



Appeal Decision

Site visit made on 11 December 2023

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2024

Appeal Ref: APP/U4610/W/23/3327808

**Plot No. mm179602 Pine Tree Avenue, 80 Lime Tree Avenue, Coventry
CV4 9FD**

- 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 Mrs Louise Nixon against the decision of Coventry City Council.
 - The application Ref PL/2023/0000820/FUL, dated 18 April 2023, was refused by notice dated 20 June 2023.
 - The development proposed is the erection of one new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have used the description of development as it appears on the Council's Decision Notice as it succinctly describes the development proposed.

Main Issues

3. The main issues are:
 - The effect on the character and appearance of the area.
 - The effect on the living conditions of the future occupants with regards outlook.
 - The effect on highway safety.

Reasons

Character and Appearance

4. The appeal site is a small parcel of land that previously formed part of the rear of No 80 and 82 Lime Tree Avenue. It is located in a residential area characterised by semi detached dwellings with long rear gardens. Whilst some properties have been subject to extensions and alterations there is a strong building line with properties set back from the road behind driveways and front gardens. This creates a unifying feature.
5. Although the development would incorporate some design features of other properties in the street, the proposal would stand forward of the existing building line and therefore be prominent in the street scene. As the only detached dwelling in the road, it would appear as an incongruous addition that

would fail to improve the visual appearance of the area, as suggested by the appellant. I also disagree with the appellant's view that it would bookend the row of properties in Pine Tree Avenue given that the side extension of the end property on Elm Tree Avenue does not front onto Pine Tree Avenue.

6. The development would harm the character and appearance of the area. As such it would conflict with the part of Policy DE1 of the Coventry Local Plan 2016 (Local Plan) which requires new development to respect and enhance the surroundings, positively contribute towards the local identity and character of an area and respond to the physical context of the site.

Living Conditions

7. At some 4 metres long the rear garden of the proposed development would be significantly shorter than the rear gardens of other dwellings in the area. This would provide a restricted outlook for the occupiers of the dwelling. The main living room window would also only be approximately 3.2 metres away from a high brick wall and fence creating an oppressive outlook. The supplementary planting suggested by the appellant would not overcome the harm identified.
8. The appellant has referenced other development that they consider to have a more harmful impact on living conditions than the development proposed. However, I have limited details of the scheme referred to and do not know the circumstances in which planning permission was granted. I am therefore unable to draw detailed comparisons with the case before me. In any event, each case is determined on its own merits and that is what I have done.
9. The constraints of the site would create a development that would harm the living conditions of future occupants with regards outlook. As such it would conflict with the part of Policy H3 of the Local Plan which identifies that new development must provide a high quality residential environment.

Highways

10. The development would require a 2 metre by 2 metre visibility splay to enable safe exit from the site. However, although the appellant says this can be achieved, it has not been adequately demonstrated. As such I cannot be sure that there would be no harm to highway and pedestrian safety. The proposal would consequently conflict with the part of Policy AC3 of the Local Plan that requires the provision of car parking associated with new development to comply with parking standards. It would also conflict with the part of Policy H3 of the Local Plan which requires new residential development to include safe and appropriate access.

Conclusion

11. I note the appellant's reasons for the proposal. However, this does not outweigh the harm I have identified. I therefore conclude that the appeal should be dismissed.

K Ford

INSPECTOR