



**TOWN & COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

Application No. : **FUL/2019/2300**
Registered on : **13/09/2019**
Site at : **36 Grantham Street**

Description of Development: Conversion of dwellinghouse into three self-contained flats, installation of dormer window extension to rear roof slopes and erection of single storey rear extension.

Delegated Decision on 08/11/2019

Coventry City Council as Local Planning Authority **REFUSE** permission for the development proposed in your application for the following reasons:

1. The conversion of this terraced dwellinghouse into three self-contained flats is contrary to Policies DE1, H3 and H5 of the Coventry Local Plan 2016 and the objectives of the National Planning Policy Framework as it would result in the inappropriate over-intensification of the use of the property to the serious detriment of the amenities of neighbouring residents from increased noise, general disturbance and comings and goings from the self-contained flats. Furthermore, the applicants have failed to demonstrate that adequate and suitable provision for the storage of domestic waste can be provided within the application site to the detriment of the living conditions of future occupiers and the visual amenity of the locality.

2. The dormer window extension is considered contrary to Policies DE1 and H3 of the Coventry Local Plan 2016 and the aims and

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objectives of the National Planning Policy Framework by reason of its siting, design, resultant massing and external facing materials which results in the introduction of a disproportionately large addition within the roof slope of overall poor design and appearance, disrupting the rhythm of development and contrary to the established and prevailing character of the locality; to the serious detriment of the visual amenities of the locality and the occupiers of the adjacent properties. Furthermore, the proposal results in the provision of an overbearing and visually oppressive structure in close proximity to the party boundary with No.38 Grantham Street which introduces an inappropriate level of overlooking and associated loss of privacy to the serious detriment of the living conditions of the occupiers of the adjacent property.

3. The proposal is contrary to Policies AC2 and AC3 of the Coventry Local Plan 2016, in particular 'the Car and Cycle Parking for New Development (Appendix 5)' and the aims and objectives of the National Planning Policy Framework as the proposal has failed to either include on-site parking provision, or if this cannot be achieved, provide any evidence to demonstrate the proposal would not result in the intensification of demand for on street parking in the locality in the absence of on-site parking provision. It is considered the proposal would result in an increase of demand for on-street parking in the locality where demand is already high, which would be to the detriment of highway safety, the free flow of traffic and to the amenities of the occupiers of adjacent dwellings.

In determining the application Coventry City Council have made the decision in a positive way to foster the delivery of sustainable development, working proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. The decision has been taken having regard to the impact of the development, and in particular to the policies and proposals in the adopted Coventry Local Plan 2016 set out below, and to all relevant material considerations, including the National Planning Policy Framework, and Supplementary Planning Guidance.

The City Council have worked in a seamless and timely manner to undertake the necessary liaison and negotiation with the applicant, third parties and statutory consultees (at the application and pre-application stages) to look for solutions which seek only high quality sustainable development.

Policy AC2: Road Network
Policy AC3: Demand Management
Policy DE1: Ensuring High Quality Design
Policy DS3: Sustainable Development Policy
Policy H3: Provision of New Housing
Policy H5: Managing Existing Housing Stock
Policy H9: Residential Density

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INFORMATIVES

For the avoidance of doubt, this decision relates to the following drawings, letters or associated documentation that may have been submitted with the application.

Location and Block Plan DWG: T1756-AL(P)- 00B; Existing Floor Plans DWG: T1756-AL(P)- 01; Existing Elevations DWG: T1756-AL(P)- 02; Existing Section AA DWG: T1756-AL(P)- 03; Proposed Floor Plans DWG: T1756-AL(P)- 04C; Proposed Elevations DWG: T1756-AL(P)- 05A; Existing and Proposed Elevations facing 34 Grantham DWG: T1756-AL(P)- 06.

You are advised that if your proposal involves works covered by the Party Walls etc Act 1996. You are recommended to seek independent advice. Booklets are available from the Planning Advisory Desk & HMSO.

• PROTECTED SPECIES

A number of European Protected Species are found in Coventry. Please be aware that any development may have implications and / or adverse impact on species and habitats which are protected by the Wildlife & Countryside Act 1981; the Habitat Regulations 1994; the Conservation of Habitats & Species Regulations 2010 and by other European Legislation. The permission given by this notice does not override the protection afforded to these species and their habitats. Please be aware that it is the developers / landowners / contractors responsibility to ensure that any work being carried out will not harm any protected species. For more information on protected species please visit <http://www.naturalengland.gov.uk>.

If evidence of protected species is found, work should stop immediately while Natural England (01453 764450) is contacted for advice on the best way to proceed. If any conditions concerning protected species are attached to this decision you are advised to contact the Planning Department at Coventry City Council on ecology@coventry.gov.uk before commencing development or submitting any necessary discharge of conditions applications.

• APPEAL RIGHTS

If you are aggrieved by the decision of the City Council to refuse permission for the proposed development subject to conditions, you can appeal to the Department of Communities and Local Government under Section 78(1) of the Town and Country Planning Act 1990 (as amended). An appeal must be made within **six** months of the date of this notice.

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form,

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please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry, then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK.](#)

If permission to develop land is refused, whether by the City Council or an appeal by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonable beneficial use by the carrying out of any development which has been or may be permitted. In these circumstances, the owner may serve a purchase notice on the City Council requiring the Council to purchase the interest held in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is refused by the Secretary of State on appeal or on a referral of the application to the Secretary of State. The circumstances in which such compensation is payable are set out in Section 114 & 120 and related provisions of the Town and Country Planning Act 1990.

- **MINING INFORMATIVE**

The proposed development lies within a coal mining area (either an area of old workings or active and future workings, or an area of proved coal resources) and therefore could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heating and production of carbon monoxide.

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- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com.

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