
Appeal Decision

Site visit made on 11 January 2022 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/U4610/D/21/3286571

1 Murrayfield Way, Coventry CV3 2UD

- 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 Jaimon Mathew against the decision of Coventry City Council.
 - The application Ref HH/2021/2422, dated 28 July 2021, was refused by notice dated 24 September 2021.
 - The development proposed is single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for single storey rear extension at 1 Murrayfield Way, Coventry CV3 2UD in accordance with the terms of the application, Ref HH/2021/2422, dated 28 July 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing / proposed block plans and location plan Dwg No 1Murray/ 1 and Proposed plans and elevations Dwg No 1Murray/ 3.
 - 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.
 - 4) Prior to their incorporation into the development hereby permitted, details of gas protection measures shall be submitted to and approved in writing by the Local Planning Authority, and which should demonstrate that the proposed measures score the pre-requisite number of points against the methodology of BS8485:2015. The approved gas protection measures shall be installed in full accordance with the approved details before the extension hereby permitted is brought into use as living accommodation and thereafter shall be retained and not be removed or altered in any way.
 - 5) Any gas boilers installed in the property shall have a dry NOx emission rate of no more than 40mg/kWh.

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.

Main Issue

3. The effect of the proposed extension upon the character and appearance of the street scene.

Reasons for the Recommendation

4. The dwelling is located on the junction between Murrayfield Way and Twickenham Way and the proposed rear extension would be located adjacent to the footpath along Twickenham Way. There are several cul-de-sacs in the immediate estate and as a result there are dwellings with flank walls facing the road. Where this occurs, the boundary wall is typically constructed from brick, and many are built in line with the flank wall of the dwelling. No 1 is a typical example of this.
5. The proposal would replace a section of the boundary wall and would be slightly taller, but because it would have a flat roof, when viewed from the roadside it would appear as a flank brick wall. The existing wall already steps up in height closer to the dwelling, and the proposed roof lanterns would be set in from the side boundary so would not be particularly prominent. While it would be deeper than the existing conservatory the proposal would also be lower in height, and because its side elevation would be on the boundary, it would be perceived as a taller section of boundary wall. In this context, the depth of the proposed extension and the use of a flat roof would not appear out of keeping with the dwelling or the wider area.
6. The Supplementary Planning Guidance "Extending Your Home – A Design Guide" (2003) (SPG) requires pitched roofs, particularly where they are visible from public vistas. While many extensions locally have pitched roofs, some have flat roofs. For example, the appellant has directed me to 6 Twickenham Way to the rear of the appeal site, which was recently granted planning permission for a rear extension with a flat roof. Given the variation in the scale and appearance of extensions locally and for the reasons above, the proposed flat roof of the rear extension would not appear discordant within the street scene.
7. The SPG advises that extensions should be set back by at least one brick from the main house to avoid bonding and brick matching problems, but that no setback will be required if a matching brick can be found or the property is rendered, and a pitched roof to match the existing is shown. It is unclear from the evidence before me why a pitched roof is necessary in relation to brick matching, and in any event the existing conservatory and other extensions locally have a different pitch to the main roof, indicating that some departure from the guidance has been accepted. The appellant indicates that they can use matching bricks, which can be secured by condition, therefore no set back from the side elevation is necessary. Indeed, such a setback would change the line of the extension and the continuation of the flank boundary wall, which is characteristic of this estate. Consequently, the lack of setback would not harm the appearance of the dwelling or the area.
8. Given the pattern of development there are several dwellings where the rear of one dwelling faces the side of another with a garden in between, like No 1 and its neighbour No 6. Many of these dwellings have garages to the side, including No 6. As a result, there is a large gap between the rear two storey wall of No 1 and the flank two storey wall of No 6 with a single storey garage inbetween,

set well back from the road. The proposed single storey rear extension would extend further into the garden than the existing conservatory, reducing the gap between the two properties at ground floor level. However, there would still be a gap of approximately 4m between the rear of the extension and the garage of No 6. Given the prevalence of brick boundary walls, a single storey brick wall between these two properties would not appear uncommon within the street scene. There would still be a large gap between the two dwellings above ground floor level and this would retain the sense of space in the street scene.

9. Therefore, the proposed rear extension would not harm the character or appearance of the street scene. Consequently, the proposal would comply with Policies H5 and DS3 of the Coventry City Council Local Plan (adopted 2017). These policies expect development to respect and enhance their surroundings and where appropriate support the renovation of the existing housing stock.
10. Whilst the proposal would not strictly adhere to the advice within the SPG, it would align with the intention of the SPG to ensure that extensions to dwellings on corner plots are sympathetic and complementary to their surroundings. Additionally, the proposal would comply with the design policies of the National Planning Policy Framework (the Framework) which require development to be sympathetic to the character of the area.

Conditions

11. Further to the statutory commencement condition, in the interest of certainty it would be necessary to ensure that the extension is carried out in accordance with the approved plans.
12. The Council's Environmental Protection team has identified that due to the historic use of the site, a condition requiring gas protection measures would be necessary to safeguard health, safety and the environment. Whilst I have not been made fully aware what the previous use of the site was or the associated risks, it is common ground between the parties that gas safety measures should be installed and Framework paragraph 183 supports mitigation to ensure sites are suitable for their proposed use. Consequently, requiring such provision would be reasonable and necessary.
13. The appellant submitted late evidence in the form of gas safety measures in response to this suggested condition, which does not appear to have been submitted to the Council during the determination of the application. Due to the limited information provided I am unable to conclude whether the suggested measures would be appropriate. Therefore, details will need to be agreed with the Council, and the suggested condition would still be necessary.
14. The site is located within an Air Quality Management Area declared for nitrogen oxide and enlargements of the dwelling could lead to more occupants and thus more people being exposed to harmful air quality. Policies DS3 and EM2 as well as paragraph 186 of the Framework support developments which promote health, wellbeing and quality of life. Therefore, the Council's suggested condition requiring any new boiler that is installed at the property to meet specific dry nitrogen oxide emission rates is reasonable. I note the appellant has recently replaced their boiler and it complies with this requirement, however the condition would require any future replacements to comply as well, and is therefore still necessary.

Conclusion and Recommendation

15. The proposed development would comply with the development plan as a whole. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to conditions.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall allow the appeal subject to the conditions set out above.

L McKay

INSPECTOR