
Appeal Decision

Site visit made on 4 October 2016

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11th October 2016

Appeal Ref: APP/U4610/W/16/3151714

12 Brill Close, Coventry, West Midlands CV4 7EE

- 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 Ms Annie Zhang against the decision of the Coventry City Council.
 - The application Ref FUL/2015/4339, dated 12 December 2015, was refused by notice dated 15 February 2016.
 - The development is a change of use to house in multiple occupation and two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) The effect of the development on the character and appearance of the host property and area, and
 - (ii) The impact on the living conditions of the occupiers of the neighbouring property at No. 84 De Montfort Way with particular regards to the overbearing impact.

Reasons

Character and appearance of the host property and area

3. The appeal property is a detached dwelling currently used for student accommodation that occupies a prominent corner position at the junction of Brill Close and De Montfort Way. The property is a two storey pitched roof design fronting on De Montfort Way and a single storey gull-wing roof design fronting onto Brill Close. It is located within a mature well-established residential area, typically characterised by large detached dwellings set back from the road behind front gardens/driveways. No. 12 Brill Close (No.12) being situated on a corner plot has even more expansive grounds, which add to the open character and appearance of the street scene.
 4. The proposal would entail the construction of a pitched roof extension at first floor level above the existing single storey section of the house. The proposed extension would project out about 13m from the rear elevation of the existing two storey section of the house with a ridge height of approximately 5m. The south elevation of the proposed extension would be extended forward by
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approximately 1m to square off an existing recess facing Brill Close to link with the existing gable end, with a similar infilling to the north elevation.

5. The Council's Supplementary Planning Guidance Document: Extending your Home - a Design Guide 2003 (SPG) states that extensions on corner plots need to be considered in the context of the openness and character of the plot in relation to the surrounding area and the scale of the extension relative to the existing dwelling. In order to retain a good design, the SPG states that extensions on corner plots should be set back at ground and first floor level.
6. The appeal property is in a relatively large plot with a particularly wide frontage onto Brill Close. The extension would therefore not appear overlarge, relative to the overall plot size and would provide sufficient private amenity space in accordance with the SPG requirements. The extension, however, would still be a significant addition relative to the main house and, combined with the existing single storey building below and squaring off the recess at the front facing Brill Close, would result in substantial bulk on this side of the dwelling, which would significantly detract from the form of the house.
7. The proposed extension, by virtue of its scale and design, would impact on the openness and character of the plot in relation to the surrounding area. Such positioning would compromise the sense of space and openness and interrupt the established rhythm of development in the area. These shortcomings are exacerbated by the extension's prominent position, which would be visible from a number of public vantage points along Brill Close and De Montfort Way. As such I consider that the proposed extension would result in an incongruous and out-of-keeping addition to the street scene.
8. Consequently, I conclude that the proposed extension would have a harmful effect on the character and appearance of the host property and surrounding area. It would conflict with Policies BE2 and H4 of the Coventry Development Plan 2001 (CDP) and the Council's SPG. These policies and guidelines, amongst other things, seek to ensure that new extensions or other alteration to residential properties demonstrate a high quality design that respects the local character and street scene of the area.

Living conditions of the occupiers of the neighbouring property

9. The north elevation of the proposed first floor side extension would be located about 5m from the common boundary with No. 84 De Montfort Way (No. 84). The property at No. 84 currently has an uninterrupted view over the single storey section of the appeal property and the open garden areas at the rear of the adjacent properties on Brill Close that provide space and light between the properties. Evidence provided by the appellant shows that the proposed extension would not breach the SPG 45 degree line from the mid-point of the nearest ground floor windows of the habitable rooms at the rear of No. 84.
10. The appellant argues that that the relationship between the proposed extensions and No. 84 would not be materially different to the existing situation on the site. Given the relatively low eaves and roof height of the proposed extension, together with its inset from the common boundary, I consider that there would not be significant loss of available light. However, this is not a determinative factor on its own.

11. In relation to outlook, the proposed extension would result in a long two storey projection running parallel with the common boundary with No. 84. I have viewed the appeal site and given the overall scale and design of the proposed extension and the distance between the properties, I consider that the proposed extension would give rise to an unacceptable loss of outlook from the rear garden and rooms at the rear of No. 84. It would introduce a dominant and enclosing structure in close proximity to the common boundary that would have an overbearing effect on the occupiers of No. 84.
12. Consequently, I conclude that the proposal would result in harm to the living conditions of the occupiers of No. 84 with particular regard to the overbearing impact of the development. It would conflict with Policies BE2 and H4 of the CDP and the Council's SPG. These policies and guidelines, amongst other things, seek to ensure that new extensions or other alterations to residential properties demonstrate a high quality design that protects the amenities of neighbouring properties.

Other matters

13. I note the appellant's comments about the existing use of a building as a House of Multiple Occupation (HiMO) for student accommodation for up to 6 occupants and the concerns raised by local residents and the Cannon Park Community Association about the proposed change of use for up to 8 occupants. However, this does not form part of the Council's reasons for refusal and there could be an opportunity to restrict the maximum number of occupants by planning condition. This, however, would not overcome the adverse impacts I have identified above.
14. The local residents and the Cannon Park Community Association have also raised concerns about parking, noise, disturbance and anti-social behaviour. However, the parking would be sufficient to serve the proposed development and there is no substantive evidence before me that the proposal would result in any significant increase in the likelihood of noise, disturbance and anti-social behaviour occurring.
15. I have noted the planning appeal and other development in the area drawn to my attention by the Council. The proposed conversion of the properties to HiMOs at 135 Marlborough Road and 36 Albany Road are on different streets to the appeal site with different development characteristics to the appeal scheme. On the basis of the limited evidence provided I am not convinced that their circumstances are compellingly similar to those of the present appeal proposal. I therefore accord them limited weight as precedents in this case.

Conclusion

16. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR