

Planning Committee: 20 June 2017

Item Number: 13

Application No: [W 17 / 0686](#)

Town/Parish Council: Burton Green
Case Officer: Dan Charles

Registration Date: 20/04/17

Expiry Date: 15/06/17

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Lodge Farm House, Westwood Heath Road, Coventry, CV4 8AA

Change of use from Guest House (Use Class C1) to 9 bedroom House in Multiple Occupation (HMO) (Sui-Generis) and 2No. studio apartments (Use Class C3).
FOR Lever Arch Investments Ltd

This application is being presented to Committee due to the number of objections and an objection from the Parish Council having been received.

RECOMMENDATION

Planning Committee are recommended to grant planning permission, subject to the conditions listed at the end of this report.

DETAILS OF THE DEVELOPMENT

The proposal seeks the conversion of a former bed and breakfast premises into a House in Multiple Occupation consisting of 9 bedrooms plus 2 larger rooms identified as studios.

No external alterations are proposed to facilitate the use.

THE SITE AND ITS LOCATION

Lodge Farm House is a former bed and breakfast premises located in an elevated position off the Westwood Heath Road on the edge of Coventry.

The property is accessed via a lane from the main road which serves a total of 5 properties including the application site. Further residential properties lie to the north of the site, fronting the road.

The site is flanked on three sides by open countryside with the nearby properties located to the south and south west of the site.

The property sits centrally on the plot and the site is bounded by mature hedges and trees to all boundaries affording high levels of screening.

PLANNING HISTORY

W/05/1400 - Enclosure of existing roof canopy – Granted 05.10.2005

RELEVANT POLICIES

- National Planning Policy Framework

The Current Local Plan

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP8 - Parking (Warwick District Local Plan 1996 - 2011)
- DP11 - Drainage (Warwick District Local Plan 1996 - 2011)
- DP13 - Renewable Energy Developments (Warwick District Local Plan 1996 - 2011)
- SC13 - Open Space and Recreation Improvements (Warwick District Local Plan 1996 - 2011)
- RAP1 - Directing New Housing (Warwick District Local Plan 1996 - 2011)

The Emerging Local Plan

- BE1 - Layout and Design (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- BE3 - Amenity (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- CC2 - Planning for Renewable Energy and Low Carbon Generation (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- TR4 - Parking (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- H6 - Houses in Multiple Occupation and Student Accommodation (Warwick District Local Plan 2011-2029 Publication Draft April 2014)
- HS4 - Improvements to Open Space, Sport and Recreation Facilities (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)
- DS19 - Green Belt (Warwick District Local Plan 2011-2029 - Publication Draft April 2014)

Guidance Documents

- Sustainable Buildings (Supplementary Planning Document - December 2008)
- Vehicle Parking Standards (Supplementary Planning Document)
- Open Space (Supplementary Planning Document - June 2009)

SUMMARY OF REPRESENTATIONS

Burton Green Parish Council - Objection on the following grounds:-

- The change of use is inappropriate within this hamlet of five private dwellings, which are in the Green Belt and in a quiet location at the end of a long private single track driveway.
- Proposal will generate innumerable daily journeys by car or bicycle, inevitably spoiling the enjoyment of the adjacent properties
- Journeys on foot, for the proposed development, to the nearest bus stops would be approximately 530 metres to travel westwards and 650 metres to travel eastwards. Planning permission will only be granted for a HMO under

Policy H6 if (b) the application site is within 400 metres walking distance of a bus stop.

- Use of the private access road which is in joint ownership of three of the properties including Lodge House Farm, by such large additional numbers is likely to be problematical.
- The proposed kitchen area is inadequate for this number of people and there is no provision for communal eating or socialising.

Private Sector Housing - Facilities provided are acceptable.

WCC Highways - No objection to proposal following receipt of plan indicating parking layout.

Open Space Officer - Require contribution for Abbey Fields Open Space.

Public Response - A total of 9 letters of objection received making the following observations;

- Access is a private drive and shared with a Public Right of Way used regularly by walkers and increased use would be harmful.
- Detrimental to the quiet rural character of the Hamlet.
- Out of keeping with the local character.
- Will result in additional congestion on the main road.
- Potential for 22+ people on the site that would change the character of the area.
- Will result in nuisance to the surrounding area.
- Not an appropriate site for an HMO.
- Access drive insufficient for additional traffic.
- Will result in additional noise, activity and smells.
- Concerned about maintenance of the grounds.
- Will harm the tranquillity of the area.

