

Planning Committee Report	
<b>Planning Ref:</b>	PL/2025/0000917/FUL
<b>Site:</b>	249 Green Lane, Coventry, CV3 6EF
<b>Ward:</b>	Wainbody
<b>Proposal:</b>	Two storey rear extension and change of use from residential property to day nursery [20 children]
<b>Case Officer:</b>	Grace Goodman

## SUMMARY

The application proposes a two storey rear extension and a change in use of the property from a dwellinghouse (use class C3) to a children's day nursery (use class E) for up to 20 children with associated parking provision at Leasowes Nursery.

## BACKGROUND

The application is currently recommended for approval. The application previously submitted (PL/2024/0001900/FUL) initially proposed a nursery for 50 children, which was then promptly reduced to 30 children. The assessment of the proposed 30 children nursery was ultimately refused under delegated, mostly due to highway concerns regarding the reliance of on street parking for drop-off and pick-up which could place further stress on the existing parking availability on Green Lane. There was also concern regarding the intensity of the use of the site with 30 children. The application was then re-submitted (current application) proposing 30 children again but with parking provision at Leasowes Garden Nursery to overcome the highways objection and reduce the need for parents to park on street. The number of children proposed has been further reduced to 20 during the course of this application, in order to address concerns regarding the intensity of use and likely disturbance to neighbours.

## KEY FACTS

<b>Reason for report to committee:</b>	More than 5 objections
<b>Current use of site:</b>	Dwellinghouse (use class C3)
<b>Proposed use of site:</b>	Children's day nursery (use class E)

## RECOMMENDATION

Planning Committee are recommended to delegate the grant of planning permission to the Strategic Lead for Planning subject to conditions and the completion of a Unilateral Undertaking to secure the parking provision as summarised in this report and for the Strategic Lead for Planning to agree any necessary amendments to the Legal Agreement and Planning Conditions in consultation with the Chair. In the event that the Unilateral Undertaking is not completed within 6 months, it is recommended that the refusal of the application is delegated to the Strategic Lead for Planning.

## REASON FOR DECISION

- The proposal is acceptable in principle.

- The proposal will not adversely impact upon highway safety subject to securing parking provision at Leasowes Nursery.
- The proposal will not adversely impact upon the amenity of neighbours.
- The proposal accords with Policies: AC2, AC3, AC4, CO1, DS3, DE1, H5 of the Coventry Local Plan 2017 and the emerging Local Plan, together with the aims of the NPPF.

## **SITE DESCRIPTION**

The application site relates to a two-storey end of terrace dwelling which has hardstanding and a dropped kerb to the front of the site to provide access to the two vehicle parking spaces. The immediate vicinity is predominantly residential dwellings especially on the eastern side of Green Lane. On the other side of the road lies Leasowes Garden nursery, which has a car park to the front, the entrance to which is approximately 35m north-west of the application site. Leasowes Garden Nursery lies outside of Coventry administrative boundary and lies within Warwick District Council administrative area. Also, along Green Lane lies both Finham Primary School approximately 500m to the south-east and Finham Park Secondary school approximately 100m to the north-west.

## **APPLICATION PROPOSAL**

The application proposes to change the use of the premises to a children's day nursery for up to 20 children. This has been reduced from 30 children. To facilitate the conversion to a nursery a two-storey rear extension is proposed. This extension will be 3m in depth at first floor with an extra 1m depth at ground floor. The extension will have a pitched roof and will ensure the continuation of the hipped roof. The extra 1m single storey extension will have a mono pitched roof. Two parking spaces for staff are to be provided on the site frontage where there is an existing area of hardstanding and a dropped kerb serving the property and parking for visitors/ drop off is proposed to be provided at Leasowes Garden Nursery opposite the site. A duplicate application has been submitted to Warwick as this is a cross-boundary planning application as Leasowes Nursery falls within their administrative boundary.

