

Appeal Decision

Site visit made on 13 August 2019

by Mr W Johnson BA(Hons) DipTP DipUDR MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 September 2019

Appeal Ref: APP/U4610/W/19/3228749

55 Yelverton Road, Coventry CV6 4AG

- 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 Mrs Uzma N Peter & Asif Gill against the decision of Coventry City Council.
 - The application Ref FUL/2019/0524, dated 26 February 2019, was refused by notice dated 17 April 2019.
 - The development proposed is described as: 'Erection of single storey rear extension and use of existing dwelling as 3 flats'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. For clarity and precision, I have inserted 'Erection of' into the description in the banner, as it is listed on the appeal form and decision notice.

Main Issues

3. The main issues are:
 - whether the proposal would provide an appropriate location for the development proposed having regard to the established character of the area; and,
 - whether the proposal would amount to an intensification of the use of the property which would adversely affect the living conditions of existing neighbouring residents of the development with particular regard to noise, disturbance, and demand for on-street car parking.

Reasons

Character

4. The appeal relates to a two-storey, mid-terraced property located on Yelverton Road, which comprises of similarly designed, two-storey terraced houses. The area surrounding the appeal site retains a quiet, suburban feel. On the evidence before me I have not been provided with any details of properties within the same postcode that have been converted from family housing. To this end, I find the prevailing character of the area is one of family housing.
5. Policy DE1 of the Council's Local Plan 2016 (LP) requires all development proposals to respect and enhance their surroundings and positively contribute

towards the local identity and character of an area, amongst other things. LP Policy H3 requires new residential development to provide a high-quality residential environment which overall enhances the built environment, and LP Policy H5 stipulates that redevelopment schemes will be supported where existing housing stock does not meet local housing market needs, and its redevelopment represents the principles of sustainable development.

6. I note that no external alterations to the front of the host building itself are proposed, apart from the provision of 2no. formal car parking spaces to facilitate the proposed development and therefore the house would retain its current appearance in the street scene. The external alterations would be limited to the erection of a single storey rear extension, provision of additional parking, refuse bin and cycle storage to the rear of the property accessed from the lane to the rear, which in turned is accessed from a narrow entrance located between No 61 and No 63 Yelverton Road. However, it is likely that the flats would be occupied in separate ownership that could result in differing approaches to the overall repair and maintenance of the property to the detriment of the street scene, which could not easily be controlled by means of a suitably worded condition.
7. The appellant has referenced 4no. appeal decisions¹ for residential development elsewhere in the city. However, relatively little detail has been provided regarding the particular planning backgrounds to these schemes and I do not know what evidence was before the Inspectors at the time of their decisions. Consequently, I cannot be sure that these are entirely representative of the circumstances in the appeal before me. In any event all appeals are judged on their own individual merits. Accordingly, that is how I have assessed this appeal scheme.
8. The appellant advances that the host building could be converted to a 6 bed House in Multiple Occupation (HMO) through existing permitted development rights, which the Council do not dispute. However, I consider that there are several reasons, which cause me to seriously doubt the likelihood of the 'fall-back' being implemented, in the event of this appeal being dismissed. There are no details of an alternative HMO scheme forming part of the appeal submission, and on the evidence before me, the appellant does not indicate anywhere on their submission to the likelihood of such a scheme being implemented in the event of this appeal being dismissed. In order to establish the validity of the fall-back position it is necessary to first establish whether there is a greater than theoretical possibility that the 'fall-back' may take place. For the reasons outlined above I do not consider that there is a likelihood or real prospect of the 'fall back' occurring.
9. The development therefore inevitably increases the density of occupation of the property. Although there will be little visual harm as a result, this will nevertheless result in an increase in the movement of people and changes in the patterns of those movements. This would be in stark contrast to the existing family housing character of the area. I conclude overall therefore that the development would have a harmful effect on the character of the area. Consequently, the development conflicts with LP Policies DE1, H3 and H5. Furthermore, it would fail to accord with the character, sense of place and local

¹ APP/U4610/W/18/3213911; APP/U4610/W/16/3152119 and APP/U4610/A/11/2144694

distinctiveness objectives of the National Planning Policy Framework (the Framework).

