



Appeal Decision

Site visit made on 26 October 2020 by Andreea Spataru BA (Hons) MA

Decision by K Taylor BSc (Hons) PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/U4610/D/20/3256374

2 Ash Tree Avenue, Coventry CV4 9FQ

- 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 & Mrs Kenneth and Heather Pearson against the decision of Coventry City Council.
 - The application Ref HH/2020/0910, dated 14 April 2020, was refused by notice dated 9 June 2020.
 - The development proposed is a side and rear extension with modified front porch.
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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.

Preliminary matter

3. The appeal property has received planning permission¹ for a two-storey side extension, single storey rear extension and new porch. I have had regard to the approved scheme in so far as it relates to the appeal scheme.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons for the Recommendation

5. The appeal site relates to a two-storey, semi-detached, hipped roofed dwelling, which occupies a prominent position, on a corner plot, within a residential area. The appeal dwelling is well set in from the southern side boundary. The siting of the dwelling in relation to the road contributes to the open character of the plot, thus to the openness of the street scene, at the junction of Ash Tree Avenue with Elm Tree Avenue.
6. The proposal comprises of a two-storey side/rear extension, which would project along the full depth of the original dwelling and extend beyond the original rear elevation. The rear part of the two-storey extension would have a pitched roof and would be set down from the main ridge. The side wall of this

¹ Application ref: HH/2019/3017

part of the two-storey extension would also be set in a little from the front section. Other elements of the proposal include a front porch and a single storey rear extension, which would be attached to the two-storey element and would project along much of the width of the host dwelling. A significant difference between the recently approved scheme and the appeal proposal is the addition of the first-floor rear part of the two-storey element.

7. The proposal, particularly because of the massing at the first-floor level, would significantly increase the volume of the existing dwelling. When viewed from the southern side, the host dwelling would be dominated by the bulk and massing of the extension. The set down of the extension from the main ridge and set in from the side, towards the rear, would not be sufficient to mitigate the impact of the additional massing. Therefore, the proposal would make the dwelling considerably more substantial and thereby more dominant, particularly when seen within the context of the street scene.
8. Whilst the extensions would retain a gap to the side and would not significantly infringe on the building line of properties on Elm Tree Avenue, they would reduce the visual openness of the plot to such a degree that would be detrimental to the character and appearance of the street scene. The remaining garden space would not be sufficient to mitigate this harm.
9. The appellants have drawn my attention to the two-storey side extension of neighbouring property No 1 Ash Tree Avenue, which is located directly opposite the appeal site, on a corner plot. I do not find this extension directly comparable with the proposal before me, particularly because the first-floor element of No 1 does not project beyond the rear elevation of the original dwelling. Therefore, I do not consider that the appeal scheme would improve the balance in terms of massing and scale at the junction of Ash Tree Avenue with Elm Tree Avenue.
10. The appellants also referred to similar rear projections on corner plots within proximity of the appeal site. However, I do not have all the details of those cases, or the circumstances in which they were granted permission before me. I cannot therefore be certain that they are directly comparable. Moreover, I have considered the proposal on the basis of the site-specific circumstances of this case.
11. I have taken into account the reasons for the appellants seeking to have the extensions, including the necessary alterations at the ground floor level. However, I have no convincing evidence before me that the extensive projection at the first-floor level is essential in this case. I consider this particularly important in the context of the harm that I have identified. On that basis, the personal circumstances carry moderate weight in support of the proposal.
12. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Nevertheless, for the reasons set out above, it does not follow from the PSED that the appeal should succeed.
13. Accordingly, I conclude that the proposal would be detrimental to the character and appearance of the street scene. Therefore, the development would be

contrary to Policies DE1 and H5 of the Coventry City Council Local Plan, which collectively require, amongst other things, that developments respect and enhance their surroundings and positively contribute towards the local identity and character of an area.

Recommendation

14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

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

K Taylor

INSPECTOR