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## Appeal Decision

Site visit made on 9 April 2025

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 30 April 2025**

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**Appeal Ref: APP/U4610/D/25/3361647**

**4 Hexby Close, Coventry, CV2 2BT**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Bahadur Sandhu against the decision of Coventry City Council.
  - The application Ref is PL/2024/0002112/HHA.
  - The development proposed is Retention/reduction of rear conservatory and front porch (Part Retrospective).
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### Decision

1. The appeal is dismissed insofar as it relates to the Retention/reduction of rear conservatory. The appeal is allowed insofar as it relates to front porch and planning permission is granted for front porch at 4 Hexby Close, Coventry, CV2 2BT in accordance with the terms of the application, Ref PL/2024/0002112/HHA, and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: KADS 04HC PD015.
  - 2) 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.

### Preliminary Matter

2. The proposal is described as being partly retrospective and, at the time of my site visit, I saw that both the front porch and rear extension had been partly constructed. I have therefore dealt with the appeal on that basis.

### Main Issues

3. The main issues are the effect of the proposed development upon:
  - the character and appearance of the host dwelling and surrounding area; and,
  - the living conditions of the occupiers of the host dwelling, with particular regard to private amenity space.

### Reasons

*Character and appearance*

4. The appeal property is a 2 storey terraced house within a housing estate. Their front gardens are connected to a network of tarmac footways which link to communal open spaces, mostly laid to lawn and with some mature trees, giving the estate an open, green, traffic free character. Vehicular access is to the rear of houses. Some have integrated garages or parking in their rear yards and gardens which are enclosed by close board fences and provide a modest amount of private amenity space. It was clear from views over their fences that most properties had rear sheds, outbuildings, or other structures associated with their use as gardens and some had rear extensions. Consequently, the rear streetscape is varied, slightly cluttered, and less attractive than the public realm at the front of the houses.
5. The rear extension is substantially complete with the side walls, windows and flat roof in place, but not the rear wall. It projects from a previously approved single storey rear extension and extends beyond the rear building line of other extensions close to the appeal site. Retrospective applications for it were previously refused and the appeal scheme seeks to reduce the depth of the extension, setting the rear wall back approximately 0.7m from its current position.
6. Policy H5 of the Coventry City Council Local Plan (2017) (LP) supports the renovation and improvement of existing houses and Policy DE1 of the LP requires development proposals to respect their surroundings. Although the reduction in depth would not bring the extension in line with other rear extensions nearby, it would, in my view, reduce its size such that it would not appear so dominant or out of keeping with other rear outbuildings and extensions, in such a varied streetscape, as to warrant withholding planning permission on this issue alone.
7. Most houses close to the appeal property do not have front porches. However, the council does not consider that the proposed front porch would unduly harm the character or appearance of the host property, or the wider estate, and I agree. In this regard the proposed development would not conflict with Policies H5 and DE1.

#### *Living conditions*

8. Policy DE1 of the LP requires development to respond to the context of the site and the council's Householder Design Guide Supplementary Planning Document (SPD) advises that rear extensions should not unduly restrict the use of private rear gardens. The existing rear garden is used for parking and bin storage. The extension has significantly reduced its size and even though the proposal would reduce its depth there would be little useable private amenity space remaining.
9. The appellant has suggested that the front garden is the main amenity area. However, the front garden is not enclosed by a fence and fronts onto a pedestrian walkway which leads to shared communal space which contributes to the open character of the estate but offers no privacy or security. Instead, the rear yards and gardens that I could see into had garden furniture clearly indicating their use as the main amenity area despite their limited size. Therefore, I conclude on this main issue that the proposed development would lead to an unacceptable loss of private amenity space and in so doing fail to respond to the context of the site and therefore conflict with Policy DE1 of the LP and the guidance in the SPD.

### **Other Matters**

10. Given that the porch described above is acceptable and is physically and functionally severable from the rear extension, I consider a split decision would be appropriate to allow planning permission for this element of the proposal.
11. Representations raised concerns relating to the effect of the proposed development on light to their property, materials being left on the driveway of adjoining properties and regarding party wall agreements. I have had regard to these matters and agree with the Council in concluding that either no harm would occur or that the issues raised are not material planning considerations.

### **Conclusion and Conditions**

12. For the reasons given above, I conclude that the appeal should succeed in relation to the front porch. However, in relation to the rear conservatory the appeal should be dismissed.
13. The development has already begun, therefore no time limit for commencement is required. I have attached a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.

*P D Sedgwick*

INSPECTOR