
Appeal Decision

Site visit made on 22 March 2022

by S D Castle BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 April 2022

Appeal Ref: APP/U4610/W/21/3287012

7 Carter Road, Coventry CV3 1BX

- 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 Ahmadzai Rasooli against the decision of Coventry City Council.
 - The application Ref FUL/2021/2443, dated 30 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is erection of single storey side extension to create 2 x retail units on the ground floor (resubmission of P/2021/0438).
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of residential occupiers, with particular regard to amenity space, noise and disturbance.

Reasons

Character and appearance

3. The appeal relates to a hip-roofed end terrace dwelling located on the eastern side of Carter Road within a predominantly residential area. The dwelling occupies a prominent corner plot and faces northward onto an area of public landscaping adjacent to a roundabout. The site forms part of a wider planned estate of dwellings that are characterised by similar hip-roofed terraced and semi-detached dwellings that have consistent building materials and architectural details. The distinct pattern of development of the wider residential estate is readily perceived in the symmetry of the layout of dwellings at the roundabout junctions of Carter Road, The Moorfield and Roundhouse Road. The appeal site contributes positively to the distinct character of the planned estate layout through its congruent appearance, layout and plot spacing.
4. The proposed extension of the dwelling at no 7 Carter Road to provide 2 ground floor retail units would be wholly incongruous with the visually cohesive residential character of the wider planned estate that no 7 forms a visually prominent part. Whilst the extension would have a hipped roof, the

commercial frontages would appear discordant between dwellings. The proposal would not reflect the established pattern of development of the planned estate, where dwellings on the corner plots have more generous garden space about them. The erosion of the space between the existing dwellings, as a result of the proposal, would create a visually cramped street scene, and a contrived garden layout, detrimental to the symmetry of the layout of dwellings at the junctions of the roundabout. The visual harm of the proposal would be exacerbated by the limited visual relief provided by the northern elevation of the extension. The extension would appear as an intrusive feature at the end of the terrace, harming the character and appearance of the host dwelling and the integrity of the terrace.

5. I acknowledge that there is significant variation in the built form along the western side of Carter Road, including ground floor commercial premises. There is, however, a clear distinction between the character of the planned residential estate and the surrounding more varied development. As such, the appeal site has a strong visual connection to the wider planned estate that is not significantly influenced by the nearby commercial frontages. The nearby commercial frontages do not, therefore, mitigate the identified harm to the character and appearance of the area.
6. Accordingly, the proposal would have a significantly harmful effect on the character and appearance of the area. It would, therefore, conflict with Policy DE1 of the Coventry City Council Local Plan (adopted 2017) (LP) which, amongst other things, requires that development respects and enhances its surroundings, positively contributing towards the local identity and character of an area. Moreover, the development would be inconsistent with paragraph 130 of the National Planning Policy Framework (the Framework) as it would not add to the overall quality of the area and would not be sympathetic to the local character.

Living Conditions

7. It is proposed that the commercial units would be open between 0800h and 2300h every day and would be used as a small bakery shop and a grocery shop. I find that commercial premises operating for those extensive hours would give rise to noise and disturbance, especially from deliveries, use of the commercial bins, customers arriving by car, doors on vehicles being opened and closed, and as customers enter and leave the premises. The impacts of these activities would add harmfully to the noise and disturbance resulting from the existing commercial premises on the western side of Carter Road, creating an adverse cumulative effect. I find that the proposal would lead to unacceptable levels of noise and disturbance at unsocial hours when residents could reasonably expect there to be relative peace and quiet.
8. The Council also objects to the reduced garden area retained specifically for the occupiers of the dwelling at no.7, stating that it would not meet the 50 sq m recommended for 3-bed dwellings by the Council's 'design guidance for new residential development' document. The appellant disputes the Council's measurements and indicates that a rear garden amenity area of at least 63 sq m would be retained. Notwithstanding the precise extent of the retained rear garden area, the remaining garden space would not provide a high-quality outdoor amenity area given its contrived layout, the extent of surrounding built

form limiting outlook, and the disturbance resulting from the adjacent commercial bin storage areas.

9. Consequently, I find that the proposed development would harm the living conditions of neighbouring residential occupiers, with regard to noise and disturbance. Furthermore, the proposal would not provide satisfactory living conditions for the occupiers of the existing dwelling at no 7 due to the detrimental impact of the proposal on their outdoor amenity space. The proposal would, therefore, conflict with LP Policies DE1 and DS3, which, amongst other things, seek high quality design and attention to detail in the layout of developments and the improvement of wellbeing and quality of life. The development would also conflict with the provisions of the Framework paragraphs 130 and 185 which, taken together, require decisions to secure a high standard of amenity for existing and future users, taking into account the likely effects (including cumulative effects) of pollution on health and living conditions.

Other Matters

10. The construction of 2 commercial premises would result in some limited economic, social and environmental benefits, including by creating employment and providing commercial activities in an accessible location. I also acknowledge the support within the Framework for live-work arrangements and that it has been demonstrated that there are no sequentially preferable sites available. I am not, however, persuaded that these considerations justify the development or outweigh the harms that I have identified.

Conclusion

11. The proposal would not be in accordance with the development plan when taken as a whole. There are no material considerations, either individually or in combination, of sufficient weight to outweigh the identified conflicts with the development plan.
12. For the reasons above, the appeal is dismissed.

S D Castle

INSPECTOR