
Appeal Decision

Site visit made on 3 May 2017

by **B Bowker Mplan MRTPI**

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

Decision date: 26 May 2017

Appeal Ref: APP/U4610/W/17/3166584 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/2016/2635, dated 25 October 2016, was refused by notice dated 5 January 2017.
 - The development proposed is described as 'demolish existing house and garage and build two new homes'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the significance of a non-designated heritage asset and the character and appearance of the surrounding area.

Reasons

3. No 6 The Firs is an arts and crafts style detached dwelling set in a large plot with a roadside hedgerow. Owing to its corner location, No 6 is a prominent feature in the street scene, appreciable from public vantage points to the west and south. Whilst those to the immediate south differ in style, adjacent properties are also generously sized, detached and set in large plots bounded by roadside vegetation. In May 2016 an Article 4 Direction was served on the appeal property to prevent the demolition of it without planning permission.
 4. Historic England considers the appeal property to be unremarkable in the context of it being considered as a nationally listed building. Further, it is asserted that there are numerous similar properties in the area that are in good condition. Nonetheless, such considerations do not alter the fact that the property has been locally listed by the Council owing to its historical and architectural interest.
 5. Coventry Development Plan (DP) Policy BE14 seeks to prevent the loss of locally listed buildings unless it can be demonstrated that the benefits of the proposal outweigh any resultant harm, or that no realistic alternative for its survival can be secured. Paragraph 135 of the National Planning Policy Framework (the Framework) advises that applications that affect non-
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- designated heritage assets require a balanced judgement having regard to the scale of any harm or loss and the significance of the heritage asset.
6. An appeal¹ has been dismissed for development at the site which involved demolition of the property. Owing to the prominence of the site, the Inspector considered that the demolition of the dwelling and removal of hedgerow would result in the loss of an important and architectural significant building in the street scene. I agree with the previous Inspector on this matter. No substantive structural or financial evidence was before the previous Inspector to justify the proposal. However, structural and financial evidence has been submitted as part of the appeal before me.
 7. The submitted Structural Report states that the house is suffering from subsistence and that underpinning is required to stabilise the main walls and a partition wall. Other repair work identified includes masonry reinforcement above openings, bow ties to stabilise the front elevation of the house, and a new roof with tiles. It goes on to state that the necessary repair works are not cost effective and that it would be more cost effective to demolish and rebuild the property. As no evidence to the contrary is before me to dispute that the works specified are necessary, I accept the extent of repair works outlined in the Structural Report.
 8. Quotations from relevant construction specialists have been submitted at the appeal stage to evidence the costs associated with the identified repair works. Based on the appellant's approximate costings and the accompanying invoices, it would cost roughly in excess of £222,000 to make the property safe and habitable. With no evidence to the contrary, I accept the case put forward by the appellant in this respect. However, no detailed costs for the demolition and construction of the proposed dwellings are before me. Consequently, I share the Council's concern that it has not been demonstrated that the proposed demolition and rebuild at the site is the most cost effective option. It follows that I am unable to conclude that there is no realistic alternative to secure the building's survival as required by DP Policy BE14.
 9. The design of the two proposed dwellings has been revised in an attempt to address the previous Inspector's concerns. In addition, measurements of adjacent residential plots compared with those proposed are provided. As part of the revised design, the width of each dwelling has been increased, the distance between the respective front elevations and road reduced, and a larger section of roadside hedgerow retained. However, despite these changes, and the measurements cited, the comparatively narrow width of the dwellings and the linear form of the garden curtilages remains. Consequently, the proposal would appear discordant when viewed in the context of generously sized properties and plots next to the site. In this respect, the proposal has not overcome the harm identified by the Inspector in the previous appeal decision.
 10. This harm would not be prevented by the in keeping height of the proposed dwellings, the arts and crafts design, retained hedgerow or the choice of roof and wall materials proposed. Owing to the prominent corner location of the site, the resultant harm to local character and the pattern of development would be particularly noticeable from the surrounding area.

¹ APP/U4610/W/16/3150523, decision dated 7 October 2016

11. During my site visit, I viewed the development referred to at Nos 1 and 29 Woodland Avenue and No 20 The Firs. I also viewed properties to the west of the site cited as examples of dwellings in the locality with narrow frontages. However, unlike the immediate surroundings of the appeal site, the character and design of properties along Woodland Avenue differs and has a denser pattern of development. Properties to the west of the site at The Firs are also surrounded by a denser pattern of development and owing to the indirect road layout, would not be seen alongside the proposal. In addition, the development² at 18 Knoll Drive is some distance away from the appeal site and does not involve the demolition of a non-designated heritage asset. The circumstances identified above limit the weight I afford to the cited developments and properties.
12. I acknowledge that paragraph 60 of the Framework states that architectural styles or particular tastes should not be imposed. Nonetheless, paragraphs 56, 60 and 64 highlight that it is proper to promote local distinctiveness and that permission should be refused for poorly designed development. Based on my reasoning above, the proposal would be deficient in these respects
13. In summary; the proposal would involve the provision of two energy efficient dwellings on a brownfield site in an existing built up area with good links to local services and facilities. These benefits attract some weight in favour of the appeal. However, a private matter such as a potential fall in property value can be afforded limited weight only in support of the appeal. In addition, the absence of harm to neighbouring living conditions and other material consideration are neutral factors only when considered in the planning balance. Combined, the benefits associated with the appeal would be outweighed by the weight afforded to the loss of the locally listed building and to the harm identified to local character and appearance.
14. Therefore the proposal would have a harmful effect on the significance of the non-designated heritage asset and on the character and appearance of the surrounding area. Consequently, the proposal would be contrary to DP Policies BE2, BE14 and GE14, and paragraphs 60 and 135 of the Framework. Combined, these policies seek to preserve the significance of non-designated heritage assets and require development to be a high standard of design that reflects locally distinct patterns of development.

Other Matters

15. A Court Decision³ is referred to by a third party to highlight the general approach to such cases. Based on the relevant provisions of the Framework, a similar approach has been applied to the non-designated heritage asset before me. As the judgement involves a different local planning authority with different local policies and heritage assets, I am unable to draw any further conclusions from it.
16. I understand that the Council declined the opportunity to purchase the property from the appellant. However, this factor does not justify or remove the harm identified in relation to the main issue above.

² APP/U4610/D/13/2200147

³ Christopher John Holland v SSCLG and Royal Borough of Greenwich and Peter Hearn [2014] EWHC 566

Conclusion

17. For the reasons given above, and having taken all matters raised into account, I conclude the appeal should be dismissed.

B Bowker

INSPECTOR