## **PLANNING HISTORY**

There have been a number of historic planning applications on this site; the following are the most recent/relevant:

<b>Application Number</b>	<b>Description of Development</b>	<b>Decision and Date</b>
PL/2024/0000883/PAH	Application under Prior Approval for single storey rear extension. The extension will be 6.00 metres away from the original rear wall of the building with a height of 3.80 metres at the highest point and 2.50 metres to the eaves	Refused 24- 06-2024
PL/2024/0001900/FUL	Two storey rear extension and change of use from residential property to day nursery	Refused 28- 04-2025

(Warwick duplicate application)	Two storey rear extension and change of use from residential property to day nursery	Undetermined as of September 2025/ minded for approval at Committee in October
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## 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 2017, 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 H5: Managing Existing Housing Stock

Policy DE1 Ensuring High Quality Design

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy CO1: New or improved social community and leisure premises

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

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

Policy DS3: Sustainable Development Policy

Policy H5: Managing Existing Housing Stock

Policy DE1 Ensuring High Quality Design

Policy AC2: Road Network

Policy AC3: Demand Management

Policy AC4: Walking and Cycling

Policy CO1: New or improved social community and leisure premises

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

SPD Coventry Connected

SPD Householder Design Guide

## CONSULTATION

Support has been received from

- Childcare/Early Years

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

- Highways
- Environmental Protection

### **Neighbour consultation**

Immediate neighbours and local councillors have been notified; a site notice was posted on 14/05/2025.

Neighbour notification was originally sent on 13<sup>th</sup> May 2025 and twenty-four letters of objection were received,

Following reduction in numbers, neighbour notification letters were sent out on 9<sup>th</sup> July 2025. Fifteen further objections were received, re-iterating their previous comments.

The following material planning considerations were raised:

- Likely rise in traffic volume and congestion
- Potential highway safety issues and greater risk of traffic-related accidents
- Increased noise pollution due to additional vehicular movement
- Disturbance caused by loud noise from children playing both indoors and outdoors
- Could set a precedent for further commercial development in a residential neighbourhood
- Lack of demonstrated demand for a nursery facility in the area
- Loss of three-bedroom family dwelling
- Absence of similar two-storey rear extensions in the locality
- Extension would result in loss of natural light and increased overshadowing
- Negative impact on the local character and visual appearance of the area

Any further comments received will be reported within late representations.

## **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 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, having particular

regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

Para. 100 of the NPPF states that; It is important that a sufficient choice of early years, school and post-16 places are available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

- (a) give great weight to the need to create, expand or alter early years, schools and post-16 facilities through the preparation of plans and decisions on applications; and
- (b) work with early years, school and post-16 promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted.

Policy CO1 states that proposals for social, community and leisure facilities will be considered through the following sequential approach:

- a. Designated centres to support the centres hierarchy;
- b. Where no suitable sites are available in a designated centre, an edge-of-centre location;
- c. Where no edge of centre sites are available, a site adjacent to other associated facilities including existing schools and educational facilities;
- d. Only where no suitable site can be identified having regard to points 1-3, will stand alone sites be supported,

The application site is currently a vacant residential property which lies outside of a defined centre. The planning statement submitted in support of the application identifies that the proposals for the provision of a new nursery in the Wainbody Ward is crucial to expand childcare offers for parents in the area. The closest defined centres are Green Lane local centre, Baginton Road local centre and Daventry Road District Centre, although Cannon Park Major District Centre is also within the Ward. The planning statement states that "a search of premises was undertaken in the local Wainbody Ward area in the local centres of Baginton Road and Daventry Road. No suitable properties were identified". Whilst Cannon Park has not been considered, its 'shopping mall' type provision is unlikely to provide a unit suitable for nursery provision.

The proposed children's day nursery at 249 Green Lane would occupy an "out of centre" location, and it is considered it would only have a limited impact on the vitality and viability of the thriving Centres nearby. Whilst not within or adjacent to a defined centre, the property however is located in close proximity to both Finham Primary and Finham Park Secondary schools. Therefore, criteria a-c cannot be met however criteria 'd' of Policy CO1 is considered to be met.

