

## Appeal Decision

Site visit made on 29 November 2016

**by Helen Hockenhull BA(Hons) B.PI MRTPI**

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

**Decision date: 12 December 2016**

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**Appeal Ref: APP/U4610/D/16/3160740**  
**36 Morris Avenue, Coventry CV2 5GX**

- 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 Raveendran Sinnathambi against the decision of Coventry City Council.
  - The application Ref HH/2016/1998, dated 3 August 2016, was refused by notice dated 29 September 2016.
  - The development proposed is a first floor side extension over existing ground floor side extension to provide additional bedroom with ensuite and ensuite to existing front bedroom.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are:
  - the effect of the development on the character and appearance of the host property and the surrounding area;
  - the effect of the development on the living conditions of future occupiers with particular regard to outlook and daylight.

### Reasons

#### *Character and appearance*

3. The appeal property forms a two storey end terrace house constructed in part brick/ part render, located on a corner plot at the junction of Morris Road and Hermitage Road, Coventry. It was formerly a Doctors surgery but is currently subdivided into two flats. The property has an existing single storey side extension, a rear dormer and a flat roof single storey rear extension. The area is residential in character with similar two storey terraced properties.
  4. The development proposed includes the construction of a two storey side extension which would replace the existing single storey side extension. It would have a pitched roof where it adjoins the existing house. The extension would project around 6.7 metres to the rear of the appeal property and this section would have a flat roof. The proposal also includes the provision of a rear garage and alteration to boundary treatments.
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5. The appeal property is in a prominent corner position. Viewed from the front elevation the proposal has been designed to complement the existing property and the neighbouring terraced row. In this respect the development would be acceptable in the street scene. The proposed extension would retain a reasonable size rear garden area and there would be an acceptable separation distance with the neighbouring residential property to the rear, No. 63 Hermitage Road.
6. However, the appeal proposal would extend the house to the side so that it would be sited forward of the building line of neighbouring properties on Hermitage Road and would be closer than 2 metres from the side boundary. The Council's Extending Your Home Supplementary Planning Guidance (SPG) 2003 advises that extensions to corner plots should not infringe any established building line and should maintain a minimum width of 2 metres between the edge of the side extension and the boundary. The appeal proposal would not comply with this guidance.
7. The flat roof part of the extension would extend significantly past the rear elevation of the appeal property. I acknowledge that the appeal proposal would only marginally increase the footprint of the existing dwelling and result in around a 20% increase in floor area. However it would significantly increase its mass to the rear. It would be very visible in the street scene on Hermitage Road and as a result of its length, mass and flat roof design would appear incongruous and out of keeping with other properties in the area.
8. The appellant has brought my attention to other corner properties in the locality that have two storey extensions to the rear. I observed the extension under construction at 41 Morris Avenue on my site visit and also the side extension to No. 43 which has created an additional attached dwelling, 64A Hermitage Road. Whilst these examples involve similar two storey side extensions, they differ from that proposed in this appeal as they have pitched roofs and have been designed to complement their respective host properties. In contrast the flat roof of the appeal proposal would be of a poor standard of design causing harm to the visual amenities of the area.
9. The appellant argues that the visual impact of the extension is mitigated by its reduced height and flat roof which allow a greater view of the sky above. I accept that a flat roof creates an extension of a lower height but results in a poor design which does not complement the host dwelling and surrounding properties.
10. Bringing the above points together I consider that the appeal proposal would cause harm to the character and appearance of the area. It would conflict with Saved Policies H4 and BE2 of the Coventry Unitary Development Plan (UDP) which aim to achieve high quality urban design and ensure that residential extensions respect the local character and street scene of an area. These policies are generally consistent with the design objectives of the National Planning Policy Framework (the Framework).

#### *Living conditions*

11. The appeal proposal includes the provision of a 2 metre high brick wall on the side boundary of the property running parallel to Hermitage Road. This replaces an existing wall with railings above of around 900 mm in height. This

would result in the two ground floor bedroom windows on this southern elevation being sited approximately 1.5 metres away from the wall.

12. I acknowledge that there are other boundary walls of a similar height to corner plots in the area. However in this position, the proposed wall would have an enclosing and overbearing effect on the ground floor bedroom windows resulting in a poor outlook for the future occupiers of the property. In addition the wall would significantly reduce daylight to these windows creating habitable rooms that are dark and which provide a substandard living environment.
13. I note the appellant's comment that the property would be occupied by his family and that privacy in a bedroom is more important to him than light or outlook. Whilst I understand this view, I must consider whether the development would provide acceptable living conditions for any occupier.
14. In summary, I consider that the appeal proposal would cause harm to the living conditions of the future occupiers of the property as a result of poor outlook and daylight. It would therefore fail to comply with Saved Policy H12 of the Coventry UDP 2001 and the Council's Extending Your Home Supplementary Planning Guidance (SPG) 2003 which seek to achieve a high standard of design and residential environments. This policy is generally consistent with the Framework which in paragraph 17 aims to secure a good standard of amenity for all existing and future occupiers of land and buildings.

### **Other matters**

15. The appellant makes reference to the Framework in particular paragraphs 186-187 which advise that local planning authorities should approach decision making in a positive way to foster the delivery of sustainable development and that they should look for solutions rather than problems. However paragraph 56 of the Framework states that good design is a key component of sustainable development; it is indivisible from good planning and should contribute positively to making places better for people. I have found that the appeal proposal does not form high quality design and causes harm to the character of the area. It does not therefore in this respect form sustainable development.
16. I note that the occupier of the neighbouring property has raised concern with regard the potential loss of light and outlook. I agree with the Council's view that the proposal would not lead to a material loss of light or outlook to ground or first floor windows in this neighbouring dwelling. However, having regard to the height of the proposed extension, whilst I consider that there would be some reduction in daylight to the garden area, this would not be so significant as to materially harm the living conditions of the occupiers of this property.

### **Conclusion**

17. I have found that the appeal proposal would cause harm to the character and appearance of the host property and the surrounding area and to the living conditions of future occupiers.
18. For the reasons given above and having regard to all other matters raised, I dismiss this appeal.

*Helen Hockenfull*

INSPECTOR