
Appeal Decision

Site visit made on 4 April 2017

by Sue Glover BA (Hons) MCD MRTPI

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

Decision date: 12 April 2017

Appeal Ref: APP/U4610/D/17/3169642
101 Marlborough Road, Coventry, CV2 4EQ

- 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 Davinder Singh Hayre against the decision of Coventry City Council.
 - The application Ref HH/2016/2638 was refused by notice dated 9 January 2017.
 - The development proposed is an internal alteration and the erection of a rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed first floor rear extension on the living conditions of the residents of no. 99 Marlborough Road in respect of outlook, daylight and sunlight.

Reasons

3. It is evident when facing the rear of the terrace from the garden of no. 101 that the terraced houses to the south, at no. 103 and beyond, have mostly large 2-storey rear outriggers, whereas nos. 101 to 93 have single storey outriggers. The proposal is to increase the height of no. 101's single storey outrigger so that it is of a similar roof height as the 2-storey outrigger at no. 103.
 4. The rear facing first floor window at no. 99 would be in close proximity to the extended first floor at no. 101. From this window the raised flank wall and new roof would appear dominating and overbearing, and increase a sense of enclosure. It would also exacerbate a sense of enclosure from the clear-glazed side-facing ground floor window in no. 99's rear outrigger. In these respects, there would be a significantly worse outlook from no. 99's habitable room windows, thereby harming residents' living conditions.
 5. There would also be a significant reduction in daylight into the nearby windows on account of the higher flank wall and raised roof in close proximity to no. 99. I find significant harm to the living conditions of the residents of no. 99 Marlborough Road in respect of outlook and daylight.
 6. Sunlight into the rear of no. 99 is already to an extent blocked from a southerly direction by the higher rear roof of the outrigger at no. 103. The appeal
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proposal would add to the blocking of sunlight only to a limited extent, but this matter adds weight to the harm that I have identified to residents' living conditions in respect of outlook and daylight.

7. Policy H 4 of The Coventry Development Plan 2001 (CDP) seeks to ensure that extensions or other alterations to residential properties should respect the local character. The subtext indicates that extensions should not restrict the amenity of adjoining properties including daylight. CDP Policy BE 2 promotes high quality urban design. The proposal conflicts with the objectives of these 2 policies in respect of the effect of the proposed design on the amenity of nearby residents.
8. The development plan policies are broadly consistent with paragraph 17 of the National Planning Policy Framework, which indicates that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. There is conflict with the Framework in these respects.
9. Extending your home – a design guide says that two-storey rear extensions can seriously affect the outlook and light of adjoining properties. Whilst the outrigger at no. 103 already affects first floor windows at nos. 101 and 99 to some extent, the proposed first floor extension would significantly worsen the existing situation by bringing 2-storey development closer to no. 99.
10. I have taken into account all other matters, including the benefit of providing a third bedroom. There were no objections from the residents of no. 99, but I am obliged to consider the proposal in the longer term interests of future as well as of current residents. A condition could be imposed requiring obscured glass in a side window to protect the privacy of residents.
11. I have considered all the policies in the Framework, and other national planning policy and guidance. Notwithstanding the other matters, the harm that I have identified to residents' living conditions at no. 99 is significant and overriding. The appeal therefore does not succeed.

Sue Glover

INSPECTOR
