

Planning Committee Report	
Planning Ref:	PL/2025/0000251/FUL
Site:	92 Leamington Road
Ward:	Earlsdon
Proposal:	Two storey side extension, new entrance door and access ramp
Case Officer:	Grace Goodman

## SUMMARY

The application proposes a two-storey side extension to the dental surgery with a new entrance door and access ramp.

## BACKGROUND

The application was previously considered by Planning Committee on 17<sup>th</sup> April 2025 where the resolution was to defer the application to consider the matter of the dental aesthetics part of the business to ensure there is no breach of the condition placed upon the original permission stating that the property must only be used as a dentist. This has been investigated by the Planning Enforcement team and ultimately concluded that a material change of use has not occurred.

## KEY FACTS

Reason for report to committee:	More than 5 objections have been received
Current use of site:	Dental Practice
Proposed use of site:	Dental Practice

## 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, DS3, AC2, AC3 and CO1 of the Coventry Local Plan 2017 and the emerging Local Plan, together with the aims of the NPPF.

## **SITE DESCRIPTION**

The application site lies on the western side of Leamington Road, close to the junction with Baginton Road. The property was formerly part of the attached residential property and has been extended and converted, forming a two-storey property that is in use as a dental surgery that includes dental aesthetics treatments. There is currently a single storey flat roofed element to the side which appears as a garage. The property has 6 spaces available for parking by staff and patients to the front however some of these are in tandem arrangements. Access is shared with the adjoining residential dwelling.

## **APPLICATION PROPOSAL**

The application proposes demolition of the single storey side extension/garage, to be replaced with a two-storey side extension. This extension would be 4.1m wide and extend the depth of the property (6.9m). The roof is proposed to extend and match the existing with no subservience or set back. The entrance door to the premises is proposed to be re-located and a new access ramp leading to it.

The extensions are intended to provide ancillary accommodation for the existing dental business. At ground floor the reception and waiting area will be expanded, the new ground floor rooms created in the extension will be used as a treatment planning office, storeroom and w/c and upstairs will be a staff changing rooms and decontamination room. The existing 4 surgery rooms will remain in situ and no further surgery rooms are proposed. The new first floor rear facing window is proposed to be obscure glazed.

## **PLANNING HISTORY**

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
S/1960/0812 (15162)	Erection of extensions to Dental Surgery	Approved - 24/03/1960
S/1967/0881(15162/B)	Construction of car parking area	Approved - 01/09/1967

## **POLICY**

### **National Policy Guidance**

National Planning Policy Framework (NPPF) December 2024. 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 6<sup>th</sup> December 2017. Relevant policy relating to this application is:

Policy DS3: Sustainable Development Policy  
Policy DE1: Ensuring High Quality Design  
Policy AC1: Accessible Transport Network  
Policy AC3: Demand Management  
Policy CO1: New or improved social community and leisure premises

### **Emerging Local Policy Guidance – Local Plan Review Reg 19 Consultation**

The Local Plan review is currently at Reg 19 consultation. Relevant emerging policy relating to this application is:

Policy DS3: Sustainable Development Policy  
Policy DE1: Ensuring High Quality Design  
Policy AC1: Accessible Transport Network  
Policy AC3: Demand Management  
Policy CO1: New or improved social community and leisure premises

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

SPD Householder Design Guide

### **CONSULTATION**

#### **Statutory**

None

#### **Non-statutory**

No objections have been received from:

- Highways

#### **Neighbour consultation**

Immediate neighbours have been notified in accordance with the communication record. Six responses were received with concerns of:

1. Overlooking of rear gardens
2. Lack of separation distance
3. Loss of light from morning sun to properties at the rear
4. Over intensification of use
5. Parking issues will be exacerbated with more on street parking resulting in highway safety issues and damage to grass verges

### **APPRAISAL**

The main issues in determining this application are principle of development, the impact upon visual amenity, 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 strong 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 CO1 states that community premises should be appropriate to their surroundings in terms of scale, character and mix of uses, and should not harm residential amenity.

Concerns have been raised that there are two businesses operating from the premises given that the planning permission for extensions to the Dental Surgery in 1960 included a condition which stated, ‘that the premises shall not be used otherwise than as a dental surgery’ and the dental practice currently offers dental aesthetics in tandem with this. However, It is not considered that the aesthetics element of the practice is in breach of this condition as the aesthetics element of the practice is incidental to the lawful use as a dental practice and having looked at the details of what is provided and referred to the BDA / other dental practices in the area, dental aesthetics is a reasonably common and fundamental element of dental surgery treatment and not just a cosmetic treatment. Whilst previously you would have been sent to an orthodontist to obtain treatment, it now seems commonplace to be treated in advanced dental surgeries. The two appear to be intrinsically linked, and all treatment is supervised by a qualified dentist; and the use certainly appears to confirm to the definition of incidental as outlined by the Planning Inspectorate (PINS) at the recent Planning Enforcement Conference – *secondary or complementary, supporting the primary use without impacting significantly on the main functional use of the property*. Given the intrinsic link between dental aesthetics and dental surgical aesthetics, the restrictive condition from the 1960’s is not considered to bite, as it cannot be demonstrated that there has been a material change of use. It certainly does not appear as a separate business as it is a single trading unit with the same staff and facilities etc

The application proposes extensions to an established dental practice which is located just 200m from Baginton Road Local Centre. The extensions are intended to provide ancillary accommodation rather than increase the number of treatment rooms. The proposal will not be increasing the number of staff or patients at the premises and therefore the main issue is the impact of the extensions on the surrounding area.