Policy H5 of the adopted Coventry Local Plan (2017) states that, where appropriate, the existing housing stock will be renovated and improved, in association with the enhancement of the surrounding residential environment to meet local needs. Policy H5 has been revised under the emerging Local Plan Policy to reinforce the retention of housing and includes the wording 'the conversion of existing dwellings to uses other than primary residential will be resisted, unless very special circumstances can be demonstrated including why the non-residential use would better meet the need of the

local area and the aims of the Local Plan than the existing dwelling would'. However, this carries limited weight at this time.

### **Impact on visual amenity**

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 application proposes that the property be extended to the rear to accommodate the proposed nursery use. The extensions are considered to be appropriately designed and will ensure the continuation of the hipped roof. It will not be visible from the street and therefore would not have any negative impact on the street scene. The overall scale, design and materials of the extensions are considered to have an acceptable impact upon the character of the dwelling.

### **Impact on residential amenity**

Paragraph 135 of the NPPF seeks to ensure that development proposals do not have a detrimental impact upon the residential environment of neighbouring occupiers, Policy DE1 is consistent with the NPPF in this regard. Further to the aforementioned policy, Coventry City Council has adopted a Householder Design Guide which is a material planning consideration in the determination of this application. The SPD states that the depth of the extension should not exceed 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 greatest depth). The ground floor element of the extension does not exceed 4m and therefore accords with the SPD. First floor extensions should not infringe the 45-degree line. The first floor extension is smaller and accords with SPD as there is no breach of the 45-degree line from the nearest habitable windows at No. 247 or No. 251 Green Lane. Consequently, the extensions to the rear of the property are considered to accord with the householder design guide and would not result in any significant harm to neighbouring occupiers from unacceptable loss of light or increased visual intrusion.

The property is an end of terraced property and therefore there is potential for the proposed use to result in noise and disturbance to neighbouring residential occupiers and there is some concern of internal noise transfer. However, it is not unusual for nursery provision to be within converted residential properties within residential areas with examples across the city. In this instance, the applicant has proposed party wall with insulation and acoustic underlay which is considered satisfactory to Environmental Protection to limit the internal noise transfer and a condition is recommended to ensure that this is installed. The garden area will be used for external play, which will create audible noise for the neighbours. To mitigate the noise, it is proposed that the numbers of children playing in the rear garden will be limited to 7 children at any one time. The staggered play time management plan has been created to ensure no overlap between groups and no outdoor play before 9am or after 4.30pm. There will also be no outdoor play at lunchtime between the hours of 11am and 1.15pm. Environmental Protection consider the submitted Management Plan with limits on the numbers of children playing outside at any one time and to be staggered during specified hours is acceptable which will mitigate excessive noise. Consequently, they now have no objection subject to conditions to ensure that the premises operate in accordance with the submitted details. Whilst the proposals will result in increased comings and goings to the premises during the daytime, no use is proposed at weekends and in view of the numbers proposed and the details set out in the management plan which restricts the numbers of children playing outside at any one time, it is considered that on balance there would be limited harm to neighbouring occupiers from increased noise and disturbance.

### **Highway considerations**

Policy AC2 requires safe and appropriate access on the highway for traffic and ensures proposals do not have a detrimental impact on public highway safety. 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. The proposal lies on a bus route (Number 9) with bus stops located within 150m of the site and therefore is accessible by public transport for residents within Finham and towards the city centre. The proposed change of use to a day nursery with 5 FTE staff would require 3 parking spaces under the parking standards, of which state that 1 parking space

is required per 2 FTE staff members, thereby creating a total of 2.5 spaces (3 rounded). The applicants have indicated that two parking spaces will be available on the existing hard standing in front of the dwelling for staff, one below the required standard. Further to this, the SPD also states that such uses should provide appropriate drop-off facilities.