ASSESSMENT

Principle of development

Loss of Bed and Breakfast Use

The historic use of the site is for bed and breakfast use, although there is no evidence that it has operated as a B&B for some time. In Officers opinion, the loss of visitor accommodation is regrettable, however, the fact that it has been disused for some time weighs against seeking to resist the development.

Officers are also satisfied that there is a sufficient supply of alternative accommodation available within the area to ensure that the loss of this space would not undermine the ability to provide appropriate accommodation in semi-rural locations. It is also noted that relevant policy in the emerging Local Plan which seeks to protect existing visitor accommodation only does so for premises within town centres. In view of this the proposal is considered to be acceptable in principle.

Location for HMO/ studio units

Policy H6 of the Emerging Local Plan relates to proposals for Houses in Multiple Occupation. The policy states that HMOs will be acceptable where the following circumstances are met;

- a) the proportion of dwelling units in multiple occupation (including the proposal) within a 100 metre radius of the application site does not exceed 10% of total dwelling units;
- b) the application site is within 400 metres walking distance of a bus stop;
- c) the proposal does not result in a non-HMO dwelling being sandwiched between 2 HMOs;
- d) the proposal does not lead to a continuous frontage of 3 or more HMOs; and
- e) adequate provision is made for the storage of refuse containers whereby –
 - the containers are not visible from an area accessible by the general public, and
 - the containers can be moved to the collection point along an external route only

The proposed development would be the only HMO within the 100 metres radius. However, due to the rural, low density nature of the area, the calculation carried out under section a) shows that the proposal would result in a 25% concentration within a 100 metre radius as drawn from the centre of the front elevation of the building.

The proposal does not meet the requirements of a) of the policy as it represents a concentration of HMOs above the 10% threshold due to the rural character of the site. With regard to section b), the application property is located off a main road with access to a number of bus stops within walking distance and in close proximity to the Warwick University Campus by means other than the private car. In terms of c), approval of this proposal will not lead to a continuous frontage of three or more HMOs, nor will it lead to any dwelling being sandwiched between two HMOs. In regard to d), there is space within the confines of the property for the satisfactory and secluded storage of refuse, and for refuse containers to be moved externally from that point to the refuse collection point.

Mitigating Factors

It is clear that the site could never achieve the 10% threshold limit due to the low density nature of the area and the limited level of properties located within a 100 metre radius. Whilst the 10% concentration referred to in the terms of Policy H6 is breached, officers are of the view that the purpose of the policy should be considered which is to prevent harmful concentrations of HMOs in areas. With this in mind, it is considered that the proposal which would be the only HMO within a 100m radius, would not result in a harmful concentration of HMOs and would therefore comply with the ethos of Policy H6.

In considering this proposal, Officers have weighed the site location as a mitigating factor in the assessment of the application. The site lies on in close proximity to the main Westwood Heath Road that is served by multiple bus stops serving the nearby University campus. The site is approximately 2.5km by road

to the edge of the University Campus and would be easily accessible by means other than the private car. Cycle parking is provided for all units within the existing garage area of the property so the use of cycles is feasible.

It is also noted that the land surrounding the site is allocated as part of the H42 Strategic Housing Allocation in the emerging Local Plan. Therefore, the number of private residential properties is likely to increase substantially within the Local Plan period. On this basis, the overall concentration would naturally decrease in line with the increase of dwellings.

In terms of the two studio units, the site is previously developed land in a relatively sustainable location and therefore the proposal for residential accommodation is acceptable in principle.

Impact on the openness of the Green Belt

The application site is located within the West Midlands Green Belt. As the proposal is limited to the change of use of the building without external alteration or extension, the proposal would not have a detrimental impact on the openness of the Green Belt in this location and would therefore not be inappropriate development.

Impact on character of surrounding area

The proposed use does not require the external alteration of the property to facilitate the use. As such, the external appearance would remain as existing and when viewed from the public domain, it would not be discernible from its current use as a result of the development.

The level of activity associated with the use as a HMO is likely to increase compared to the current low key use of the property. It is noted that the site has been used as a Bed and Breakfast in the past and the scale of the property is such that at peak periods, this may have attracted a high level of vehicular traffic and use of the site. However, Officers are mindful that this is on an ad hoc basis and there are certain periods when the use of the site would have been minimal.

