set down approximately 600mm from the ridgeline and set 400mm above the main eaves. There will be two rooflights on the front elevation of the main roof.

The proposed new side access will be located within the shared access with the neighbour at no. 14 and the gate of the shared access will be retained.

The whole house will be rendered to a cream colour finish and the proposed dormer will be finished with materials matching the main dwelling.

The proposal also indicates a proposed covered cycle shed, which can accommodate 2no. bikes, in the rear garden.

PLANNING HISTORY

There is no relevant or recent planning history.

POLICY

National Policy Guidance

National Planning Policy Framework (NPPF) September 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) adds further context to the NPPF and it is intended that the two documents are read together.

Local Policy Guidance

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

- DS3 – Sustainable Development
- DE1 – Ensuring High Quality design
- AC1 – Accessible Transport Network
- AC3 - Demand Management
- GE3 - Biodiversity, Geological, Landscape and Archaeological Conservation
- H3 – Provision of New Housing
- H5 – Managing Existing Housing Stock
- H9 – Residential Density
- EM1 – Planning for Climate Change Adaptation
- EM2 – Building Standards

- EM7 – Air Quality

Supplementary Planning Guidance/ Documents (SPG/ SPD):

SPG Design Guidelines for New Residential Development

SPD Coventry Connected

SPG Householder Design Guide

CONSULTATION

Statutory

There are no statutory consultees.

Non-statutory

No Objections received from:

- Ecology

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

- Environmental Protection - Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.
- Highway – required cycle parking details – the applicant has subsequently indicated that a covered cycle storage on the proposed site plan. A condition will be appended to ensure that the covered cycle storage will be installed prior to the occupancy of the flats.

Neighbour consultation

Immediate neighbours and local councillors have been notified.

One letter of objection had been received, raising the following material planning considerations:

- a) Due to the proposed new side access to the ground floor flat, the shared side access may create security issues, noise, anti-social behaviour to the adjoining neighbour.
- b) Loss of light due to the proposed dormer.

APPRAISAL

The main issues in determining this application are principle of development, the impact upon the character of the area, the impact upon neighbouring 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.” Footnote 8 to paragraph 11 confirms that this includes situations where the local authority cannot demonstrate a five year supply of deliverable housing sites.

The Coventry Local Plan was formally adopted on 6th December 2017. Since it was adopted, the Government introduced the Standard Method, a standardised way of calculating minimum housing need. As the Local Plan is now more than five years old the Standard Method is now the determining factor when considering local housing needs. When using the Standard Method the Council is not able to demonstrate a five year housing land supply. As such, the tilted balance is engaged and therefore planning permission should be granted, unless “any adverse impacts of doing so would significantly and demonstrably outweigh the benefits” when assessed against the policies of the NPPF taken as a whole.

Policy H3 states new housing must provide high quality residential environments that include safe access with adequate amenity space and parking provisions. Policy H5 states that existing housing stock will be renovated and improved in association with enhancement of the surrounding residential environment. Policy H9 states that residential development, including conversions, must make the most effective and efficient use of land whilst ensuring compatibility with the quality, character and amenity of the surrounding area.

The proposed site is located in a residential area, therefore, it is a sustainable location where the provision of an additional residential unit is considered acceptable.

Impact on visual amenity

Section 12 of the NPPF (Dec 2023), specifically paragraph 131 states in part that ‘good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities’. This is echoed by Policies DE1 and H5 of the Coventry Local Plan 2016 which seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

The NPPF further states (at paragraph 139) “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development. Local planning authorities should also seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).”

Policy DE1 of the Local Plan seeks to ensure high quality design and development proposals must respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

The SPG suggests that acceptable design for dormer windows should include:

- Positioning dormer windows within the main roof slope, set back from eaves, hips

and ridgelines.

- Dormer windows that do not dominate the roof slope or existing building, they should be the same size or preferably smaller than the windows below and occupy no more than half the width or depth of the roof slope.
- Ensuring dormers do not come within 700mm of the side boundary of the roof slope and 1m measured from the eaves line, measured vertically along the roof slope.

The proposed dormer will be set in 700mm from both side boundaries and set down approximately 600mm from the ridgeline. Although the dormer will only be set 400mm above the main eaves, it is still considered acceptable since the dormer is located in the rear elevation of the dwelling, it will not be visible from the street scene and should not have a detrimental impact upon visual amenity. The two proposed rooflights on the front elevation of the main roof will not be prominent from public realm due to its height. Therefore, the proposed loft conversion with rear dormer is considered acceptable and should not have a detrimental impact upon visual amenity.

The proposed render will be coloured cream and there are many other examples of rendering properties along the same street with various colours, eg. no. 16, 28, 30, 36 and 38 St Elizabeths Road. Therefore, rendering is not considered uncommon in the neighbourhood and the proposed render should not have an adverse impact upon visual amenity.

Impact on residential amenity

The proposed dormer will not impinge on the 45-degree sightlines from any neighbour's property. The outlook from the proposed dormer will be restricted by the two storeys rear wings on both sides, also the outlook from the proposed dormer should be no difference from the existing rear window on the two storeys rear wing, therefore, the proposal should not create any extra overlooking issues and should not have a detrimental impact upon neighbouring amenity.

