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# Appeal Decision

Site visit made on 9 January 2024

**by H Smith BSc (Hons) MSc MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 January 2024**

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**Appeal Ref: APP/U4610/W/23/3324718**

**10 The Countess Croft, Coventry CV3 5ET**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Promises of Care against the decision of Coventry City Council.
  - The application Ref FUL/2022/3066, dated 28 October 2022, was refused by notice dated 6 April 2023.
  - The development proposed is change of use from residential dwelling (Use Class C3) to children's care home (Use Class C2), to provide short and medium term care for young people.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. I have taken the description of the development from the appellant's appeal form as this more accurately describes the proposal.
3. The appellant refers to use class C3(b) in their statement. However, the proposed development as described in the banner heading above is for a change of use from a residential dwelling (Use Class C3) to a children's care home (Use Class C2). I have therefore dealt with the appeal on that basis.
4. Since the application was determined, a revised National Planning Policy Framework (Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework and new paragraph numbers in reaching my decision.

## Main Issues

5. The main issues are the effects of the proposal on The Countess Croft in terms of character, intensity of use and the potential for any disturbance to adjacent residents.

## Reasons

6. The appeal site is a traditional two-storey dwelling located at 10 The Countess Croft (No 10). No 10 fronts onto a small turning circle of a narrow cul-de-sac that provides access to several semi-detached dwellings. These dwellings, sharing similar architectural style, are set back but orientated toward the cul-de-sac, fostering an inward-looking and close-knit community feel.

7. The proposal would involve a staff changeover of at least two members of staff twice a day for 7 days a week. There would also be regular visits to the property from the registered manager and frequent visits from specialists, such as social workers. In addition to this, there would be the comings and goings of the young people themselves, together with their staff/carers.
8. The turning circle, visible from the large bay windows of adjacent dwellings with open frontages, would expose the movements of occupants and visitors to No 10. The twice-daily staff changeovers, along with visitors and associated deliveries for the proposed use, would result in frequent movements to the appeal property during the day or night, including weekends. This increased activity, including vehicular activity, would disturb neighbouring residents and the tranquillity of the quiet cul-de-sac.
9. I acknowledge that a family home would also generate comings and goings, including vehicular movements. However, a family home would have a greater potential for shared car journeys. In contrast, the proposed use would have more frequent comings and goings from separate individuals. This would be materially different to that experienced by a typical family household.
10. The shared driveway access, serving both No 10 and No 12, and the triangular shaped frontage lacks sufficient space for two vehicles to park in front of No 10. The parked cars would obstruct the side access to No 12 and its designated parking spaces, potentially impacting the neighbouring occupant's amenity. The constrained on-site manoeuvring and daily rearrangement of parked cars would increase the likelihood of displaced vehicles ending up on the highway. This, in turn, could generate on-street parking demand, leading to footway parking due to the road's narrowness. The presence of parked cars would add to the visible concentration of activity along the road.
11. Although the road has no parking restrictions, the increased vehicular activity to the site and displaced vehicles by staff and visitors would inconvenience and visually intrude upon neighbouring residents. Despite alternative roads for parking, staff and visitors would more likely choose proximity to No 10, especially during hours of darkness or inclement weather.
12. While some staff may use public transport, the nature of the regular shift patterns would require travel to the site during off-peak times, including evenings and weekends. However, I have not been provided with any details of bus or train timetables to confirm the availability of public transport during these periods. Encouraging staff car sharing would face challenges, as they may travel from separate households that aren't necessarily close. Inevitably, separate car use is more likely to occur. Therefore, staff and visitors are more likely to have a significant car dependency.
13. I note the Highway Authority has suggested a condition for visitors to the site to be booked by appointment only, with no drop in visitors to be permitted. However, given that there are no parking restrictions, the Council would not be able to control or enforce this. Therefore, such a condition could not be reasonably imposed to make this proposal acceptable.
14. The proposal would provide accommodation which would support young adults; however, this would not outweigh the above impacts.

15. I therefore conclude that the proposal would lead to significant disturbance to adjacent residents and harm the character of The Countess Croft.
16. As such, it would fail to comply with Policies AC3, DE1 and H8 of the Coventry City Council Local Plan (2017). Amongst other things, these policies seek to ensure development respects and enhances their surroundings, is compatible with the character of the area and includes suitable parking provision. It would also fail to accord with paragraph 135 of the Framework, where it seeks to promote a high standard of amenity for existing and future users.

### **Other Matters**

17. The appellant has referred to a Lawful Development Certificate. However, the Council has confirmed that a full planning application was submitted rather than a Lawful Development Certificate.
18. Letters of objection have been received. In addition to matters I have addressed above, the letters of objection raised other concerns including anti-social behaviour, potential installation of CCTV, and commercial waste bins. Nevertheless, these factors are not in dispute between the main parties. No substantiated evidence has been submitted that leads me to a different view.

### **Conclusion**

19. The proposal would conflict with the development plan as a whole, and there are no other considerations worthy of sufficient weight that would indicate a decision other than in accordance with it. The appeal is therefore dismissed.

*H Smith*

INSPECTOR