

Planning Committee Report	
Planning Ref:	PL/2023/0002524/FUL
Site:	88 Station Street West
Ward:	Foleshill
Proposal:	Change of use from single dwelling house to 2no. 1 bed flats, dormer to rear, rooflights to front elevation and single storey, infill extension to rear outrigger
Case Officer:	Andrew Tew

SUMMARY

The proposal is for a change of use to create 2no. 1 bed flats, dormer to rear, rooflights to front elevation and single storey, infill extension to rear outrigger with insertion of rooflight.

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 or trees.
- 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 end of terrace dwelling located within a residential area of the Foleshill ward. The principal elevation of the dwelling is characterised by a red brick finish. There is a gated access alleyway to the side that is within the red line boundary. The property is currently not of high visual quality. To the east is an area of open land that was in use for parking at the time of site visit. The street scene consists of a mix of traditional residential terraces and newer, purpose-built housing.

APPLICATION PROPOSAL

The proposal is for a change of use to create 2no. 1 bed flats, dormer to rear, rooflights to front elevation and a single storey rear infill extension to the rear outrigger with insertion of rooflight and associated alterations.

PLANNING HISTORY

No 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 Delivering a More Sustainable City
- SPD Coventry Connected
- SPG Householder Design Guide

CONSULTATION

Statutory consultation

There are no statutory consultees.

Non–statutory consultation

Highways – No objection subject to condition on cycle storage

Environmental Protection -No objection subject to condition on new boilers
Tree Officer – No objection subject to condition on root protection area

Neighbour consultation

Immediate neighbours and local councillors have been notified on 24/01/2024:

One objection has been received raising the following issues:

- a. Loss of natural light
- b. Overlooking and loss of privacy
- c. Traffic, noise and disturbance
- d. Loss of trees

Any further comments received will be reported within late representations.

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 proposed conversion to 2 no. 1 bed flats makes effective use of the existing dwelling. Investment in, and improvements to, the property will enhance the surrounding area. The parking provision remains unchanged and there is significant area for private amenity.

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 visible from the street scene. There are no public views from the rear, as the access to the east is gated. The nearest property which backs onto the site, no. 78 Station Street West, has 1st floor window to window separation instances in excess of 22m. The dormer is indicated to be finished with hanging roof tiles to match existing. This would be permitted development for a C3 dwelling but flats do not benefit from permitted development rights for householder extensions.

A single storey, rear extension proposed to infill the area between the existing outrigger to bring it in line with the existing eastern wall measures 5.2m in length and 1.5m in depth. The area that it will cover is currently laid to slabbing. A door to the rear will provide access to the garden area. The current arrangement at the rear is rather ramshackle and the proposal will visually improve the dwelling.

The front rooflights would be allowed under permitted development rights for a C3 dwelling but not for flats. Considered in the context of the street scene, the proposal does not create any issues of visual concern or overlooking.

The front and side of the dwelling is shown to be finished in cream render. This will match other properties within the terrace, which are a mix of render and pebbledash. Newly rendered elevations will be a welcome improvement to the current state of the property.

Internal reconfiguration, with the main entrance moved to the eastern side elevation, enables both flats access to private amenity space. There is over 75sqm of private amenity space available for future users.

The proposed flats are 41 and 44sqm 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.

The site benefits from a large plot, with significant private amenity space and gated access to the side. The application is for small scale changes, to include a single storey, infill extension and dormer window. Such development is commonplace and expected in a City location. The nearest property which backs onto the site, no. 78 Station Street West, has 1st floor window to window separation instances in excess of 22m.

An objection relating to overlooking and loss of privacy from a neighbouring property which has a 1st floor window to window separation distance of in excess of 45m at an oblique angle, overlooking the gardens of 10 other properties. The distances are such the objection does not substantiate a reason for refusal, as the issues of overlooking and loss of privacy would be minimal.

The objection goes onto list loss of natural light, traffic, noise and disturbance and loss of trees created by the proposal. However, the dormer and extension will create minimal loss of light, considering the extension is single storey and the dormer sits

within the plane of the existing roof. In relation to traffic, noise and disturbance, the changes proposed are minor. The site benefits from a side access to drop materials and undertake the works. Such works are to be expected within a City location.

For the reasons discussed above, the change of use and material works proposed 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 2 bed dwelling.

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

Trees

There is a tree within the garden of the property which is located over 7.5 meters from the proposed extension. The Tree Officer has been consulted and notes the works appear located close to the Root Protection Area of the tree, therefore a Tree Protection Plan is required. This will ensure no materials or unnecessary works are undertaken within the RPA. It is understood that the works are located within existing hard surfacing and the presence of this will have adapted the root morphology.

As such, a condition will be included to ensure there is no damage to the tree, via a root protection zone.

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, 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.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>DWG A282-PL88-00B DWG A282-PL88-01B DWG A282-PL88-02B</p>
Reason	<i>For the avoidance of doubt and in the interests of proper planning</i>
3.	<p>Before any development commences on site (including any demolition, site clearance or other preparatory works) the following shall be submitted to and approved in writing by the Local Planning Authority: a) a detailed scaled plan (to a scale and level of accuracy appropriate to the proposal) showing the location and species of all trees within the site and every tree on land adjacent to the site (including street trees) that is likely to have an effect upon or be affected by the proposal (e.g. by shade, crown overhang from the boundary, intrusion of the Root Protection Area etc), their trunk diameter at chest height, their root protection areas, crown spread to North, East, South and West aspects and measurement from trunk centres to tree protection fence; b) details of the temporary fence (eg Heras fencing and method to be anchored into the ground) to be superimposed upon the proposed layout plan; c) a statement to confirm that the approved tree protection measures will be erected to the Root Protection Area will be erected prior to the commencement of development and to remain in place to the end of the build phase.</p> <p>The approved mitigation and / or protection measures shall be put into place prior to the commencement of any works and shall remain in place during all construction work.</p>

Reason	<i>To protect those trees which are of significant amenity value to the area and which would provide an enhanced standard of appearance to the development in accordance with Policy GE3 and GE4 of the Coventry Local Plan 2016.</i>
4.	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>
5.	Other than where specified on the approved plans, no facing materials shall be used for the extension other than materials similar in appearance to those used predominantly in the construction of the exterior of the 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>
6.	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>
7.	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>

