

Appeal Decision

Site visit made on 31 July 2023

by S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 09 August 2023

Appeal Ref: APP/U4610/D/23/3322839

9 Freehold Street, Coventry CV1 5BG

- 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 Mohammed Jofo Ali against the decision of Coventry City Council.
 - The application Ref: PL/2022/0000080/HHA, dated 23 November 2022, was refused by notice dated 2 March 2023.
 - The development proposed is a dormer to the rear.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development upon the character and appearance of the host property and the area.

Reasons

3. No. 9 Freehold Street is a two-storey brick built, end of terrace dwelling in a predominantly residential area where the area has, in the main, unbroken roofs. This adds positively and distinctively to the character and appearance of the area.
4. Terraced dwellings on the appeal side of the street abut the pavement. Some, including the appeal property, have amenity spaces to the rear. Adjoining the appeal property is a mosque, separated from it by the mosque's private vehicle entrance and car park.
5. The proposed development is for a flat roofed, box dormer to the rear of the property which would extend as high as the existing ridge of the dwelling and would span most of the width of the existing roof. The Council's 'Extending Your House Supplementary Planning Guidance 2001 (SPG) requires, amongst other things, that *'dormer windows, which are visible from public views, should include pitched roofs'*.

6. While the proposed dormer would not be visible from Freehold Street, it would be especially visible from the adjoining and much busier Harnall Lane East where it would appear as a dominating visual intrusion to the currently unbroken roof of the terrace, not only by its flat roof but by its overall massing, width and height.
7. My attention has been drawn to what is described as a similar dormer extension at No.10 Freehold Street. However, this is an exception to the general absence of such dormers, and unlike the appeal proposal, is largely unobtrusively sited from public views. Moreover, I am not aware of the circumstances relating to its construction. I afford its existence only limited weight in the decision-making process.
8. Therefore, I conclude that the proposed development would not accord with policy DE1 of the Coventry City Local Plan 2017 which requires development to respect and enhance their surroundings and positively to contribute to the character of the area, nor with the SPG which also requires good design and discourages box dormers which are visible from the public realm.

Other Matters

9. The appellant considers that a larger dormer window than is now proposed could be constructed under permitted development rights and that this provides a fall-back position which is a material consideration. I have afforded the main parties an opportunity to comment on this possibility.
10. I find that any such permitted development would have to relate to the existing, original dwelling whereas the current proposed dormer window extends over a previously constructed side extension. I have no detailed design or other information before me as to whether such permitted development rights would provide a feasible, lawful alternative, nor whether there is any realistic possibility of it being constructed.
11. Therefore, I can only afford this limited weight in the decision-making process, and I do not consider that it is sufficient to outweigh my findings on the main issue.

Conclusion

12. For the reasons outlined above, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR