
Appeal Decision

Site visit made on 7 September 2016

by Nicola Gulley MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 October 2016

Appeal Ref: APP/U4610/W/16/3150523
6, The Firs, Coventry, CV5 6QD

- 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 Dereck Beverley against the decision of Coventry City Council.
 - The application Ref Ful/2016/0680, dated 29 February 2016, was refused by notice dated 17 May 2016.
 - The development proposed is the demolition of the existing building and erection of two new detached dwellings.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and on ecology.

Reasons

Character and appearance

3. Policies BE2 and GE14 of the adopted Coventry Development Plan (DP) (2001) require that new development proposals are of a high standard of design, reflect locally distinct patterns of development and protect against the loss of important landscape features such as hedgerows. In addition, DP Policy BE14 seeks to prevent the loss of locally listed buildings unless it can be demonstrated that the benefits of the proposed development outweighs any resulting harm, or that no realistic alternative for its survival can be secured.
 4. The appeal site comprises a substantial, detached, 1930's dwelling of an arts and crafts style with a single garage which is set in a large plot. The curtilage of the site is enclosed on all sides by means of a mature hedgerow which is approximately 1.5 metres in height. The residential properties within the immediate vicinity of the appeal site are all substantial detached dwellings each set in generous sized plots and enclosed from the road. The appeal dwelling has been identified by the Council as a building of local historic importance.
 5. The development proposes the demolition of the existing building, removal of the hedgerow at the front of the property and the subdivision of the appeal site to allow for the construction of 2 no. detached dwellings with integral garages. Whilst I note that the appellant contends that the appeal dwelling is in a poor
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state of repair, no substantive evidence has been presented to support this assertion or to demonstrate that the cost of refurbishing the building would not be feasible or financially prohibitive. The demolition of the appeal dwelling and the removal of the existing hedgerow would, because of their scale and location on the outer bend of the highway, result in the loss of a visually prominent and architecturally significant local building and important landscape feature in the streetscene. With regard to the proposed dwellings, I consider that the modest scale of the properties together with the narrow, linear form of the proposed garden curtilages and the open plan design of the front garden areas would result in the creation of a discordant form of development that would fail to reflect the character, appearance and pattern of development in the immediate area. As a consequence, I consider that the proposed development would be contrary to DP Policies BE2, BE14 and GE14.

Biodiversity

6. National policy in respect of biodiversity is set out in the National Planning Policy Framework (NPPF) (2012) which seeks to ensure that proposals for new development do not have an adverse impact on protected species. In this instance, the Council considers that, because the age, structural condition and unoccupied nature of the appeal dwelling there is the potential for bats, a protected species, to be present at the site. As a result, the Council has requested a survey of the appeal site is undertaken by a suitably qualified person.
7. Whilst I note the appellant's comments that no bats species are present at the property, I am mindful that no substantive evidence has been presented to support this assertion. The absence of this information is contrary to the Standing Advice issued by Natural England and the requirements of Circular 06/2005, which seeks to ensure the extent a protected species may be affected by a development is established before planning permission is granted. In light of this, and having regard to the Planning Practice Guidance on Natural Environment, I consider that an ecological survey is justified. As such, I consider that the proposed development would be contrary to the objectives of the NPPF.

Planning Balance and Conclusions

8. Whilst the proposed development would make a modest contribution to the supply of housing, I consider that the benefits of this provision would not significantly and demonstrably outweigh the harm to a locally listed building, the character and appearance of the area or, potentially, biodiversity interests.
9. In reaching my decision I have had regard to all other matters raised in support of the scheme. However, none of these factors are sufficient to alter my findings.
10. For these reasons, I conclude that the appeal should be dismissed.

Nicola Gulley
INSPECTOR