



Appeal Decision

Site visit made on 5 October 2022

by A Hickey MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 November 2022

Appeal Ref: APP/U4610/D/22/3304205

1 Franklins Gardens, Coventry CV3 2UE

- 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 Akhtar Tahir against the decision of Coventry City Council.
 - The application Ref HH/2022/0694, dated 16 March 2022, was refused by notice dated 9 June 2022.
 - The development proposed is a single storey side extension and single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the decision notice and appeal form as this is more concise than that given on the application form.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The area surrounding the appeal site encompasses a residential estate, which is characterised generally by predominantly detached properties set back from the road by well-sized gardens and driveways. Whilst some dwellings have seen some minor alteration or extension this does not alter the consistent building lines together with coherent design features and materials which provide a pleasant character and uniformity to the area. I saw how properties on the end of rows are broken up by gaps between them and the street, which provide some visual relief to an otherwise relatively dense suburban area.
5. The Extending your Home – a design guide, Supplementary Planning Guidance (the SPG) sets out specific advice for dwellings that occupy corner plots. It acknowledges that each site is unique and states that proposals will be determined on their own individual merits having regard to the local distinctive character of the area and certain general principles. These principles include that extensions should not infringe established building lines in the immediate vicinity and should maintain a minimum distance of 2m between the edge of a side extension and the site's boundary (measured at the narrowest point).

6. The side extension would be constructed using materials to match the host dwelling and incorporate a short setback from the front elevation with a similar gable roof design. However, the built form would extend across much of the width of the plot on this side of the property. Combined with the scale of development proposed, I consider that the proposed extension would appear cramped and overly dominant resulting in an incongruous addition within the streetscene, particularly when viewed from the junction of Ellis Park Drive and Franklins Gardens.
7. Furthermore, the proposed side extension with a discernible section being less than 2m from the back of the footway would distort the established building line and the pattern of the layout found in the immediate area which includes views of garages set to the front of some properties. The removal of soft landscaping for built form would have an erosive effect on the spacious quality of the junction and the wider area along Ellis Park Drive which incorporates similar gaps between roads/footways and dwellings. This would not be overcome by the imposition of a condition to retain areas of soft landscaping.
8. My attention has been drawn to other side extensions in the area. I do not have full details of these schemes, or their planning history. However, as noted by the appellant the example at 138 Wycliffe Road West is not located close to the appeal site. The second example¹ is set within a wider more open streetscene with a verdant spacious appearance. The example at 20 Ellis Park Drive is not located on a junction and is set to the rear of the plot. In this regard, existing developments are materially different to the appeal proposal and therefore I cannot draw any direct comparison that weighs in favour of the proposal.
9. The proposed rear extension would be single-storey and constructed of matching materials with the host dwelling with limited views glimpsed from the surrounding area. I therefore find it would assimilate with the existing character and appearance of the area. This would be consistent with the Council's findings who raised no objection to the rear element of the scheme.
10. For the above reasons, the proposed side extension would unacceptably harm the character and appearance of the area. This would be contrary to Policy DE1 of the Coventry City Council Local Plan 2016, the principal aim of which is to ensure that all development proposals respect and enhance their surroundings and positively contribute towards the local identity and character of an area. The proposal also fails to reflect guidance in the SPG.

Other Matters

11. I have had due regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 and to the evidence regarding the appellant's family circumstances and the reasons for requiring the proposed development. Notwithstanding these important considerations, it does not follow from the PSED that the appeal should succeed, and in this instance, the appellant's circumstances do not outweigh the harm I have found.
12. Dismissing the appeal would mean that the appellant may have to consider other options for meeting their family's living needs. However, there is limited evidence before me to demonstrate that the appeal development is the only

¹ Ref: R/2007/1320

means by which such needs may be met. Accordingly, dismissing the appeal would be a proportionate response given the permanent harm identified.

13. I acknowledge the appellant has sought to make changes to the scheme following discussions with the Council. However, I have found harm would result from the appeal scheme for the reasons set out.

Conclusion

14. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

A Hickey

INSPECTOR