

Planning Committee Report	
Planning Ref:	PL/2023/0002521/FUL
Site:	14 Eld Road
Ward:	Foleshill
Proposal:	Change of use from single dwelling house to 2no. 1 bed flats, erection of rear dormer and associated changes
Case Officer:	Andrew Tew

SUMMARY

The proposal is for a change of use to create 2no. 1 bed flats, erection of rear dormer and associated changes.

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:	Single dwellinghouse (C3)
Proposed use of site:	2 no. flats (C3)
Parking provision	No change

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 the 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 property relates to a two storey mid-terrace dwelling located within a residential area of the Foleshill ward. The principal elevation of the dwelling has a white render finish. There is a shared access alleyway to the side that provides access to the rear gardens of this and no. 18. The street scene consists of a mix of traditional residential terraces, many of which have had alterations.

PROPOSAL DESCRIPTION

The proposal is for a change of use to create 2no. 1 bed flats, erection of rear dormer and associated changes.

RELEVANT HISTORY

No planning history

POLICY GUIDANCE

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) adds further context to the NPPF and it is intended that the two documents are read together.

Local plan

As required by Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposed development must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Statutory Development Plan for the area relevant to this application site comprises of the Coventry City Council Local Plan 2016. Relevant policies are outlined below.

- 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

SPD/ SPG

- SPG Design Guidelines for New Residential Development
- SPD Delivering a More Sustainable City
- SPD Coventry Connected
- SPG Householder Design Guide

CONSULTATION

Statutory consultees

There are no statutory consultees.

Non–statutory consultees

Environmental Protection -No objection subject to condition on new boilers
Highways – No objection subject to condition on cycle storage

Neighbour consultation

Neighbour notification was sent in accordance with the Communications Record on 18/02/2022

Two objections have been received. In summary the objections raised are as follows:

- a. Reconfiguration of layout with entrance being moved to side accessed through shared alleyway will create privacy issues for tenants and leaving the gate open will attract anti-social behaviour/burglaries
- b. Builders have said neighbour will need to stop using their chimney due to insertion of metal beams for dormer
- c. Street is crowded and layout is not fit for purpose
- d. Effect on house prices

ISSUES AND ASSESSMENT

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 need. 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 application site is vacant and in need of repair. The proposed conversion to 2 no. 1 bed flats makes effective use of the existing dwelling and will bring it back into use. The improvements made to the property will enhance the surrounding area.

As such, the proposal accords with Policies H3, H5 and H9 and is acceptable in principle.

Design and visual issues

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.

At the rear, a flat roofed dormer is proposed. It is set down from the ridge of the roof and set in on both sides. The dormer will not be viable from the street scene. There are no public views from the rear. The nearest property which backs onto the site, Cavendish house on Station Street East, is 28m away. The dormer is indicated to be finished with hanging roof tiles to match existing and would be allowed under

permitted development rights, but as the application is to create 2 no. flats, permitted development rights are not applicable to flats.

The front and rear rooflights would be allowed under permitted development rights were permitted development rights applicable to flats. Considered in the context of the street scene, the proposal does not create any issues of visual concern.

The front and rear of the dwelling is shown to be finished in cream render. This will match existing at the front. Newly rendered elevations will be a welcome improvement to the current state of the property.

Internal reconfiguration, with the main entrance moved to the alleyway at the side, enables both flats access to private amenity space. There is 31sqm of private amenity space available for future occupiers.

The proposed flats are 41 and 47sqm in size, which is above the National Space standards of 37sqm of a one bed, one person dwelling (this stated use has been confirmed by the agent). Environmental Protection have been consulted and raise no objection subject to conditions on boiler installation and noise attenuation measures.

The proposal will likely improve the visual amenity of the site and accords with Policies DE1 and H5.

Impact on neighbouring amenity

Policy H5 requires new development to be designed and positioned so it does not adversely affect the amenities of the occupiers of neighbouring properties.

Two objections have been received from neighbouring properties that the proposed reconfiguration of the internal layout with an entrance door moved to the eastern elevation, which is accessed via a shared alley, will attract antisocial behaviour/burglars is noted. However, this is an existing shared access which can be used by the application property at any time. Potential intensification of use of this existing entrance would not be a reason for refusal.

A further objection relates to the apparent request for cessation of use of an existing chimney of an adjoining property, to enable the insertion of steels for the proposed dormer. It is noted that this property is outside of the scope of the application and the applicant cannot require a neighbour to do this. Such issues would need to be addressed via the Party Wall Act. The grant of planning permission would not constitute permission for such cessation of use.

Considering the change of use and material works proposed, the application is not considered to adversely affect the amenities of the occupiers of neighbouring properties. Bringing a derelict property back into use accords with Policy H5 and it is considered a property in use is less likely to attract anti-social behaviour than an empty one.

Highways

Highways have been consulted and raise no objection to the application, subject to a condition for cycle parking. The parking requirement for the proposed 2 no. flats remains the same as that required by the current 3 bed dwelling.

Therefore, the scheme would provide for a satisfactory level of parking, in accordance with Policies AC1 and AC3 of the Local Plan.

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

The proposed development is considered to be acceptable in principle and will not result in any significant impact upon neighbour amenity, visual amenity or highway safety. 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 2017, 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.	The development hereby permitted shall be carried out in accordance with the following approved plans: DWG A282-PL14-00-C DWG A282-PL14-01-E DWG A282-PL14-02-E
Reason	<i>For the avoidance of doubt and in the interests of proper planning</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.
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>
4.	The two flats hereby permitted shall not be occupied unless and until cycle parking facilities have been provided in full accordance with the approved details. Thereafter those facilities shall remain available for use at all times and shall not be removed or altered in any way.

Reason	<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.	Any gas boilers installed on site shall have a dry NOx emission rate of no more than 40mg/kWh.
Reason	<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>