
Appeal Decisions

Site visit made on 25 April 2017

by Elizabeth Jones BSc (Hons) MCTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15 May 2017

Appeal A: APP/U4610/W/16/3165225 **577 Foleshill Road, Coventry CV6 5JR**

- 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 Mr A Iftikhar against the decision of Coventry City Council.
- The application Ref FUL/2016/1206, dated 26 April 2016, was refused by notice dated 6 September 2016.
- The development proposed is side extension (external covered sales area).

Appeal B: APP/U4610/W/17/3169171 **577 Foleshill Road, Coventry CV6 5JR**

- 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 Mr A Iftikhar against the decision of Coventry City Council.
- The application Ref FUL/2016/3011, dated 8 December 2016, was refused by notice dated 2 February 2017.
- The development proposed is front extension to form covered external sales area similar to other establishments nearby in Foleshill Road.

Decisions

1. Appeal A is dismissed and Appeal B is dismissed.

Procedural Matters

2. An appeal against an enforcement notice¹ concerning a side extension at the appeal site was withdrawn by the appellant in March 2017 following removal of the side extension. For the avoidance of doubt the extensions subject to these appeals are not in situ.
3. As set out above there are two appeals on this site. I have considered each proposal on its individual merits but to avoid duplication I have considered the proposals together, except where otherwise indicated.

Main Issue

4. The main issue is the effect of the proposals on the character and appearance of the host property and area.

Reasons

5. The host property is a semi-detached property in use as a restaurant located on a prominent corner position on Foleshill Road at its junction with Blackwell Road. Despite the host property and the neighbouring property having

¹ APP/U4610/16/3165085

undergone extensions, there exists a degree of symmetry between these properties which makes a positive contribution to the street scene. Bay windows are an attractive feature of the host property which adds to its character.

6. The proposed single storey front extension whilst it would not extend across the whole width of the property would extend the previous front extension by approximately 2.8 metres. This would result in an extension measuring approximately between 3.8 and 4 metres in depth from the front elevation of the original property thereby dominating the front of the property to a harmful degree. Due to its scale, design and extent of projection from the front of the building, the front extension would be prominent and somewhat incongruous in the street scene.
7. The proposed side extension fronting Blackwell Road would be in line with the existing front extension on the front elevation and extend up to the back of the pavement on Blackwell Road. Due to its siting the side extension when viewed from Foleshill Road would obscure views of the bay window on this elevation. Having regard to its open canopy design and proximity to the back of the pavement, the side extension would appear as a discordant prominent feature which would harm both the character and appearance of the host property and the area.
8. I consider that the proposed extensions whether viewed separately or together would appear obtrusive and would have a prominent appearance which would unbalance this pair of semi-detached properties to a harmful degree. Consequently, neither of them either singularly or together would make a positive contribution to either the host property or the area.
9. I note the Council's comments regarding the lack of clarity concerning the materials to be used in the construction of the front extension. Whilst I see no reason why the use of suitable materials could not be secured by the imposition of a planning condition, such a condition would not overcome the identified harm. I also note the comments made by both parties regarding the pilasters, roller shutters and signage. As I am dismissing the appeal for other reasons, these matters are not decisive.
10. I conclude that the proposed extensions would cause unacceptable harm to the character and appearance of the host property and the area. Therefore, there would be conflict with Policy BE2 of the Coventry Development Plan (2001) which aims to achieve high quality design and to ensure proposed development makes a positive contribution to the character and appearance of an area. This policy is consistent with the National Planning Policy Framework insofar as it relates to the requirement for good design.

Other matters

11. The appellant has drawn my attention to other extensions in the surrounding area. I was able to look at some of these during my site visit. I accept that these extensions are visible from the street. However, these examples are in locations not directly comparable with the appeal proposals and I have not been provided with full details of the circumstances that led to these developments and so I cannot be sure that they parallel the appeal proposals. Moreover, I note that a number of these sites are the subject of an enforcement investigation by the Council. In any event, each case falls to be

considered on its own merits and extensions elsewhere do not provide justification for the proposed extensions at the appeal site.

Conclusion

12. For the reasons given above, and having regard to all other matters raised, I conclude that Appeal A and Appeal B should be dismissed.

Elizabeth Jones

INSPECTOR