
Appeal Decision

Site visit made on 24 October 2022 by Hilary Senior BA (Hons) MCD MRTPI

Decision by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2022

Appeal Ref: APP/U4610/D/22/3303044

197 Broad Lane, Coventry, CV5 7AP

- 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 Andrew Ross against the decision of Coventry City Council.
 - The application Ref HH/2022/0657, dated 14 March 2022, was refused by notice dated 7 July 2022.
 - The development proposed is demolition of existing single storey rear extension, erection of a single storey rear extension and first-floor side extension and full property render.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of existing single storey rear extension, erection of a single storey rear extension and first-floor side extension and full property render at 197 Broad Lane, Coventry, CV5 7AP in accordance with the terms of the application, Ref HH/2022/0657, dated 14 March 2022 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 467.01A, 467.02, 467.03C and 467.05A.

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 Matters

3. I have taken the description of development in the banner heading and formal decision from the Decision Notice as it is more comprehensive than that on the application form.

Main Issue

4. The Council has raised no issue in terms of the proposed single storey extension to the rear or the plan to render the property. Having noted the use of render in the area and the relationship with the neighbouring dwelling at No. 195 I see no reason to take a different view.

5. Consequently, the main issue is the effect of the proposed first floor extension on the living conditions of the neighbouring occupiers at 199 Broad Lane, with particular respect to outlook and light.

Reasons for the Recommendation

6. The appeal site is a previously extended two storey semi-detached dwelling in a predominantly residential area of similar designed dwellings.
7. The property has a two-storey side extension and the proposal would infill an area over the existing ground floor store, to create an additional first floor area. The extension would be set back from the shared boundary and would be quite modest in depth, projecting no further than the rear of the existing dwelling.
8. I saw on my site visit that the neighbouring dwelling No 199 Broad Lane, has several windows on the side elevation facing the appeal property. The outlook and light to the ground floor kitchen window appeared to be compromised by the presence of a car port structure which prevented views of the sky from it. This, along with the high fence boundary treatment between the properties, would also restrict views of the proposed extension. There were also other ground floor windows, which would be closer to the side elevation of the appeal property than the current situation. However, whilst direct views would be more limited, views to the side beyond the extension across the sky over the neighbouring garden would remain.
9. The Council indicates that the first-floor windows serve a landing and dressing room which do not constitute primary living spaces. In addition, the relationship would be similar to that at ground floor level such that views on an angle from those windows would still be available beyond the extension.
10. Whilst the proposed extension would be closer to the neighbours' windows than the current situation, the existing side facing window of the host property would be removed, reducing any privacy and overlooking. In addition, due to the orientation of the dwellings there would only be a limited reduction in the amount of light to the neighbours' windows and not to a degree that would notably impact upon the internal environment or living standards within the affected rooms.
11. I conclude that the proposal would maintain acceptable living conditions for the neighbouring occupiers at 199 Broad Lane, with particular respect to outlook and light and would not conflict with Policy DE1 of the Coventry Local Plan (2016) which amongst other matters seeks to ensure proposals respect and enhance their surroundings. It would also comply with the guidance in the Extending Your Home Supplementary Planning Guidance (2003) which has similar aims.

Conditions

12. I have had regard to the conditions suggested by the Council in line with the advice in the National Planning Policy Framework and the Planning Practice Guidance. In addition to the standard timeframe condition, I consider that a condition requiring the development to be constructed in accordance with the approved plans is necessary for the avoidance of doubt. The condition requiring external surfaces to match the existing is not necessary as the proposal is to render the external walls and this is referred to on the approved plans.

Conclusion and Recommendation

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

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

14. 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.

Chris Preston

INSPECTOR