



Appeal Decision

Site visit undertaken on 24 June 2024

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 10th July 2024

Appeal Ref: APP/U4610/D/24/3342368
96 Middlemarch Road, Coventry CV6 3GH

- 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 Rajesh Pathak against the decision of Coventry City Council.
 - The application reference is PL/2023/0002106/HHA.
 - The development is described as Erection of Porch (in modified form).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is made retrospectively, meaning that the front porch has already been carried out. However the current porch with a pitched and gabled roof according to appeal documents was previously refused¹. The proposal under this application is to remove the pitched and gabled roof to a flat roof and to reduce the footprint of the existing porch. I have made my determination based upon this and observations from my site visit.
3. I note that the Appellant in their Statement of Case (SoC) makes arguments regarding whether the porch requires planning consent. It is not for me under a Section 78 appeal to determine the current correct and legal development of the existing buildings. I have therefore made my decision on this basis of what has been applied for, the existing conditions and to the development plan and relevant material considerations. To that end it is open to the Council to pursue enforcement action, or for the appellant to apply for a determination under sections 191/192 of the Town and Country Planning Act if they believe the lawful development is different. My determination of this appeal under s78 does not affect the issuing of a determination under s191/192 regardless of the outcome of this appeal.
4. The refusal reason on the Council's Decision Notice refers to Policy H5 of the Coventry Local Plan. This policy relates to the redevelopment of existing housing stock in terms of redevelopment of housing to facilitate and meet local market housing need. I can see no relevance of this policy to the appeal scheme. As such I will not give this policy further consideration to this scheme.
5. I have taken the description of the development from the Council's Decision notice as this more succinctly describes the elements requiring planning consent.

¹ Council Planning Ref: PL/ 2023/0000956/HHA

Main Issue

6. The main issue is the effect of the development upon the character and appearance of the host building, including the surrounding locality.

Reasons

7. The appeal property is an end-terraced property in a group of 6 dwellings (nos 96-106 even) which were constructed as a single phase as part of surrounding streets which appears to have been developed around the early to mid-twentieth century. Middlemarch Road consists of groups of terraced dwellings, with main characteristics being hipped roof forms and projecting canted bay windows being a dominant characteristic within the street scene. Some dwellings that are located to the end of the terrace have feature gable roofs that are surmounted on top of a two storey canted bay window which is also replicated to the opposite end of the terrace, giving a degree of symmetry to the overall terrace. The homogenous design, canted bay windows and remnants of vegetation and boundary hedging contribute positively to the area and reinforce local character and distinctiveness. Over time a number of front boundary walls have been removed, and placed within front gardens which has had a detrimental impact to the character and appearance of the street scene and the increased clutter caused by vehicle parking within front gardens. On my site visit I saw a number of front porch extensions, some more appropriate than others.
8. The Coventry City Council Local Plan (LP) Policy DE1 is a design led policy which has a number of design criteria to adhere to such as being high quality, responding to the physical context of the site; seek high quality design and attention to detail, amongst others. The Coventry Householder Design Guide Supplementary Planning Document (SPD) supports this policy and general principles include extensions to houses being able to have a profound effect on the appearance of an area, extensions have the potential to erode spaces that contribute to the visual amenity of an area, and should relate to the host building in terms of style, form, fenestration and detailing, amongst others.
9. The proposed porch would be smaller than the porch as constructed, however would still be relatively large and would project past the current bay window. Given the slope of the front garden to the footpath the porch would have a dominant position and is a readily noticeable feature to the front of the property. The flat roofed design as proposed would be discordant to the design of the dwelling which features hipped and gabled roof forms, and due to its proportions, would not be well integrated into the architectural composition of the existing dwelling. It is also noted in the SPD that extensions that project past the established building line are generally not acceptable, and that front extensions should maintain distinctive features of the front of the dwelling and complement the property. I am not convinced that the front porch achieves this and is seen as a discordant addition which is more of an add-on, rather than an integrated component of the design of the dwelling.
10. I appreciate photographs of other porches in the streetscene, and whilst I agree that some have a large footprint, they are not as large as proposed, and it is unclear whether these front porches have consent or were part of any proposals under the General Permitted Development Order. As such the presence of these extensions does not present an analogous situation to the current appeal site and does not justify the appropriateness of this porch.

11. I also note comments within the Appellant's Statement of Case that the porch is needed to accommodate the client who has a disability. No further information has been presented with this respect, and it is unclear how the front porch in this particular configuration caters for the needs of the resident, or whether there are other ways of accommodating those needs that are more in keeping with the policies of the Development Plan. As such there is not sufficient information presented within the appeal to justify material considerations as part of the decision.
12. As such, taking the above into account, and in conclusion of this matter, the extensions as erected would not reinforce the positive qualities of local character or distinctiveness and would be contrary to Policy DE1 of the LP, which is supported by the SPD, as described previously.

Conclusion

13. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be dismissed.

J Somers

INSPECTOR