In this case Leasowes Garden Nursery across the road, which lies within Warwick District Council's administrative boundary, the applicants are proposing to use parking facilities at Leasowes Garden Nursery where up to 17 spaces will be available for use by the nursery and a pedestrian gate is proposed to allow direct access onto Green Lane. Highways are satisfied with this off-site parking provision, provided that its availability is appropriately secured which could be achieved by a Unilateral Undertaking. A pedestrian dropped kerb crossing will also be provided through a S278 on Green Lane to provide a safe crossing point for members of the public especially those travelling from Leasowes Car Park to 249 Green Lane. Subject to securing the provision of the Leasowes Nursery car park with pedestrian access to Green Lane and a dropped kerb crossing, highways raise no objections to the proposal and it is considered that there would be no harm to pedestrian or highway safety.

### **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 and highway safety subject to relevant conditions and agreements. The reason for Coventry City Council granting planning permission is because the development is in accordance with: Policies H5, DE1, AC2, AC3, AC4, and CO1 of the Coventry Local Plan 2017 and the emerging Local Plan Policies together with the aims of the NPPF.



## CONDITIONS/REASONS

<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>	<p>The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Floor Plans and Elevations DWG A101</p> <p>Proposed Floor Plans and Elevations DWG A103 Planning Statement (July 25) Transport Statement Rev F Site Plan DWG A104 Rev 4 Location Plan DWG A102-Rev1 Noise Management Plan and Staggered Playtime Plan</p>
<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 premises shall not be open to children other than between 7:30 hours and 18:00 hours Mondays to Fridays, and the premises shall be closed on Saturdays, Sundays and Bank/Public Holidays.
<b>Reason</b>	<i>To safeguard the amenities of nearby occupiers in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>5.</b>	Prior to the first occupation of the development hereby permitted, details of bin storage areas to the rear of the property shall be submitted to and approved in writing by the Local Planning Authority. The bin storage areas shall be provided in full accordance with the approved details prior to first occupation of the development 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 visual and neighbouring amenity in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>

<b>6.</b>	Notwithstanding the details shown on the approved plans; prior to occupation of the nursery 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 and thereafter those facilities 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 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 2017 and the emerging Local Plan.</i>
<b>7.</b>	No development shall commence unless and until details of the wall and floor insulation of the building has been submitted to and approved in writing by the Local Planning Authority. The sound insulation shall be installed in full accordance with the approved details prior to the first use commencing and thereafter such works shall not be removed or altered in any way.
<b>Reason</b>	<i>To safeguard the amenities of the adjoining occupiers of the development in accordance with Policy DE1 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>8.</b>	The development hereby permitted is granted only in conjunction with the use of the car park at Leasowes Garden Nursery. If this parking becomes non available for any reason then the use of 249 Green Lane as a nursery shall cease and returned to original use as a C3 dwellinghouse.
<b>Reason</b>	<i>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 in accordance with Policies AC1 and AC2 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>9.</b>	No more than 20 children shall be cared for on the premises at any one time
<b>Reason</b>	<i>To ensure that the premises are not used in an over intensive-manner such as to be harmful to the amenities of local residents through noise and disturbance in accordance with Policies DE1, AC2 and AC3 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>
<b>10.</b>	The development hereby permitted shall not be occupied until the pedestrian access from within Leasowes Car Park and pedestrian dropped kerb on Green Lane has been made available for use.
<b>Reason</b>	<i>To ensure the satisfactory provision of pedestrian access in accordance with the Council's standards and in the interests of highway safety in accordance with Policies AC1 and AC2 of the Coventry Local Plan 2017 and the emerging Local Plan.</i>

11.	The development hereby permitted shall have no more than 7 children outside in the rear garden at any one time in accordance with the timings within the Noise Management Plan (document reference: 'Noise Management Plan and Staggered Playtime Plan')
<b>Reason</b>	<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 2017 and the emerging Local Plan.</i>