Officers have considered the proposal and acknowledge that the change of use would lead to an intensification of use and could have the potential to create a level of disturbance to the surrounding area. Officers are of the view that proper management of the premises would ensure that any possible adverse impacts would be mitigated. However, if there was a statutory nuisance, this would be a matter to be dealt with under the Environmental Protection legislation.

Concern has been raised regarding the maintenance of the external areas of the site that are currently laid out as attractive garden areas and Officers would seek to ensure that the appearance of the site is retained. On this basis, a condition to secure a Management Plan to be submitted detailing how the site is to be managed both internally and externally is considered appropriate to ensure that the high quality nature of the property and its grounds is retained in perpetuity.

Impact on adjacent properties

The application site forms part of a small hamlet of 5 properties that forms a loose group of dwellings. The nearest adjacent property is approximately 35 metres away when measured from the nearest point of the buildings.

Officers are satisfied that the proposed development would not result in any material harm to the amenity of adjacent properties through overlooking, overshadowing or overbearing impact.

The key aspects of the development that could result in harm to neighbouring amenity would be as a result of potential noise disturbance. As identified in the section above, the potential for noise would be as a result of specific occupiers rather than the use itself and occupancy can be controlled by good management of the property and formal nuisance can be controlled through Environmental Protection legislation.

Subject to appropriate management measures being implemented, Officers are satisfied that the development would not have any significant detrimental impact on the amenity of neighbouring properties.

Access and Parking

The Highways Authority have assessed the proposal and raised no objection to the scheme following the submission of a block plan marking out an indicative parking layout to demonstrate that adequate parking is available on the site for a minimum of 7 vehicles in accordance with the Vehicle Parking Standards SPD.

The revised drawing 17.2387.GA.103a illustrates the parking layout for the site and shows the provision of eight spaces.

Cycle parking of 11 secure spaces would be required and there appears to be adequate space within the garage to accommodate this requirement where 8 cycles are shown on plan 17.2387.GA.104.

The access is private and it's junction with Westwood Heath Road fulfils the visibility splay requirement of 2.4m 'x' distance by 43m 'y' distance for a 30mph speed limit.

The access road is only 3m wide for most of its length but has been widened by usage at the Westwood Heath Road junction which will allow a vehicle to wait without affecting the main carriageway. The access road is straight so forward visibility is good.

Energy Efficiency / CO2 reduction

The Sustainable Buildings Supplementary Planning Document requires residential and non-residential developments, including conversions to provide 10% of the predicted energy requirement to be produced on site, or in the locality from renewable energy resources except in cases where it can be demonstrated that it is not feasible to incorporate such measures.

No statement has been submitted in support of this application. However, I am satisfied that energy reduction measures would be feasible for this development and Officers consider it appropriate to attach a condition requiring these details to be submitted.

Other Matters

Standard of Accommodation

The accommodation has been assessed by the Private Sector Housing Officer who has advised that the accommodation is acceptable and made the following comments;

- It is assumed the studio flats are to be self-contained units with kitchenettes, although cooking facilities are not marked up.
- The 9 bedrooms share a single kitchen, and since there is no communal sitting room (other than a small sun lounge) will operate as bedsits.
- The communal kitchen will need to be fitted with 2 sets of cooking facilities for 9 persons, this should not present a problem given the size of the room.
- All rooms are of a good size and the layout is reasonable and facilitates means of escape.
- There are no fire precautions marked up. As an HMO adherence to the LACORS fire safety guidance is required.

Open Space Contribution

No public open space is provided as part of the proposal. Therefore in accordance with Policy SC13 and the associated SPD, a contribution for the enhancement of existing open space will be required.

The open space team have requested a contribution of £10,034 based upon a net gain of 9 bedrooms @ £842 per room and 2 bedrooms within the studios at £1,228 per room.

The contribution will be put towards the development objectives of Abbey Fields, relating specifically to signage and interpretation. Abbey Fields scored only 'average' in a number of aspects in the latest Parks Audit (2016). The Green Space Strategy sets out the objective of having our public open spaces rated as 'good' or better.

This can be secured by condition.

Waste Management

The applicants have indicated an area for external waste storage at the rear of the building together with space internally for waste collection. Officers are satisfied that the waste storage is acceptable in this location.

Use of Access Drive

Concern has been raised regarding the suitability of the private drive and whether the use would be allowed to use the access drive. This is a civil matter and is outside of the remit of planning control.

Conclusion

Officers clearly acknowledge that the use of the property as a House in Multiple Occupation in this location would not accord with the parameters set out in Policy H6 of the emerging Local Plan. In assessing the proposal, Officers have taken into consideration the site specific matters that give support to the scheme and when these have been balanced against the conflict with the Policy, Officers are of the opinion that the proposal would be appropriate in this location and the level of harm would not be sufficient to warrant the refusal of planning permission.

Site specific matters including the impact on the openness of the Green Belt, the impact on the local area, the impact on neighbouring amenity and highway safety have all been considered and are acceptable.

The operation of the premises as an HMO has been assessed as an acceptable standard of accommodation and associated facilities are adequate for the use.

Overall, Officers are of the opinion that the scheme is acceptable.

CONDITIONS

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **REASON:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) 17.2387.GA.104 and 17.2387.GA.103a, and specification contained therein, submitted on 13 April 2017 and 30 May 2017 respectively. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 No part of the development permitted shall be occupied until an Operational Management Plan for the site has been submitted to and approved in writing. The Plan shall include details of the following;
 - Details of the maintenance of the building and associated grounds and a schedule of the proposed maintenance operations.
 - Details for the operation of the site including details of the guidance/charter for occupiers to minimise noise and disturbance.
 - Maximum number of occupants.
 - A waste management strategy.

REASON: In the interest of the amenity of the site and neighbouring properties.

- 4 The development hereby permitted shall not be commenced unless and until a scheme showing how either a). at least 10% of the predicted energy requirement of the development will be produced on or near to the site from renewable energy resources, or b). a scheme showing how at least 10% of the energy demand of the development and its CO² emissions would be reduced through the initial construction methods and materials has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until all the works within the approved scheme have been completed and thereafter the works shall be retained at all times and shall be maintained strictly in accordance with manufacturer's specifications.

REASON: To ensure that adequate provision is made for the generation of energy from renewable energy resources or to achieve carbon savings in accordance with the provisions of Policy DP13 in the Warwick District Local Plan 1996-2011.

- 5 Unless the Local Planning Authority certifies that suitable alternative provision has been made for the provision or improvement of open space within the catchment area of the application site in accordance with Policy SC13 of the Warwick District Local Plan 1996-2011:

(i) no development shall commence unless or until a scheme for such provision or improvement (identifying the size/extent, location and specification of the space and works) has been submitted to and approved in writing by the Local Planning Authority; and

(ii) the development hereby permitted shall not be occupied until the scheme so approved has been implemented.

REASON: To ensure the necessary infrastructure and facilities are provided in accordance with Policy SC13 of the Warwick District Plan 1996 – 2011.

- 6 If an air source heat pump is chosen as the method to comply with the requirement for renewable energy, noise arising from the air source heat pump(s) permitted, when measured one metre from the facade of any noise sensitive premises, shall not exceed the background noise level by more than 3dB (A) measured as LAeq (5 minutes). If the noise in question involves sounds containing a distinguishable, discrete, continuous tone (whine, screech, hiss, hum etc.) or if there are discrete impulses (bangs, clicks, clatters, thumps etc.) or if the noise is irregular enough to attract attention, 5dB(A) shall be added to the measured level. **REASON:** To protect the amenities of the occupiers of nearby properties in the locality in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011.

- 7 The use hereby permitted shall not be occupied until car and cycle

parking facilities have been provided in accordance with the approved details. The spaces shall be retained as such and kept available for use in accordance with the approved details at all times thereafter.

REASON: To ensure adequate facilities for car and cycle parking are provided for occupiers in accordance with Policy DP8.

- 8 The development hereby permitted shall not be occupied unless and until the external refuse storage areas for the development have been constructed or laid out, and made available for use by the occupants of the development in accordance with the approved details and thereafter those areas shall be kept free of obstruction and be available at all times for the storage of refuse associated with the development.

REASON: To ensure the satisfactory provision of refuse storage facilities in the interests of amenity and the satisfactory development of the site in accordance with Policy DP1 of the Warwick District Local Plan 1996-2011.