Living conditions

10. The proposal would intensify the use of the building through the provision of an additional 2no. dwellings taking into account the existing house. The existing house comprises 3no. bedrooms, 2 of which are double bedrooms with a smaller bedroom located above the hall, which given its size is only likely to be suitable as a single bedroom. Given each flat has a double bed shown on the submitted drawings, the proposed development is therefore likely to generate an additional person residing at the property. However, I am not persuaded that the number of future occupiers of the proposed development would generate a level of additional noise and disturbance that would cause significant harm to the living conditions experienced by existing occupiers at neighbouring properties, in particular, the adjoining properties at No 53 and No 57 Yelverton Road. The use of the host property in terms of day-to-day living would not be noticeable above the existing levels of usage within No 55.
11. I noted during my mid-morning weekday visit that on-street parking along Yelverton Road and the surrounding streets was at or very near to capacity. I observed that Yelverton Road is not the subject of any kerbside traffic restrictions and that during my visit vehicles were parked outside the appeal property. Whilst I appreciate that the appeal scheme provides 4no. off-road parking spaces for the future occupiers, this will be at the expense of an on-street parking space to facilitate access to 2no. parking spaces at the front of the property, which is itself a common feature on the road.
12. During my visit, I found that the access taken from Yelverton Road, between No 61 and No 63 to be limited in its width. Whilst, I noted the garages situated to the rear of the dwellings located on Yelverton Road, I also observed that the area between the rear gardens / garages and the palisade fencing that serves as the boundary treatment with the adjacent commercial premises to be restricted in its width. Additionally, I found this area including the access to the garages to be overgrown with vegetation that indicated that this area was unlikely used regularly by local residents for the parking of their motor vehicles. Whilst this may not be case with future residents of the proposed development, there is nevertheless, a strong likelihood that the area of parking proposed to the rear of the property would be underutilised due to the physical constraints surrounding its access.
13. I consider the appeal site to be sustainably located, with access in close proximity to a variety of shops, services and alternative methods of transport, including bus services, as well as opportunities for walking and cycling. Whilst potential occupiers would have the ability to travel by means other than a private car, it is also likely that they could choose to have access to their own vehicles which would possibly require up to 2 more vehicles to be parked on the road, when taking into account the amount of off-street parking spaces proposed, compared to the likely levels of occupancy.
14. The existing car parking situation on Yelverton Road and the surrounding network currently suggests that there are existing pressures that will be the case for the foreseeable future. Therefore, whilst the overall demand generated by the proposal would be limited, the development would result in further parking pressures on Yelverton Road and the surrounding network to the

detriment of the living conditions of the occupiers of neighbouring dwellings in the surrounding area. Additionally, I note that no objection has been received from the Council's Highway Officer. However, I do not find that this provides a sufficient reason to grant permission due to the potential harm to the living conditions of future and existing occupiers that I have identified in this instance.

15. For all of these reasons, I therefore conclude that the proposed development would adversely affect the living conditions of existing neighbouring residents of the development. This conflicts with LP Policies DE1, H3 and H5. Furthermore, the proposal would not comply with the amenity aims of the Framework.

Other Matters

16. I acknowledge that the development would bring some social and economic benefits to the area through the increase in the number of individual dwellings and during the construction phase of the development. Additionally, I note that the development is sustainably located where alternative methods of transport could be easily obtained within walking distance of the appeal site. However, I find that these factors in favour of the development do not outweigh the harm that would be caused. I have considered this appeal proposal on its own planning merits and concluded that the scheme is not acceptable for the reasons set out above.

Conclusion

17. For the reasons given above, I conclude that the appeal should be dismissed.

W Johnson

INSPECTOR