

OFFICER REPORT

Application Number: FUL/2019/1948

215 Beechwood Avenue

External alterations to car park entrance; change of use of the first floor to restaurant use (Use Class A3) with a first floor roof terrace.

WITHIN GREEN BELT? No

VISIBLE FROM GREEN BELT? No

WITHIN CONSERVATION AREA? No

LISTED BUILDING? No

POLICY GUIDANCE

Local plan

The Coventry Local Plan 2016 to 2031 has been adopted on 05/12/2017. Policies that are relevant include: DS3, R6, DE1, AC1, AC2, AC3 & AC4.

SPD/ SPG

SPD Creating a More Sustainable City
Appendix 5 – Car and Cycle Parking Standards

National Policy

National Planning Policy Framework (NPPF)
National Planning Policy Guidance (NPPG)

ADDRESS AND DATE OF NEIGHBOUR NOTIFICATION

- A site notice was placed on street furniture adjacent to the site on 4th September 2019
- 1 representations have been received to date objecting to the proposal on the grounds of insufficient parking and indiscrete parking in the wider area.

RELEVANT HISTORY

- FUL/2013/0585 – Two storey rear extension and external bin store - withdrawn
- FUL/2013/1347 – Two storey and single storey extensions and external bin store (retrospective) – approved 22nd August 2013;
- FUL/2015/3304 – Single storey extensions – withdrawn;
- LDC/2015/3322 – Change of use from public house to restaurant – approved 19th November 2015.
- FUL/2016/2446 – Erection of single storey side extension – withdrawn;
- FUL/2016/0265 – Erection of a single storey side extension, approved 24th March 2016.
- FUL/2017/0563 – Retention of the existing marquee on a temporary basis for 2 years, refused 15th May 2017.
- S73/2018/0401 - Variation of condition 2 (to amend drawing number for alterations to fenestration) : imposed on application reference FUL/2016/0265, granted on 24th March 2016 for the erection of single storey front extension, approved 20th June 2018;
- FUL/2019/1127 - Erection of a single storey front extension and change of use of the first floor to be used in conjunction with the restaurant at ground floor (Use Class A3), withdrawn.

CONSULTATION RESPONSES

- Highways – No objection subject to conditions.
- Environmental Protection – No objections, subject to conditions.

SITE DESCRIPTION

The application property is located within a prominent and spacious location to the south-west of Hearsall Common and in a corner location at the junction with Beechwood Avenue and Canley Road. The premises have their main entrance and car park to the south-west elevation from Canley Road but the elevation to Beechwood Avenue and Hearsall Common is also a principle elevation, albeit without a direct customer access.

The property has single storey extensions to either side of the property to the south-east and north-west elevations. A two-storey extension has recently been added to the elevation facing Hearsall Common in front of the main two storey section of the building. The ground floor of the two-storey extension then extends at single storey level in front of the existing single storey wing to Canley Road.

PROPOSAL DESCRIPTION

The application proposes to convert the existing first floor of the building to be a continuation of the restaurant use on the ground floor and the formation of a roof terrace, together with the formation and realignment of the south east (car park) entrance.

ISSUES AND ASSESSMENT

Policy Background

Section 2, paragraph 10 & 11 of the NPPF 2019 states that applications must be approved that accord with an up-to-date development plan without delay. Coventry City Council have an up-to-date Local Plan which was adopted on 5th December 2017.

Policy DS3 of the CLP states the Council will take a positive approach that reflects the presumption in favour of sustainable development consistent with paragraphs 10 & 11 of the NPPF 2019.

Principle of development

Policy R6 of the CLP states restaurants should be located within defined centres and where they are located, they should not result in significant harm to the amenity of nearby residents or highway safety.

The application site is a two-storey former public house, which now operates as a restaurant following a permitted change to Use Class A3 under the Town and Country Planning (Use Classes) Use Class Order 1987 (as amended).

Therefore, the principle of a restaurant use has been established in this area.

FUL/2016/0265 granted permission for a single storey front extension. A previous application, FUL/2016/2466, originally applied for single storey side and front extensions to provide a function room which would have resulted in an additional 144 covers to the restaurant. This application was considered unacceptable in design terms due to the extension wrapping-around the main building. Concern was also raised about the scale of the extensions as no retail impact assessment or parking surveys had been included within the submission. The application was withdrawn to address the design issues, reduce the scale and provide a parking survey.

FUL/2016/0265 was subsequently approved for an extension which was contained to the front elevation with a small extension to the side facing the car park, thus retaining the main form of the building.

Policy had raised concerns about the potential impact on retail centres including the city centre under application FUL/2016/2466 (single storey side and front extensions, proposing 144no additional covers). However, under FUL/2016/0265, as the extension was reduced substantial to just a single storey front extension, Policy raised no objections.

FUL/2016/0265 expired on 24th March 2019 and has not been built.

This current application seeks to increase the restaurant to the first floor. As there is no cumulative impact to assess, due to the single storey front extension being expired and unbuilt, it is considered that there would no

requirement for a sequential test as the premises is existing and already in operation and the extensions are minimal.

