



Appeal Decision

Site visit made on 21 November 2023

by Jonathan Edwards BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 November 2023

Appeal Ref: APP/U4610/W/23/3322977

48 Coventry Street, Coventry CV2 4NB

- 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 D Fordham against the decision of Coventry City Council.
 - The application Ref PL/2023/0000125/FUL, dated 19 January 2023, was refused by notice dated 14 March 2023.
 - The development proposed is conversion of existing house into 1 no studio flat and 4 no one bedroom flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposal would provide satisfactory living conditions for occupiers having regard to internal living space, outdoor space, privacy, access to natural light and safety, and (ii) whether sufficient parking would be provided to serve the development.

Reasons

Living conditions

3. The appeal property is a 2 storey house with 2 separate residential units in a single storey projection to the rear. The proposal includes the conversion of the ground floor of the main house into 2 flats, a communal utility room and a cycle/bin store. At first floor would be 3 separate units.
4. There is no development plan policy that requires proposals to accord with the nationally described space standards. As such, the Council's claim that 4 of the units would provide internal space below these standards is not determinative in my assessment. Nonetheless, in light of policy H3 of the Coventry City Council Local Plan 2017 (LP) it is relevant to consider whether the proposal would provide a high quality residential environment.
5. The smallest of the units would be the bedsit annotated as number 4 on the appeal plans. This would consist of a bedsit room, kitchen and shower room. The appellant indicates that this unit would provide 23.6 m² floor space. Occupiers of this flat would need to utilise the bedsit room for both sleeping and most daytime activities as the kitchen and shower room would be small. Also, space would need to be kept free of furniture to allow movement between the entrance door and the kitchen. As such, it is difficult to envisage how the unit could accommodate a bed, wardrobes and chairs and table as well as provide sufficient living and circulation space. Therefore, unit 4 would not

provide a comfortable or satisfactory living environment for its occupants, even when considering the shared facilities on the ground floor.

6. The appellant suggests that the size of unit 4 compares favourably with the average size of residential units. However, no data has been provided to support this claim and so I am unable to draw comparisons. Accordingly, I attach little weight to this suggestion in my assessment.
7. The other proposed flats would have separate bedrooms and lounge/kitchen areas. They would be larger than unit 4 in terms of floorspace and would be configured so as to allow movement around furniture. These units would be acceptable in terms of internal space, although acceptability in these regards would not address the identified shortcomings with unit 4.
8. The appeal plans show an outdoor amenity space to the rear, which I saw on my visit as being fenced off. The appellant indicates that the occupants of unit 1 would also have sole use of the front garden but this is open to the street and so it would not be private.
9. The rear yard is small and it would provide little scope for occupiers to enjoy private outdoor recreation or relaxation, particularly if residents from different units wanted to utilise the space at the same time. The nearby Barras Heath Park would provide an alternative outdoor space but this is a public area and so it would not serve the same function as a private garden next to a dwelling. As such, the development would not include an appropriate outdoor space.
10. The fence around the rear garden would prevent easy viewing into the windows of the residential units in the single storey projection to the rear. However, people in the yard would be able to look into the adjacent lounge and bedroom windows of the ground floor flat to the rear (flat 2). This would cause an intrusive loss of privacy. The use of blinds to preserve privacy would lead to the rear flat having poor access to natural light, particularly as the lounge would be served by a single modest sized window to the rear. Therefore, flat 2 would not provide satisfactory living conditions.
11. A new side entrance door would provide access from the outside to 4 of the proposed flats. Residents leaving the building would walk out onto a driveway to the side of the property. The proposed barrier outside the door would prevent people stepping out in front of moving vehicles on the driveway. The development would provide a safe and appropriate access and so in these respects it would accord with LP policies H3 and AC4.
12. However, for the reasons set out above, I conclude the proposal would not provide satisfactory living conditions for all occupiers when having regard to internal living space, outdoor space, privacy and access to natural light. In these regards, it would be contrary to LP policy H3. The Council's refusal reasons also refer to LP policies H5 and DE1 but these include no provisions relevant to this main issue.

Parking

13. Appendix 5 of the LP sets out parking standards for new development. Paragraph 1.19 of the appendix states the parking standards should be considered as a maximum and that lower or higher levels of parking may be justified.

14. The plans show 4 parking spaces to serve the development would be provided on the side access drive and on land to the rear of the property. The Council claims this would represent a shortfall of parking when assessed against the provisions of appendix 5. However, the standards are expressed as maximums rather than minimum requirements and so I fail to see how there could be a shortfall in parking.
15. In any event, the appellant has indicated that a large area to the rear and side of the appeal property is in their ownership and could be used for parking for the proposal if required. Off-road parking spaces over and above those on the appeal plans could be reasonably secured by planning condition. Also, parking is allowed directly outside the appeal property and along significant stretches of Coventry Street and adjacent roads. There is no evidence to show additional street parking generated by the proposal would cause highway safety or capacity issues. Moreover, residents of the proposal would have reasonable access to local facilities and buses that serve the city and so they would not be unduly reliant on private car travel. As such, it is fair to expect the proposal would only lead to a modest demand for parking.
16. All things considered, I conclude sufficient parking would be provided to serve the development. In these regards, the proposal would accord with LP policy AC3 and appendix 5. This is a neutral factor in my overall assessment.

Other Matters

17. The appeal scheme is a revision to a previous proposal. However, it does not follow that it would be acceptable when assessed against LP policies.
18. The appellant has been advised that it would be difficult to attract future tenants to the house as it stands due to its size. There is little evidence before me as to demonstrate there is a particular need for smaller units or that the proposal would address a shortfall in housing supply in general. Even if this were to be the case, the scheme would make only a modest contribution to the housing stock. The harm caused by the unsatisfactory living environment would significantly outweigh any benefits of the proposal.

Conclusion

19. For the reasons as set out under the first main issue, I find the scheme would be contrary to LP policies when read as a whole. There is insufficient justification to grant planning permission contrary to the development plan and so I conclude the appeal should be dismissed.

Jonathan Edwards

INSPECTOR