### **Design and Visual**

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.

Paragraph 131 of the NPPF states the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.

The National Planning Policy Framework, paragraph 135 states that “Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF further states (at paragraph 139) “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes”.

Although the property is not in use as a dwellinghouse, the property is of a dwellinghouse scale and set within a residential environment therefore the Householder Design Guidance SPD has been used to assess the acceptability of the proposal. Whilst Principle 3 states that side extensions should normally be subservient with a lower ridge, this is assessed in a case-by-case basis. In this case the proposed side extension will match the existing design of the property with a rendered front wall, facing brickwork at the side, rear, and slate roof tiles on the roof. The extension is not subservient as it is considered a balanced approach to the extension is appropriate due to the existing hipped roof design. The proposal will not result in a terracing effect with No. 94 Leamington Road as a 1m separation distance between the boundary and extension is proposed. Therefore, the extension would not adversely impact on the visual amenities or street scene of the locality.

New signage is proposed but this does not form part of this application and would need to be considered under a separate application for advertising consent.

### **Neighbouring amenity**

The extension to the property is not considered to have any adverse impact upon the amenity of neighbouring properties. The two-storey extension will not project past the existing rear elevation of the property and therefore there will not be a breach in the 45-degree rule in relation to No.94. The property has no direct rear neighbours but there are several properties to the side on Baginton Road at an angle to the application site. The householder design guide states “Where the side of a dwellinghouse is at a right-angle to the front or rear of an adjoining dwellinghouse a minimum distance of 12m should be retained between the side of your extension and the front or rear of the neighbouring dwellinghouse”. The closest of these properties, No. 51 on Baginton Road is set at an oblique angle to the application site and will sustain a minimum separation distance of 14.5m from the ground floor window on the single storey rear extension to the proposed side extension at No. 92 Leamington Road. Furthermore, the rear window on the first-floor extension will be obscure glazed to prevent overlooking to the properties along Baginton Road. There is no proposed increase in treatment rooms or number of staff and

therefore the level of use will remain largely unchanged. Overall, the proposed extension is not considered to result in loss of light or outlook to any the surrounding neighbours and is in accordance with the Householder Design Guide SPD in terms of the relationships to neighbouring properties.

## **Highways**

Policy AC1 'Accessible Transport Network' states that development proposals which are expected to generate additional trips on the transport network should: a) Integrate with existing transport networks including roads, public transport and walking and cycling routes to promote access by a choice of transport modes. b) Consider the transport and accessibility needs of everyone living, working or visiting the city. c) Support the delivery of new and improved high quality local transport networks which are closely integrated into the built form. d) Actively support the provision and integration of emerging and future intelligent mobility infrastructure.

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.

Under the current parking standards in appendix 5 of the Coventry Local Plan, the parking provision for D1 Medical or Health Services is considered on a site-by-site basis. Parking is not currently marked out on site, but 5 parking spaces are shown on the proposed plans, 3 of which have restricted (tandem) access and would therefore most likely be reserved for staff. As the proposals do not involve an increase in treatment rooms or number of staff, it is therefore the consideration of the LHA that there should be no increase in parking demand and the LHA has no objections on this basis.

## **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 granting planning permission is because the development is in accordance with: Policies DE1, DS3, AC2, AC3 and CO1 of the Coventry Local Plan 2017 and the emerging Policies DE1, DS3, AC2, AC3 and CO1 in the Local Plan review and the principles of the NPPF 2024.

## CONDITIONS/REASON

<b>1.</b>	The development hereby permitted shall begin not later than 3 years from the date of this decision.
<b>Reason</b>	<i>To conform with Section 91 of the Town and Country Planning Act 1990 (as amended)</i>
<b>2.</b>	The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Plans and Elevations DWG 2/5/23-01-E  Proposed Floor Plans and Elevations DWG 2/5/23-02-G
<b>Reason</b>	<i>For the avoidance of doubt and in the interests of proper planning.</i>
<b>3.</b>	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.
<b>Reason</b>	<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 2017 and the emerging Local Plan.</i>

<b>4.</b>	The side extension hereby permitted shall not be used or occupied at any time other than for purposes ancillary to the existing dental practice and shall not be used as dental treatment rooms.
<b>Reason</b>	<i>To prevent further intensification of use of the property, in the interests of the occupiers of nearby properties in accordance with Policies DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>5.</b>	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any statutory instrument amending, revoking and/or replacing that Order, the first floor window to be formed in the west facing elevation of the extension hereby permitted shall only be glazed or re-glazed with obscure glass and any opening part of any window will be at least 1.7m above the floor of any room in which the window is installed
<b>Reason</b>	<i>In the interests of the amenities of the occupiers of nearby properties in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>6.</b>	The development 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.
<b>Reason</b>	<i>In the interests of the amenities of the occupants of the nearby residential accommodation in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>