The principle of extending the existing restaurant use has to be compatible with nearby residential properties and not cause harm to highway safety, this is discussed in more detail below.

Impact on neighbouring amenity

As stated above, the existing, lawful use of the premises is a restaurant, which occupies a prominent position within an area of existing commercial properties. However, there are 3no residential properties located on the opposite side of the Canley Road, to the west, namely No.22 & No.24, which form a pair of semi-detached houses and No.28 Canley Road a detached dwelling. No.22 has Merit Display, a commercial property immediately to its north eastern boundary with Canute/Smeg, another commercial property, to the north western boundary of both No.22 & No.24. The Canley Station Car Park lies to the south western boundary of No.24 and lies immediately to the rear of No.28

The existing residential properties are located in excess of 65m from the application property, on the opposite side of the road. However, once the commercial properties are closed for the day, the evening time background noise is very low. Due to the elevated position of the terrace, Environmental Protection have raised concerns with regards to noise from the outdoor terrace during the evening and night time hours.

However, it is considered that with hours restricting the use of the terrace in the evening a satisfactory residential environment can be retained. It is therefore considered changing the use of the first floors of the existing building together with a roof terrace, will not cause demonstrable harm to the occupiers of the neighbouring residential properties through increased noise and disturbance and is in accordance with Policy R6 paragraph 2 sub section a) of the CLP.

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.

Parking

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.

Various site visits were undertaken to assess the availability of spaces within the applicant's carpark.

- At 8 PM on Friday evening 13th September there were 5no. car parking spaces available and an absence of any indiscriminate parking in the access road serving Go-Outdoors.
- At 9pm on Sunday evening 15th September there were 12no. available parking spaces but with 2 No. vehicles parked in this access road.

This activity is slightly reduced but broadly comparable to the site visits undertaken as part of the earlier application FUL/2019/1127 withdrawn in July, where it was noted that as part of the approved planning permission under FUL/2016/0265, the applicants were using a parking area adjacent the gates to the neighbouring car sales premises in the evenings and this was deemed acceptable to the local highway authority. As such, the carpark can provide a total of 60no. parking spaces in the evenings and on that basis, the proposal was approved.

The recently submitted Design and Access Statement clearly states the total dining area element will comprise 341m² of dining space, which will require 35no. parking spaces to comply with the City Council's parking

standards. The current car park provides in excess of this number at 46no. spaces (with an additional 14 spaces usable in the evening) and thus the highway authority does not object to this proposal.

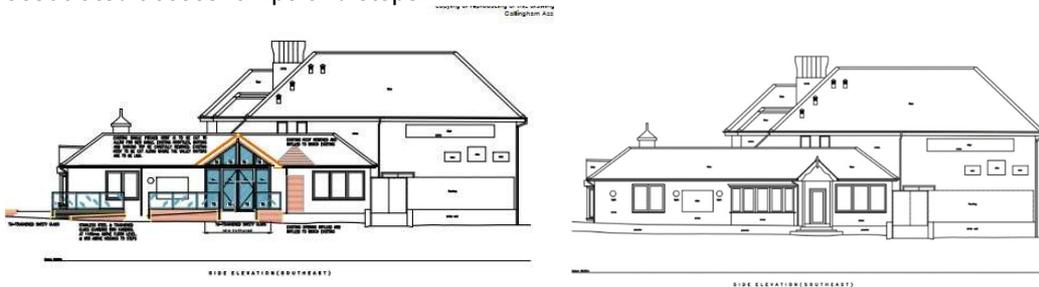
It is also noted that the extension will increase staff numbers from 30no. to 35no. This will increase the cycle storage requirement from 3no. to 4no. in addition to the 2no. visitor cycle parking spaces as per the existing scale of operation. Highways have suggested a condition is attached to any grant of approval that requires details for the proposed cycle storage to be submitted and approved by the Local Planning Authority (LPA).

Taking all of the above into account, the proposal will not cause harm to the free flow of traffic and therefore highway safety and subject to conditions securing the provision of cycle parking, the application is in accordance with Policy AC3 and Policy R6 paragraph 2 sub section a) of the CLP.

Design and visual issues

Policy DE1 and H5 of the Coventry Local Plan 2016 seek 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.

The main external changes relate to the south east side which fronts onto the car park where the existing entrance way will be blocked up and a new entrance formed through an existing bay window, together with the associated access ramps and steps.



The changes are minimal and not on a prominent elevation. The changes to the upper floors do not require any external changes to the elevations and relate to the internal arrangements. A terrace area will be formed on top of an existing flat roof area to the front (south west) of the property. Details of the enclosure etc has not been submitted, however, these details can be conditioned.

Taking all of the above into account, the proposals will not create an incongruous feature within the street scene and therefore are in accordance with Policy DE1 of the CLP.

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.

CONCLUSION

In view of the previous lawful use of the site, outside of a defined centre, the extensions are considered proportionate to the use. The design, siting and massing of the door alterations accords with development plan policies and supplementary planning guidelines and therefore the application is recommended for approval, subject to conditions.