The proposed enlarged window on the side elevation of the rear wing should not create any extra overlooking issue as a window is already in situ on the same position, and the size and scale of the enlarged window is considered acceptable and proportionate to the main dwelling.

The new residential design guide SPD provides guidance on the amenity expected from new developments. Principle 19 of the SPD states that *"as a minimum, the Council will expect new housing development to comply with the national internal space standards"*. The proposed conversion will create 2no. 1 bed apartments. The proposed ground floor flat measures 39sqm and the proposed first floor flat (including loft) measures 53sqm, therefore, it is considered acceptable and accorded with the standard of 39 sqm set out by the Technical housing standards – nationally described space standard (NDSS).

An objection has been received from a neighbour due to the proposed new side access to the ground floor flat, the shared side access may create security issues, noise, anti-social behaviour to the adjoining neighbour. Although the proposal will create a new side access from the shared access with neighbour no. 14, the shared access will be remained and gated, therefore, only residents who have the access key will be able to access the shared access. Further to the shared access, both rear gardens of no. 12 and 14 are also

gated, therefore, other than residents, no one should be allowed to go through those gated.

The level of activity arising from 2no. flats is not considered to be significantly greater than a typical family home and therefore increased the potential for noise and disturbance should not be detrimental.

Any noise nuisance or anti-social behaviour would be dealt with under other legislation.

In respect of the concerns about loss of light due to the proposed dormer. The proposed dormer will be set in 700mm from both side boundaries, set down approximately 600mm from the ridgeline and set 400mm above the main eaves. The design principle of the dormer has already been considered in above section and the proposed dormer is not considered to be disproportionate to the main dwelling, therefore, the overshadowing and loss of light issues should not be detrimental to any adjoining neighbours.

Highway considerations

Policy AC3 of the Local Plan acknowledges that the provision of car parking can influence occurrences of inappropriate on-street parking which can block access routes for emergency, refuse and delivery vehicles, block footways preventing access for pedestrians, reduce visibility at junctions and impact negatively on the street scene. Proposals for the provision of car parking associated with new development will be assessed on the basis of parking standards set out in Appendix 5. The car parking standards also include requirements for the provision of electric car charging and cycle parking infrastructure.

Parking provision should accord with the maximum standard expressed in Appendix 5 unless it has been clearly demonstrated that the site is in a highly accessible location where transport, by means other than the private car is a realistic alternative. In that respect lower levels of provision may be considered acceptable where the site is in close proximity to the City Centre, a train station, a high-quality rapid transport route or other public transport interchange and where there is a package of measures (proportionate to the scale of development) to enable sustainable means of transport. Any variation from the maximum standard must be fully justified by proportionate evidence.

The development proposals include the change of use of the existing 3-bed dwelling to two one-bed flats. According to Appendix 5 (Car and Cycle Parking Standards for New Development) of the Coventry Local Plan 2016, the existing 3-bed dwelling would require two car parking spaces and the proposed two one-bed flats will require one space each. Therefore, even though off-street car parking is not currently provided nor is any proposed, the development should not generate an increase in demand for on-street car parking. The Highway Authority is satisfied that the development proposals should not generate a significant increase in vehicle trips or demand in car parking to have a severe impact on public highway safety, or on the operation or capacity of the local highway network.

The applicant has indicated a proposed covered cycle shed, which can accommodate 2no. bikes, in the rear garden on the proposed site plan. As such, it is considered acceptable in term of cycle parking standards for new development and in accordance with Appendix 5 of the Coventry Local Plan 2016.

Ecology

The application would not result in a loss of green space or biodiversity, however alterations to the roof raise concerns over the presence of nesting birds or roosting bats. However, the Ecology Officer agrees that the roof looks to be in sufficient condition that there is minimal likelihood of this. A protected species informative will be added to the decision notice.

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, highway safety or ecology, subject to relevant conditions. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies DE1, H3, H5, H9, AC1, AC3 and GE3 of the Coventry Local Plan 2016, together with the aims of the NPPF.

CONDITIONS / REASON FOR REFUSAL

1.	The development hereby permitted shall be carried out in accordance with the following approved plans: A282-PL12-00B & A282-PL12-02F & A282-PL12-01F
Replace	<i>For the avoidance of doubt and in the interests of proper planning</i>
2.	The development hereby permitted shall begin not later than 3 years from the date of this decision.

Replace	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>
3.	No facing materials shall be used on the dormer window extension hereby permitted other than materials similar in appearance to those used predominantly in the construction of the exterior of the roof of existing building.
Replace	<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>
4.	The two flats hereby approved shall not be occupied unless and until cycle parking facilities (covered storage) 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.
Replace	<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 Plan 2016.</i>
5.	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.
Replace	<i>To mitigate the impacts of development on air quality in accordance with Policy DS3 of the Coventry Local Plan 2016 and the aims and objectives of the NPPF.</i>