



Appeal Decision

Site visit made on 1 October 2020 by S Watson BA(Hons) MSc MRTPI

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 2 November 2020

Appeal Ref: APP/U4610/D/20/3251811

12 Gosport Road, Coventry CV6 5TE

- 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 Asraf Kassam against the decision of Coventry City Council.
 - The application Ref HH/2020/0058, dated 8 January 2020, was refused by notice dated 12 March 2020.
 - The development proposed is a single storey side extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at 12 Gosport Road, Coventry CV6 5TE in accordance with the terms of the application HH/2020/0058, dated 8 January 2020 subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans listed: 02a, 04a, 05, 06a
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Appeal Procedure

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

Main Issue

3. The main issues in this case is the effect of the proposal on the living conditions of the occupiers of No 17 Pennington Way, with particular regard to outlook from, and light to, the property and its garden.

Reasons for the Recommendation

4. No 17 has a relatively shallow garden and is separated from the appeal site by a tall boundary fence. On the rear elevation of this property are a number of clear glazed windows facing the appeal site that serve habitable rooms, both at ground and first floor level. Although the rear garden is modest in scale the

outlook from the rear of No 17 is pleasant and open, with the host property providing the backdrop to this.

5. The new extension would be modest in scale and would be set back from the rear elevation of the host property. It would be located close to part of the rear boundary of No 17 and although it would be closer to the rear elevation of this property than the 12-metre separation required by the Extending your Home Supplementary Planning Guidance (SPG), it would be sited at an angle to the rear elevation. Given this, and its position relative to the rear of No 17, I find that the proposal would not be overbearing or intrusive on the current outlook from the rear windows of No 17. Moreover, the extension would be unlikely to make the rear garden of No 17 less pleasant to use, given its limited scale and its position relative to this area.
6. The host property is located in an easterly direction to the rear of No 17. There is a high probability that in the morning that the dwelling may cast shadow over parts of the rear of No 17. The new extension would however be unlikely to have any discernible effect upon either daylight or sunlight to No 17 or its garden, given its scale relative to the existing dwelling.
7. In light of the above I conclude that the proposal would not adversely affect the current living conditions of the occupiers of No 17 Pennington Way, in terms of outlook or light. The proposal accords with the aims of Policy DE1 of the Coventry City Council Local Plan (LP) which expects development to be of a high quality design. Although the distance of the extension from the rear of No 17 would conflict with the separation distance guidance contained within the SPG, I find that there would be no conflict with its aims, which amongst other things, seeks to reduce the visual impact of extensions on the amenities of neighbouring properties. Moreover, the proposal complies with Paragraph 127(f) of the National Planning Policy Framework (Framework) which requires development to create places with a high standard of amenity for existing and future users.
8. While the Council have referred to Policy H5 of the LP I find this policy is not directly relevant to the case before me, as it relates to managing existing stock.

Other Matters

9. The new extension would be located in close proximity to the rear garden boundary of No 19 Pennington Way. Although it would be visible from the rear windows of this property and its garden, I am satisfied that there would be sufficient separation distance between the rear windows of No 19 to ensure that the proposal would not be intrusive in the outlook from them. The largely open outlook across the rear garden of No 19 would be unlikely to be affected by the proposal to the degree that would make the rear rooms that the windows serve, or its rear garden less pleasant to use. Moreover, given the scale of the new extension and its position relative to the rear of No 19, it is unlikely that there would be a reduction in light or sunlight reaching the rear of the property. Accordingly, I find that the proposal would not adversely affect the living conditions of the occupiers of this property.
10. Although the proposal would result in the loss of the space to the side of the host dwelling, I find its low height and set back from the front elevation sufficient to maintain a sense of openness on the site. As such the proposal

would not result in a cramped form of development for the appeal site or result in harm to the character or appearance of the locality.

11. My attention has been directed to the loss of access for maintenance and services on the appeal site. However, access to the rear would still be maintained through the property itself and this is not unusual for many residential properties. This matter does not weigh against the proposal.

Conditions

12. The Council has suggested conditions it would wish to see imposed in the event that the appeal was allowed. I have considered the suggested conditions against the advice on conditions set out in the Framework and the Planning Practice Guidance.
13. I find that to ensure clarity, a condition is necessary requiring that the development is carried out in accordance with the approved plans. In the interests of the character and appearance of the area a condition is necessary requiring the external materials to match those on the existing dwelling.

Recommendation

14. For the reasons given above I recommend that the appeal should be allowed.

S Watson

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and the Appeal Planning Officer's report and concur that the appeal should be allowed with the suggested conditions.

RC Kirby

INSPECTOR