



Appeal Decision

Site visit made on 1 September 2020

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2020

Appeal Ref: APP/U4610/D/20/3253293

17 Innis Road, Coventry CV5 6AX

- 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 and Mrs Lacey against the decision of Coventry City Council.
 - The application Ref HH/2020/0053, dated 7 January 2020, was refused by notice dated 9 March 2020.
 - The development proposed is two storey rear, single-storey front extensions, garage conversion and rendering of whole-house with roof retiling.
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The Council's reason for refusing the appellants' planning application refers to the effects of the proposal on a rear bedroom window at a neighbouring dwelling, 19 Innis Road (No 19).
3. The appellant has provided a decision notice and drawing for a planning permission¹ in respect of No 19. The drawing shows an approved first-floor, rear facing window serving a bathroom at this property. However, based on the information before me, this rear window is to serve a bedroom (habitable room). The Council determined the appellants' planning application on that basis, and I have also determined the appeal on the same basis. Whether the development at No 19 is lawful or not, is not a matter for this appeal.

Main Issue

4. The main issue is the effect of the proposed two-storey rear extension on the living conditions of the occupants of No 19.

Reasons

5. The appeal property is a detached two-storey dwelling that is slightly recessed within its plot relative to No 19. Despite both these properties being detached, they are relatively close to each other in comparison to others along this part of Innis Road.
6. The proposed two-storey rear extension would comprise a projecting gable incorporating a dual pitched roof, with a lower ridge height than the main roof of the host property. This extension would extend into the rear garden, broadly

¹ Application reference: HH/2019/2023

in-line with the existing single-storey extension at the back of 17 Innis Road (No 17).

7. In assessing the proposal, the main parties have referred to the Council's 'Extending your home – a design guide' Supplementary Planning Guidance (Design SPG). Whilst the Design SPG incorporates some standards, these are not determinative because the Design SPG is intended as guidance, which recognises that each site is unique and that proposals will be determined on their own individual merits. Accordingly, I have assessed the proposal on this basis.
8. When undertaking the '45-degree line' assessment in accordance with the Design SPG, in plan form, from the middle of the existing first-floor window at No 19, the proposed extension would infringe this. Nonetheless, the window at No 19 benefits from a southerly aspect, and despite the construction of the proposed rear extension, the appellants' evidence shows that it would continue to receive a reasonable amount of direct sunlight and daylight though out the year, with only a limited impact in the early part of a day during the winter period. Any overshadowing which may occur would be limited to the early part of the morning. As such, any consequential reduction in daylight/sunlight and the extent of overshadowing from the proposed rear extension on the first-floor room at No 19, would be modest and within acceptable limits.
9. However, and notwithstanding the advice in the Design SPG on reducing 'tunnelling' effect on the views from a neighbouring property, the proposed extension due to its overall height and in particular its extensive projection, beyond the first-floor window at No 19, would introduce a sizeable flank elevation. As a consequence of this and its proximity to the shared boundary, the proposed rear extension would appear particularly dominant in views from the first-floor window and would also introduce a degree of enclosure adjacent to it. Such an arrangement would result in a significant adverse visual impact on the outlook from this room. This impact would be further exacerbated by the extension at No 19, which also flanks this window.
10. For the above reasons, the proposed two-storey rear extension would harm the living conditions of the occupiers of No 19, contrary to Policy DE1 of the Coventry Local Plan, 2016 and the Design SPG. Together, these seek to secure high quality developments which respect their surroundings, including with regard to the impact on neighbouring properties.

Other matters

11. I am aware that the appellants amended their original proposal following discussions with the Council. Nonetheless, given my findings in respect of the main issue, I have found the amended proposal to be unacceptable.

Conclusion

12. For the above reasons, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR