



Appeal Decision

Site visit made on 1 October 2019 by Hannah Ellison BSc (Hons) MSc

Decision by P J Davies BSc (Hons) MA MRTPI

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

Decision date: 25 November 2019

Appeal Ref: APP/U4610/D/19/3235266

51 Thistley Field South, Coventry, CV6 2DD

- 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 Mrs Elizabeth Malone against the decision of Coventry City Council.
 - The application Ref HH/2019/0847, dated 24 March 2019, was refused by notice dated 22 May 2019.
 - The development proposed is first floor rear and single storey side extensions.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Council's decision notice refers to the Coventry Local Plan 2016. However, from the evidence it is clear that the Coventry City Council Local Plan (LP) was adopted in 2017 and that this is the development plan for the purposes of this appeal. I have determined the appeal on this basis. The Council's delegated report also refers to Policy H5 of the LP, but as I have not been provided with a copy of this policy, I am unable to use it in my assessment of the appeal.

Main Issues

4. The main issues are:
 - (i) The effect of the first floor rear extension on the living conditions of the occupiers of No 53 Thistley Field South, with particular regard to outlook and light; and,
 - (ii) the effect of the side extension on the character and appearance of the area.

Reasons

5. The appeal site comprises a two-storey detached dwelling, located on a corner plot within an open-plan residential area. This proposal seeks permission to

extend the property to the rear at first floor level and to the side at ground floor.

Living conditions

6. The proposed first floor extension would be positioned above the cat-slide roof to the rear, and adjacent to the side boundary with No 53 Thistley Field South. It would extend from the existing roof ridge of the dwelling and span much of the length of the rear element of the appeal dwelling. Although it would be set back approximately 1m from the eaves of the catslide roof, its height and depth would be reflected in a development of significant bulk, on or very close to the boundary, and in particular, close to a first floor bedroom window on the neighbouring dwelling.
7. The appellant does not dispute that the proposal infringes the 45 degree sight line test set out in the 'Extending your home – a design guide', Supplementary Planning Guidance 2003 (the SPG), which seeks to ensure two-storey rear extensions do not seriously affect the outlook and light of adjoining properties. The SPG has been subject to public consultation and is adopted. It is consistent with the National Planning Policy Framework ('the Framework'), and I therefore give it significant weight. It was observed at the time of my site visit that the affected bedroom window is a secondary window and is somewhat smaller than the main window on the front elevation. As such, it does not provide the main source of light. Therefore, whilst the proposal would lead to some loss of light to this window, this in itself would not amount to any serious harm to the living conditions of the occupants concerned.
8. Nonetheless, because of the staggered relationship of the appeal property with No 53, I saw that the outlook from the neighbouring bedroom window is already affected by the gable wall of the appeal property. Although the window is high level and secondary to the room it serves, it nevertheless currently provides the occupiers with an outlook to the rear. The first floor extension, due to the significant increase in massing and overall projection, would exacerbate the limited outlook to the extent that it would result in an oppressive and overbearing form of development. Notwithstanding that there would be no unacceptable harm arising from overshadowing, I conclude that the proposal would result in a poor and dismal outlook for the neighbouring residents with consequent adverse effects on their living conditions. This would be contrary to the objectives of the SPG.

Character and appearance

9. The appeal dwelling occupies a relatively wide corner plot, set within a predominantly open-plan residential area. It is bound by a low brick wall along the pavement edge. Although the proposed ground floor extension would be set back from the highway boundary, it would occupy a visually prominent open space near the road junction. It would also be a large addition, extending alongside most of the depth of the main side elevation with a height reaching up a substantial part of the existing two-storey gable wall. Given that the proposed side extension would also project beyond the return building line along Holloway Field, it would disrupt the established pattern and layout of this part of the estate, contrary to the advice in the SPG. Whilst the extension is intended to complement the existing design of the property, owing to its scale and positioning, it would result in a highly prominent and incongruous addition to the street scene.

10. My attention has been drawn to a side extension at No 134 Scots Lane which sits forward of the building line along Holloway Field. Whilst I do not have all the details which led to its approval, it is noted that it is well screened by established soft landscaping along its side elevation. The side of the appeal site where the proposal would be positioned is open, with the exception of a low boundary wall, thus allowing for views around the corner. As such, it contributes to the open-plan feel of the area. I do not therefore find the context to be directly comparable and I have therefore determined this appeal on its merits.
11. I conclude that the proposed side extension would have a harmful effect on the character and appearance of the area and is therefore contrary to policy DE1 of the LP which seeks to ensure all developments respect and enhance their surroundings and positively contribute towards the local identity and character of an area. This is also reflected in the Framework which seeks to ensure developments are sympathetic to local character.

Conclusion and Recommendation

12. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is dismissed.

Hannah Ellison

Appeal Planning Officer

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

P J Davies

INSPECTOR